




Sedgwick County
Register of Deeds - Bill Meek
DOC.#/FLM-PG: 28645579
Receipt #: 1575991
Pages Recorded: 7
Recording Fee: \$32.00

Cashier Initials: KG
Authorized By: 
Date Recorded: 2/2/2005 3:54:16 PM



AUBURN HILLS MASTER ASSOCIATION SWIMMING FACILITIES NOTICE OF AMENITY FINANCING

This Auburn Hills Master Association Swimming Facilities Notice of Amenity Financing ("Notice") is executed this 21 day of Jan, 2005, by West Wichita Development, Inc., a Kansas corporation ("Developer").

WHEREAS, Developer is developing for sale residential lots within several areas marketed as part of "Auburn Hills" which areas are described on Exhibit "A" hereto and depicted on the drawing also attached as part of Exhibit "A" (collectively the "Residential Property"); and

WHEREAS, the Declaration For Master Association Regarding Certain Auburn Hills Swimming Facilities dated December 19, 1999 and recorded in the Sedgwick County, Kansas real estate records at Film 2084, Page 0743 *et seq.* (as thereafter and hereafter amended from time to time, collectively "Declaration") currently pertains to the Residential Property; and

WHEREAS, the Declaration pertains to certain Swimming Pool Facilities (as defined in the Declaration), and the currently existing facilities are shown on Exhibit "A" hereto and each is labeled as a "Pool Area" thereon; and

WHEREAS, the Declaration contains a notice in Article IX thereof that Developer and/or the Auburn Hills Swimming Facility Master Association (the "Association"), will obtain, and renew and refinance from time to time, a loan or loans ("Amenity Financing"), secured by a mortgage against Swimming Pool Facilities in order to pay the cost of amenities required by the Declaration or which Developer or the Association elect to install or construct within the Swimming Pool Facilities, such as, but not limited to, clubhouses, swimming pools, playgrounds, sidewalks, sprinkler systems, grass and landscaping and other improvements for the use and benefit of the members of the Association, with the assessments, transfer fees and Developer's subsidies collected by the Association under Article IV and Section 4.12 of the Declaration being utilized for repayment of the principal and interest of such loan(s) in accordance with the terms of such Amenity Financing; and

WHEREAS, Developer desires to emphasis and make all current and future owners of lots now or hereafter existing within the Residential Property aware of such Amenity Financing.

AFTER RECORDING, RETURN TO:

Ron H. Hamden
2959 N. Rock Rd., Suite 300
Wichita, Kansas 67226
316-683-8100

236353 01/28/05

66557986

NOW, THEREFORE, DEVELOPER HEREBY GIVES NOTICE TO THE CURRENT AND FUTURE OWNERS OF ANY PORTION OF THE RESIDENTIAL PROPERTY THAT AMENITY FINANCING LOANS HAVE BEEN, OR WILL BE, OBTAINED, WHICH LOANS ARE, OR WILL BE, SECURED BY A MORTGAGE ON ALL OR A PORTION OF SUCH SWIMMING POOL FACILITIES. Such loan shall be repaid by the Association out of assessments and transfer fees paid by Owners under Article IV of the Declaration, together with any subsidies to be paid by the Developer under Section 4.12 of the Declaration. No further notice of such loans shall be given to the members of the Association.

IN WITNESS WHEREOF, this Notice is executed as of the day and year first above written.

DEVELOPER:

West Wichita Development, Inc.

By:

Jay W. Russell, President

STATE OF KANSAS

)

) ss:

COUNTY OF SEDGWICK

)

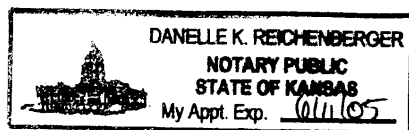
BE IT REMEMBERED, that on this 31 day of January, 2005, before me a Notary Public in and for the County and State aforesaid, personally appeared Jay W. Russell, the President of West Wichita Development, Inc., personally known to me to be such officer and the same person who executed, as such officer, the above and foregoing instrument in writing on behalf of said corporation 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 seal the day and year last above written.

My appointment expires:

6/1/05


NOTARY PUBLIC Danielle K. Reichemberger



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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

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.

