



Sedgwick County
Register of Deeds - Bill Meek
DOC #/FLM-PG: 28645580
Receipt #: 1575991
Pages Recorded: 11
Recording Fee: \$48.00

Cashier Initials: KG
Authorized By: 
Date Recorded: 2/2/2005 3:54:17 PM



**SECOND AMENDMENT TO DECLARATION FOR MASTER ASSOCIATION
REGARDING CERTAIN AUBURN HILLS SWIMMING FACILITIES
AND ANNEXATION OF ADDITIONAL LAND**

This Second Amendment To Declaration For Master Association Regarding Certain Auburn Hills Swimming Facilities and Annexation of Additional Land ("Amendment") is executed as of Jan 31, 2005, by West Wichita Development, Inc., a Kansas corporation ("Developer").

WHEREAS, Developer executed and recorded in the Sedgwick County real estate records that certain Declaration For Master Association Regarding Certain Auburn Hills Swimming Facilities dated December 19, 1999, and recorded at Film 2084, Page 0743, *et seq.*, as thereafter amended and subject to annexation of additional land thereto from time to time (the "Declaration"); and

WHEREAS, the Residential Property which is subject to the Declaration is described on Exhibit "A" attached hereto; and

WHEREAS, Developer desires to add additional lands to the Swimming Pool Facilities referenced in the Declaration; and

WHEREAS, Developer has the right pursuant to the terms of the Declaration to annex additional real estate under the Declaration and to further amend and modify the same and the Developer desires to do so as provided herein.

NOW, THEREFORE, the Declaration is hereby amended and modified as provided below:

1. Pursuant to the terms of Declaration, Developer hereby annexes the two additional tracts of real estate described on Exhibit "B" hereto as part of the "Swimming Pool Facilities" as defined in Section 1.2 thereof. Section 1.2 of the Declaration is hereby amended to include such real estate. The drawings attached hereto as attachments to Exhibit "B" illustrate such Swimming Pool Facilities. Exhibit "A" attached hereto includes a drawing showing the Residential Property and the Swimming Pool Facilities (which are labeled thereon as "Pool Area").

2. Notwithstanding anything provided to the contrary in Section 2.4 of the Declaration, Developer shall convey the Swimming Pool Facilities described on Exhibit "B" to

AFTER RECORDING, RETURN TO:
Ron H. Hamden
Triplett, Woolf & Garretson, LLC
2959 N. Rock Rd., Suite 300
Wichita, Kansas 67226

233942 - 01/21/05

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EXHIBIT A

DESCRIPTION "A"

All of Lots 1 through 11, inclusive, Block A, TOGETHER with all of Lot 1 and all of Lots 3 through 49, inclusive, Block B, TOGETHER with all of Lots 1 through 13, inclusive, Block C, TOGETHER with all of Lots 27 through 31, inclusive, Block D, TOGETHER with all of Lots 39 through 46, inclusive, Block D, TOGETHER with all of Lots 1 through 31, inclusive, Block E, all in Auburn Hills 5th Addition, Wichita, Sedgwick County, Kansas.

DESCRIPTION "B"

All of Lots 1 through 44, inclusive, Block A, TOGETHER with all of Lots 1 through 12, inclusive, Block B, all in Auburn Hills 8th Addition, Wichita, Sedgwick County, Kansas.

DESCRIPTION "C"

All of Lots 1 through 25, inclusive, Block A, TOGETHER with all of Lots 1 through 6, inclusive, Block B, all in Auburn Hills 9th Addition, Wichita, Sedgwick County, Kansas.

DESCRIPTION "D"

