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Rebecca L. Davis T20040051391
Johnson Co R00 B:200405 P:0008500

**HEATHERGLEN
DECLARATION OF RESTRICTIONS
ADDITIONAL PHASE
(2nd Plat)**

THIS DECLARATION is made as of the 23rd day of April, 2004, by Pflumm 51 Investors, L.L.C., a Kansas limited liability company (the "Developer");

WITNESSETH:

WHEREAS, the Developer has executed and filed with the Office of the Register of Deeds of Johnson County, Kansas (the "Recording Office"), an additional plat of the subdivision known as "Heather Glen"; and

WHEREAS, such plat adds the following lots to the subdivision (the "Additional Lots"):

Lots 42 through 80 and Tracts C and D, HEATHER GLEN
SECOND PLAT, a subdivision in City of Shawnee, Johnson
County, Kansas.

WHEREAS, the Developer, as the owner of the Additional Lots, desires to subject the Additional Lots to the covenants, restrictions, easements and other provisions contained in that certain HeatherGlen Declaration of Restrictions, executed by the Developer and filed with the Recording Office as Instrument No. 3680642 in Book 9312 at Page 568 (the "Original Declaration").

NOW, THEREFORE, in consideration of the premises, the Developer, for itself and for its successors and assigns, and for its future grantees, hereby agrees and declares that all of the Additional Lots shall be, and they hereby are, subject to the covenants, restrictions, easements and other provisions set forth in the Original Declaration. As contemplated in Section 20 of the Original Declaration, this instrument shall have the effect of subjecting the Additional Lots to all of the provisions of the Original Declaration as though the Additional Lots had been originally described therein and subject to the provisions thereof.