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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"

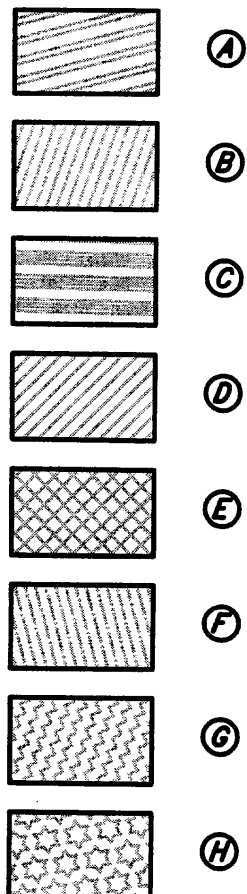
All of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27, Block A, together with all of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, Block B, together with all of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13, Block C, together 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"

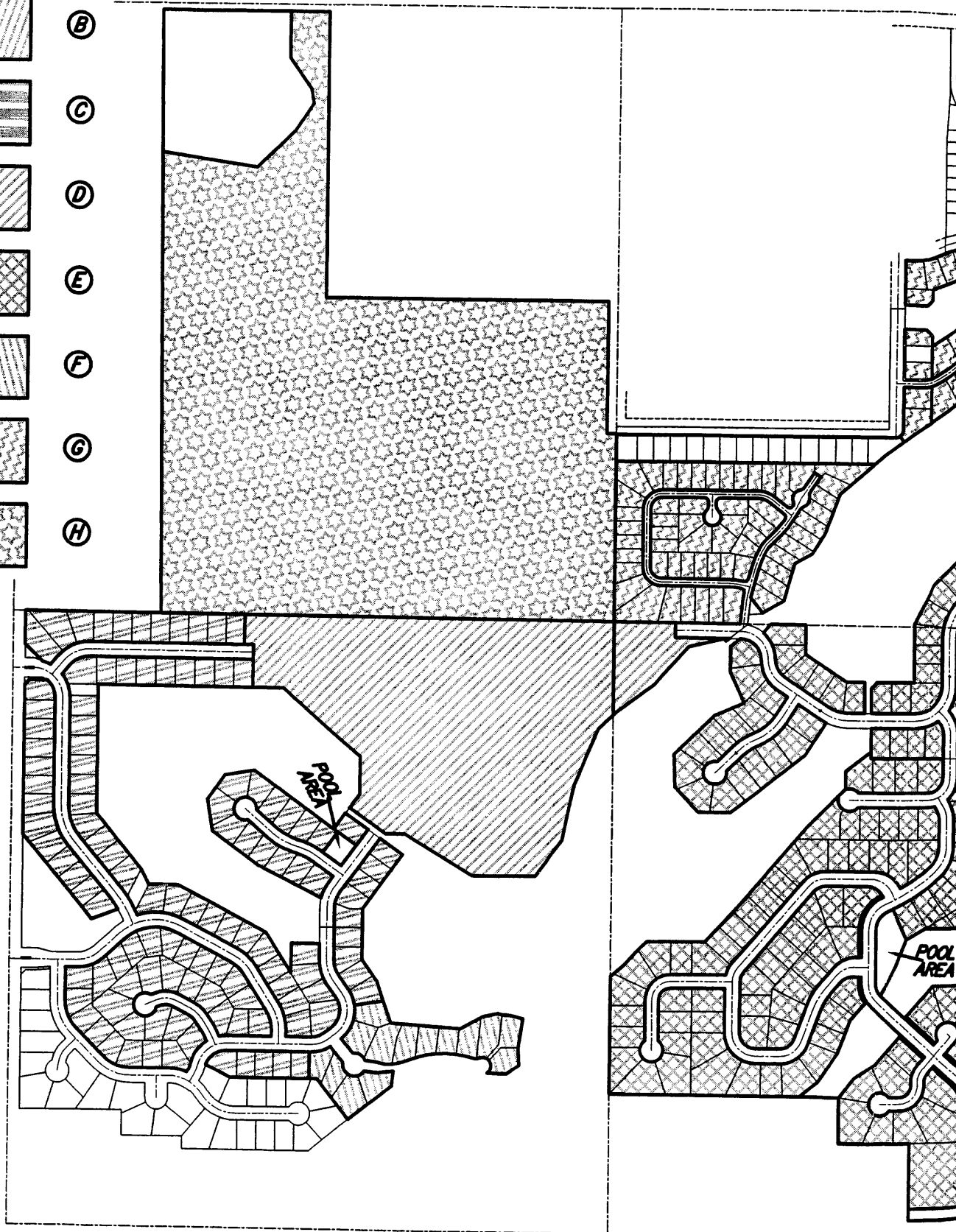
The NW ¼ of Sec. 26, Twp. 27-S, R-2-W of the 6th P.M., Sedgwick County, Kansas EXCEPT the west 630.00 feet thereof, and EXCEPT the following described tract: Beginning at the NE corner of said NW ¼; thence southerly along the east line of said NW ¼, 281.00 feet to the NE corner of City View St. as dedicated 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.

