

RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI

08/15/2008 05:00:53 PM

INSTRUMENT TYPE: REST FEE: \$45.00 10 Pages
NON-STANDARD FEE: \$25.00



INSTRUMENT NUMBER/BOOK & PAGE:
2008E0088216

ROBERT T. KELLY, DIRECTOR, RECORDER OF DEEDS

**Jackson County
Recorder of Deeds
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Robert T. Kelly, Recorder of Deeds

415 E. 12th Street, Room 104
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**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS,
AND RESTRICTIONS OF PARKWAY ESTATES**

DATE: AUGUST 15, 2008

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS, AND RESTRICTIONS OF PARKWAY ESTATES (this "Declaration"), is made on the date hereinafter set forth by PARKWAY DEVELOPMENT COMPANY, INC., a Missouri corporation (hereinafter referred to as "Developer").

WITNESSETH:

WHEREAS, that certain Declaration of Covenants, Conditions, Easements, and Restrictions of Parkway Estates (the "Declaration") dated October 2, 2007, was filed for record in the Jackson County, Missouri, Department of Records on October 4, 2007, as Document No. 2007E0129495, subjecting certain real estate situated in the City of Blue Springs, County of Jackson, State of Missouri, which real estate is more particularly described on Exhibit "A" attached hereto which is incorporated herein by this reference (the "Property"), to certain protective covenants, conditions, restrictions, reservations, easements, liens, and charges, as therein set forth, for the use and benefit of Developer, its grantees, successors, and assigns; and

WHEREAS, Article II of the Declaration provides that for a period of 10 years from the date of the Declaration the Developer shall have the right to add additional real estate to be made subject to the Declaration and to be made a part of the Property without any vote by the Members by a written instrument duly executed by the Developer and recorded with the Jackson County, Missouri, Department of Records; and

WHEREAS, Article X, Section 2, of the Declaration provides that the Developer acting alone may amend the provisions of the Declaration so long as Class B membership shall continue in effect and currently the Class B membership of the Association is in effect and the Developer is the sole Class B member of the Association with voting rights; and

WHEREAS, Developer desires to amend certain provisions of the Declaration and to add certain real estate to be made subject to the Declaration and to be made a part of the Property;

NOW, THEREFORE, Developer hereby takes the following actions:

1. Developer hereby adds to the Property that certain real estate legally described on Exhibit B attached hereto which is incorporated herein by reference ("Parkway Estates-9th Plat") which shall hereafter be subject to all of the provisions of the Declaration as amended from time to time.
2. Article VIII, Section 2 of the Declaration is amended by adding the following language regarding minimum Size Requirements:

"(c) Lots 128-203 and Lots 379-381 are subject to the following requirements:

- i. Minimum total floor area of 1,400 square feet.
- ii. Raised Ranch residences shall not be allowed.

(d) Lots 1-75 and 382-383 are subject to the following requirements:

- i. Minimum total floor area of 2,200 square feet.
- ii. Raised Ranch and split level residences shall not be allowed.

(e) Lots 76-127 are subject to the following requirements:

- i. Minimum total floor area of 2,400 square feet.
- ii. Raised Ranch and split level residences shall not be allowed."

3. All capitalized terms used herein but not defined herein shall have the meanings ascribed to them in the Declaration as amended from time to time. All provisions of the Declaration as amended herein are hereby ratified and shall remain in full force and effect.

IN WITNESS WHEREOF, Developer has caused this First Amendment to be executed this 15th day of August, 2008.

PARKWAY DEVELOPMENT COMPANY, INC.

By: *Dana Zander*
DANA ZANDER, President

STATE OF MISSOURI)
COUNTY OF JACKSON)

On this 15th day of August, 2008, before me a Notary Public, personally appeared DANA ZANDER, President of PARKWAY DEVELOPMENT COMPANY, INC., a Missouri corporation, known to me to be the person who executed the foregoing instrument on behalf of said corporation and acknowledged that he executed the same by authority of said corporation's Board of Directors for the purposes stated therein and as the free act and deed of said corporation and that said corporation has no corporate seal.

