

SHAWNEE COUNTY, KS
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AMENDMENT NO. 5 TO DECLARATION OF CONDOMINIUM OF
PHEASANT RUN BUILDINGS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10
11, 12, 13, 14, 15 and 16, A CONDOMINIUM IN TOPEKA,
SHAWNEE COUNTY, KANSAS

THIS AMENDMENT, to the DECLARATION OF CONDOMINIUM is made this
20th day of June, 1980, by PHEASANT RUN COMPANY, a General Partnership,
hereinafter referred to as the "Developer".

WITNESSETH:

WHEREAS, the Developer has constructed upon the site Buildings Nos.
8, 12, 13, 15 and 16, with four apartment units per building, which were previously
described in Amendment No. 3 to the Declaration of Condominium and which are
hereafter described as Apartment units Nos. 1, 2, 3, and 4. The addresses for
said buildings are as follows:

BUILDING NO. 8, Apartments 1, 2, 3, and 4 - 5805 S.W. 22nd Terrace

BUILDING NO. 12, Apartments 1, 2, 3, and 4 - 5811 S.W. 22nd Terrace

BUILDING NO. 13, Apartments 1, 2, 3, and 4 - 5815 S.W. 22nd Terrace

BUILDING NO. 15, Apartments 1, 2, 3, and 4 - 5813 S.W. 22nd Terrace

BUILDING NO. 16, Apartments 1, 2, 3, and 4 - 5817 S.W. 22nd Terrace

WHEREAS, the Developer wishes to file this Amendment to satisfy the
requirements of K.S.A. 58-3113;

NOW, THEREFORE, the Developer makes the following Amendment to the
following Condominium development in accordance with the provisions of K.S.A.
58-3113, as amended.

1. That attached hereto and incorporated herein by reference, as if set
out in full herein, is a verified Affidavit of Charles G. Caldwell, a licensed profes-
sional engineer, currently practicing and employed by Bartlett & West, Consulting
Engineers, P.A., of Topeka, Kansas. That said Certificate is marked as Exhibit
"A" and constitutes the Certificate of a licensed professional engineer certifying to
the items stated therein, pursuant to the requirements of K.S.A. 58-3113.

2. That this Amendment to the Declaration is filed and recorded prior to the first conveyance of any condominium apartment unit located with Buildings 8, 12, 13, 15 and 16, as required by K.S.A. 58-3113 in the Kansas Ownership Act, as amended.

IN WITNESS WHEREOF, the Developer, through its lawfully authorized agents, executed the above and foregoing Amendment No. 5 to the Declaration of Condominium of Pheasant Run Buildings 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 the day and year first above written.

"DEVELOPER"

PHEASANT RUN COMPANY, a Kansas
General Partnership

By Stanley R. Metzger
STANLEY R. METZGER - Partner

STATE OF KANSAS)
) SS:
COUNTY OF SHAWNEE)

BE IT REMEMBERED, that on this 26 day of June, 1980, before me, the undersigned, a Notary Public in and for the County and State afore-said, came Stanley R. Metzger, as a partner and duly authorized representative of PHEASANT RUN COMPANY, a Kansas General Partnership, and the said Stanley R. Metzger is personally known to me to be the same person who executed the within instrument of writing, and such person duly acknowledged the execution of the same to be the act and deed of said corporation.

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

Paul E. Ward
NOTARY PUBLIC

My Appointment Expires:

2-28-83

PAUL E. WARD
NOTARY PUBLIC
SHAWNEE COUNTY, KANSAS
MY COM. EXPIRES 2-28-83

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STATE OF KANSAS) SS
SHAWNEE COUNTY,
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DEEDS
JULIA A. BRIEN

CERTIFICATE OF PROFESSIONAL ENGINEER TO
PHEASANT RUN BUILDINGS 8, 12, 13, 15 and 16

STATE OF KANSAS)
) SS:
COUNTY OF SHAWNEE)

I, CHARLES G. CALDWELL, of lawful age, after being first duly sworn,
state as follows:

1. That I am employed by BARTLETT & WEST, Consulting Engineers, P.A.,
with offices located at Topeka, Kansas.

2. That I am a duly licensed and registered engineer pursuant to all
applicable laws of the State of Kansas.

3. That there has heretofore been recorded a set of plans for Pheasant
Run Condominium Buildings, 8, 9, 10, 11, 12, 13, 14, 15 and 16 showing the layout,
location, apartment numbers and dimensions of the said condominium apartment
buildings and their units identifying the buildings numerically, prepared by
KNIGHT, REMMELE & EATON, licensed architects, and by BARTLETT & WEST,
licensed professional engineers. That said floor and site plans have been duly
recorded and may be found at Condominium Book 8 at Pages 208-229 in the
office of the Register of Deeds of Shawnee County, Kansas.

4. That having surveyed and certified the "as built" foundation dimen-
sions and location of Pheasant Run Buildings, 8, 12, 13, 15 and 16 and having
inspected the apartment units built therein, without measuring each of the interior
walls of each, this Affiant certifies that the apartment units located in Pheasant
Run Buildings, 8, 12, 13, 15 and 16 and the buildings themselves have been con-
structed in substantial compliance with the plans heretofore filed for said units and
buildings at Condominium Book No. 8 at Pages 208-229 in the office of the
Register of Deeds of Shawnee County, Kansas, Topeka, Kansas, as to the layout,
location, apartment numbers and dimensions of the apartments.

EXHIBIT "A"

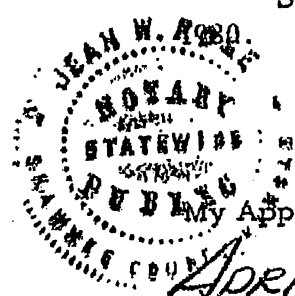
IN WITNESS WHEREOF, I have executed and verified this Certificate
pursuant to K.S.A. 58-3113, the 25th day of June, 1980.

Charles G. Caldwell
CHARLES G. CALDWELL - Professional Engineer



SUBSCRIBED AND SWORN TO before me this 25th day of JUNE.

Jean W. Rose
NOTARY PUBLIC JEAN W. ROSE



My Appointment Expires:

APRIL 21, 1984