

ASHTON ESTATES

AMENDMENT TO DECLARATION OF RESTRICTIONS

THIS AMENDMENT is made this 15th day of February, 1995, by STONE CASTLE HOMES, INC., CEDARWOOD HOMES, INC., TIGER CONSTRUCTION CO., INC., and DAVID MARTENS CUSTOM HOMES, INC.

1. The original Declaration of Restrictions for Estates of Ashton, 2nd Plat, was recorded April 7, 1994, in Volume 4295, Page 868 through 871, Register of Deeds, Johnson County, Kansas. The Restrictions cover as follows:

Lots 13 through 54, ESTATES OF ASHTON, 2nd Plat, a subdivision in the City of Olathe, Johnson County, Kansas.

2. The Restrictions provide that a majority of the owners may amend. The undersigned owners own approximately 71.4% of the lots within the above-described subdivision. The lot ownership of the undersigned is as follows:

Tiger Construction Co., Inc.:
Lots 13-18, 20, 23-24, 26, 28-32, 39, 45, 48-51, 53, 54

David Martens Custom Homes, Inc.:
Lots 25, 27, 42

Cedarwood Homes, Inc.:
Lots 34 and 44

Stone Castle Homes, Inc.:
Lots 21 and 36

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STATE OF KANSAS }
COUNTY OF JOHNSON } SS
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3. Section 14 relating to "Outside Antennas" is hereby amended to read as follows:

Section 14. OUTSIDE ANTENNAS AND OTHER PROJECTIONS

No television, radio, citizens' band, short wave or other antenna, satellite dish or disks designed for satellite reception, solar panel, clothes line or pole, or other unsightly projection shall be attached to the exterior of any residence or Exterior Structure or erected in the yard of any of the lots hereby restricted except within the confines of a residence erected thereon. Should any part or all of the restriction set forth in the preceding sentence be held by a court of competent jurisdiction to be unenforceable because it violates the First Amendment or any other provision of the United States Constitution, the Architectural Control Committee shall have the right to establish rules and regulations regarding the location, size, landscaping and other aesthetic aspects of such projections so as to reasonably control the impact of such projections on the District, and all parts thereof, and any such rules and regulations shall be binding upon all of the Lots. Notwithstanding the provisions of this section to the contrary, if future technology produces communication receptors of a smaller size and less unsightly nature, the Architectural Control Committee may, upon a written request by a homeowner, approve the installation of such equipment with such conditions as the Architectural Control Committee may deem appropriate.

4. All other provisions of the Declaration of Restrictions shall remain the same.

TIGER CONSTRUCTION CO., INC.

By R. Bradley Taylor
R. Bradley Taylor, President

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