
(The above space is reserved for Recorder's Certification.)

TITLE OF DOCUMENT: AMENDMENT TO CERTIFICATION CONCERNING
DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS

DATE OF DOCUMENT: June 6, 2021

GRANTOR: RAINTREE LAKE PROPERTY OWNERS
ASSOCIATION, INC.

GRANTOR'S MAILING ADDRESS: 825 SW Raintree Drive, Lee's Summit, MO 64062

GRANTEE: CITY OF LEE'S SUMMIT, MISSOURI

GRANTEE'S MAILING ADDRESS: 220 SE Green Street
Lee's Summit, Missouri 64063
Attention: City Clerk

RETURN DOCUMENTS TO: David Bushek
Lee's Summit City Hall
220 SE Green Street
Lee's Summit, Missouri 64063

LEGAL DESCRIPTION: Lot 5, RAINTREE LAKE VILLAGE, a subdivision of
land in Lee's Summit, Jackson County, Missouri,
according the recorded plat thereof.

This cover page is attached solely for the purpose of complying with the requirements stated in
§§59.310.2; 59.313.2 Revised Missouri Statutes.

**AMENDMENT TO CERTIFICATION CONCERNING
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

THIS AMENDMENT TO CERTIFICATION CONCERNING DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (the “**Amendment**”) is made on ~~May~~ **JUNE 6,** 2021, by the Raintree Lake Property Owners Association, Inc., a Missouri not-for-profit corporation (“**Raintree**”).

Raintree executed a document titled “Certification Concerning Declaration of Covenants, Conditions and Restrictions” on November 4, 2013 (the “**Certification**”), which was recorded on November 14, 2013 as Instrument Number 2013E0118167, a copy of which is attached hereto as **Exhibit A**. A document titled the Development Guidelines for Lots 4 & 5 (the “**Lot 4 & 5 Development Guidelines**”) was attached to the Certification and serve as restrictions on development that may occur on Lots 4 and 5 of the plat entitled Raintree Lake Village, a subdivision in Lee’s Summit, Jackson County, Missouri. Raintree now desires to amend the Certification and the Lot 4 & 5 Development Guidelines as they are applicable to Lot 5 of the plat of Raintree Lake Village.

The Certification is hereby amended as follows:

The Lot 4 & 5 Development Guidelines are hereby amended by adding the following provision to the end of the Guidelines:

1. Notwithstanding anything to the contrary as set forth in these Development Guidelines, the following shall apply to the construction of any public facility on Lot 5, including a fire station and all appurtenances thereto:
 - i. The construction of any public facility on Lot 5 by the City of Lee’s Summit, and all appurtenances thereto, shall not be subject to the Development Guidelines set forth above. The following provisions shall apply to the construction of a public facility on Lot 5:
 - a. A bio-swale or equivalent stormwater feature that is designed to concentrate and convey stormwater runoff, remove debris and pollution, and increase infiltration capabilities at the site, as approved by the City Engineer, shall be constructed on the site. This feature will be sized to treat the Water Quality Volume (WQv, 1.37”/24-hour rainfall), per American Public Works Association (APWA) Section 5600, for the site’s parking lot runoff. Treating the WQv will increase infiltration and reduce the amount of stormwater discharged into the existing detention basin.
 - b. All signage will be mounted on the structure in compliance with the City’s sign regulations. The construction of a fire station will not be accompanied by a free-standing monument sign, and any signage for a fire station will be on the building.
 - ii. The plans for any public facility to be constructed on Lot 5 by the City of Lee’s Summit shall be presented to the Raintree Lake Property Owners Association Architectural Review Board for review and comment pursuant to the Guidelines for Architectural

Control as approved by the Board of Directors of Raintree on February 13, 2018, and as may be amended from time to time.

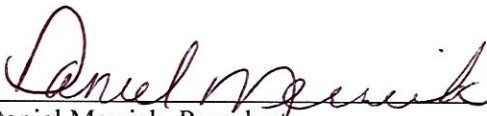
- ii. Any public facilities which are constructed on Lot 5 shall be subject to all applicable development and permitting requirements of the City of Lee's Summit, Missouri.

This Amendment shall be effective for and apply to the following property:

Lot 5, RAINTREE LAKE VILLAGE, a subdivision of land in Lee's Summit, Jackson County, Missouri, according the recorded plat thereof.

IN WITNESS WHEREOF, Raintree has executed this Amendment as of the day and year above written.

Raintree Lake Property Owners Association, Inc.