That part of the SE 1/4 of Sec. 26, Twp. 27-S, R-2-W of the 6th P.M., Sedgwick County, Kansas described as follows: Beginning at the NW corner of said SE 1/4; thence S89°29'11"E along the north line of said SE 1/4, 262.98 feet to the NW corner of Onewood as dedicated in Auburn Hills 12th Addition, Wichita, Sedgwick County, Kansas; thence S00°30'49"W along the west line of said Onewood, 64.00 feet to the SW corner of said Onewood; thence S89°29'11"E along the south line of said Onewood, 229.64 feet to the SE corner of said Onewood; thence S51°50'21"W, 17.64 feet; thence N38°09'39"W, 11.72 feet; thence S76°43'42"W, 154.33 feet; thence S41°45'32"W, 218.85 feet; thence S53°43'48"W, 204.74 feet; thence S46°23'28"W, 15.27 feet to a point on the west line of said SE 1/4; thence N00°10'03"E along the west line of said SE 1/4, 400.44 feet to the point of beginning, TOGETHER with that part of the SW 1/4 of said Sec. 26 described as follows: Beginning at the NE corner of said SW 1/4; thence S00°10'03"W along the east line of said SW 1/4, 400.44 feet; thence S46°23'28"W, 87.80 feet; thence S22°37'57"W, 266.52 feet; thence S12°04'25"W, 246.49 feet; thence S36°01'40"W, 195.20 feet; thence N90°00'00"W, 273.78 feet; thence N58°25'57"W, 343.10 feet; thence N90°00'00"W, 84.78 feet; thence N54°19'37"W, 189.42 feet to a point on the east line of Reserve "I", Auburn Hills 5th Addition, Wichita, Sedgwick County, Kansas; thence N35°40'23"E along the east line of said Reserve "I", 74.53 feet to a deflection corner in said east line; thence N00°21'41"E along the east line of said Reserve "I", 163.35 feet to a deflection corner in said east line; thence N49°18'04"W along the northeast line of said Reserve "I", 446.18 feet to a

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deflection corner in said northeast line; thence N89°28'51"W along the north line of said Reserve "I", 134.98 feet to the SE corner of Lot 49, Block B, in said Auburn Hills 5th Addition; thence N00°31'09"E along the east line of said Lot 49, and as extended north, 184.00 feet to the NE corner of Moscelyn as dedicated in said Auburn Hills 5th Addition; thence N89°28'51"W along the north line of said Moscelyn, 39.26 feet to the SE corner of Lot 11, Block A, in said Auburn Hills 5th Addition; thence N00°31'09"E along the east line of said Lot 11, 129.95 feet to the NE corner of said Lot 11; thence S89°28'51"E along the north line of said SW 1/4, 1603.68 feet to the point of beginning.

DESCRIPTION "E"

All of Lots 1 through 27, inclusive, Block A, TOGETHER with all of Lots 1 through 17, inclusive, Block B, TOGETHER with all of Lots 1 through 4, inclusive, Block C, TOGETHER with all of Lots 1 through 15, inclusive, Block D, all in Auburn Hills 13th Addition, Wichita, Sedgwick County, Kansas, TOGETHER with all of Lots 1 through 4, inclusive, Block A, TOGETHER with all of Lots 1 through 51, inclusive, Block B, TOGETHER with all of Lots 1 through 15, inclusive, Block C, TOGETHER with all of Lots 1 through 13, inclusive, Block D, all in Auburn Hills 15th Addition, Wichita, Sedgwick County, Kansas, and TOGETHER with that part of Reserve "A", in said Auburn Hills 15th Addition, described as follows: Beginning at the most southerly corner of Lot 6, Block D, in said Auburn Hills 15th Addition; thence N60°27'30"E along the southeast line of said Lot 6, 78.61 feet to the most easterly SE corner of said Lot 6; thence S00°10'04"W along the east line of said Reserve "A", 103.84 feet to the intersection with the southeasterly extension of the lot line common to said Lot 6 and Lot 7 in said Block D; thence N46°17'18"W along said extended common lot line, 94.19 feet to the point of beginning, and TOGETHER with that part of Reserve "A", in said Auburn Hills 15th Addition described as follows: Beginning at the most southerly corner of Lot 7, Block D, in said Auburn Hills 15th Addition; thence N60°27'30"E along the southeast line of said Lot 7, 115.91 feet to the most easterly corner of said Lot 7; thence S46°17'18"E along the southeasterly extension of the lot line common to said Lot 7 and Lot 6 in said Block D, 94.19 feet to a point on the east line of said Reserve "A"; thence S33°12'10"W, 16.40 feet; thence S57°45'39"W, 61.31 feet; thence S73°01'12"W, 39.91 feet; thence N69°05'41"W, 31.73 feet to the intersection with the southeasterly extension of the lot line common to said Lot 7 and Lot 8 in said Block D; thence N36°21'35"W along said extended lot line, 67.92 feet to the point of beginning, and TOGETHER with that part of Reserve "A", in said Auburn Hills 15th Addition, described as follows: Beginning at the most southerly corner of Lot 8, Block D, in said Auburn Hills 15th Addition; thence N60°27'30"E along the southeast line of said Lot 8, 102.65 feet to the most easterly corner of said Lot 8; thence S36°21'35"E along the southeasterly extension of the lot line common to said Lot 8 and Lot 7 in said Block D, 67.92 feet; thence N89°57'44"W, 127.23 feet to the intersection with the southeasterly extension of the lot line common to said Lot 8 and Lot 9 in said Block D; thence N30°20'23"W along said extended common lot line, 4.64 feet to the point of beginning.