My Commission Expires:

1-17-10

Pamela Kimble
NOTARY PUBLIC

PAMELA KIMBLE
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES JANUARY 17, 2010
COMMISSION #06319752

EXHIBIT "A"

PARKWAY ESTATES 1ST PLAT, Lots 231-233, 347-352 & Tracts B, F, G and O-1, a subdivision in Blue Springs, Jackson County, Missouri, according to the recorded plat thereof.

And

Tract 2:

All that part of the Northwest Quarter of Section 8, Township 48, Range 30, Jackson County, Missouri, being more particularly described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Section 8 (found 3/8" iron bar); thence North 88°06'23" West along the North line of said Northwest Quarter a distance of 1374.98 feet to the POINT OF BEGINNING; thence continuing North 88°06'23" West, along said North line, a distance of 645.00 feet to a point which bears South 88°06'23" East, a distance of 611.48 feet from the Northwest corner of said Northwest Quarter (found stone next to 3/8" iron bar); thence South 01°44'56" West, departing said North line, a distance of 1028.75 feet; thence on a curve to the left having an initial tangent bearing of South 62°15'59" East with a radius of 160.00 feet and an arc length of 72.56 feet; thence South 88°15'40" East, a distance of 489.00 feet; thence along a tangent curve to the left with a radius of 89.00 feet and an arc length of 14.12 feet; thence North 82°39'31" East, a distance of 34.74 feet; thence along a tangent curve to the right with a radius of 111.00 feet and an arc length of 17.61 feet; thence South 88°15'04" East, a distance of 20.00 feet to the West right-of-way line of SE Adams Dairy Parkway; thence North 01°44'56" East, along said West right-of-way line, a distance of 1035.30 feet to the POINT OF BEGINNING.

(TO BE PLATTED AS:

PARKWAY ESTATES 2ND PLAT, Lots 303-346 & Tract P, a subdivision in Blue Springs, Jackson County, Missouri, according to the recorded plat thereof)

AND

Tract 3:

All that part of the Northwest Quarter of Section 8, Township 48, Range 30, Jackson County, Missouri, being more particularly described as follows:

BEGINNING at the Northwest corner of the Northwest Quarter of said Section 8 (found stone next to 3/8" iron bar); thence South 88°06'23" East, along the North line of said Northwest Quarter, a distance of 390.19 feet to a point which bears North 88°06'23"

West, a distance of 2241.27 feet from the Northeast corner of the Northwest Quarter of said Section 8 (found 3/8" iron bar); thence South 01°52'30" West, a distance of 1284.85 feet; thence North 88°05'25" West, a distance of 391.49 feet to the West line of said Northwest Quarter, said point bears North 01°56'00" East, a distance of 1350.00 feet from the Southwest corner of said Northwest Quarter (found 2" aluminum monument); thence North 01°56'00" East, along said West line, a distance of 1284.74 feet to the POINT OF BEGINNING.

(TO BE PLATTED AS:

PARKWAY ESTATES 3rd PLAT, Lots 353-378 & Tracts D-1 and E, a subdivision in Blue Springs, Jackson County, Missouri, according to the recorded plat thereof)

AND

Tract 4:

All that part of the Northwest Quarter of Section 8, Township 48, Range 30, Jackson County, Missouri, being more particularly described as follows:

COMMENCING at the Southwest corner of the Northwest Quarter of said Section 8 (found 2" aluminum monument); thence North 01°56'00" East, along the West line of said Northwest Quarter, a distance of 30.00 feet to a point on the North right of way line of Moreland School Road, said point being the POINT OF BEGINNING; thence continuing North 01°56'00" East, along said West line, a distance of 539.50 feet to a point which bears South 01°56'00" West, a distance of 2065.24 feet from the Northwest Corner of the Northwest Quarter of said Section 8 (found stone next to 3/8" iron bar); thence departing said West line, North 72°07'55" East, a distance of 358.89 feet; thence South 28°17'08" West, a distance of 48.22 feet; thence South 05°25'49" West, a distance of 89.95 feet; thence South 88°05'25" East, a distance of 213.52 feet; thence South 78°11'50" East, a distance of 52.38 feet; thence South 88°05'25" East, a distance of 92.97 feet; thence North 01°56'00" East, a distance of 9.00 feet; thence South 88°05'25" East, a distance of 272.98 feet; thence South 01°56'00" West, a distance of 527.96 feet to the North right of way line of Moreland School Road; thence North 88°05'25" West, along said North right of way line, a distance of 941.85 feet to the POINT OF BEGINNING.

(TO BE PLATTED AS:

PARKWAY ESTATES 4th PLAT, Lots 204-217, 288-302 & Tracts D-3, I, J, L and M, a subdivision in Blue Springs, Jackson County, Missouri, according to the recorded plat thereof)

AND

Tract 5:

All that part of the Northwest Quarter of Section 8, Township 48, Range 30, Jackson County, Missouri, being more particularly described as follows:

COMMENCING at the Southwest corner of the Northwest Quarter of said Section 8 (found 2" aluminum monument); thence North $01^{\circ}56'00''$ East, along the West line of said Northwest Quarter, a distance of 569.50 feet to the POINT OF BEGINNING; thence continuing North $01^{\circ}56'00''$ East, along said West line, a distance of 780.50 feet to a point which bears South $01^{\circ}56'00''$ West, a distance of 1284.74 feet from the Northwest Corner of the Northwest Quarter of said Section 8 (found stone next to $3/8''$ iron bar); thence departing said West line, South $88^{\circ}05'25''$ East, a distance of 497.62 feet; thence South $08^{\circ}41'55''$ West, a distance of 107.79 feet; thence South $88^{\circ}05'25''$ East, a distance of 36.36 feet; thence South $01^{\circ}54'35''$ West, a distance of 515.40 feet; thence on a tangent curve to the left with a radius of 160.00 feet and arc length of 74.51 feet; thence South $24^{\circ}46'22''$ East, a distance of 35.16 feet; thence on a tangent curve to the right with a radius of 210.00 feet and arc length of 78.81 feet; thence North $78^{\circ}11'50''$ West, a distance of 52.38 feet; thence North $88^{\circ}05'25''$ West, a distance of 213.52 feet; thence North $05^{\circ}25'49''$ East, a distance of 89.95 feet; thence North $28^{\circ}17'08''$ East, a distance of 48.22 feet; thence South $72^{\circ}07'55''$ West, a distance of 358.89 feet to the POINT OF BEGINNING.

(TO BE PLATTED AS:

PARKWAY ESTATES 5th PLAT, Lots 241-249, 264-271 & Tract D-2, a subdivision in Blue Springs, Jackson County, Missouri, according to the recorded plat thereof)

AND

Tract 6:

All that part of the Northwest Quarter of Section 8, Township 48, Range 30, Jackson County, Missouri, being more particularly described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Section 8 (found $3/8''$ iron bar); thence North $88^{\circ}06'23''$ West, along the North line of said Northwest Quarter, a distance of 1374.98 feet to a point on the West right of way line of Adams Dairy Parkway, said point bears South $88^{\circ}06'23''$ East, a distance of 1256.48 feet from the Northwest corner of said Northwest Quarter (found stone next to $3/8''$ iron bar); thence South

