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ADDENDUM TO AMENDED AND RESTATED
TUSCANY RESERVE HOMES ASSOCIATION DECLARATION

THIS ADDENDUM TO AMENDED AND RESTATED TUSCANY RESERVE HOMES ASSOCIATION DECLARATION (this "Addendum") is made this 15th day of June, 2008, by TUSCANY RESERVE, INC., a Kansas corporation ("Developer") and modifies that certain Amended and Restated Tuscany Reserve Homes Association Declaration recorded with the Register of Deeds of Johnson County, Kansas on July 23, 2003 as instrument number 3674298 in Book 9272 at Page 468 (the "Declaration"). The Declaration shall be amended as set forth herein.

WHEREAS, subsequent to the recording of the Declaration, Tuscany Reserve was replatted one or more times, resulting in inconsistency between the terms of the Declaration and the most recent recorded plat, and such replat includes the following described lots and tracts:

Lots 1 through 100 (excluding those lots which no longer exist due to lot splits and replatting), and tracts A, B, C, D and E of Tuscany Reserve, a subdivision in the City of Leawood, Johnson County Kansas;

WHEREAS, Developer desires to modify the Declaration to cause it to be consistent with the most recent recorded plat of Tuscany Reserve;

WHEREAS, as a further result of the aforementioned inconsistencies, Developer desires to modify the various Lot designations indicated in the Declarations;

WHEREAS, Developer desires to clarify the authority of the Homes Association with respect to the levying of annual assessments against the Lots;

NOW, THEREFORE, in consideration of the premises contained herein, Developer, for itself and for its successors and assigns, and for its future grantees, hereby subjects all of the above-described lots to the covenants, charges, assessments and easements hereinafter set forth.

1. Definitions. Any capitalized terms set forth herein but not otherwise defined shall have the meanings given them in the Declaration.

2. Tuscany Reserve. The Declaration shall be revised such that any and all references to "Tuscany Reserve" set forth therein shall refer to the legal description first set forth above in this Addendum.

3. Lot Designations. Article I(g) of the Declaration shall be revised such that the various Lot designations shall be defined as follows and shall apply to all such references to the Lot designations, with the exception of references with respect to annual assessments to be levied on the Lots under Article IV.1. of the Declaration:

- i. "Manor Villa Lot" means a Lot that is within Lots 1, 16 through 28, and 87 through 99 above.
- ii. "Grand Villa Lot" means a Lot that is within Lots 29 through 44, 71 through 86, and 100 above.
- iii. "Villas Lots" means a Manor Villa or Grand Villa Lot
- iv. "Estates of Tuscany Lot" or "Estates Lot" means a Lot that is within Lots 45 through 70 above.

4. Assessment Structure. Article IV.1. of the Declaration shall be revised to add the following to the end of such section:

"Except as to Developer's Lots, the assessment structure and amounts shall be at the discretion of the Homes Association. The Homes Association shall have the authority to assess fractional assessment rates and to move Lots from one assessment category to another (i.e. from Villa Lots category to Estate Lot category) as necessary to remain consistent with such assessments as were established and assessed by Developer prior to the Turnover Date."

5. Addendum Controls, Ratification and Affirmation. In the event that the terms of this Addendum and the Declaration are held to be inconsistent, the terms of this Addendum shall control. The parties each agree and warrant that, in all other respects, the Declaration is unmodified, in full force and effect, and each party hereby ratifies and affirms the Declaration and any terms contained therein not otherwise modified by this Addendum.

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IN WITNESS WHEREOF, the Developer has caused this Addendum to be duly executed the day and year first above written.

THE DEVELOPER:

TUSCANY RESERVE, INC.

By: Ed Kennamore
Name: Ed Kennamore
Title: President

STATE OF Kansas)
COUNTY OF Johnson) ss.

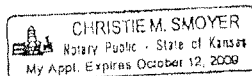
On this 15th day of June, 2008, before me appeared Ed Kennamore, to me personally known, who, being by me duly sworn did say that he is the President of TUSCANY RESERVE, INC., a corporation of the State of Kansas, and that said instrument was signed on behalf of said corporation by authority of its Board of Directors, and said President acknowledged said instrument to be the free act and deed of said corporation.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

Christie M. Smoyer
NOTARY PUBLIC CHRISTIE M. SMOYER

My Commission Expires:

10/12/2009



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