DESCRIPTION "F"

Lots 1 through 8, inclusive, Block A, TOGETHER with Lot 10, Block A, TOGETHER with Lot 9, Block A, EXCEPT that part of said Lot 9 described as follows: Beginning at the NE corner of said Lot 9; thence S81°07'58"W along the north line of said Lot 9, 63.29 feet to a deflection corner in said north line; thence S76°40'32"E, 60.33 feet to a point on the east line of said Lot 9; thence N09°11'55"E along the east line of said Lot 9, 23.97 feet to the point of beginning, TOGETHER with Lots 1 through 4, inclusive, Block B, all in Auburn Hills 11th Addition, Wichita, Sedgwick County, Kansas.

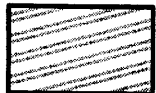

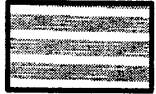


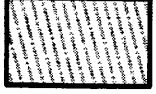
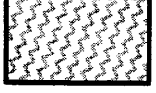
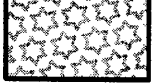
DESCRIPTION "G"

All of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27, Block A, together with all of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, Block B, together with all of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13, Block C, together with all of Lots 1, 2, 3, 4, and 5, Block D, all as platted in Auburn Hills 14th Addition, Wichita, Sedgwick County, Kansas, TOGETHER with all of Lots 34 and 35, Block A, together with all of Lots 1, 2, 3, 4, 5, 6, 7, 8, 13, and 15, Block C, all as platted in Auburn Hills 12th Addition, Wichita, Sedgwick County, Kansas.

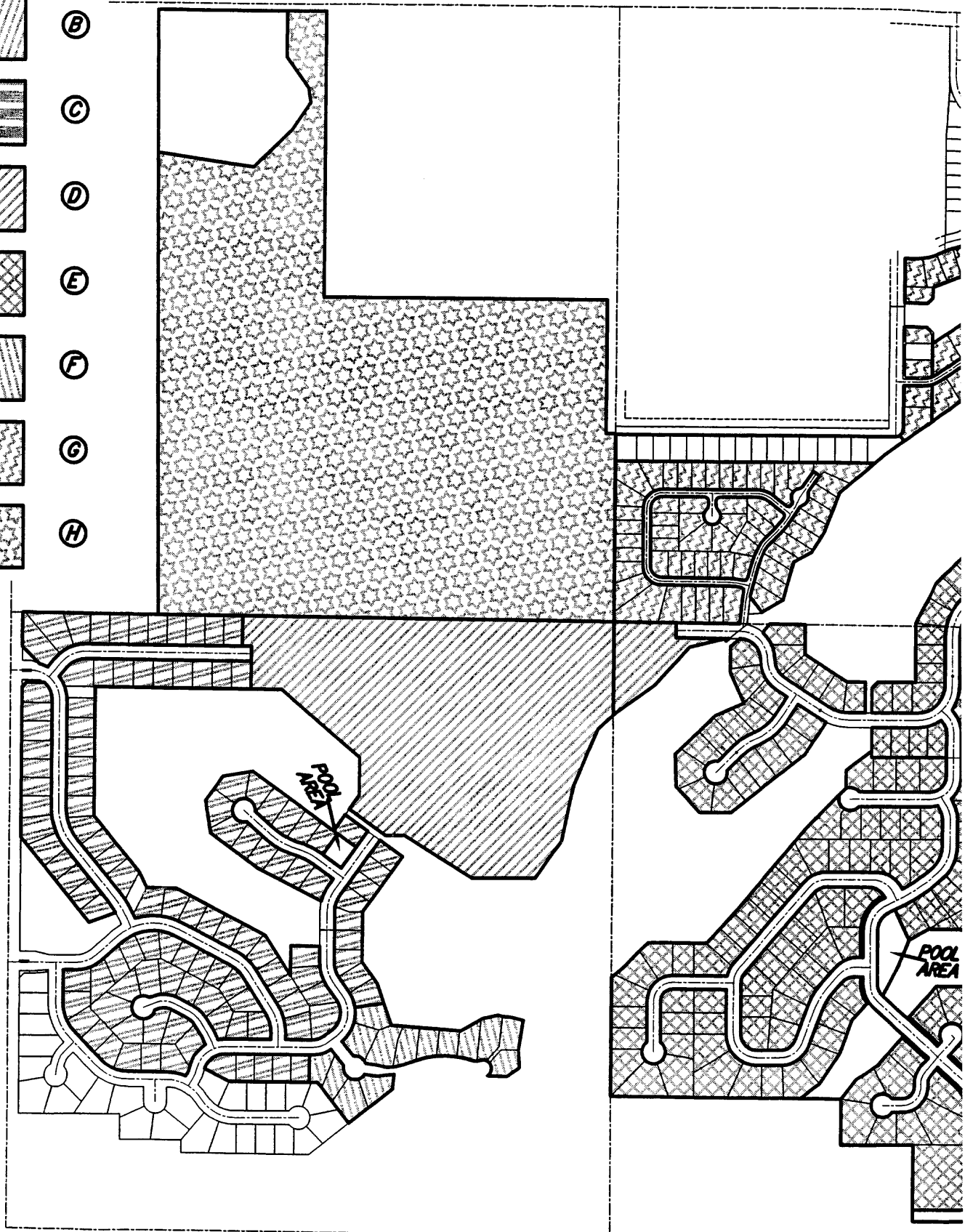
DESCRIPTION "H"

