



Sedgwick County  
Register of Deeds - Bill Meek  
DOC.#/FLM-PG: 29277220

Receipt #: 1810214  
Pages Recorded: 3  
Cashier Initials: LK

Recording Fee: \$16.00  
Authorized By 

Date Recorded: 3/14/2012 12:16:56 PM



**SIXTH AMENDMENT TO  
DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
AUBURN HILLS 13TH ADDITION  
OF  
WICHITA, SEDGWICK COUNTY, KANSAS**

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THIS SIXTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ("SIXTH AMENDMENT" OR "AMENDMENT") is made this 19th day of October, 2011, by Auburn Hills 13th Homeowners' Association, Inc., a Kansas non-profit corporation, for themselves, their successors, grantees and assigns.

WITNESSETH:

WHEREAS on the 12th day of July, 2002, West Wichita Development, Inc., a Kansas corporation ("Declarant") executed that certain Declaration of Covenants, Conditions, and Restrictions of Auburn Hills 13<sup>th</sup> Addition ("Declaration") and caused the same to be recorded on the 19<sup>th</sup> day of July, 2002 as Film 2490, Page 0396 *et seq*, in the office of the Sedgwick County Register of Deeds, covering the following described real property, to wit:

✓ Auburn Hills 13th  
An Addition to Wichita,  
Sedgwick County, Kansas,

The above described property being hereinafter referred to as the "Original Property"; and

WHEREAS on the 9th day of October, 2002, Developer executed that certain FIRST AMENDMENT to the Declaration and caused the same to be recorded on the 16th day of October, 2002, as a Film 2551, Page 1124 *et seq*, in the office of the Sedgwick County Register of Deeds, covering the Original Property; and

WHEREAS on the 9th day of February, 2004, Developer executed that certain SECOND AMENDMENT to the Declaration and caused the same to be recorded on the 12th day of February, 2004, Document no. 28571041, in the office of the Sedgwick County Register of Deeds, covering the Original Property; and

WHEREAS on the 4th day of May, 2004, Developer executed that certain Annexation of Additional Land and THIRD AMENDMENT and Restated Declaration of Covenants, Conditions, Restriction, Easement and Disclosure for Auburn Hills 13<sup>th</sup> and caused the same to be recorded on the 19th day of May, 2004, Document no. 28571041, in the office of the Sedgwick County Register of Deeds, covering the Original Property; and

WHEREAS on the 9th day of December, 2004, Developer executed that certain Annexation of Additional Land and FOURTH AMENDMENT and Restated Declaration of Covenants, Conditions, Restriction, Easement and Disclosure for Auburn Hills 13<sup>th</sup> and caused the same to be recorded on the 14th day of December, 2004, Document no. 28632434, in the office of the Sedgwick County Register of Deeds, covering the Original Property; and

WHEREAS on the 6th day of December, 2006, Developer executed that certain Annexation of Additional Land and FIFTH AMENDMENT and Restated Declaration of Covenants, Conditions, Restriction, Easement and Disclosure for Auburn Hills 13<sup>th</sup> and caused the same to be recorded on the 20th day of December, 2006, Document no. 28843064, in the office of the Sedgwick County Register of Deeds, covering the Original Property; and

NOW, THEREFORE, THE UNDERSIGNED PRESIDENT OF AUBURN HILLS 13TH HOMEOWNERS' ASSOCIATION, INC., ON BEHALF OF THE RECORD OWNERS HEREBY AMENDS THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AS FOLLOWS:

**ARTICLE VIII SECTION 8.3; APPROVAL REQUIRED OF PLANS AND SPECIFICATIONS IS HEREBY AMENDED AS FOLLOWS:**

- Change the words "thirty (30) days" in the last sentence of the paragraph to read "forty-five (45) days"

The undersigned hereby certifies that this FIFTH AMENDMENT has been executed in accordance with Article XI of the Declaration and is in effect and valid pursuant to all terms and provisions of the Declaration.

If any restriction, condition, covenant or reservation contained in this FIFTH AMENDMENT shall at any time be held invalid or for any reason becomes unenforceable, no other restriction, condition, covenant, reservation or any part thereof, shall be affected or impaired. The failure of Declarant, any subsequent Board of Directors of the Auburn Hills 13th Homeowners' Association, Inc. or of any Owner to enforce any of the restrictions, conditions, covenants or reservations contained herein shall in no event be deemed a waiver of the right to do so thereafter or to enforce any other restriction, condition, covenant or reservation.

Except as herein expressly amended, the Declaration and Correction are hereby ratified and confirmed. This Amendment shall be effective as of the date of recording.

Auburn Hills 13th Homeowners' Association, Inc.

*[Handwritten Signature]*

By: Ryan Nall

President, Auburn Hills 13th Homeowners' Association, Inc.

STATE OF KANSAS )

) ss:

SEDGWICK COUNTY )

This instrument was acknowledged before me on October 19, 2011 by Ryan Nall as President of Auburn Hills 13th Homeowners' Association, Inc.

*[Handwritten Signature]*  
(Signature of notarial officer)

My appointment expires: 8-12-13

