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**AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF
COVENANTS, CONDITIONS, RESTRICTIONS AND DEDICATION OF EASEMENTS
OF FOXBOROUGH HOMES ASSOCIATION, INC.**

THIS AMENDMENT is made this 30TH day of JULY, 2014, by the undersigned owners of lots in the Foxborough subdivision in Leawood, Johnson County, Kansas (hereinafter referred to as "Owners").

WITNESSETH:

WHEREAS, on July 21, 2010, Owners filed that certain Amended and Restated Declaration of Covenants, Conditions, Restrictions and Dedication of Easements of Foxborough Homes Association, Inc., recorded in Records Book 201007, Page 0006334 et seq., of the Records of Johnson County, Kansas ("Declaration"); and

WHEREAS, pursuant to Article X of the Declaration, the Declaration may be amended at any time by written consent of 60 percent of the total owners of the Association; and

WHEREAS, the Board of Directors has proposed to amend the Declaration in order to update the method of community governance regarding snow and ice treatment; and

WHEREAS, more than 60 percent of the total Owners in the Association consent to amend the Declaration.

NOW, THEREFORE, the Declaration is hereby amended as follows:

Subparagraph "d" of Section 3 of Article VI is deleted in its entirety and substituted with the following:

- "d. The Association will provide snow clearing for private streets, the driveways and front yard sidewalks, (but not front porches) as soon as possible when accumulation reaches two inches and after snow accumulation has stopped. The Association will treat ice on private streets. The Association may treat ice on driveways and sidewalks, (but not porches). But, the Association cannot guarantee that any ice treatment will provide a safe and non-slippery surface. Owners have the right to

provide their own ice treatment on driveways, sidewalks and portions. The Association shall not be responsible for any personal injuries caused by slips or falls due to ice. Nor, shall the Association be responsible for any damage to driveways or sidewalks caused by ice treatment.”

IN WITNESS WHEREOF, the undersigned Owners and Officers of Foxborough Homes Association, Inc., hereby certify that this Amendment has received the requisite approval pursuant to Article X of the Declaration this 30th day of JULY, 2014.

FOXBOROUGH HOMES ASSOCIATION, INC.
a Kansas not-for-profit corporation

By: *Robert J Myers*

Printed Name: ROBERT J MYERS
Its: President

By: *Marianne Sears*

Printed Name: Marianne Sears
Its: Secretary

STATE OF KANSAS)
)
COUNTY OF JOHNSON)

On this 30th day of JULY, 2014, before me personally appeared ROBERT MYERS and MARIANNE SEARS to me known to be the President and Secretary, respectively, of Foxborough Homes Association, the corporation that executed the within foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purpose therein mentioned, and on oath stated that they were authorized to execute the said instrument.

WITNESS my hand and official seal hereto attached the day and year in this certificate above written.

F. Curtin
F. CURTIN
NOTARY PUBLIC

My commission expires:

