

**FIRST AMENDMENT OF FALCON RIDGE ESTATES  
DECLARATION OF RESTRICTIONS**

THIS AMENDMENT is made and entered into this 30 day of July, 1999, for the purposes hereinafter described.

**RECITALS**

WHEREAS, on March 23, 1999, ROYAL HEIGHTS, INC., a Kansas Corporation ("Developer") executed a document entitled "Falcon Ridge Estates Declaration of Restrictions" (the "Declaration of Restrictions") which imposed certain restrictions upon the property composed of Lots 1 through 42 of Falcon Ridge Estates, a subdivision of the City of Lenexa, Johnson County, Kansas, according to the recorded plat thereof (the "Property"). Said Declaration was recorded on April 1, 1999, as Document No. 2970668, in Book 6117, Page 7, of the Johnson County, Kansas, records; and

WHEREAS, Article III, of the Declaration of Restrictions provided in part that "The composition of roof construction of any residence or outbuilding with the pitch (slope) of 5/12/ or greater shall have an exterior covering of wood shingles, "shake" shingles, slate or tile. Flat roofs or roof with a pitch of less than five inches per foot shall be covered with standing seam metal, built-up asphalt, single-ply roof or slate."

WHEREAS, Developer wishes to amend Article III of the Declaration of Restrictions, by deleting the phrase "wood shingles, 'shake' shingles."

NOW, THEREFORE, the parties to this Amendment hereby amend the Declaration of Restrictions, Article III, by deleting the phrase "wood shingles, 'shake' shingles" so that Article III reads as follows: "Exterior walls of all residences and all appurtenances thereto shall be of stucco, brick, stone or dryvit or any combination thereof, or such other materials as may be deemed by the Developer in writing to be compatible therewith. The architectural treatment and materials on the front of the house shall be continuous from the one front corner to the other, including all intervening side returning walls. All windows shall be constructed of glass and lead, provided, however, that storm windows may be constructed of colored metal, (other than silver). All exterior doors and louvers shall be constructed of wood, colored metal, (other than silver), and glass, or any combination thereof. All exterior doors shall be functional. The composition of roof construction of any residence or outbuilding with a pitch (slope) of 5/12 or greater shall have an exterior covering of slate or tile. Flat roofs or roofs with a pitch of less than five inches per foot shall be covered with standing seam metal, built-up asphalt, single-ply roofs, or slate. Any building products that may come into general usage for dwelling construction of comparable quality and style in the area after the date hereof shall be acceptable if approved in writing by the Developer. Architectural Review committee will govern all one story residence rooflines. All wood exteriors, except roofs and shake sidewalls, shall be covered with a workmanlike finish of two coats of high quality paint or stain. All paint color selections must be submitted to Developer at time of plan approval. If colors have not been selected prior to construction, Developer must approve paint colors in writing prior to application. All exteriors of fireplace chimneys shall be of MASONRY brick, stone or stucco

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