

AFFIDAVIT OF NULLIFICATION

STATE OF KANSAS)
) ss:
COUNTY OF JOHNSON)

This Affidavit of Nullification applies specifically to Amendment to Woodsonia Homes Association Declaration recorded in 2021 and is made in 2023 by Woodsonia Homes Association (hereafter “Association”) and the undersigned owners (hereafter “Owners”), as it pertains to certain property in Shawnee, all in Johnson County, Kansas, which is more particularly described as follows:

[SEE EXHIBIT “A”]

WHEREAS, on October 2, 1985, J.C. Nichols Co., a Missouri Corporation (“Developer”), filed that certain Homes Association Declaration, recorded in Official Records Volume 2231, at Page 548, et seq., of the Public Records of Johnson County, Kansas (“Delclaration”); and

WHEREAS, pursuant to the Declaration, the Declaration may be amended at any time by the written consent of more than two-thirds of the owners of the Area of land within the subdivision; and

WHEREAS, the Amendment recorded failed to achieve the required two-thirds of the owners of the Area of land within the subdivision and was therefore improperly recorded.

NOW, THEREFORE, the undersigned Affiants swear and attest the following statements and averments are factually correct and are the basis for the revocation and nullification of the

Amendment to the Declaration filed and properly recorded in the Public Records of Johnson County in 2022.

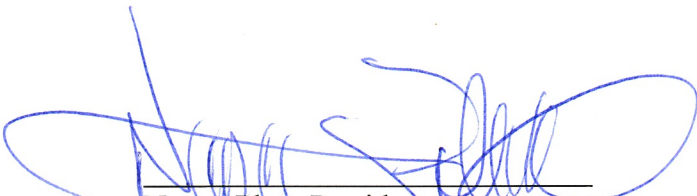
Affiants state and aver as follows:

1. The voting process followed for the ratification of said Amendment did not comport with the voting procedures mandated by the Woodsonia Homes Association bylaws thereby making the filing of the Amendment improper and nullifying said Amendment.
 - a. Specifically, votes were tabulated that were not submitted via proper ballot thereby nullifying said votes. Since votes were nullified, the threshold number of votes required to pass said Amendment was never achieved.
 - b. The bylaws of Woodsonia Homes Association requires that two-thirds (2/3) of the landowners vote in favor of amending the Declaration. The Amendment that was filed only received 204 proper "yes" votes which falls short of the mandated amount pursuant to the bylaws thereby nullifying the Amendment.
2. Votes, both proper and improper, were obtained through coercion and bribery thereby nullifying said votes whether cast via ballot or other improper means.
 - a. Residents of Woodsonia Homes Association were denied access to neighborhood amenities they should have had proper access to unless and until they voted which is coercion.
 - b. Residents of Woodsonia Homes Association were promised the opportunity to obtain pecuniary gain if they cast their vote for or against this Amendment. Specifically, residents were told that their votes provided them with an opportunity to win a \$500.00 gift card which is bribery.

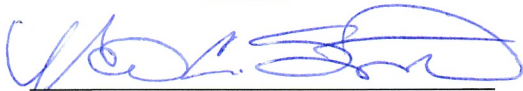
3. Residents of Woodsonia Homes Association were intentionally misled as to the ramifications of a default against any outstanding notes and/or loans the Board of Directors obtained.

a. Specifically, residents of Woodsonia Homes Association were misled as to the potential for liens to be placed against individual homeowners' properties in the event of a default.

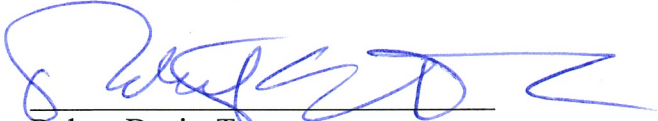
These statements and averments nullify the ratification of the Amendment to the Declaration and, as such, the undersigned affiants do hereby revoke said Amendment rendering it powerless and allows no future Board of Directors of the Woodsonia Homes Association to use any alleged power granted under this Amendment for any purpose. This revocation shall last in perpetuity.




Nancy Platt, President



Heath A. Stuart, Vice President



Robert Davis, Treasurer



John Eggert, Member at Large

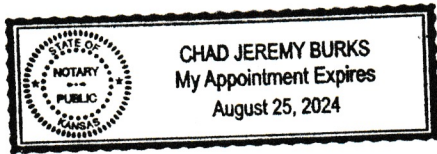
BE IT REMEMBERED that on this 15th day of September, 2023, before me, a Notary Public in and for the County and State aforesaid, came Affiants Nancy Platt, Heath A. Stuart, Robert Davis, and John Eggert, who are personally known to me to be the same persons who executed the above instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on the date last above written.



Notary Public

My Appointment Expires: AUGUST 25, 2024



**AMENDMENT TO
WOODSONIA HOMES ASSOCIATION DECLARATION**

This Amendment to Woodsonia Homes Association Declaration is made 2021, by Woodsonia Homes Association (hereafter "Association") and the undersigned owners (hereinafter referred to as "Owners"), as it pertains to certain property in Shawnee, all in Johnson County, Kansas, which is more particularly described as follows:

[SEE EXHIBIT A]

WHEREAS, on October 2, 1985, J.C. Nichols Co., a Missouri corporation ("Developer"), filed that certain Homes Association Declaration, recorded in Official Records Volume 2231, at Page 548, et seq., of the Public Records of Johnson County, Kansas ("Declaration"); and

WHEREAS, pursuant to the Declaration, the Declaration may be amended at any time by the written consent of more than two-thirds of the owners of the Area of land within the subdivision; and

WHEREAS, the Association's Board of Directors has proposed to amend and restate the Declaration in order to update the method of community governance for fiscal affairs; and

WHEREAS, more than two-thirds of Owners of the Area of land within the subdivision desire to amend the Declaration by adopting this Amendment to Declaration.

NOW, THEREFORE, the Declaration is hereby amended as follows:

The following section is added to Section 4 Powers and Duties of the Association.

"To borrow money to carry out the duties and functions of the Association and use any or all of its real or personal property as security for money borrowed or debts incurred if such borrowing is approved by a majority of owners attending a meeting duly called for that purpose."

Section 11 is Amended in its entirety and replaced with the following:

AMENDMENT AND TERMINATION. This Declaration may be terminated, amended or modified, in whole or in part, at any time by a duly acknowledged and recorded written agreement (in one or more counterparts) signed by the Owners of at least 60 percent of the lots within the Subdivision as then constituted. This Declaration also may be terminated, amended or modified, in whole or in part, at any time by a duly acknowledged and recorded written instrument executed by the Homes Association after the proposed amendment, modification or termination has been first approved by the affirmative vote of 75 percent or more of the full number of directors on the Board of the Homes Association (called in whole or in part of that purpose) by the affirmative vote of Owners owning at least 60 percent of the lots.

Section 7 is deleted in its entirety.

The following provision is Added to SECTION 5:

Notwithstanding the foregoing, the Board of Directors may levy in any fiscal year one or more Special Assessments payable over any period determined by the Board of Directors, for the purpose of defraying, in whole or in part, the cost of any construction or reconstruction, improvements in the Common Area if such Special Assessment is approved by a majority of owners attending a meeting duly called for that purpose..

Except as modified by this Amendment, all of the terms and provisions of the Declaration, as amended, are expressly ratified and confirmed and shall remain in full force and effect.

**OWNER EXECUTION PAGE
AMENDMENT TO DECLARATION OF RESTRICTION
WOODSONIA HOMES ASSOCIATION**

Yes - The undersigned Owner have caused these Amendments to Woodsonia Homes Association Declaration to be duly executed.

No - The undersigned Owner votes against the execution of Amendments to Woodsonia Homes Association Declaration.

Address: _____, Shawnee, Kansas.

Date: _____, 2021

OWNERS:

Signature of Owner: _____

Printed Name: _____