The NW ¼ of Sec. 26, Twp. 27-S, R-2-W of the 6th P.M., Sedgwick County, Kansas EXCEPT the west 630.00 feet thereof, and EXCEPT the following described tract: Beginning at the NE corner of said NW ¼; thence southerly along the east line of said NW ¼, 281.00 feet to the NE corner of City View St. as dedicated in Maple Hill Second Addition, Sedgwick County, Kansas; thence westerly along the north line of said Maple Hill Second Addition, 470.00 feet to the SE corner of Lot 7, Maple Hill Addition, Sedgwick County, Kansas; thence northerly along the east line of said Lot 7, and as extended northerly 281.00 feet to a point on the north line of said NW ¼; thence easterly along the north line of said NW ¼, 470.00 feet to the point of beginning, and EXCEPT that part platted as Maple Hill Addition, Sedgwick County, Kansas, and EXCEPT that part platted as Maple Hill Second Addition, Sedgwick County, Kansas, and EXCEPT that part platted as Maple Hill Third Addition, Sedgwick County, Kansas, and EXCEPT that part platted as Maple Hill Fourth Addition, Sedgwick County, Kansas, and EXCEPT that part dedicated for road in Film 145 at Page 102, and EXCEPT that part of said NW ¼ described as follows: Commencing at the NW corner of said NW ¼; thence S89°48'06"E (assumed) along the north line of said NW ¼, 630.02 feet to a point 630.00 feet normally distant east of the west line of said NW ¼, and for a point of beginning; thence continuing S89°48'06"E along the north line of said NW ¼, 557.59 feet; thence S00°09'09"W, 227.00 feet; thence S35°34'22"E, 161.00 feet; thence S09°56'20"E, 63.00 feet; thence S34°26'33"W, 142.00 feet; thence S46°44'03"W, 227.00 feet; thence N81°43'38"W, 417.85 feet to a point 630.00 feet normally distant east of the west line of said NW ¼; thence N00°13'02"W parallel with the west line of said NW ¼, 634.51 feet to the point of beginning, subject to road rights-of-way of record.

EXHIBIT "A"

