

RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI

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Book: Page:
Diana Smith, Recorder of Deeds

Jackson County
Recorder of Deeds
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Diana Smith
Recorder of Deeds

415 E. 12th Street, Room 104
Kansas City, MO 64106

112 W. Lexington, Suite 30
Independence, MO 64050

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**AMENDMENT/ADDENDUM 23-001
TO
MANOR OAKS BYLAWS OF HOMES ASSOCIATION**

Pursuant to the authority of Article III of the Bylaws of the Manor Oaks Homes Association which vests the Board of Directors with the power and duty to make all necessary rules and regulations, and pursuant to the authority granted to the Board of Directors pursuant to a vote that exceeded two-thirds of the membership present at the March 12, 2023 annual meeting of the Manor Oaks Homes Association as authorized by Article VIII of the Bylaws governing Amendments to Bylaws, the Board of Directors of the Manor Oaks Homes Association hereby adopts this Amendment and Addendum to the Manor Oaks Homes Association Bylaws to address and clarify the existing Declaration of Restrictions made the 16th day of August, 1954.

WHEREAS, Paragraph 1 of the Declaration of Restrictions specifically states that no commercial business, enterprise, or trade shall be carried on in Manor Oaks;

WHEREAS, the operations of short-term rentals and bed and breakfast establishments were not commonly known to the founders of Manor Oaks when the Declaration of Restrictions was drafted in 1954;

WHEREAS, by vote of the members at the annual meeting of the Manor Oaks Homes Association on March 12, 2023 of a showing to exceed two-thirds of the members in good standing then and there present, the membership of the Manor Oaks Homes Association clearly expressed the desire of the members of the Association to clarify the restrictions on commercial business and enterprises to specifically include the operation of short-term rentals and bed and breakfast establishment so as to eliminate any confusion and to unconditionally express that such businesses and enterprises are prohibited in Manor Oaks.

THEREFORE, let it be known:

1. The operation of short-term rental of residential properties, commonly known as Airbnb, VRBO or any other name or entity that conducts rentals of residential properties to tenants or guests for any period for less than 30 days is prohibited in Manor Oaks under Paragraph 1 of the Declaration of Restrictions made the 16th day of August, 1954, and currently on file with the Jackson County, Missouri, Recorder of Deeds office.
2. The operation of a bed and breakfast is prohibited in Manor Oaks under Paragraph 1 of the Declaration of Restrictions made the 16th day of August, 1954, and currently on file with the Jackson County, Missouri, Recorder of Deeds office.
3. This rule is made to clarify and uphold an existing restriction and does not expand existing restrictions or add new restrictions in Manor Oaks.
4. This Amendment and Addendum to the Bylaws is intended to be consistent with the intent of the Manor Oaks Homes Association Agreement made on the 16th day of August, 1954, and in no way is intended to supplant or abrogate the enforcement provisions therein and in the Declaration of Restrictions.
5. By way of the authority granted the Board of Directors as herein described to adopt regulations on behalf of Manor Oaks, and by vote of the members as herein described at the March 12, 2023 meeting of the Association, any damages requested in any legal action brought by the Board of Directors on behalf of the Manor Oaks Homes Association in the enforcement of the restrictions on the operations of a short-term rental or bed and breakfast business or enterprise shall include the recovery of attorney fees, expenses and costs incurred by the Manor Oaks Homes Association to be paid by the

property owner and/or the entity operating such prohibited business or enterprise.

6. For any property in Manor Oaks that is found to be operating a short-term rental or bed and breakfast business in violation of the restrictions on such activity, an assessment will be levied against the offending property by the Manor Oaks Homes Association in the amount of \$1,000.00 or 10% of the total monthly revenue (calculated as the highest advertised rate for a daily rental times thirty (30) days) for said property, whichever is greater, for each month or part thereof the property is being offered as lodging to the public.
7. Each individual incident or transaction wherein a property is contracted for lodging by a member of the public shall be deemed a new violation of the Declaration of Restrictions of the Manor Oaks Homes Association.
8. Invalidation of any one or more of the provisions of this Amendment/Addendum by judgment or court order shall in no wise affect the validity of the other provisions which shall remain in full force and effect.

