

**DECLARATION OF EASEMENTS, COVENANTS,
CONDITIONS AND RESTRICTIONS**

THIS DECLARATION is made effective the 20 day of March, 2020 (the "Effective Date"), by Mary Williams, Barbara Hermreck, and Mark Grosdidier, Trustees of the Norbert M. Grosdidier Revocable Living Trust dated October 7, 1998 (the "Declarant").

Declarant is the owner of certain tracts of real estate located in Douglas County, Kansas, and described in Exhibit A attached to and, by reference, made a part of this Declaration (the "Real Estate"), each parcel described on Exhibit A shall be referred to individually as "Parcel." Declarant hereby declares that the Real Estate shall be subject to the protective covenants, conditions, restrictions, reservations, liens and charges set forth in this Declaration.

1. **Property Subject to Declaration.** Declarant, as the Owner of all of the Real Estate, expressly intends to, and by the execution and recording of this Declaration does hereby, subject the Real Estate to the provisions of this Declaration. Declarant reserves the right to submit additional real estate to the terms and conditions of this Declaration by a Supplemental Declaration describing such real estate and referencing this Declaration and recording the Supplemental Declaration in the office of the Register of Deeds of Douglas County, Kansas, and thereafter all real estate described in such Supplemental Declaration shall be deemed to be part of the Real Estate for purposes of this Declaration.

2. **Conveyances Subject to Declaration.** All restrictions, conditions, covenants, reservations, liens, charges, rights, benefits and privileges which are granted, created, reserved or declared by this Declaration shall be deemed to be covenants appurtenant, running with the land, and shall at all times inure to the benefit of and be binding on all persons having at any time any interest or estate in any Parcel, or part thereof, and their respective heirs, legal representatives, successors and assigns.

3. **Design of Outbuildings.** Every structure or outbuilding, including, without limitation, any building, barn, shed, detached garage, and chicken coop (collectively, an "Outbuilding") to be constructed upon a Parcel must be completed, including paint or its equivalent, within 9 months from the starting date of construction and shall incorporate the general design elements of the residential dwelling on the Parcel. Each Owner shall maintain in good condition and repair the exterior of any Outbuilding erected on such Owner's Parcel.

4. **Permitted Use.** the Parcels shall be utilized only for residential, single-family country estate purposes, compatible with this Declaration.

5. **Swine are Prohibited.** No swine of any kind, including, without limitation, pigs and hogs, shall be raised, bred, or kept on any Parcel.

6. **Nuisances.** No noxious or offensive activity shall be carried on within any Parcel, nor shall any trash, ashes, or other refuse be thrown, placed, or dumped upon any exposed area nor shall anything ever be done which may be or become an annoyance, nuisance, security risk or safety hazard to the Owners. All trash and refuse shall be placed in closed containers, securely covered, and placed for pick up no more than twenty-four (24) hours prior to the scheduled trash pick up and such containers shall be removed on the same day of the trash pick up.

7. **Vehicles.** No more than two (2) unlicensed or unusable vehicles, salvage machinery, or other items of junk or salvage vehicles of any kind, including, without limitation, bus, truck, trailer, car, automobile, semi-tractors, boat, boat trailer or rack, equipment, machinery, shall be parked, located, or otherwise maintained on any Parcel except within the private enclosed garage, shed or Outbuilding located on a Parcel.

8. **Mobile and Modular Homes.** No mobile home, double-wide home, or modular home, or any temporary or mobile structure, or any portion thereof, may be used as a residence, occupied in any manner, permanent or temporary, or maintained on any Parcel, except within enclosed garages, sheds or Outbuildings. No travel trailer, recreational vehicle, or fifth wheel shall be used as a residence on any Parcel.

9. **Certain Rural Home Businesses Prohibited.** No home-based businesses, including, without limitation, rural home occupations (whether Type 1 or Type 2) as such terms or similar terms are used in the Zoning Regulations of Douglas County, Kansas, as may be amended from time to time ("**Home-Based Business**"), shall be permitted on a Parcel if such Home-Based Business uses or stores on such Parcel vehicles or equipment in excess of 6,000 pounds gross vehicle weight, whether permanent or temporary.