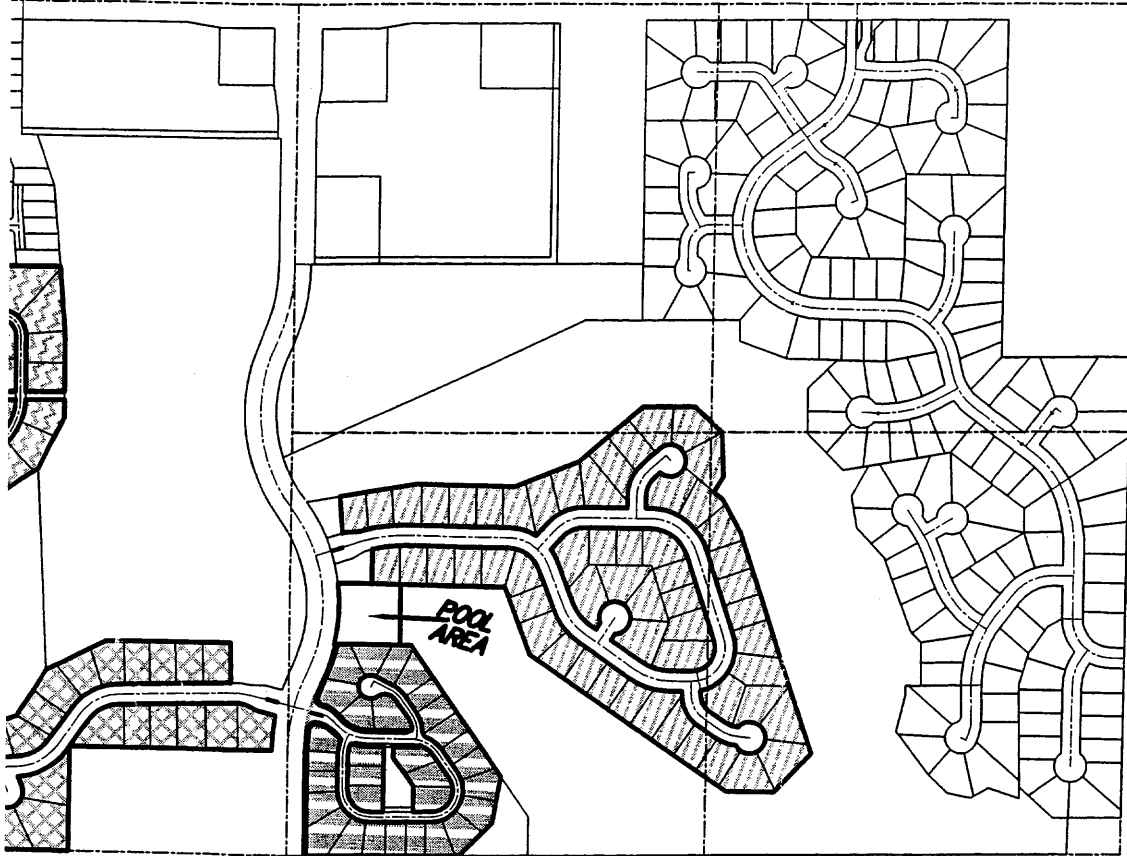
-  (A)
-  (B)
-  (C)
-  (D)
-  (E)
-  (F)
-  (G)
-  (H)

151ST STREET WEST

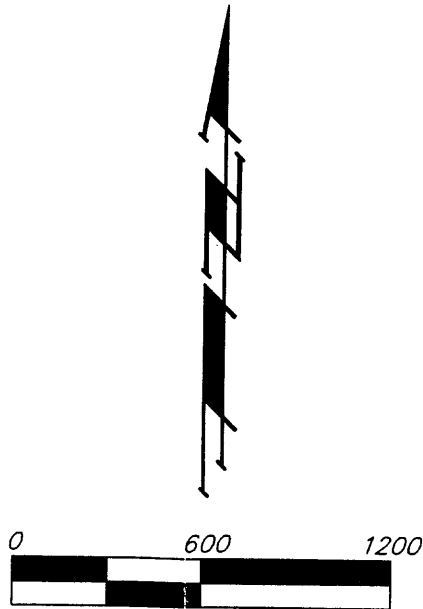


KELLOGG (U.S. HIGHWAY 54)

MAPLE (6TH STREET SOUTH)




