

FIRST AMERICAN TITLE
7200 COLLEGE BLVD.
OVERLAND PARK, KS 66210

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SIXTH SUPPLEMENTAL
DECLARATION OF PRAIRIE BROOK

THIS SIXTH SUPPLEMENTAL DECLARATION is made as of the 29 day of March, 2013, by HIDDEN CREEK, L.L.C., a Kansas limited liability company ("the Developer").

RECITALS:

A. Developer executed a DECLARATION OF PRAIRIE BROOK (the "Original Declaration") as of the 1st day of May, 2005, filed for record on December 23, 2005 in the office of the Register of Deeds of Johnson County, Kansas and recorded in Book 200512 at Page 008559 concerning the following described real property:

Lots 1-62 inclusive and Tracts A-E inclusive of Hidden Creek First Plat, a subdivision in the City Olathe, Kansas filed for record on June 20th, 2005 in the office of the Register of Deeds of Johnson County, Kansas and recorded in Book 200506 at Page 008935, and Lots 63 and 64 of Hidden Creek Second Plat, a subdivision in the City of Olathe, Kansas filed for record on September 12th, 2005 in the office of the Register of Deeds of Johnson County, Kansas and recorded in Book 200509 at Page 003897.

B. Hidden Creek First Plat was re-platted as Lots 4-62 inclusive and Tracts A- F of Prairie Brook, First Plat, a subdivision in the City of Olathe, Kansas, filed for record on February 17th, 2006 in the office of the Register of Deeds of Johnson County, Kansas and recorded in Book 200602 at Page 005270. Lots 63 and 64 of Hidden Creek Second Plat have been re-platted as Lots 63 and 64 of Prairie Brook, Second Plat, a subdivision in the City of Olathe, Kansas filed for record on February 17th, 2006 in the office of the Register of Deeds of Johnson County, Kansas and recorded in Book 200602 at Page 005271 (the foregoing is hereafter described as the "Neighborhood").

C. Article 10 of the Original Declaration permits the Developer to make changes in the Neighborhood and Article 13, Section 13.2, permits amendments by the Developer.

D. The Developer previously executed that certain Supplemental Declaration dated July 18, 2008 ("Supplemental Declaration") of Prairie Brook as recorded in the office of the Register of Deeds of Johnson County, Kansas, as recorded on July 22, 2008, in Book 200807 at Page 005975 whereby the property known as the Prairie Brook Villas was added to the Neighborhood and became subject to the Declaration.

E. The Developer also previously executed that certain Second Supplemental Declaration dated August 12, 2008 ("Second Supplemental Declaration") of Prairie Brook as recorded in the office of the Register of Deeds of Johnson County, Kansas, on August 15, 2008, in Book 200808 at Page 003828, whereby PRAIRIE BROOK THIRD PLAT and PRAIRIE BROOK FOURTH PLAT were added to the Neighborhood and became subject to the Declaration, and certain other Owners adopted the Declaration and were added to the Neighborhood and became subject to the Declaration, which such plats were legally described as:

The Final Plat of PRAIRIE BROOK THIRD PLAT, as recorded March 23, 2007, in Book 200703 at Page 007526; and

The Final Plat of PRAIRIE BROOK FOURTH PLAT, as recorded March 23, 2007, in Book 200703 at Page 007527.

F. Lots 125, 126, 127, 128, 129, 136, and 137 in PRAIRIE BROOK FOURTH PLAT are subject to a "Tree Preservation Easement" or "TP/E" that provides in the recorded plat as follows:

An easement is hereby dedicated to the City of Olathe to enter upon, over and across those areas outlined and designated on this plat as "Tree Preservation Easement" or "TP/E". Trees shall not be removed from a tree preservation easement without the City of Olathe's permission, unless such trees are dead, diseased or pose a threat to the public or adjacent property. The Homes Association, or their designees, shall be responsible for the maintenance of the tree preservation easement, including but not limited to the removal of dead, diseased trees or trees posing a threat to the public or adjacent property.

G. The Developer, on behalf of the Association designated the Owners of the Lots affected by the Tree Preservation Easement as the "designees" for purposes of being responsible for the maintenance of the Tree Preservation Easement, including but not limited to the removal of dead, diseased trees or trees posing a threat to the public or adjacent property, with respect to the individual Lots owned by an Owner, pursuant to a Third Supplemental Declaration dated December 15, 2008 ("Third Supplemental Declaration") of Prairie Brook as recorded in the office of the Register of Deeds of Johnson County, Kansas, on December 18, 2008, in Book 200812 at Page 003892.

H. A portion of the property which was a part of The Final Plat of PRAIRIE BROOK FOURTH PLAT and subject to the Second Supplemental Declaration was re-platted as follows:

The Final Plat of PRAIRIE BROOK FIFTH PLAT, A REPLAT OF LOTS 137, 138 AND PART OF TRACT "I", PRAIRIE BROOK , FOURTH PLAT (A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS), as recorded February 19, 2009, in Book 200902, at Page 006549 as Document No. T20090005722, in the office of the Register of Deeds of Johnson County, Kansas.