01°44'56" West, along said West right of way line, a distance of 1530.35 feet, said point being the POINT OF BEGINNING; thence continuing South 01°44'56" West, a distance of 546.79 feet; thence North 88°05'25" West, a distance of 594.30 feet; thence South 01°56'00" West, a distance of 9.00 feet; thence North 88°05'25" West, a distance of 92.97 feet; thence along a curve to the left having an initial tangent bearing North 03°16'15" West with a radius of 210.00 feet and an arc length of 78.81 feet; thence North 24°46'22" West, a distance of 35.16 feet; thence along a tangent curve to the right with a radius of 160.00 feet and an arc length of 74.51 feet; thence North 01°54'35" East, a distance of 266.40 feet; thence along a curve to the left having an initial tangent bearing of South 01°54'35" West with a radius of 15.00 feet and an arc length of 23.56 feet; thence South 88°05'25" East, a distance of 536.41 feet; thence along a tangent curve to the left with a radius of 15.00 feet and an arc length of 23.56 feet; thence North 01°54'35" East, a distance of 110.79 feet; thence South 88°05'25" East, a distance of 173.66 feet to the POINT OF BEGINNING.

(TO BE PLATTED AS:

PARKWAY ESTATES 6th PLAT, Lots 218-230, 272-285 & Tract O-2, a subdivision in Blue Springs, Jackson County, Missouri, according to the recorded plat thereof)

AND

Tract 7:

All that part of the Northwest Quarter of Section 8, Township 48, Range 30, Jackson County, Missouri, being more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of said Section 8 (found stone next to 3/8" iron bar); thence South 01°56'00" West, along the West line of said Northwest Quarter, a distance of 1284.74 feet, said point bears North 01°56'00" East, a distance of 1350.00 feet from the Southwest corner of said Northwest Quarter (found 2" aluminum monument); thence South 88°05'25" East, a distance of 497.62 feet, said point being the POINT OF BEGINNING; thence continuing South 88°05'25" East, a distance of 563.47 feet; thence South 10°10'43" East, a distance of 109.85 feet; thence along a tangent curve to the right with a radius of 160.00 feet and an arc length of 33.76 feet; thence South 01°54'35" West, a distance of 215.11 feet; thence along a tangent curve to the right with a radius of 15.00 feet and an arc length of 23.56 feet; thence North 88°05'25" West, a distance of 536.41 feet; thence along a tangent curve to the right with a radius of 15.00 feet and an arc length of 23.56 feet; thence North 01°54'35" East, a distance of 249.00 feet; thence North 88°05'25" West, a distance of 36.36 feet; thence North 08°41'55" East, a distance of 107.79 feet to the POINT OF BEGINNING.

(TO BE PLATTED AS:

PARKWAY ESTATES 7th PLAT, Lots 234-240, 250-263, a subdivision
in Blue Springs, Jackson County, Missouri, according to the
recorded plat thereof)

EXHIBIT B

DESCRIPTION: Plat On East Side

Containing 1,137,902.15 square feet or 26.123 acres.

Commencing at the Northeast corner of said Northwest Quarter (found 3/8" iron bar); thence North 88°06'23" West along the North line of said Northwest Quarter a distance of 547.42 feet; thence South 01°53'37" West a distance of 633.21 feet to the POINT OF BEGINNING; thence North 88°15'04" West, a distance of 315.96 feet; thence South 01°44'56" West, a distance of 400.00 feet; thence North 88°15'04" West, a distance of 400.00 feet to the East right-of-way line of Adams Dairy Parkway as established by Report of Commissioners Document Number 2000-I 0038946; thence South 01°44'56" West, along said right-of-way line a distance of 1570.12 feet to the North right-of-way line of Moreland School Road as established by Report of Commissioners Document Number 2000-I 0038946 (said right-of-way line being 30 feet North of and parallel with the South line of said Northwest Quarter); thence South 88°05'25" East along said right-of-way line a distance of 368.00 feet; thence along a curve to the right having an initial tangent bearing of North 88°05'25" West, with a radius of 15.00 feet and an arc length of 23.56 feet; thence North 01°54'35" East, a distance of 6.65 feet; thence along a curve to the left with a radius of 111.00 feet and an arc length of 21.96 feet; thence North 09°25'24" West, a distance of 20.87 feet; thence along a curve to the right with a radius of 89.00 feet and an arc length of 17.60 feet; thence North 01°54'35" East, a distance of 12.54 feet; thence along a curve to the right having a radius of 160.00 feet and an arc length of 165.20 feet; thence North 61°04'04" East, a distance of 216.08 feet; thence along a curve to the left having a radius of 210.00 feet and an arc length of 216.88 feet; thence North 01°53'37" East, a distance of 1449.66 feet to the POINT OF BEGINNING.