135TH STREET WEST



21 JAN 2005

F: \PLAT\AUBMORTGAGE\DWG\AUBMORTGAGE.DWG-MGC

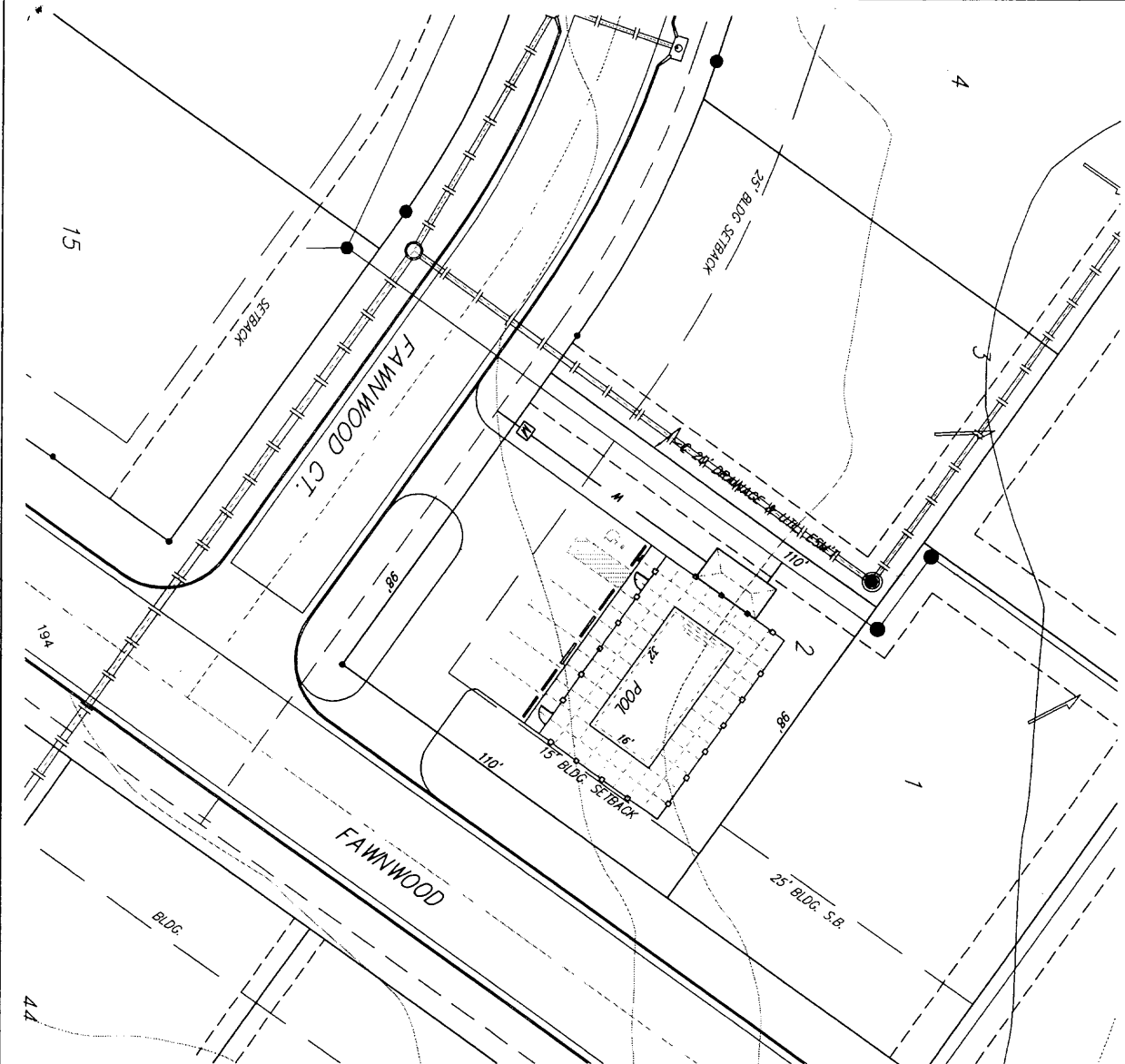
 **BAUGHMAN COMPANY P. A.**
ENGINEERING, SURVEYING, & PLANNING
316-262-7271 • 315 ELLIS • WICHITA, KANSAS 67211

0855790

EXHIBIT "B"

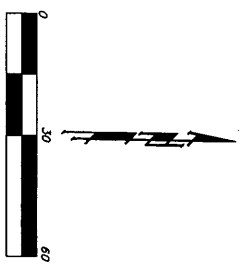
Additional Swimming Pool Facilities

1. Lot 2, Block B, Auburn Hills 5th Addition, Wichita, Sedgwick County, Kansas – see pool layout attached hereto as Attachment 1.
2. Reserve "C", Auburn Hills 15th Addition, Wichita, Sedgwick County, Kansas – see pool layout attached hereto as Attachment 2.