10. **Declarant's Right to Amend.** Until all the Parcels have been sold by Declarant to third parties, Declarant reserves the right to amend, change, or modify this Declaration, including, without limitation, adding new or additional provisions, without the approval of any Owner or other person and such amendment to be effective shall be signed by Declarant and recorded in the office of the Register of Deeds of Douglas County, Kansas and such amendment shall be effective on all of the Real Estate, including, without limitation, Parcels that have already been sold by Declarant.

11. **Enforcement.** An owner of a Parcel may enforce this Declaration against any owner of another Parcel violating or threatening to violate any provision in this Declaration. In any action to enforce this Declaration, the prevailing party shall be entitled to be reimbursed all costs and expenses, including attorneys' fees and court costs, incurred by the prevailing party in any such action.

IN WITNESS WHEREOF, Declarant has executed this Declaration as of the Effective Date.

DECLARANT:

Mary Williams
Mary Williams

Barbara Hermreck
Barbara Hermreck

Mark Grosdidier
Mark Grosdidier

Trustees of the Norbert M. Grosdidier
Revocable Living Trust dated October 7,
1998

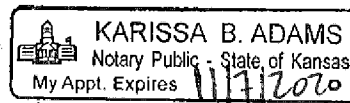
STATE OF KANSAS)
)
) ss:
COUNTY OF DOUGLAS)

the foregoing instrument was acknowledged before me this 20 day of March, 2020, by Mary Williams, trustee of the Norbert M. Grosdidier Revocable Living Trust dated October 7, 1998.

Karissa B. Adams
Notary Public

My Appointment Expires: _____

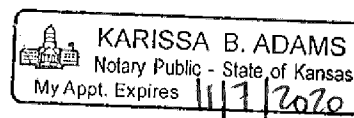
STATE OF KANSAS)
)
) ss:
COUNTY OF DOUGLAS)



the foregoing instrument was acknowledged before me this 20 day of March, 2020, by Barbara Hermreck, trustee of the Norbert M. Grosdidier Revocable Living Trust dated October 7, 1998.


Karissa B. Adams
Notary Public

My Appointment Expires: _____



STATE OF KANSAS)
)
COUNTY OF DOUGLAS) ss:

the foregoing instrument was acknowledged before me this 20 day of March, 2020,
by Mark Grosdidier, trustee of the Norbert M. Grosdidier Revocable Living Trust dated October
7, 1998.


Notary Public

My Appointment Expires: _____

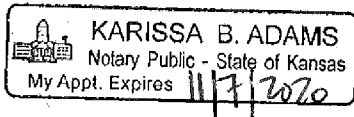


EXHIBIT A

Legal Description of the Real Estate

Parcel 1:

The Southwest Quarter of the Southeast Quarter of Section 30, Township 13 South, Range 21 East, of the Sixth Principal Meridian, Douglas County, Kansas.
Containing 1,748,288 Square Feet or 40.135 Acres, More or Less.

Parcel 2:

The South one Half of the North one Half of the Southeast Quarter of Section 30, Township 13 South, Range 21 East, of the Sixth Principal Meridian, Douglas County, Kansas, Being More Particularly Described as Follows:

Commencing at the Northeast Corner of the Southeast Quarter of said Section 30; thence South 1 Degree 57 Minutes 52 Seconds East, along the East Line of the Southeast Quarter of said Section 30, a Distance of 663.55 Feet to the Northeast Corner of the South one Half of the North one Half of the Southeast Quarter of said Section 30, also being the Point of Beginning of the Tract of Land to be Described Herein; thence Continuing South 1 Degree 57 Minutes 52 Seconds East, along the East Line of the South one Half of the North one Half of the Southeast Quarter of said Section 30, a Distance of 663.55 Feet, to the Southeast Corner of the South one Half of the North one Half of the Southeast Quarter of said Section 30; thence South 88 Degrees 29 Minutes 24 Seconds West, along the South Line of the South one Half of the North one Half of the Southeast Quarter of said Section 30, a distance of 2635.85 Feet, to the Southwest Corner of the South one Half the North one Half of the Southeast Quarter of said Section 30; thence North 2 Degrees 13 Minutes 18 Seconds West, along the West Line of the South one Half of the North one Half of the Southeast Quarter of said Section 30, a Distance of 664.24 Feet, to the Northwest Corner of the South one Half of the North one Half of the Southeast Quarter of said Section 30; thence North 88 Degrees 30 Minutes 15 Seconds East, along the North Line of the South one Half of the North one Half of the Southeast Quarter of said Section 30, a Distance of 2638.83 Feet to the Point of Beginning.

Containing 1,750,822 Square Feet or 40.193 Acres, More or Less.

Parcel 3:

The South Half of the South Half of the Northeast Quarter of the Northeast Quarter of Section 31, Township 13 South, Range 21 East of the Sixth Principal Meridian, Douglas County, Kansas, now described as follows:

Beginning at the Southeast Corner of the Northeast Quarter of said Quarter Section; thence North $01^{\circ}57'56''$ West along the East Line of said Quarter Section, 331.38 Feet to the Northeast Corner of the South Half of the South Half of the Northeast Quarter of said Quarter Section; thence South $88^{\circ}25'22''$ West, 1316.98 Feet to the Northwest Corner of the South Half of the South Half of the Northeast Quarter of said Quarter Section; thence South $01^{\circ}50'47''$ East along the West Line of the South Half of the South Half of the Northeast Quarter of said Quarter Section, 331.65 Feet, said Point Being the Southwest Corner of the Northeast Quarter of said Quarter Section; thence North $88^{\circ}24'40''$ East along the South Line of the Northeast Quarter of said Quarter Section, 1317.67 Feet to the Point of Beginning. the Above Contains 10.03 Acres, more or less, all in Douglas County, Kansas, subject to Public Road Right-of-Way and Easements of Record.

Also described as RDP #1 in the Survey recorded in the Office of the Register of Deeds for Douglas County, Kansas, in Plat Book 19, Page 415.

Parcel 4:

The North Half of the South Half of the Northeast Quarter of the Northeast Quarter of Section 31, Township 13 South, Range 21 East of the Sixth Principal Meridian, Douglas County, Kansas, now described as follows:

Commencing at the Southeast Corner of the Northeast Quarter of said Quarter Section; thence North $01^{\circ}57'56''$ West along the East Line of said Quarter Section, 331.38 Feet, said Point Being the Southeast Corner of the North Half of the South Half of the Northeast Quarter of said Quarter Section and the point of beginning; thence continuing along said East Line, North $01^{\circ}57'56''$ West, 331.38 Feet, said Point Being the Northeast Corner of the South Half of the Northeast Quarter of said Quarter Section; thence South $88^{\circ}26'05''$ West along the North Line of the South Half of the Northeast Quarter of said Quarter Section, 1316.29 Feet, said Point Being the Northwest Corner of the South Half of the Northeast Quarter of said Quarter Section; thence South $01^{\circ}50'47''$ East along the West Line of the Northeast Quarter of said Quarter Section, 331.65 Feet said Point Being the Southwest Corner of the North Half of the South Half of the Northeast Quarter of said Quarter Section; thence North $88^{\circ}25'22''$ East, 1316.98 Feet To the Point of Beginning. the Above Contains 10.02 Acres, more or less, all in Douglas County, Kansas, subject to Public Road Right-of-Way and Easements of Record.

Also described as RDP #2 in the Survey recorded in the Office of the Register of Deeds for Douglas County, Kansas, in Plat Book 19, Page 415.

Parcel 5:

The North Half of the North Half of the Northeast Quarter of the Northeast Quarter of Section 31, Township 13 South, Range 21 East of the Sixth Principal Meridian, Douglas County, Kansas, now described as follows:

Beginning at the Northeast Corner of said Quarter Section; thence South $01^{\circ}57'56''$ East along the East Line of said Quarter Section, 331.38 Feet to the Southeast Corner of the North Half of the North Half of the Northeast Quarter of said Quarter Section; thence South $88^{\circ}26'47''$ West, 1315.61 Feet to the Southwest Corner of the North Half of the North Half of the Northeast Quarter of said Quarter Section; thence North $01^{\circ}50'47''$ West along said West Line, 331.65 Feet, said Point Being the Northwest Corner of the Northeast Quarter of said Quarter Section; thence North $88^{\circ}27'30''$ East along the North Line of said Quarter Section, 1314.92 Feet to the Point of Beginning. the Above Contains 10.01 Acres, more or less, all in Douglas County, Kansas, subject to Public Road Right-of-Way and Easements of Record.

Also described as RDP #1 in the Survey recorded in the Office of the Register of Deeds for Douglas County, Kansas, in Plat Book 19, Page 414.