DESCRIPTION: Tract 1

Containing 787,775.88 square feet or 18.0848 acres.

All that part of the Northwest Quarter of Section 8, Township 48, Range 30, Jackson County, Missouri, being more particularly described as follows:

Commencing at the Northeast corner of said Northwest Quarter (found 3/8" iron bar); thence North 88°06'23" West along the North line of said Northwest Quarter a distance of 20.00 feet to a point on the West right-of-way line of Taylor road as it presently exists, said point being the POINT OF BEGINNING; thence continuing North 88°06'23" West along the North line of said Northwest Quarter a distance of 1244.98 feet to the East right-of-way line of Adams Dairy Parkway as established by Report of Commissioners Document Number 2000-I 0038946; thence South 01°44'56" West along said right-of-way line a distance of 635.02 feet; thence South 88°15'04" East a distance of 1242.28 feet to the West right-of-way line of said Taylor Road; thence North 01°59'35" East along said West right-of-way line a distance of 631.88 feet to the POINT OF BEGINNING.

JA 76347
KANSAS CITY TITLE
201 W. LEXINGTON, #301
INDEPENDENCE, MO 64050

Return:

Pamela Kumbie

Exhibit B - Continued

DESCRIPTION: Tract 2 REVISED
Containing 1,251,068.71 square feet or 28.721 acres.

All that part of the Northwest Quarter of Section 8, Township 48, Range 30, Jackson County, Missouri, being more particularly described as follows:

Commencing at the Northeast corner of said Northwest Quarter (found 3/8" iron bar); thence North $88^{\circ}06'23''$ West along the North line of said Northwest Quarter a distance of 597.42 feet; thence South $01^{\circ}53'37''$ West a distance of 633.34 feet to the POINT OF BEGINNING; thence continuing South $01^{\circ}53'37''$ West a distance of 1449.54 feet; thence along a curve to the right with a radius of 160.00 feet and an arc length of 165.25 feet; thence South $61^{\circ}04'04''$ West a distance of 216.08 feet; thence along a curve to the left with a radius of 210.00 feet and an arc length of 216.83 feet; thence South $01^{\circ}54'35''$ W a distance of 12.54 feet; thence along a curve to the right with a radius of 89.00 feet and an arc length of 17.60 feet; thence South $13^{\circ}14'34''$ West a distance of 20.87 feet; thence along a curve to the left with a radius of 111.00 feet and an arc length of 21.96 feet; thence South $01^{\circ}54'35''$ West a distance of 6.65 feet; thence along a curve to the right with a radius of 15.00 feet and an arc length of 23.56 feet to the North right-of-way line of Morcland School Road as established by Report of Commissioners Document Number 2000-I 0038946 (said right-of-way line being 30 feet North of and parallel with the South line of said Northwest Quarter); thence South $88^{\circ}05'25''$ East along said right-of-way line a distance of 961.88 feet to the West right-of-way line of Taylor road as it presently exists (said right-of-way line being 20 feet West of and parallel with the East line of said Northwest Quarter); thence North $01^{\circ}59'35''$ East along said right-of-way line a distance of 1973.60 feet; thence North $88^{\circ}15'04''$ West a distance of 576.33 feet to the POINT OF BEGINNING.

JA 76347
KANSAS CITY TITLE
201 W. LEXINGTON, #301
INDEPENDENCE, MO 64050

Return:
Pamela Kemble