I The Developer also previously executed that certain Fourth Supplemental Declaration dated March 26, 2010 ("Fourth Supplemental Declaration") of Prairie Brook as recorded in the office of the Register of Deeds of Johnson County, Kansas, on April 2, 2010, in Book 201004 at Page 000578, Document No. T20100012444 whereby property was added to the Neighborhood and became subject to the Declaration, and certain other Owners adopted the Declaration and were added to the Neighborhood and became subject to the Declaration, which such property was legally described as:

Lots 96, Lots 149 -170, inclusive and Tracts N and O of the FINAL PLAT OF PRAIRIE BROOK SIXTH PLAT (A REPLAT OF LOT 96 AND PART OF 109TH STREET RIGHT-OF-WAY, PRAIRIE BROOK THIRD PLAT AND A PART OF THE SW ¼ OF SEC. 9-13-23, IN THE CITY OF OLATHE, JOHNSON COUNTY KANSAS, as recorded December 2, 2009, in Book 200912 at Page 000951.

J. A portion of the Neighborhood was re-platted as:

FINAL PLAT OF PRAIRIE BROOK VILLAS, SECOND PLAT, (A REPLAT OF LOTS 13 THROUGH 16 AND TRACT B, PRAIRIE BROOK VILLAS, FIRST PLAT IN THE SW ¼ OF SEC. 19-13-23, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS) as recorded September 15, 2010, in Book 201009, at Page 005772 as Document No. T20100042812, in the office of the Register of Deeds of Johnson County, Kansas.

K. The Developer also previously executed that certain Fifth Supplemental Declaration dated September 17th, 2010 ("Fifth Supplemental Declaration") of Prairie Brook as recorded in the office of the Register of Deeds of Johnson County, Kansas, on September 21, 2010, in Book 201009 at Page 008181, Document No. T20100044140 whereby property was added to the Neighborhood and became subject to the Declaration, and certain other Owners adopted the Declaration and were added to the Neighborhood and became subject to the Declaration, which such property was legally described as:

The FINAL PLAT OF PRAIRIE BROOK, SEVENTH PLAT (A REPLAT OF PART OF TRACT "O", AND PART OF BELMONT ST. RIGHT-OF-WAY, PRAIRIE BROOK, SIXTH PLAT, A REPLAT OF LOTS 9, 10, 11, PART OF TRACT "A", AND PART OF WRANGLER ST. RIGHT-OF-WAY, PRAIRIE BROOK VILLAS, FIRST PLAT, AND A PLAT OF PARTS OF THE SW ¼ OF

SEC. 9-13-23, AND THE SE ¼ OF SEC. 8-13-23, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS), as recorded September 15, 2010, in Book 201009, at Page 005790 as Document No. T20100042823, in the office of the Register of Deeds of Johnson County, Kansas.

L. Pursuant to Section 2.8 of the Original Declaration, the Developer has absolute and exclusive control of the Association until the Turnover Date.

M. The Developer desires that to add the property legally described in Exhibit 1 attached hereto to become a part of the Neighborhood and to become subject to the Declaration.

N. The Developer desires to supplement the Original Declaration as amended and as set forth herein and to include the property as legally described in Exhibit 1 attached hereto.

NOW, THEREFORE, Developer hereby declares that the Original Declaration as amended is supplemented and amended as set forth herein.

1. The Neighborhood is amended to include the property legally described in Exhibit 1 attached hereto.

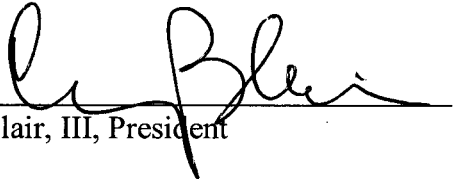
2. In all other respects, the Original Declaration, the Supplemental Declaration, the Second Supplemental Declaration, the Third Supplemental Declaration, the Fourth Supplemental Declaration and the Fifth Supplemental Declaration are hereby ratified, confirmed and approved.

IN WITNESS WHEREOF, Developer has executed this Sixth Supplemental Declaration as of the date first above written.

HIDDEN CREEK, L.L.C., a Kansas limited liability company

BY ITS MANAGER,

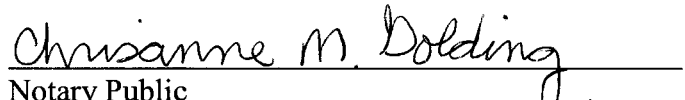
CLAY BLAIR SERVICES CORPORATION

By: 
Clay C. Blair, III, President

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

ON THIS 29 day of March, 2013, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Clay C. Blair, III, to me personally known to be the person described in and who executed the foregoing instrument, who, being by me duly sworn, acknowledged that he is the President of Clay Blair Services Corporation, the Manager of Hidden Creek, L.L.C., a Kansas limited liability company, and that he executed such instrument on behalf of said company by authority of its members, and said person acknowledged the execution of said instrument to be the act and deed of said limited liability company.

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


Notary Public
Printed Name: Chrisanne M. Golding

My Commission Expires:

August 27, 2014

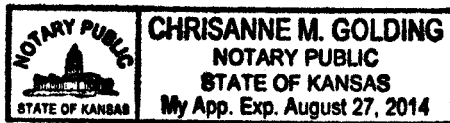


EXHIBIT 1

LEGAL DESCRIPTION

Lots 30-40 inclusive and Tracts A-C inclusive of the FINAL PLAT OF PRAIRIE BROOK VILLAS, THIRD PLAT (PART OF THE SOUTHWEST ONE-QUARTER OF SECTION 9 AND PART OF THE S.E. 1/4 OF SECTION 8, TOWNSHIP 13 SOUTH, RANGE 23 EAST, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS), as recorded March 13, 2013 in Book 201303, at Page 005097 as Document No. T20130019263, in the office of the Register of Deeds of Johnson County, Kansas.