

64

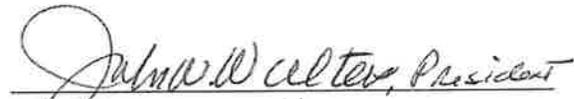
**CERTIFICATE OF
AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR WESTBANK TOWNHOMES
A RESIDENTIAL PLANNED UNIT DEVELOPMENT**

I, John W. Walters, the duly elected and acting President of Westbank Townhomes Association, Inc., a corporation organized not for profit and existing under the laws of the State of Kansas, and with a registered office in Manhattan, Riley County, Kansas, do hereby certify that the following amendment to the Declaration of Covenants, Conditions and Restrictions for Westbank Townhomes A Residential Planned Unit Development was duly adopted by the written consent in writing of all the Townhouse Unit Owners of said development:

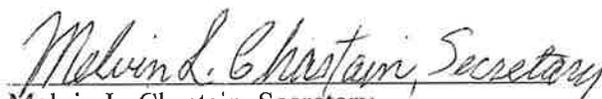
See attached Exhibit "A"

The foregoing amendment shall become effective upon the recording of this Certificate and the amendment in the office of the Register of Deeds of Riley County, Kansas.

IN WITNESS WHEREOF, I have subscribed my name this 26th day of October, 2016.


John W. Walters, President

ATTEST:


Melvin L. Chastain, Secretary



Debra J. Register
Register of Deeds
Riley County, Kansas
Book: 868 Page: 5242
Receipt #: 203362 Total Fees: \$279.00
Pages Recorded: 25
Date Recorded: 11/10/2016 4:57:20 PM

Book: 868 Page: 5242

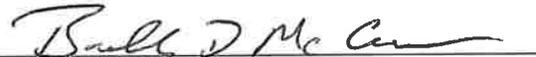


Riley County Scanning Label

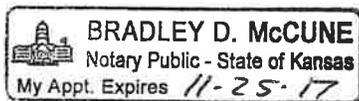
Acknowledgment

STATE OF KANSAS, COUNTY OF RILEY, ss:

Be it remembered that before me, a Notary Public in and for the aforesaid county and state, personally appeared John W. Walters, President of Westbank Townhomes Association, Inc., a Kansas corporation organized not for profit, who is known to me to be the same person who executed the foregoing Certificate of Amendment to Declaration of Covenants, Conditions and Restrictions for Westbank Townhomes A Residential Planned Unit Development, and duly acknowledged the execution of the same this 26th day of OCTOBER, 2016.


Notary Public

My commission expires:

**Acknowledgment**

STATE OF KANSAS, COUNTY OF RILEY, ss:

Be it remembered that before me, a Notary Public in and for the aforesaid county and state, personally appeared Melvin L. Chastain, Secretary of Westbank Townhomes Association, Inc., a Kansas corporation organized not for profit, who is known to me to be the same person who attested the foregoing Certificate of Amendment to Declaration of Covenants, Conditions and Restrictions for Westbank Townhomes A Residential Planned Unit Development, and duly acknowledged the execution of the same this 26th day of OCTOBER, 2016.


Notary Public

My commission expires:

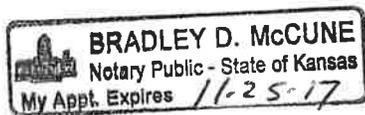


Exhibit "A"

**[Amendment to Declaration of Covenants, Conditions and Restrictions
for Westbank Townhomes A Residential Planned Unit Development]**

**AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
WESTBANK TOWNHOMES A RESIDENTIAL PLANNED UNIT DEVELOPMENT**

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WESTBANK TOWNHOMES A RESIDENTIAL PLANNED UNIT DEVELOPMENT is made and entered into on the date(s) set forth below, by the undersigned Townhouse Unit Owners of Westbank Townhomes A Residential Planned Unit Development, which owners are also members of the Westbank Townhomes Association, Inc.

WITNESSETH:

WHEREAS, pursuant to sub-section 5.2(a) of Article 5 and pursuant to Article 18 of the Declaration of Covenants, Conditions and Restrictions for Westbank Townhomes A Residential Planned Unit Development (the "Declaration"), recorded in the office of the Register of Deeds of Riley County, Kansas, beginning at Book 761, Page 953, as amended, the undersigned elected to amend the Declaration as provided herein; and

WHEREAS, this Amendment covers all real estate within the original plat of Westbank Townhomes and to subsequent subdivisions within or to that property, including the following:

- Westbank Townhomes Unit 2, an addition to the City of Manhattan, Riley County, Kansas
- Westbank Townhomes Unit 3, an addition to the City of Manhattan, Riley County, Kansas
- Westbank Townhomes Unit 4, an addition to the City of Manhattan, Riley County, Kansas and
- Westbank Townhomes Unit 5, an addition to the City of Manhattan, Riley County, Kansas;

all as more specifically described on **Exhibit "1"** attached hereto and by reference made a part hereof.

