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Register of Deeds T20190030398

**AMENDMENT TO  
TIMBER RIDGE VILLAS  
DECLARATION OF RESTRICTIONS**

THIS AMENDMENT (this “**Amendment**”) is made and entered into as of June 17, 2019 by and among the persons who have executed this document in their capacities as board members of the Timber Ridge Villas Homes Association., a Kansas corporation, as the homes association of the real property described below (the “**HOA**”).

**WITNESSETH:**

WHEREAS, the Owners and the HOA desire to amend that certain Timber Ridge Villas Declaration of Restrictions dated February 14, 2008, and recorded with the Office of the Register of Deeds of Johnson County, Kansas (the “**Recording Office**”), in Book 200802 at Page 003889 (the “**Declaration**”); and

WHEREAS, the Declaration places certain covenants and restrictions upon the following described residential lots (the “**Lots**”) and the following described common areas:

Lots 1 through 41, and Tract A, TIMBER RIDGE VILLAS  
REPLAT, a subdivision in City of Merriam, Johnson  
County, Kansas.

WHEREAS, the Owners and the HOA desire to amend the Declaration as provided herein;

NOW, THEREFORE, the parties hereto declare and agree as follows:

A. Capitalized terms used in this Amendment but not defined herein shall have the meanings set forth in the Declaration.

B. The first two sentences of Section 10.d of the Declaration originally read:

“Overnight parking of motor vehicles, boat or other trailers, or similar apparatus of any type or character in public streets, Common Areas or vacant lots is prohibited. Motor vehicles shall be parked overnight in garages or on

paved driveways only.”

C. In order to grant greater freedom to TRV residents to be able to park on the public street, the first two sentences of Section 10.d of the Declaration are hereby amended to read as follows:

“Overnight parking of motor vehicles, boat or other trailers, or similar apparatus of any type or character in Common Areas or vacant lots is prohibited. Overnight parking of motor vehicles or similar apparatus of any type or character in public streets is prohibited except as provided in section 10.d(1). Motor vehicles shall be parked overnight in garages or on paved driveways except as provided in section 10.d(1).”

D. Section 10.d(1) shall be added to read as follows:

Overnight Street Parking permitted when:

“10.d(1) Overnight parking on the public street is permitted when all of the following conditions are all satisfied:

- No snow or ice is present.
- All spaces in the driveway and garage of the homeowner are already occupied by vehicles.
- The night in question is the night of or the night preceding one of Easter Sunday, Independence Day, Thanksgiving, Superbowl, Christmas, or New Years.”

E. Pursuant to Section 19(a) of the Declaration, this Amendment shall become effective as an amendment of the Declaration and binding upon all of the Lots upon (a) recording of the Certificate of Substantial Completion, (b) a duly acknowledged and recorded written instrument executed by the Homes Association after the proposed amendment has been first approved by the affirmative vote of 75% or more of the full number of directors on the Board of the Homes Association and then (c) approved at a duly held meeting of the members of the Homes Association (called in whole or in part for that purpose) by the affirmative vote of Owners owning at least 60% of the Lots.

F. At duly held meeting of the members of the Homes Association, the aforementioned amendments were affirmatively voted by at least 60% of the Lots Represented. See Exhibit A.

**EXECUTION PAGE FOR HOMES ASSOCIATION**

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed.

**THE HOA:**

Timber Ridge Villas Homes Association

By: *William T Crook*  
Name: William T Crook  
Title: President

**ACKNOWLEDGEMENT**

STATE OF KANSAS            )  
  ) ss.  
COUNTY OF Johnson    )

This instrument was acknowledged before me, a Notary Public, on June  
17, 2019 by **William T Crook**, as President of Timber Ridge Villas Homes Association, a Kansas Corporation.

My Commission Expires: 10-17-2020

*Juliana Pinnick*  
Notary Public in and for said County and State

Print Name: Juliana Pinnick



**EXHIBIT A: RECORD OF MEMBER APPROVAL**

The following documents lot representation and approval of this amendment at the special meeting on 2019-06-08, held in the Timber Ridge Villas Block Party in the Wedd Place Culsesac, Merriam, KS 66202.

Lot#:	Represented	Vote	Lot#:	Represented	Vote
4	In Person	Yes	28	No	
5	In Person	Yes	29	No	
6	By Proxy	Yes	30	No	
7	In Person	No	31	By Proxy	Yes
8	In Person	Yes	32	By Proxy	Yes
9	In Person	No	33	No	
10	By Proxy	Yes	34	In Person	Yes
11	In Person	Yes	35	By Proxy	Yes
12	No		36	In Person	Yes
13	In Person	Yes	37	By Proxy	Yes
14	No		42	By Proxy	Yes
15	No		43	By Proxy	Yes
16	In Person	Yes	44	In person	No
17	By Proxy	Yes	45	No	
21	By Proxy	Yes	46	In Person	Yes
24	No		47	No	
25	No		48	By Proxy	Yes
26	By Proxy	Yes	49	In Person	Yes
27	In Person	Yes	Totals	26/37	23/37 (23 required)