

DECLARATION AMENDING
HOMES ASSOCIATION AMENDMENT
CEDAR BROOKE

WHEREAS, the document filed with the title Homes Association Amendment Cedar Brooke, dated September 29, 2003 and recorded on September 29, 2003, in the Office of the Register of Deeds, Johnson County, Kansas, as Instrument 3723068, Book 9548, commencing on Page 689, providing for the Meeting of Members, the Board of Directors, Selection and Term of Office, Officers and Their Duties, and Assessments.


WHEREAS, the aforementioned document contains no documentary trail to previously established and filed documents affecting the Cedar Brooke Subdivision.

WHEREAS, the undersigned President of Cedar Brooke Homes Association represents the owners of more than fifty-one percent (51%) of the homeowners within the Cedar Brooke Homes Association, district as it is now constituted, as provided for in Section 7.(e) of the Cedar Brooke Homes Association, Inc., Declaration as in Instrument No. 3062415, Book 6391, commencing on page 833; and


NOW THEREFORE, in consideration of the premises of the provisions of the Cedar Brooke Homes Association, Inc., Declaration, and the Declaration of Restrictions to Cedar Brooke, that the above document, filed as Homes Association Amendment Cedar Brooke, dated September 29, 2003 and recorded on September 29, 2003, in the Office of the Register of Deeds, Johnson County, Kansas, as Instrument No. 3723068, Book 9548, commencing on Page 689, be considered null and void as affecting all Cedar Brooke Subdivision properties.

IN WITNESS WHEREOF, Nathan D. Ellsworth, President of the Cedar Brooke Homes Association, has executed this instrument as of this 20th day of October, 2004.

By:



Nathan D. Ellsworth – President
Cedar Brooke Homes Association, Inc.


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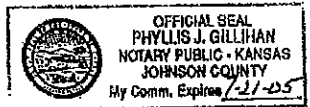
STATE OF KANSAS)
) SS:
COUNTY OF JOHNSON)

Before me, the undersigned, a Notary Public within and for said County and State on this 80th day of October, 2004, personally appeared.

NATHAN D. ELLSWORTH, President of the Cedar Brooke Homes Association, Inc., a corporation duly organized, incorporated and existing under and by virtue of the laws of the State of Kansas, who is personally known to me to be the person who executed, as such officer, the within instrument on behalf of said corporation and such person duly acknowledged the execution of the same to be the voluntary act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year last above written.

Notary Seal



Phyllis J. Gillihan
Notary Public
My Appointment Expires
July 05, 2005

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