NOW, THEREFORE, in consideration of the premises and for the purposes below set forth, the Townhouse Unit Owners hereby declare, agree, restrict, and covenant that the use, enjoyment, and ownership of the Townhouse Units shall be and are hereby restricted, limited, conditioned, and protected and such restrictions, limitations, conditions, and protections shall be binding upon all parties having right, title, or interest in any Townhouse Unit or any portion thereof, their heirs, successors, and assigns, and shall inure to the benefit of and be the responsibility of each Townhouse Unit Owner as follows:

1. Sub-section 12.7 of Article 12 is amended to read as follows:



12.7 Leasing. No Townhouse Unit, or any portion thereof, may be leased at any given time to a Third Party. For purposes of this provision, "Third Party" shall be defined as any Person who is not a Townhouse Unit Owner as that term is defined herein.

2. All other terms and conditions of the Declaration are hereby ratified and reaffirmed, and incorporated herein by reference, except as amended herein.

IN WITNESS WHEREOF, the undersigned have caused this Amendment to be duly executed on the date(s) set forth below.

[Remainder of page intentionally left blank; Signature pages follow.]

Westbank Townhomes, Lot 1A, Unit Two

Date: 10/26, 2016

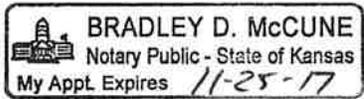
Karyl A. Croft
Karyl A. Croft

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 26th day of October, 2016, by Karyl A. Croft.

Bradley D. McCune
Notary Public

My appointment expires:



Westbank Townhomes, Lot 1B, Unit Two

The Carolyn M. Dreiling Trust
dated May 27, 1999

Date: 10/26/, 2016

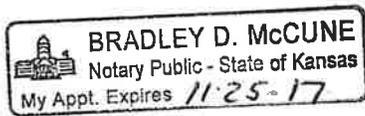
By: Carolyn M Dreiling, Trustee

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 26th day of OCTOBER, 2016, by CAROLYN M. DREILING, Trustee of The Carolyn M. Dreiling Trust dated May 27, 1999.

Bradley D McCune
Notary Public

My appointment expires:



Westbank Townhomes, Lot 2A, Unit Two

Date: 10/24/16, 2016

Marvin Leon Bashford
Marvin Leon Bashford

Date: 10/26/16, 2016

Marilyn Joyce Bashford
Marilyn Joyce Bashford

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 26th day of October, 2016, by Marvin Leon Bashford and Marilyn Joyce Bashford.

Kari H. McCune
Notary Public



Westbank Townhomes, Lot 2B, Unit Two

John W. Walters Trust dated May 16, 1996

Date: 10/26/16, 2016

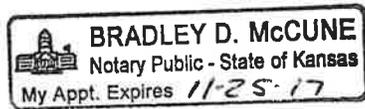
By: John W. Walters, Trustee
John W. Walters, Trustee

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 26th day of OCTOBER, 2016, by John W. Walters, Trustee of the John W. Walters Trust dated May 16, 1996.

Bradley D. McCune
Notary Public

My appointment expires:



Westbank Townhomes, Lot 2B, Unit Two

Marlyn S. Walters Trust dated May 16, 1996

Date: 10-30, 2016

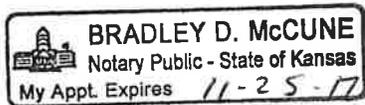
By: Marlyn S. Walters, Trustee
Marlyn S. Walters, Trustee

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 30th day of OCTOBER, 2016, by Marlyn S. Walters, Trustee of the Marlyn S. Walters Trust dated May 16, 1996.

Bradley D. McCune
Notary Public

My appointment expires:





Westbank Townhomes, Lot 3A, Unit Three

Lavonne J. Shillington Trust dated
November 10, 1989

Date: 10/26, 2016

By: Lavonne J. Shillington, Trustee
Lavonne J. Shillington, Trustee

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 26th day
of October, 2016, by Lavonne J. Shillington, Trustee of the Lavonne J. Shillington
Trust dated November 10, 1989.

