AMENDMENT TO NOTTINGHAM FOREST DECLARATION OF RESTRICTIONS

This Amendment is made as of May 3, 2000 by Nottingham Forest Homes Association, Inc., a Kansas non-profit corporation (the "Association").

WHEREAS, the Association is the homes association for the residential subdivision in Overland Park, Johnson County, Kansas commonly known as "Nottingham Forest" (the "Subdivision"); and

WHEREAS, the various lots in the Subdivision are legally described on Exhibit A .attached herto (the "Lots"); and
WHEREAS, the Lots are subject to the recorded Declarations of Restrictions that are shown on Exhibit B attached hereto (the "Declarations"); and

WHEREAS, the Declarations generally require that all residences have roofs consisting of wood shakes, wood shingles, slate or tiles; and

WHEREAS, on September 27, 1999, the City of Overland Park, Kansas (the "City") passed Ordinance No. BC-2167 (the "Ordinance") which prohibits the enforcement of any restrictive covenant which prevents the owner of a residence from using any of the following types of shingles for roof covering materials: wood shingle or wood shake, composite, slate, tile, clay or concrete; and

WHEREAS, the Ordinance allows homes associations to amend their restrictive covenants to provide for aesthetic regulation of the colors, styles, dimensions and other aesthetic factors of roofing materials; and

WHEREAS, the Board of Directors of the Association has voted that the Board of Directors should have the power to adopt and administer such aesthetic regulations and, by a mail in vote, the owners of a majority of the total number of Lots in the Subdivision have also authorized such aesthetic regulation by the Board of Directors;
NOW, THEREFORE, the various Declarations are hereby amended by replacing all language therein regarding building materials with the following:

Building Material Requirements.
(a) Exterior walls of all buildings, structures and all appurtenances thereto shall be of brick, stone, stucco, wood shingles, wood siding, wood paneling, glass blocks or any combination thereof. Windows, doors and louvers shall be of wood and glass. Roofs with a pitch of three (3) inches or more per foot shall be covered with wood shingles, wood shakes, slate, tiles or other materials

that meet the requirements in section (b). Flat roofs, or roofs with a pitch of less than three (3) inches per foot, shall be covered with tin, built up asphalt, wood shingles, wood shakes, asbestos shingles, slate or tile. All wood exteriors, except roofs and shake side walls, shall be covered with not less than two (2) coats of high quality paint or stain. No building shall be permitted to stand with its exterior in an unfinished condition for longer than five (5) months after commencement of construction, except shake side walls. In the event of fire, windstorm or other damage, no building shall be permitted to remain in a damaged condition longer than three (3) months. All exterior basement foundation walls which are exposed in excess of twelve (12) inches above final grade shall be painted the same color as the house or covered with siding compatible with the structure.

<u>Requirements of Other Roofing Materials:</u>

1. Roofing materials should be architectural shingles designed to replicate the beauty of natural materials, constructed of a thickness, texture and multi-dimensional design that creates shadow lines or relief which imitate a wood shingle or shake in appearance.
2. Have the appearance and color range of natural weathered cedar shingles or shakes.
3. Installed over a minimum 30 pound felt.
4. Installed with metal valleys and flashing.
5. Installed with pre-formed ridge shingles.
6. Placed on solid roof decking made of minimum 1/2 inch CDX or better grade plywood. Particleboard <u>MAY NOT</u> be used for decking.
7. All materials must be Class A fire rated with a forty (40) year warranty.

This Amendment shall become effective upon recordation in the Office of the Register of Deeds of Johnson County, Kansas.

IN WITNESS WHEREOF, the Association has caused this amendment to be duly executed.