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EXHIBIT "A"

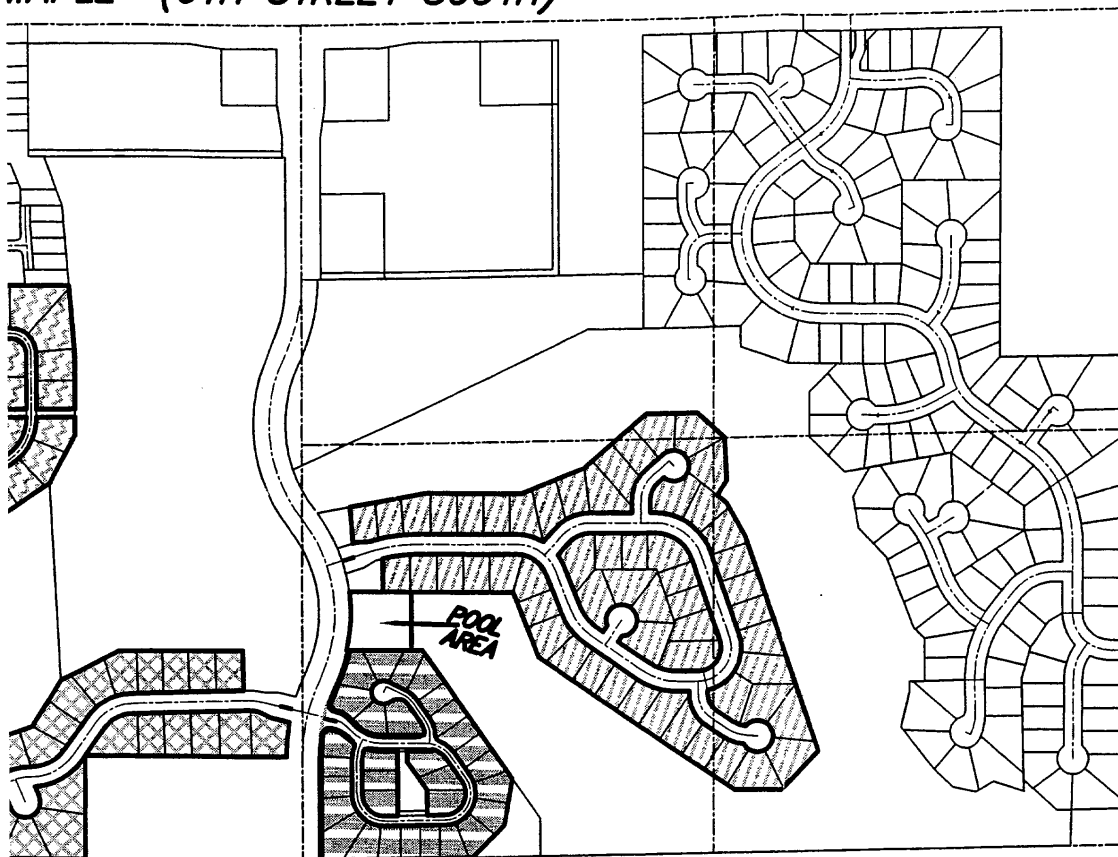


151ST STREET WEST

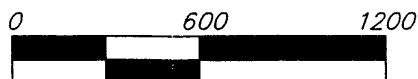


KELLOGG (U.S. HIGHWAY 54)

MAPLE (6TH STREET SOUTH)



135TH STREET WEST



21 JAN 2005

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BAUGHMAN COMPANY P. A.

ENGINEERING, SURVEYING, & PLANNING

316-262-7271 • 315 ELLIS • WICHITA, KANSAS 67211