[Signature]
Notary Public

My appointment expires:



Westbank Townhomes, Lot 3B, Unit Three

Marilyn N. Bullock Trust dated August 24, 2000

Date: 10-26, 2016

By: Marilyn N. Bullock, Trustee
Marilyn N. Bullock, Trustee

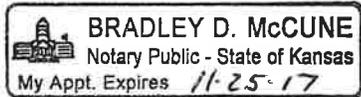
By: Paul E. Bullock, Trustee
Paul E. Bullock, Trustee

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 26th day of October, 2016, by Marilyn N. Bullock and Paul E. Bullock, Trustees of the Marilyn N. Bullock Trust dated August 24, 2000.

Bradley D. McCune
Notary Public

My appointment expires: 11/25/17



Westbank Townhomes, Lot 4A, Unit Three

Rose E. Morin Trust dated September 16, 1997

Date: 10/26, 2016

By: Rose E. Morin Trustee
Rose E. Morin, Trustee

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 26th day of October, 2016, by Rose E. Morin, Trustee of the Rose E. Morin Trust dated September 16, 1997.

Notary Public - State of Kansas
KARI H. MCCUNE
My appointment expires: 6/29/20

[Signature]
Notary Public

Westbank Townhomes, Lot 4B, Unit Three

Date: OCTOBER 28, 2016

Bradley D. McCune
Bradley D. McCune

Date: October 28, 2016

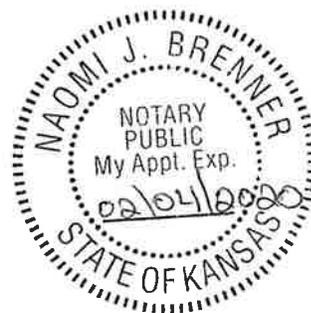
Kari H. McCune
Kari H. McCune

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 28 day of October, 2016, by Bradley D. McCune and Kari H. McCune.

Naomi J. Brenner
Notary Public

My appointment expires: 02/04/2020



Westbank Townhomes, Lot 4C, Unit Three

Frederick D. Danenberg and Catherine M. Danenberg Trust dated October 3, 1990

Date: 10-30, 2016

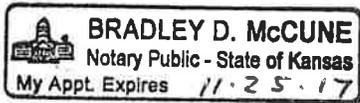
By: Catherine M. Danenberg Trustee
Catherine M. Danenberg, Trustee

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 30th day of OCTOBER, 2016, by Catherine M. Danenberg, Trustee of the Frederick D. Danenberg and Catherine M. Danenberg Trust dated October 3, 1990.

Bradley D. McCune
Notary Public

My appointment expires:



Westbank Townhomes, Lot 5A, Unit Four

Melvin L. Chastain Trust dated June 14, 1995

Date: 10-26, 2016

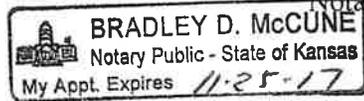
By: Melvin L. Chastain, Trustee
Melvin L. Chastain, Trustee

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 26th day of OCTOBER, 2016, by Melvin L. Chastain, Trustee of the Melvin L. Chastain Trust dated June 14, 1995.

Bradley D. McCune
Notary Public

My appointment expires:



Westbank Townhomes, Lot 5A, Unit Four

DonnaDee Chastain Trust dated June 14, 1995

Date: 10-26, 2016

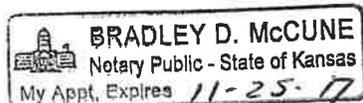
By: DonnaDee Chastain Trustee
DonnaDee Chastain, Trustee

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 26th day of OCTOBER, 2016, by DonnaDee Chastain, Trustee of the DonnaDee Chastain Trust dated June 14, 1995.

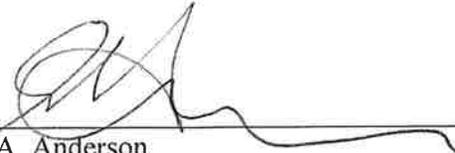
Bradley D. McCune
Notary Public

My appointment expires:



Westbank Townhomes, Lot 5B Unit Four

Date: 10-27, 2016



Gary A. Anderson

Date: October 27, 2016



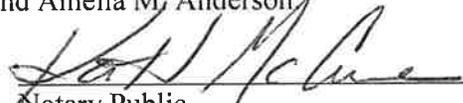
Amelia M. Anderson

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 27 day of October, 2016, by Gary A. Anderson and Amelia M. Anderson



My appointment expires



Notary Public

Westbank Townhomes, Lot 6A Unit Four

Bethene B. Young Revocable Trust under Agreement dated September 29, 1998, as amended

Date: 10-26, 2016

By: Bethene B. Young trustee
Bethene B. Young, Trustee

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 26th day of October, 2016, by Bethene B. Young, Trustee of the Bethene B. Young Revocable Trust under Agreement dated September 29, 1998, as amended.



