

* Block 36

Porter School / Porter Park

395129

DECLARATION OF RESTRICTIONS

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THIS DECLARATION, Made on this 4th day of February, 1950, by J. C. NICHOLS COMPANY, a corporation duly organized and existing under and by virtue of the laws of the State of Missouri, of the County of Jackson and State of Missouri, hereinafter sometimes called the Owner,

W I T N E S S E T H T H A T:

WHEREAS, the Owner is now the owner of the fee simple title to the following described real estate lying, being a situate in the County of Johnson and State of Kansas, to-wit:

All of BLOCK THIRTY-SIX (36) of PRAIRIE VILLAGE, a subdivision of land in Johnson County, Kansas, according to the recorded plat thereof, on file and of record in the office of the Register of Deeds of Johnson County, Kansas, at Olathe;

and

WHEREAS, the Owner now desires to make provision for the future use of said land for purposes in keeping with the present and prospective use of certain other tracts of land in the vicinity of the above described tract of land.

NOW, THEREFORE, In consideration of the premises, the aforesaid Owner for itself and for its successors and assigns, and for its and their future grantees, hereby declares that all of the above described tract of real estate now owned by it shall be, and the same is hereby, made subject to the following Restriction governing the use thereof, which Restriction shall be deemed to be a covenant running with the land and binding upon the present owner thereof, and upon its successors and assigns for a period of forty (40) years from the date hereof:

None of said land may be conveyed to, used, owned or occupied by negroes as owners or tenants.

The Restriction hereinabove set forth shall run with the land, and bind the present owner thereof, its successors and assigns, and all parties claiming by, through or under it shall be deemed to hold, agree and covenant with the owner above named, its successors and assigns, and with each of them, to conform to and observe said Restriction. The violation of the aforesaid Restriction shall not work a forfeiture of title, but the person or persons violating the same shall be liable in damages to the other owners of said land, or

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any part or parts thereof, for such violation.

IN WITNESS WHEREOF, the said J. C. Nichols Company has caused this Declaration to be signed on its behalf by its Vice President, thereunto duly authorized so to do, and has caused its common seal to be affixed hereto, the day and year first above written.



J. C. NICHOLS COMPANY

Frank R. Grant
VICE PRESIDENT

STATE OF MISSOURI }
COUNTY OF JACKSON } ss.

BE IT REMEMBERED, That on this 6th day of February, 1950, before me, the undersigned Notary Public within and for said County and State, came FRANK R. GRANT, Vice President of J. C. Nichols Company, a corporation duly organized, incorporated and existing under and by virtue of the laws of Missouri, who is personally known to me to be such officer, and who is personally known to me to be the same person who executed, as such officer, the within instrument of 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 affixed my official seal, the day and year last above written.



J. H. Frost
Notary Public within and for said
County and State

My commission expires August 29th 1952

FILED FOR RECORD AND DULY RECORDED IN MY OFFICE ON THIS 7 DAY OF Feb.
A. D. 1950, AT 1:08 O'CLOCK P. M. (SEAL)

Helen Hudelson REGISTER OF DEEDS