

FONTAINEBLEAU HOMES ASSOCIATION
Amendment Two to the Declarations & Restrictions

WHEREAS, THE BOARD OF DIRECTORS has determined that the use of residences within the District as rentals is detrimental to the use and mortgage finance value of the non-rental properties within the District. Non-owner occupiers do not have the same motivation to maintain and improve the residences as owner occupied residences and some lenders will not make loans or will only offer high cost "investor" financing in subdivisions with rental properties. Therefore, the Board elects to amend the Fontainebleau Homes Association Declarations & Restrictions to include the following:

"No lot or residence within the District shall be rented or leased. Any lots or residences under a valid rent or lease agreement existing at the time the restriction is adopted, may continue such agreements. Rent or lease agreements shall be provided to the Board upon request. No existing rent or lease agreement may be extended or renewed by the owner. This restriction will run with the land and will bind all owners of lots within the District. The Board of Directors of the Association is hereby authorized to record such a restriction against all lots within the District."

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:

