

COVER SHEET

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TITLE OF DOCUMENT:

Fontainebleau Homes Association *Amendment Four to the Declarations and Restrictions*
~~Amendment~~

Legal Description: Declarations & Restrictions for homes & clubhouse associated with Fontainebleau Neighborhood

**FONTAINEBLEAU HOMES ASSOCIATION
Amendment Four to the Declarations & Restrictions**

WHEREAS, THE BOARD OF DIRECTORS has determined that the current method of providing general funds does not account for nor allow for expeditious and efficient responses to cost increases of the necessary repetitive operational annually contracted services of: waste/recycle/yard waste collection, pool daily maintenance, weekly water and landscaping and annual insurance costs. Therefore, the Board elects to amend section 6 (a & b) of the Fontainebleau Homes Association Declarations & Restrictions as spelled out below to allow the Board the ability to address cost increased of the four basic and necessary services without requiring a district wide vote. Changes are only additions and are in bold.

SECTION 6. METHOD OF PROVIDING GENERAL FUNDS

“(b) The annual assessment of dues upon each lot within the district shall not be increased or decreased from the amount of the previous year’s dues, **other than the four necessary services listed below**, unless such an increase or decrease is approved by a simple majority of members of the Association at a general or special meeting duly called for such purpose at which is present, in person or by proxy, a quorum of at least 50 percent of all members of the Association. **For necessary repetitive operational services of waste/recycle/yard waste collection, pool daily maintenance, weekly water and landscaping and annual insurance costs, the board has the authority to increase annual dues in an amount up to the actual annual aggregate cost increase of these services from the previous year. Any services cost increase must be verified by the board obtaining three bids for that service. The board shall post the calculation data of any increase in its on-line neighborhood communications facility not later than the 28th of February of every year.** Should the Board of Directors for the Association deem it advisable to submit a proposal for increasing or decreasing the amount of an annual assessment **for items other than waste, pool, landscaping and insurance**, of dues from the amount of the previous year’s dues, the Board shall provide all members of the Association with reasonable advance notice of the proposal, and of any meeting, general or special, at which the proposal shall be voted upon. Any such proposal to increase or decrease the amount of an assessment of dues shall be recorded by the Secretary of the Board of Directors, or by such other person as the Board of Directors may appoint, as part of the written minutes for the meeting at which a vote is had upon such increase or decrease.”

IN WITNESS

The undersigned hereby affirms that:

1. He is the duly elected secretary of the presently constituted board of directors for the Fontainebleau Homes Association.
2. The Amendment to the Declarations and Restrictions set forth was approved by the board of directors of the homes association, and published to all the members thereof who were eligible as of June 20, 2022 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 the said declarations and restrictions, as of June 20, 2022.

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: Philip Abel Signature: *Philip Abel*
Fontainebleau Homes Association Secretary

State of Kansas
County of Johnson

Be it remembered, that on this 20th day of November, 2025, before me the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Philip Abel, Fontainebleau Homes Association Secretary, to me personally known to be the same person who executed the above and foregoing instrument of writing, and duly acknowledged the execution of the same.

Pei Kuan

My commission expires: September 28, 2027

