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FONTAINEBLEAU HOMES ASSOCIATION
Amendment One to the Declarations & Restrictions

WHEREAS, THE BOARD OF DIRECTORS has determined that the use of synthetic materials to construct fences within the District is beneficial to the District. Therefore, the Board elects to amend paragraph 5 of the Fontainebleau Homes Association Declarations & Restrictions as spelled out below to allow the use of synthetic materials to construct fences with the approval of the Architectural Review Committee.

“5. No fence shall be erected until written approval has been received from the Architectural Review Committee. No fence shall be erected or maintained on any lot nearer a front or side street than the building setback line. Fences shall conform to the following:

- Fences shall be not less than 4 feet nor more than 6 feet in height
- Material shall be limited to cedar, redwood, CCA treated wood, wrought iron, masonry, or a synthetic material approved by the Architectural Review Committee
- Gates must match fencing in design material, height and color
- Fencing which is finished on one side only must be constructed with the finished side facing out”

IN WITNESS

The undersigned hereby affirms that:

1. He is the duly elected treasurer of the presently constituted board of directors for the Fontainebleau Homes Association.
2. The Amendment to the Declarations and Restrictions set forth above was approved by the board of directors of the homes association, and published to all the members thereof who were eligible as of April 1, 2005 to vote in favor thereof or in opposition thereto, and said amendment to the declarations and restrictions were duly considered by said members for adoption.
3. The amendment to the declarations and restrictions set forth above was approved and adopted by affirmative vote of the owners of a simple majority of all lots located within the district, as defined in said declarations and restrictions, as of April 1, 2005.

The aforesaid vote was duly confirmed and verified by the treasurer of the association, or by a person or persons designated by the board of directors for such purpose, and was found to be true and correct.

BY: Tory M. Lehr
Tory M. Lehr, Treasurer

State of Kansas
County of Johnson

Be it remembered, that on this 12 day of August, 2005, before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Tory M. Lehr, Treasurer, to me personally known to be the same person who executed the above and foregoing instrument of writing, and duly acknowledged the execution of same.

Cindy Anne Fecht

My commission expires:

