

FONTAINEBLEAU HOMES ASSOCIATION Amendment Three to the Declarations & Restrictions

WHEREAS, THE BOARD OF DIRECTORS has determined that the current limit on fines is not a deterrent to residents violating the restrictions approved by the other residents within the District. Therefore, the Board elects to amend section 5 (h) of the Fontainebleau Homes Association Declarations & Restrictions as spelled out below to allow the Board greater discretion in the assessment of fines to enforce all restrictions, declarations, covenants, rules and regulations now or hereafter imposed by the provisions of the Declarations and Restrictions.

“(h) To enforce, through the Board, all restrictions, declarations, covenants, rules and regulations now or hereafter imposed by the provisions of this declaration and the restrictions hereinafter stated. The board may enforce any such rules and regulations and provisions of this declaration through imposition of a fine in the amount ranging from \$25.00 to \$500.00, at the Board’s discretion, for each violation not cured within 30 days after written notice of such violation is provided. Additional \$25.00 to \$500.00 fines will be imposed for each month in which violation is not cured. Any fine assessed by the Board may be appealed by the homeowner upon whom the fine has been assessed and the fine may be reduced or abated upon good cause shown and such reduction or abatement approved by unanimous vote of the Board.”

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, 2008 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, 2008.

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 5th day of Sept, 2008, 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.

Lori Koch

My commission expires: 8-31-09