My appointment expires: 6/29/20

Kari H. McCune
Notary Public

Westbank Townhomes, Lot 6B Unit Four

Date: 27 Oct, 2016

Terry L. Swisher
Terry L. Swisher

Date: 10-27, 2016

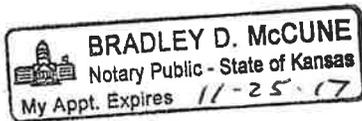
Mary H. Swisher
Mary H. Swisher

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 27th day of OCTOBER, 2016, by Terry L. Swisher and Mary H. Swisher.

Bradley D. McCune
Notary Public

My appointment expires:



Westbank Townhomes, Lot 6C Unit Four

Don D. Thomson and Joan B. Thomson Trust
dated August 9, 2007

Date: 10-27-16, 2016

By: Don D. Thomson, Trustee
Don D. Thomson, Trustee

Date: 10/27 /, 2016

By: Joan B. Thomson, Trustee
Joan B. Thomson, Trustee

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 27th day of October, 2016, by Don D. Thomson, Trustee of the Don D. Thomson and Joan B. Thomson Trust dated August 9, 2007.



Kari H. McCune
Notary Public

My appointment expires:

Westbank Townhomes, Lot 7, Unit Five

Date: Oct. 27, 2016

Jerry J. Eilers
Jerry J. Eilers

Date: Oct. 27, 2016

Christina M. Nelson
Christina M. Nelson

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 27th day of OCTOBER, 2016, by Jerry J. Eilers and Christina M. Nelson.

Bradley D. McCune
Notary Public

My appointment expires:

BRADLEY D. McCUNE
Notary Public - State of Kansas
My Appt. Expires 11-25-16

11-25-17

BDM

Westbank Townhomes, Lot 8A, Unit Five

Karen P. Tadtman Trust dated
November 20, 2002

Date: 10-27-16, 2016

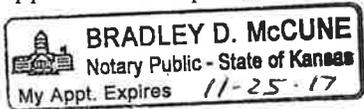
By: Karen P. Tadtman, Trustee
Karen P. Tadtman, Trustee

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 27th day
of OCTOBER, 2016, by Karen P. Tadtman, Trustee of the Karen P. Tadtman Trust dated
November 20, 2002.

Bradley D. McCune
Notary Public

My appointment expires:



Westbank Townhomes, Lot 8B, Unit Five

John R. Schlender and Patricia A. Schlender
Trust dated September 12, 1990

Date: 10-26, 2016

By: John R. Schlender, Trustee
John R. Schlender, Trustee

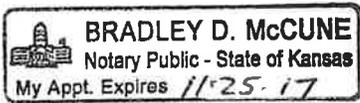
By: Patricia A. Schlender trustee
Patricia A. Schlender, Trustee

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 26th day of October, 2016, by John R. Schlender and Patricia A. Schlender, Trustees of the John R. Schlender and Patricia A. Schlender Trust dated September 12, 1990.

Bradley D. McCune
Notary Public

My appointment expires:



Westbank Townhomes, Lot 9A, Unit Five

Aurelia C. Pacey Trust dated April 11, 1996

Date: 10-26, 2016

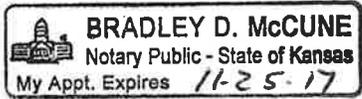
By: Aurelia C Pacey Trustee
Aurelia C. Pacey, Trustee

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 26th day of OCTOBER, 2016, by Aurelia C. Pacey, Trustee of the Aurelia C. Pacey Trust dated April 11, 1996.

Bradley D. McCune
Notary Public

My appointment expires:



Westbank Townhomes, Lot 9B, Unit Five

Date: 10/27/16, 2016

Benjamin G. Kyle
Benjamin G. Kyle

Date: 10/27/16, 2016

Marion B. Kyle
Marion B. Kyle

State of KANSAS, County of RILEY, ss:

BE IT REMEMBERED, This instrument was acknowledged before me on the 27th day of October, 2016, by Benjamin G. Kyle and Marion B. Kyle.



Kari H. McCune
Notary Public

My appointment expires:

Exhibit "1"

Lots 1A, 1B, 2A, 2B, 10, and all Common Areas in Unit 2 of the Westbank Townhomes addition to the City of Manhattan, Riley County, Kansas

Lots 3A, 3B, 4A, 4B, and 4C in Unit 3 of the Westbank Townhomes addition to the City of Manhattan, Riley County, Kansas

Lots 5A, 5B, 6A, 6B, and 6C in Unit 4 of the Westbank Townhomes addition to the City of Manhattan, Riley County, Kansas

Lots 7, 8A, 8B, 9A, and 9B in Unit 5 of the Westbank Townhomes addition to the City of Manhattan, Riley County, Kansas