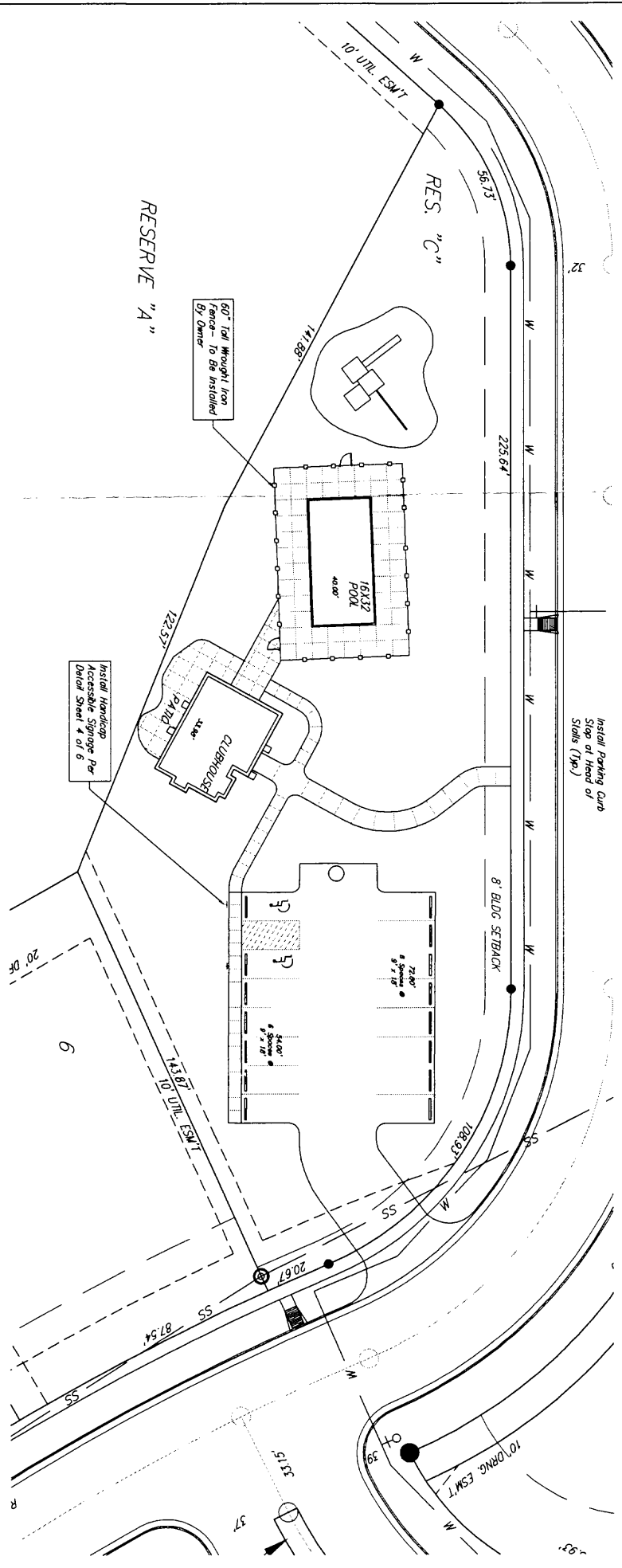
LEGAL DESCRIPTION:

Lot 2, Blk. B, Auburn Hills 5th Addition, Wichita, Sedgewick County, Kansas



	Auburn Hills 5th Pool	
	Lot 2 Block B	
Layout Plan		
<small>THIS PLAN IS THE PROPERTY OF THE CITY OF WICHITA, KANSAS. IT IS TO BE USED ONLY FOR THE PURPOSES INTENDED AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE CITY OF WICHITA, KANSAS.</small>		
DATE	APPROVED	DATE
2004	2004	August 27, 2004
<small>City of Wichita, Kansas</small>		

00023645500



**Auburn Hills 16th Community Pool
Layout Plan**
Michigan, Inc.

BAUGHMAN COMPANY P.A.
Michigan, Inc.
ENGINEERING, SURVEYING, & PLANNING

15745 Auburn Hills Road, Auburn Hills, Michigan 48324
Phone: (248) 833-1100
Fax: (248) 833-1101
www.baughman.com

DATE	NO. 5	DESCRIPTION
10/14/04	1	PRELIMINARY
10/27/07	2	REVISED
10/27/07	3	REVISED
10/27/07	4	REVISED
10/27/07	5	REVISED

Sketch 14-15-pool site plan.dwg

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