Parcel 6:

The South Half of the North Half of the Northeast Quarter of the Northeast Quarter of Section 31, Township 13 South, Range 21 East of the Sixth Principal Meridian, Douglas County, Kansas, now described as follows:

Commencing at the Northeast Corner of said Quarter Section; thence South $01^{\circ}57'56''$ East along the East Line of said Quarter Section, 331.38 Feet to the Northeast Corner of the South Half of the North Half of the Northeast Quarter of said Quarter Section, said Point Being the Point of Beginning; thence continuing along said East Line, South $01^{\circ}57'56''$ East, 331.38 Feet, said Point Being the Southeast Corner of the North Half of the Northeast Quarter of said Quarter Section; thence South $88^{\circ}26'05''$ West along the South Line of the North Half of the Northeast Quarter of said Quarter Section, 1316.29 Feet, said Point Being the Southwest Corner of the North Half of the Northeast Quarter of said Quarter Section; thence North $01^{\circ}50'47''$ West along the West Line of the Northeast Quarter of said Quarter Section, 331.65 Feet To the Northwest Corner of the South Half of the North Half of the Northeast Quarter of said Quarter Section; thence North $88^{\circ}26'47''$ East along the North Line of the South Half of the North Half of the Northeast Quarter of said Quarter Section, 1315.61 Feet to the Point of Beginning. the Above Contains 10.01 Acres, more or less, all in Douglas County, Kansas, subject to Public Road Right-of-Way and Easements of Record.

Also described as RDP #2 in the Survey recorded in the Office of the Register of Deeds for Douglas County, Kansas, in Plat Book 19, Page 414.

Parcel 7:

The West Half of the Northwest Quarter of the Northeast Quarter of Section 31, Township 13 South, Range 21 East of the Sixth Principal Meridian, Douglas County, Kansas, now described as follows:

Beginning at the Northwest Corner of said Northeast Quarter; thence North 88°27'30" East along the North Line of said Northeast Quarter, 657.46 Feet, to the Northeast Corner of the West Half of the Northwest Quarter of said Northeast Quarter; thence South 01°47'12" East along the Eastline of the West Half of the Northwest Quarter of said Northeast Quarter, 1327.14 Feet to the Southeast Corner of the West Half of the Northwest Quarter of said Northeast Quarter; thence South 88°24'40" West along the South Line of the Northwest Quarter of said Northeast Quarter, 658.84 Feet to the Southwest Corner of the Northwest Quarter of said Northeast Quarter; thence North 01°43'38" West Along the West Line of said Northeast Quarter, 1327.68 Feet to the Point of Beginning. The Above Contains 20.05 Acres, More Or Less, all in Douglas County, Kansas, Subject to Public Road Right-of-Way and Easements of Record.

Also described as RDP #1 in the Survey recorded in the Office of the Register of Deeds for Douglas County, Kansas, in Plat Book 19, Page 413.

Parcel 8:

The East Half of the Northwest Quarter of the Northeast Quarter of Section 31, Township 13 South, Range 21 East of the Sixth Principal Meridian, Douglas County, Kansas, now described as follows:

Commencing at the Northwest Corner of said Northeast Quarter; thence North 88°27'30" East Along the North Line of said Northeast Quarter, 657.46 Feet to the Point of Beginning, said Point Being the Northwest Corner of the East Half of the Northwest Quarter of said Northeast Quarter; thence continuing along said North Line North 88°27'30" East, 657.46 Feet to the Northeast Corner of the Northwest Quarter of said Northeast Quarter; thence South 01°50'47" East Along the East Line of the Northwest Quarter of said Northeast Quarter, 1326.60 Feet to the Southeast Corner of the Northwest Quarter of said Northeast Quarter; thence South 88°24'40" West along the South Line of the Northwest Quarter of said Northeast Quarter, 658.84 Feet to the Southwest Corner of the East Half of the Northwest Quarter of said Northeast Quarter; thence North 01°47'12" West Along the West Line of the East Half of the Northwest Quarter of said Northeast Quarter, 1327.14 Feet to the Point of Beginning. The Above Contains 20.05 Acres, More or Less, All in Douglas County, Kansas, Subject to Public Road Right-of-Way and Easements of Record.

Also described as RDP #2 in the Survey recorded in the Office of the Register of Deeds for Douglas County, Kansas, in Plat Book 19, Page 413.