Approved and adopted this 23rd day of May, 2023 by the members of the Board of Directors hereunder subscribed.

Rita O'Donnell
Rita O'Donnell

R. Scott Smith
R. Scott Smith

Joseph W. Harris
Joe Harris

Mark D. Chuning
Mark D. Chuning

Jean Samyn
Jean Samyn

Joseph J. Wyatt
Joe Wyatt

Ellen A. Wyatt
Ellen Wyatt

ATTESTATION

The undersigned members of the Board of Directors of the Manor Oaks Homes Association do hereby attest and affirm that their signatures that appear on the attached Amendment/Addendum 23-001 to Manor Oaks Bylaws of Homes Association are true and was done as their authorized act in adopting said Amendment/Addendum on May 23, 2023.

Rita O'Donnell
Rita O'Donnell

STATE OF MISSOURI)
) ss:
COUNTY OF JACKSON)

On this 31st day of MAY, 2023, before me, the undersigned, a Notary Public in and for said County and State, came Rita O'Donnell, who is personally known to me to be the same person who executed the within instrument of writing, and duly acknowledged the execution of the same as a free and voluntary act and deed.

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

[Signature]
Notary Public

TAHITIA M. FRY
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES 2/15/2024
COMMISSION # 12303541

My Appointment Expires: 2/15/2024

R. Scott Smith
R. Scott Smith

STATE OF MISSOURI)
) ss:
COUNTY OF JACKSON)

On this 31st day of MAY, 2023, before me, the undersigned, a Notary Public in and for said County and State, came R. Scott Smith, who is personally known to me to be the same person who executed the within instrument of writing, and duly acknowledged the execution of the same as a free and voluntary act and deed.

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

[Signature]
Notary Public

TAHITIA M. FRY
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES 2/15/2024
COMMISSION # 12303541

My Appointment Expires: 2/15/2024

Joseph W Harris

Joe Harris

STATE OF MISSOURI)

) ss:

COUNTY OF JACKSON)

On this 31~~st~~ day of MAY, 2023, before me, the undersigned, a Notary Public in and for said County and State, came Joe Harris, who is personally known to me to be the same person who executed the within instrument of writing, and duly acknowledged the execution of the same as a free and voluntary act and deed.

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

[Signature]

Notary Public

My Appointment Expires: 2/15/2024

TAHITIA M. FRY
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES 2/15/2024
COMMISSION # 12303541

Jean Samyn

Jean Samyn

STATE OF MISSOURI)

) ss:

COUNTY OF JACKSON)

On this 31~~st~~ day of MAY, 2023, before me, the undersigned, a Notary Public in and for said County and State, came Jean Samyn, who is personally known to me to be the same person who executed the within instrument of writing, and duly acknowledged the execution of the same as a free and voluntary act and deed.

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

[Signature]

Notary Public

My Appointment Expires: 2/15/2024

TAHITIA M. FRY
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES 2/15/2024
COMMISSION # 12303541

Joe Wyatt
Joe Wyatt

STATE OF MISSOURI)
) ss:
COUNTY OF JACKSON)

On this 31st day of MAY, 2023, before me, the undersigned, a Notary Public in and for said County and State, came Joe Wyatt, who is personally known to me to be the same person who executed the within instrument of writing, and duly acknowledged the execution of the same as a free and voluntary act and deed.

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

Tahitia M. Fry
Notary Public

My Appointment Expires: 2/15/2024
TAHITIA M. FRY
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES 2/15/2024
COMMISSION # 12303541

Ellen Wyatt
Ellen Wyatt

STATE OF MISSOURI)
) ss:
COUNTY OF JACKSON)

On this 31st day of MAY, 2023, before me, the undersigned, a Notary Public in and for said County and State, came Ellen Wyatt, who is personally known to me to be the same person who executed the within instrument of writing, and duly acknowledged the execution of the same as a free and voluntary act and deed.

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

Tahitia M. Fry
Notary Public

My Appointment Expires: 2/15/2024
TAHITIA M. FRY
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES 2/15/2024
COMMISSION # 12303541

