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Document Title: Second Supplement to Declaration of Homes Association
and Covenants, Conditions, Restrictions and Easements of Hook Farms
Document Date: May 24, 2022
Grantor Names: Hunt Midwest Real Estate Development, Inc.
Grantee Names: Hunt Midwest Real Estate Development, Inc.
Statutory Address: Suite 100, 8300 N.E. Underground Drive, Kansas City, Missouri 64161
Legal Descriptions: See Exhibit B attached
Reference Book and Page: Declaration of Homes Association and Covenants, Conditions,
Restrictions and Easements of Hook Farms, Document No.
2021E0092290

**SECOND SUPPLEMENT TO DECLARATION OF HOMES ASSOCIATION AND
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF HOOK FARMS**

THIS SECOND SUPPLEMENT TO DECLARATION OF HOMES ASSOCIATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF HOOK FARMS (this "Supplemental Declaration") is made and executed as of May 24, 2022, by **HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC.**, a Missouri corporation (the "Developer"), Suite 100, 8300 N.E. Underground Drive, Kansas City, Missouri 64161.

RECITALS:

A. On July 20, 2021, the Developer executed that certain subdivision plat entitled "HOOK FARMS FIRST PLAT" ("Hook Farms Plat") and on July 20, 2021, the Developer executed that certain subdivision plat entitled "THE RETREAT AT HOOK FARMS" (the "Retreat Plat" and collectively with the Hook Farms Plat, the "First Plat"), covering the real property formerly legally described as shown therein and on Exhibit A attached to the Declaration, defined below), and platting the same into certain Lots, Tracts, Common Areas, Restricted Common Areas, streets, roadways, private open space and other areas shown and marked on the First Plat, as identified therein and in the Declaration (collectively the "Property" or the "Hook Farms Property"). The Hook Farms Plat was approved on May 11, 2021, by the City Council of the City of Lee's Summit, Missouri (the "City"), and was recorded on August 20, 2021, as Document No. 2021E0092288, in the Office of the Recorder of Deeds of Jackson County, Missouri, at Independence (the "Recorder's Office"). The Retreat Plat was approved on August 3, 2021, by the City Council of the City, and was recorded on August 20, 2021, as Document No. 2021E0092289 in the Recorder's Office.

B. The Developer has executed that certain Declaration of Homes Association and Covenants, Conditions, Restrictions and Easements of Hook Farms, dated July 20, 2021, which was recorded on August 20, 2021, under Document No. 2021E0092290, in the Recorder's Office, as may be amended, modified and supplemented (collectively, the "Declaration"), pursuant to which Developer subjected the Hook Farms Property to certain covenants, conditions, restrictions and easements for the purpose of protecting the value and desirability of the Property.

C. Pursuant to its right to do so therein contained, the Developer has amended, supplemented and modified the Declaration pursuant to those certain Supplements thereto identified on **EXHIBIT A** attached to this Supplemental Declaration (each a "Supplement" or "Supplemental Declaration" further identified by number as shown on **EXHIBIT A**);

D. Pursuant to Section 11.1 of the Declaration, the Developer has the absolute unilateral right to expand the Property to include additional Lots (for Single Family Residences), Common Areas, Restricted Common Areas and other property in the Subdivision and other property that has not yet been subdivided or platted (the "Expansion Property").

E. On _____, 2022, Developer executed that certain subdivision plat entitled "The Retreat at Hook Farms – Second Plat" (the "Retreat Second Plat"), covering the real property formerly legally described as shown therein and on **EXHIBIT B** attached to this Supplemental Declaration, and platting the same into the Lots, Tracts, streets, roadways, private open space and other areas shown and marked thereon, if any and as identified on **EXHIBIT C** attached to this Supplemental Declaration (the "Second Expansion Property"), which Retreat Second Plat was approved on _____, 2022, by the City Council of the City, and was recorded on _____, 2022, under Document No. 2022 _____, in the Recorder's Office.

F. Developer presently owns all of the Lots, Tracts, Common Areas, Restricted Common Areas or other areas, if any, shown on the Retreat Second Plat.

G. Developer desires to exercise its right to expand the Property to include the additional Lots, Tracts, Common Areas, Restricted Common Areas or other areas, if any, which constitute the Second Expansion Property and to subject the Second Expansion Property to the covenants, conditions, restrictions and easements contained within the Declaration.

NOW, THEREFORE, in consideration of the premises, the Developer states and declares as follows:

1. **Exercise of Right to Expand.** Developer hereby exercises its unilateral right to expand the Property to include the additional Lots, Tracts, Common Areas, Restricted Common Areas or other areas, if any, which constitute the Second Expansion Property.