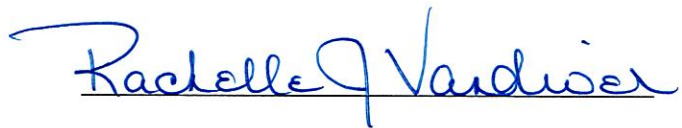

Daniel Merrick, President

ACKNOWLEDGMENT

STATE OF MISSOURI)
) SS.
COUNTY OF JACKSON)

On this 6th day of June, 2021, before me, the undersigned, a Notary Public, personally appeared Dan Merrick, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that he executed the same as the President of the Raintree Lake Property Owners Association, Inc.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.



Rachelle J Vandiver
Notary Public in and for said State

[SEAL]



RACHELLE J. VANDIVER
My Commission Expires
June 27, 2024
Jackson County
Commission #12380291

My commission expires: _____

EXHIBIT A

**CERTIFICATION CONCERNING
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

[Attached]



ELECTRONICALLY RECORDED
JACKSON COUNTY, MISSOURI

11/14/2013 03:36:51 PM

CERT FEE: \$ 36.00 6 Pages

INSTRUMENT NUMBER:
2013E0118167

WHEN RECORDED RETURN TO:

*Ms. Rachelle M. Biondo
White Goss Bowers March Schulte & Weisenfels,
a Professional Corporation
4510 Belleview Avenue, Suite 300
Kansas City, Missouri 64111-3538*

Title of Document:	Certification Concerning Declaration of Covenants, Conditions and Restrictions
Date of Document:	November 4, 2013
Grantor(s):	Raintree Lake Property Owners Association, Inc.
Grantee(s):	Raintree Lake Property Owners Association, Inc.
Grantee(s) Mailing Address:	9400 Reeds Road, Suite 100 Overland Park, KS 66207
Legal Description:	See Exhibit A
Reference Book and Page(s):	Document I-167323, Document I-584739, and Document I-641018

PLEASE RETURN DOCUMENT TO:

First American Title Insurance Company
National Commercial Services
911 Main, Suite 2500, Kansas City, MO 64105
Attention: Karen Keebler
FILE NO. 6006416

{30037 / 66690; 496952. }

Recorded Electronically	
ID	2013E0118167
County	Jackson Co. MO
Date	11-14-13 Time 3:30:51 pm
Simplifile.com 800.460.5657	

WHEN RECORDED RETURN TO:

*Ms. Rachelle M. Biondo
White Goss Bowers March Schulte & Weisenfels,
a Professional Corporation
4510 Bellevue Avenue, Suite 300
Kansas City, Missouri 64111-3538*

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PLEASE RETURN DOCUMENT TO:

First American Title Insurance Company
National Commercial Services
911 Main, Suite 2500, Kansas City, MO 64105
Attention: Karen Keebler
FILE NO. 6006476

**CERTIFICATION CONCERNING DECLARATION OF COVENANTS,
CONDITIONS & RESTRICTIONS**

Raintree Lake Property Owners Association, Inc., a Missouri not-for-profit corporation ("Raintree"), the Association under that certain Declaration of Covenants, Conditions & Restrictions dated September 24, 1973, and recorded as Document I-167323 in the Office of the Recorder of Deeds for Jackson County, Missouri (the "Recorder's Office"), as amended by that certain Amendment to Declaration of Covenants, Conditions and Restrictions dated May 21, 1984 and recorded as Document I-584739 in the Recorder's Office, and that Certain Declaration of Annexation dated July 23, 1985 and recorded as Document I-641018 in the Recorder's Office (the "Declaration"), which encumbers certain real property described therein, located in Jackson County, Missouri, which includes the Property legally described on Exhibit A (the "Property"), hereby makes this Certification Concerning Declaration of Covenants, Conditions & Restrictions (the "Certification") as of the 4th day of ~~October~~ ^{November}, 2013, with respect to the certain rights and obligations pertaining to the future development of Property under the Declaration. All capitalized terms not otherwise defined herein shall have the meaning as defined in the Declaration.

Raintree hereby states and agrees as follows with respect to the Declaration:

1. Pursuant to Article VII of the Declaration, the Architectural Review Board has the authority to regulate the external design, appearance, use, location, and maintenance of the Properties & Improvements subject to the Declaration.
2. Raintree hereby promulgates and adopts the Development Guidelines, attached hereto as Exhibit B, which shall apply to any proposed future development of the Property and shall be the sole criteria and guidelines applicable to the Property by Raintree and/or the Architectural Review Board, pursuant to the Declaration.
3. Raintree acknowledges that any future development of the Property shall be subject to all applicable development and permitting requirements of the City of Lee's Summit, Missouri.

Raintree Property Owners Association, Inc.,
a Missouri not-for-profit corporation

By: B. West
Name: Brian L West
Its: President

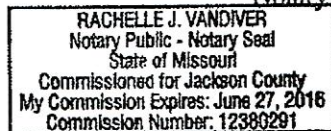
STATE OF Missouri)
) ss.
COUNTY OF Jackson)

On this 4 day of November, 2013, before me, a Notary Public, personally appeared Brian L. West, known to me to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed as President, of Rainforest Property Owners Association, Inc., a Missouri not-for-profit corporation, and said Brian L. West acknowledged execution of the foregoing instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

My commission expires:

6-27-2016



Notary Public

Rachelle J. Vandiver

EXHIBIT A
Legal Description

LOTS 4 and 5, RAIN TREE LAKE VILLAGE, a subdivision of
land in Lee's Summit, Jackson County, Missouri, according to the
recorded plat thereof.

EXHIBIT B
Development Guidelines

RAINTREE LAKE VILLAGE | DEVELOPMENT GUIDELINES – LOTS 4 & 5

- a. The maximum building footprint of any one Building on Lots 4 & 5, Raintree Lake Village ("Property") shall not exceed Eight Thousand Five Hundred (8,500) square feet if Lots 4 & 5 are developed together and re-platted as one lot. The maximum building footprint of any Building located on each of Lots 4 & 5 shall not exceed Four Thousand Five Hundred (4,500) square feet each, if the lots are developed separately.
- b. All Buildings on the Property shall not exceed twenty-four (24) feet in height, as measured from the mean finished elevation of the parking area of the Property. Architectural features such as parapet walls, mechanical equipment, penthouses and screens to hide mechanical equipment shall not exceed twenty-six (26) feet in height. All Buildings shall be single one-story structures.
- c. All Buildings on the Property shall meet the following architectural standards:
 - i. Minimum of one hundred percent (100%) of the total frontal (street elevation) of the Building shall be one or more of the following materials: stucco, brick, stone, rock or other masonry product;
 - ii. Exterior colors of the Building shall be neutral tones, with the exception of the prototypical signage of the end-user and accent colors used in Tenant specific trade dress, which may be colorful in nature and is an element of end-user's brand identity; and
 - iii. The Property shall have an enclosed dumpster pad to store trash dumpsters. Such enclosure shall be architecturally similar to Building in color and exterior finishes using masonry materials, and shall be constructed with steel gates painted to match the building structures. The location of the trash dumpster shall be located in an area of the development as to screen the enclosure from Regatta Drive located somewhere behind the rear building line.
- d. All Buildings on the Property shall be self-parked and shall comply with the following minimum parking requirements:
 - i. Four (4) parking space for each one thousand (1,000) square feet of floor area of the Building for retail and other general uses unless more restrictive use is defined in paragraph d(ii-iii);

- ii. Five (5) parking space for each one thousand (1,000) square feet of floor area of the Building for fast-food restaurant use or fast casual restaurant concepts; or
 - iii. Ten (10) parking spaces for each one thousand (1,000) square feet of floor area of the Building for full-service, sit-down restaurants serving alcohol.
- e. Each Lot 4 & Lot 5 shall be allowed a freestanding monument sign, not to exceed a size permitted by the City of Lee's Summit sign ordinance; however, in the event the lots are developed together, only one (1) free standing monument sign shall be permitted, subject to the City's sign ordinance.
- f. All screening shall be composed of: a.) masonry, or b.) living screen scrubs planted to create a hedge or visual screen within two (2) growing seasons. All screening on Regatta Drive shall be living screen material to soften the impact between the commercial development and the residential housing located in proximity to Regatta Drive. The developer of the Property shall use landscape berms and live screening composed of eight (8) feet evergreen trees to the south of the main entrance off Regatta Drive into the commercial development parcel.
- g. A bio-swale shall be constructed along the perimeter of the site to pre-treat the initial flush of the parking lot runoff. The bio-swale will discharge into a downstream "Defender" to further separate grit and other pollutants from the parking lot runoff. The bio-swale will provide onsite retention reducing the amount of storm water discharged into the existing detention basin.
- h. In the event a convenience store is constructed, the gas canopy rainwater shall be harvested and stored in a cistern and used specifically for landscaping irrigation.
- i. Subject to the City of Lee's Summit's approval, the Developer shall post "No Truck Traffic" signs on Regatta Drive, which will be enforced with its tenants and customers. Access for ingress and egress shall be limited to SW Lemans Lane. The developer of the Property shall seek City approval to post such signage and the City shall have the final determination as to the flow of delivery truck traffic.
- j. Provided that the developer of the Property meets the criteria as set out above, Raintree Lake Property Owners Association, Inc. ("RLPOA") and the RLPOA Architectural Review Board ("ARB") will approve the Developer's plans and shall execute a written certification in recordable form to the developer of the Property that RLPOA and the ARB have approved the project.
- k. Notwithstanding the foregoing, all Site and Building Plans are subject to review, revision, and approval by the City of Lee's Summit, Missouri ("City"), prior to the issuance of any building permits. Furthermore, the use of the Property shall be governed by the current zoning ordinances previously adopted by the City.