

NOV 08 2005

**LAKWOOD SHORES ADDITION
THIRD AMENDED DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS**

THIS AMENDED DECLARATION AND DEDICATION is made effective this 1st day of Nov., 2004, by LAKEWOOD OAKS DEVELOPMENT CORPORATION, a Missouri corporation, hereinafter referred to as "Declarant" and Grantor, whose address is 11100 Ash, Suite 202, Leawood, Kansas 66211;

WITNESSETH:

WHEREAS, Lakewood Oaks Development Corporation, a Missouri corporation, and Eric Bush, a single person, are the present owners of a certain tract of land known as Lakewood Shores Villas Parcel in the Lakewood Shores Addition, in Jackson County, City of Lee's Summit, Missouri, more particularly described as follows:

All of Lakewood Shores Third Plat, Lots 121-A through 140-A, Lots 141-A, 142-A and 143-A, a subdivision in Lee's Summit, Jackson County, Missouri

and,

WHEREAS, Declarant is the assignee of certain rights previously afforded

to Farm & Home Savings Association as a result of a Partial Assignment of Declarant's Rights Under Declaration of Covenants, Conditions, and Restrictions and Dedication of Easements for East Lake Village recorded in Book I2350 at Page 601 in the records of Jackson County, Missouri dated January 29, 1993; and,

WHEREAS, the Declarant desires to provide for the preservation and enhancement of the property values, amenities and opportunities in a planned community to be developed on the aforescribed property, for the maintenance of the parcel common areas and grounds, provision of group services, and desires to subject the real property heretofore described to the covenants, conditions, easements, restrictions, charges and liens hereinafter set forth, each and all of which is and are for the benefit of said property and each owner thereof; and,

WHEREAS, there is presently in existence a corporate entity known as Lakewood Property Owners Association, Inc., to which has been delegated and assigned certain powers for the maintenance, preservation and control of, and to promote the health, safety and welfare of the residents in the environment within an area known as the "East Lake Area", which such areas are more particularly described in a certain Plan of Merger and Merger Agreement filed with the Missouri Secretary on August 20, 1985; and

WHEREAS, Declarant desires to amend a certain Declaration of

Covenants and Restrictions filed as Document I1364207 recorded on August 22, 1995 in the Office of Recorder of Deeds of Jackson County, Missouri and to supplement the Second Amended Declaration of Covenants filed as Document I0073591 recorded on August 2, 2004 only with respect to certain conditions contained therein providing that all other provisions of Article I through Article XIV, as described on Pages 1 through 24 of the aforesaid document, shall remain in full force and effect except as amended and hereinafter set forth.

NOW, THEREFORE, Declarant declares that the real property heretofore described shall be held, transferred, sold, conveyed, and occupied subject to the Amended Covenants set forth herein:

ARTICLE VI

Covenant for Maintenance Assessment

Section 11 - Maintenance Assessments for Wall and Landscaping. Each lot or single family residential unit owned within the properties and upon which a villa lot is constructed on Lots 121A through 143A agrees to pay a special assessment for the maintenance of any stone wall constructed or to be constructed on common area east of Lots 121A through 143A. The aforesaid wall or walls shall be insured and maintained pursuant to the recommendation of the Subparcel Association as provided in Document I0073591. The charges for said insurance, maintenance of walls and related expenses shall be paid

from subparcel assessments provided for in Article VI, Section 10 of said Declaration. The Lakewood Property Owners Association may contract on behalf of the Subparcel Association for said insurance or maintenance services, but shall not be obligated to maintain said wall or walls should the Subparcel Committee or individual lot owners fail to do so.

IN WITNESS WHEREOF, the undersigned, being the Declarant and owners of Lot 143A have hereunto set their hands and seals the day and year first above written.