2. **Expansion Effective Upon Recording.** The expansion set forth above, shall be effective immediately upon filing the Retreat Second Plat and this Supplemental Declaration of record in the Recorder's Office. Recording of the Retreat Second Plat and this Supplemental Declaration shall automatically grant, transfer and convey to the Association any new Common Areas, Restricted Common Areas and all other areas designed for Members' or Association use, if any, added by the Second Expansion Property.

3. **Expansion of Definitions.** The definitions contained in the Declaration are hereby expanded to encompass and refer to the Property, as expanded by the Retreat Second Plat, and this Supplemental Declaration to include the Second Expansion Property. For example, (i) "Lot" shall mean

the Lots described in the Declaration and in the Plat described in the Declaration, all subsequent Plats and in the Retreat Second Plat and (ii) all references to the Declaration shall mean the Declaration as supplemented and amended by this Supplemental Declaration.

4. **Declaration Operative on New Lots, Tracts, Common Areas and Restricted Common Areas.** The new Lots, Tracts, Common Areas or Restricted Common Areas, which constitute the Second Expansion Property, shall be subject to all of the terms and conditions of the Declaration immediately upon recording of the Retreat Second Plat and this Supplemental Declaration in the Recorder's Office.

5. **Use and Maintenance of Any Private Open Space, Storm Water Detention Tract and Common Areas.** Any private open space, storm water detention tract or other Common Areas shown on or in the Retreat Second Plat shall be used and maintained by the Association under the terms of the Homes Association Declaration, as amended, as private open green space areas, storm water detention tract or Common Areas or any combination thereof, as applicable.

6. **Ratification of Declaration.** The Developer, on behalf of itself and as the holder of a majority of the votes possible to be cast under the Declaration, hereby ratifies, affirms and confirms all covenants, conditions, restrictions and easements contained in the Declaration, which covenants, conditions and provisions shall run with the land and be binding upon the Owners, including the Developer, and their respective heirs, personal representatives, successors, transferees and assigns and all other persons or entities having, at any time, any right, title or interest in all, or any part of, the Property and any Lots, Tracts, Common Areas or Restricted Common Areas otherwise subject to the terms hereof.

[Signature Page Follows]

IN WITNESS WHEREOF, the Developer has caused this Supplemental Declaration to be executed by its duly authorized officer as of the day and year first above written.

DEVELOPER:

HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC.

By: F. B. - Hunt.
F. Brenner Holland, Jr.,
Senior Vice President

STATE OF MISSOURI)
) S.S.
COUNTY OF CLAY)

On this 24th day of May, 2022, before me, the undersigned Notary Public in and for said County and State, personally appeared F. Brenner Holland, Jr., who, being by me first duly sworn, did say that he is a Senior Vice President of Hunt Midwest Real Estate Development, Inc., a Missouri corporation, that he executed the foregoing instrument on behalf of said corporation under and with the authority of its Board of Directors and that he acknowledged that he so executed the same as the free act and deed of said corporation for the purposes therein stated.

Peggy L. Wells
Signature of Notary Public

Peggy L. Wells
Typed or Printed Name of Notary

My Commission expires:

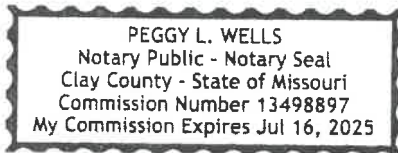


EXHIBIT A
TO
SECOND SUPPLEMENT TO
DECLARATION OF HOMES ASSOCIATION AND
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF HOOK FARMS

Previous Supplements to Declaration

<u>DATE EXECUTED/ DATE RECORDED</u>	<u>DOCUMENT NUMBER/ RECORDING INFORMATION</u>	<u>SUPPLEMENT #</u>	<u>INFORMATION</u>
07-20-21/08-20-21	2021E0092290	Original Declaration	Full CC&R Documents – Hook Farms First Plat and The Retreat at Hook Farms
		First	Expands Property – Hook Farms Second Plat

EXHIBIT B
TO
SECOND SUPPLEMENT TO
DECLARATION OF HOMES ASSOCIATION AND
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF HOOK FARMS

Legal Description of Second Expansion Property Prior to Platting:

A tract of land in the Southeast Quarter of Section 23, Township 47 North, Range 32 West of the 5th Principal Meridian in Lee's Summit, Jackson County, Missouri being bounded and described by or under the direct supervision of Jason S. Roudebush, P.L.S. 2002014092 as follows: Commencing at the Southeast corner of said Southeast Quarter; thence North 87°58'53" West, on the South line of said Southeast Quarter, 2,651.35 feet to the Southeast corner of MONARCH VIEW 1ST PLAT, a subdivision of land in said Lee's Summit recorded on September 3, 1998 as Instrument Number 98 I 69637 in Book I63 at Page 62 in Jackson County Recorder of Deeds Office, also being the Southwest corner of said Southeast Quarter; thence North 02°43'00" East, on the West line of said Southeast Quarter, also being the East line of said MONARCH VIEW 1ST PLAT, 30.00 feet to the Northwest corner of SW. Hook Road as established by RIGHT-OF-WAY DEED recorded on September 23, 1999 as Instrument Number 1999I 0077639 in said Jackson County Recorder of Deeds Office, also being the Point of Beginning of the tract of land to be herein described; thence North 02°43'00" East, on said West and East lines, and also being East line of MONARCH VIEW 2ND PLAT, a subdivision of land in said Lee's Summit, recorded on July 25, 2000 as Instrument Number 2000I 0048792 in Book I67 at Page 87 in said Jackson County Recorder of Deeds Office, 1,163.24 feet; thence leaving said West and East lines North 90°00'00" East, 500.00 feet, thence South 52°11'58" East, 631.86 feet to the Western most point of THE RETREAT AT HOOK FARMS (LOTS 50 THRU 99, INCLUSIVE AND TRACTS D, E, F, G & H) a subdivision of land in said Lee's Summit recorded on August 20, 2021 as Instrument Number 2021E0092289 in Book I195 at Page 16 in said Jackson County Recorder of Deeds Office; thence South 16°31'39" East, on the Westerly line of said THE RETREAT AT HOOK FARMS (LOTS 50 THRU 99, INCLUSIVE AND TRACTS D, E, F, G & H) 238.84 feet; thence South 78°36'20" East, on said Westerly line, 118.51 feet; thence South 04°39'35" West, on said Westerly line, 128.06 feet; thence South 23°04'06" East, on said Westerly line, 206.79 feet; thence South 02°38'45" East, on said Westerly line, 164.78 feet; thence North 87°58'48" West, on said Westerly line, 45.85 feet; thence South 01°54'56" West, on said Westerly line, 76.13 feet; thence North 87°58'53" West, on said Westerly line, 38.61 feet to a point on the existing Northerly right-of-way line of SW. HOOK ROAD, as established by RIGHT OF WAY DEED recorded on February 6, 2007 as Instrument Number 2007E0016663 in said Jackson County Recorder of Deeds Office; thence leaving said Westerly line, continuing North 87°58'53" West, on said existing Northerly right-of-way line, 125.00 feet; thence South 02°01'07" West, on said existing Northerly right-of-way line, 10.00 feet; thence North 87°58'53" West, on said existing Northerly right-of-way line, 853.20 feet to the Northwest corner of said RIGHT-OF-WAY DEED, also being the Northeast corner of SW. HOOK ROAD, as established by said RIGHT-OF-WAY DEED said Instrument Number 1999I 0077639; thence continuing North 87°58'53" West on the existing Northerly right-of-way line of said SW. Hook Road by said RIGHT-OF-WAY DEED said Instrument Number 1999I 0077639, a distance of 252.00 feet to the Point of Beginning. Containing 1,248,597 square feet or 28.66 acres, more or less.

EXHIBIT C
TO
SECOND SUPPLEMENT TO
DECLARATION OF HOMES ASSOCIATION AND
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF HOOK FARMS

Legal Description of Lots Contained in the Retreat Second Plat

Lots 179 through and including 215, and Tracts J, K & L, The Retreat at Hook Farms Second Plat, a subdivision in Lee's Summit, Jackson County, Missouri according to the recorded Plat thereof.

**CERTIFICATE OF SECRETARY
OF
THE HOOK FARMS HOME OWNERS ASSOCIATION**

I, Amy Nelson, hereby certify that I am the duly elected and qualified Secretary/Treasurer of the Hook Farms Homes Association. I hereby also certify that Hunt Midwest Real Estate Development, Inc., the Developer identified in the Declaration of Covenants, Conditions, Restrictions and Easements of Hook Farms, dated July 20, 2021 (the "Declaration"), is the sole Class B Member of The Hook Farms Homes Association and the owner of sufficient Lots in the District to give Hunt Midwest Real Estate Development, Inc. a majority of the votes possible to be cast under the Declaration.

Dated this 24th day of May, 2022.

Amy Nelson
Amy Nelson