

**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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construction and supported by a full foundation. All fireplace caps shall be low profile. The Developer shall have final approval of all exterior design and material selections for fireplaces and chimneys. No building shall be permitted to stand with its exterior in any unfinished condition for longer than one (1) month after commencement of construction. All exterior basement foundations and walls that are exposed above final grade shall have a maximum exposure of concrete not exceeding six inches on the front and 12 inches on the side or covered with siding compatible with the structure. No "earth" homes shall be permitted, and board and batt siding shall be prohibited. No driveway shall be constructed in such a manner as to permit access to a street across a rear lot line. All garages shall be side entry with a minimum of 3 and maximum of 4 car capacity, more than 4 car capacity must have prior approval in writing by the Architectural Committee. All public sidewalks shall be 5 feet in width. All private sidewalks and stoops must be a minimum of brick or stone or ribboned with brick or stone. The Developer shall provide all address plates. Developer has the right to allow variances on all of the requirements contained herein.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed as of the date first above written.

STATE OF KANSAS } SS
COUNTY OF JOHNSON }
FILED FOR RECORD

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SARA F. ULLMANN
REGISTER OF DEEDS

ROYAL HEIGHTS, INC.
A Kansas Corporation


"Developer"

By: 
Name: Rustom K. Ferzandi

STATE OF KANSAS }
COUNTY OF JOHNSON } SS.

This instrument was acknowledged before me on July 1999, by Rustom K. Ferzandi, Vice President, Royal Heights, Inc. a Kansas Corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last written above.


Notary Public

My commission expires: 8-13-02

