

**THIRD AMENDMENT TO
NOTTINGHAM FOREST SOUTH HOMES ASSOCIATION
DECLARATION OF RESTRICTIONS**

THIS THIRD AMENDMENT is made this _ day of _____, 2026 by the Nottingham Forest South Homes Association Inc. ("Homes Association") and its undersigned members.

WHEREAS, the real property comprising the community was formed in phases (Nottingham Forest South Subdivision, Nottingham Subdivision, Villas of Nottingham Subdivision, which are platted as Nottingham, Tomahawk Estates Subdivision, and Estates of Nottingham South Subdivision), all as more particularly described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, the entire community is commonly known and referenced as "Nottingham Forest South," and this nomenclature is used herein for convenience; and

WHEREAS, as part of the development process and amendments made to the declarations of record, the Homes Association is the homeowners' association for the entire Nottingham Forest South community and has operated and administered the Nottingham Forest South community as a whole for over 30 years consistent with the "Nottingham Forest South Declaration of Restrictions" as recorded in Book 2630, Page 425 of the records of Johnson County, Kansas ("Declaration of Restrictions") and prior amendments thereto; and

WHEREAS, pursuant to Section 18 of the Declaration of Restrictions, the Declaration of Restrictions may be amended by approval of the Owners of a majority of Lots in the Homes Association; and

WHEREAS, the undersigned Owners desire to amend the Declaration of Restrictions to adopt contemporary provisions related to leasing; and

NOW THEREFORE, the parties hereto agree as follows:

1. It is the specific intent and purpose of this Amendment to preserve the Nottingham Forest South subdivision as a community in which the Lots are occupied predominantly by the Owners, thereby improving stability among residents, inhibiting transiency and protecting property values.
2. Section 2. Use of Land of the Declaration of Restrictions is amended by inserting the following:
 - (a) In addition to the above, the following uses are expressly prohibited:
 - (i) Short Term Rentals. No Lot or Residence, or any portion thereof, may be rented or leased for a period of less than twelve (12) months. This includes, but is not limited to, any rental or lease on a nightly or monthly basis, or for transient or hotel purposes including home exchange, swap or via Airbnb, VRBO or their functional equivalent.

- (ii) Time-Share. No Lot or Residence, or any portion thereof, may be conveyed under a time-sharing plan or functional equivalent. For purposes of this Section, a time-sharing plan shall include any ownership interest in a legal entity that is owner of a Lot whereby the different owners of the legal entity share or divide time for the purposes of occupancy of the Lot or Residence.

- (b) Enforcement. The Homes Association is authorized to enforce any violation of this Section with all remedies available under this Declaration of Restrictions.

In addition, the Board may enforce this Section by establishing, levying and collecting fines and other enforcement charges upon the offending Owner and the Lot in such amounts as the Board deems necessary to effect compliance with these restrictions and prohibitions.

- 3. The Board of Nottingham Forest South Homes Association is authorized to execute and record this Amendment upon its approval by the Owners and, with their signatures below, certify that this amendment has been approved by the Owners in accordance with the Declaration of Restrictions.

Except as otherwise provided herein, this Amendment shall be effective upon the date of its recording with the Recorder of Deeds, Johnson County, Kansas, and shall be applicable to events and circumstances occurring after said effective date.

Exhibit A

Lots 62 through 70 of Block 1, Nottingham, Third Plat, a subdivision in the City of Overland Park, Johnson County, Kansas, according to the plat thereof in Book 73, Page 44

Lots 20 through 25 of Block 2, Lots 3 through 13 of Block 3, Lots 1 through 18 of Block 5, and Tract E, Nottingham, Fourth Plat, a subdivision in the City of Overland Park, Johnson County, Kansas, according to the plat thereof in Book 80, Page 31

Lots 1 through 15, Block 1 of Estates of Nottingham South, a subdivision according to the plat thereof as recorded in the records of Johnson County, Kansas

Lots 1 through 7, Block 2 Estates of Nottingham South, a subdivision according to the plat thereof as recorded in the records of Johnson County, Kansas

Tract A of Estates of Nottingham South, a subdivision according to the plat thereof as recorded in the records of Johnson County, Kansas

Estates of Nottingham South, a subdivision according to the plat thereof as recorded in the records of Johnson County, Kansas

Lots 1 through 3, Tomahawk Estates, a subdivision in the City of Overland Park, Johnson County, Kansas according to the recorded plat thereof