

**AMENDMENT TO
TIMBER RIDGE VILLAS
DECLARATION OF RESTRICTIONS**

THIS AMENDMENT (this “**Amendment**”) is made and entered into as of December 27, 2017 by and among the persons who have executed this document in their capacities as Timber Ridge Villas Homes Association., a Kansas corporation, as the homes association of the real property described below (the “**HOA**”).

WITNESSETH:

WHEREAS, the Owners and the HOA desire to amend that certain Timber Ridge Villas Declaration of Restrictions dated February 2, 2012, and February 14, 2008, and recorded with the Office of the Register of Deeds of Johnson County, Kansas (the “**Recording Office**”), in Book 201012 at Page 007618; and in Book 200802 at Page 003889 (the “**Declaration**”); and

WHEREAS, the Declaration places certain covenants and restrictions upon the following described residential lots (the “**Lots**”) and the following described common areas:

Lots 1 through 41, and Tract A, TIMBER RIDGE VILLAS
REPLAT, a subdivision in City of Merriam, Johnson
County, Kansas.

WHEREAS, the Owners and the HOA desire to amend the Declaration as provided herein;

NOW, THEREFORE, the parties hereto declare and agree as follows:

A. Capitalized terms used in this Amendment but not defined herein shall have the meanings set forth in the Declaration.

B. The first sentence of Section 10.1 of Article X of the 2010 Declaration is hereby amended to read as follows:

“Annual Meetings. The annual meeting of the members of the
Association shall be held no sooner than 10, and no later than 14 months
from the previous annual meeting, on such date and at such place and
time as may be fixed by the Board of Directors.”

Combined Filing of Amendments approved by > 60% Member Vote at 2017 annual meeting.

C. The first sentence of Section 7.4 of Article VII of the 2008 Declaration is hereby amended to read as follows:

“Notice of Meetings. Written notice stating the time, date, place and agenda of a meeting of the Board of Directors and, for any special meeting, the purpose or purposes for which the meeting is called, shall be delivered to each director and (unless the meeting was included in a schedule of Board meetings previously given to the members or is called to deal with an emergency) to the members, not less than five (5) days before the date of the meeting, either by hand delivery, by mail, by telephone, by e-mail, or by post to the HOA website (<https://TimberRidgeVillas.com> as of 2017) by or at the direction of the person(s) calling the meeting; provided that notices may be sent by e-mail only to directors or members who have provided a specific e-mail address.”

D. The second sentence of Section 10.3 of Article X of the 2008 Declaration is hereby amended to read as follows:

“Written notice of each meeting of the members shall be given by, or at the direction of, the person(s) duly calling the meeting, by hand delivering, by mailing, by telephoning, by e-mailing, or by posting to the HOA website (<https://TimberRidgeVillas.com> as of 2017) a copy of such notice not less than ten (10) days (two (2) days in case of an emergency) nor more than sixty (60) days prior to such meeting to each member, addressed to the member’s address or e-mail address last appearing on the books of the Association or by giving such notice within such timeframe by any other method reasonably calculated to provide notice to the member; provided, however, notices may be sent by e-mail only to members who have provided a specific e-mail address.”

E. Pursuant to Section 19(a) of the Declaration, this Amendment shall become effective as an amendment of the Declaration and binding upon all of the Lots upon (a) recording of the Certificate of Substantial Completion, (b) a duly acknowledged and recorded written instrument executed by the Homes Association after the proposed amendment has been first approved by the affirmative vote of 75% or more of the full number of directors on the Board of the Homes Association and then (c) approved at a duly held meeting of the members of the Homes Association (called in whole or in part for that purpose) by the affirmative vote of Owners owning at least 60% of the Lots.

F. At duly held meeting of the members of the Homes Association, the aforementioned amendments were affirmatively voted by at least 60% of the Lots Represented. See Exhibit A.

EXECUTION PAGE FOR HOMES ASSOCIATION

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed.

THE HOA:

Timber Ridge Villas Homes Association

By: *William T Crook*

Name: William T Crook

Title: Secretary

ACKNOWLEDGEMENT

STATE OF KANSAS)
) ss.
COUNTY OF Johnson)

JULIANA PINNICK
Notary Public - State of Kansas
My Appt. Expires 10-17-2020

This instrument was acknowledged before me, a Notary Public, on December 27, 2017 by **William T Crook**, as Secretary of Timber Ridge Villas Homes Association, a Kansas Corporation.

My Commission Expires:
October 17, 2020

Juliana Pinnick
Notary Public in and for said County and State

Print Name: Juliana Pinnick

Combined Filing of Amendments approved by > 60% Member Vote at 2017 annual meeting.

EXHIBIT A: RECORD OF MEMBER APPROVAL

The following documents lot representation at the annual membership meeting on 2017-11-06, held at 7 PM Central time at Irene B French Community Center, 5701 Merriam Dr, Shawnee, KS 66203.

Lot#	Represented	Section B	Sections C&D	Lot#	Represented	Section B	Sections C&D
4	Present	Affirmative	Affirmative	28	Absent		
5	Present	Affirmative	Affirmative	29	Present	Affirmative	Affirmative
6	Absent			30	Absent		
7	Proxy	Affirmative	Affirmative	31	Present	Affirmative	Affirmative
8	Present	Affirmative	Affirmative	32	Present	Affirmative	Affirmative
9	Present	Affirmative	Affirmative	33	Absent		
10	Absent			34	Present	Affirmative	Affirmative
11	Absent			35	Present	Affirmative	Affirmative
12	Present	Affirmative	Affirmative	36	Present	Affirmative	Affirmative
13	Absent			37	Proxy	Affirmative	Affirmative
14	Present			42	Present	Affirmative	Affirmative
15	Present	Affirmative	Affirmative	43	Proxy	Affirmative	Affirmative
16	Present	Affirmative	Affirmative	44	Present	Affirmative	Affirmative
17	Present	Affirmative	Affirmative	45	Absent		
21	Present	Affirmative	Affirmative	46	Present	Affirmative	Affirmative
24	Present	Affirmative	Affirmative	47	Absent		
25	Absent			48	Proxy	Affirmative	Affirmative
26	Absent			49	Absent		
27	Absent						
				Total	24/37 Lots	23/37 Lots	23/37 Lots

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