

**AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND
RESTRICTIONS FOR MELROSE RESERVE HOMES ASSOCIATION, INC.**

This Amendment (“Amendment”) is made and entered into as of AUGUST 17, 2023 by and among the members of Melrose Reserve Homes Association who have approved this document in their capacities as owners of record of the residences described below (collectively, the “Owners”), and Melrose Reserve Homes Association, a Kansas nonprofit corporation, as the homes association for the real property described below (the “Association”).

WITNESSETH:

WHEREAS, the Declarant, JSRE, LLC, a Kansas Limited Liability Company, developed the residential area in the City of Overland Park, Johnson County, Kansas, Exhibit A, commonly known as “Melrose Reserve”; and

WHEREAS, the Declarant previously executed a certain document entitled Melrose Reserve Declaration and caused such document to be recorded in the Office of the Register of Deeds of Johnson County, Kansas (the “Recording Office”) on September 23, 20115 in Book 201509 at Page 007953 *et. seq.* (the “Declaration”); and

WHEREAS, the undersigned Owners of the Association, being more than two-thirds of lot owners desire to amend the Declaration as provided herein and declare and agree as follows:

NOW, THEREFORE, Article 9, Section (a) to the Declaration for Melrose Reserve is hereby amended by adding the following:

Effective upon the recording of this Amendment, persons who acquire Residences In Melrose Reserve must occupy their Residence.

Entities such as corporations, limited liability corporations, and partnerships cannot acquire Residences except to refurbish and resell Residences for resale within six months of the purchase. Trusts may acquire Residences if the settlor and/or beneficiary of the Trust reside in the Residence. Violators of this provision shall be subject to fines which shall be collected as an assessment.

“Leasing” for purposes of this Declaration is defined the regular, exclusive annual

occupancy of a Residence by any person or persons other than the Owner or any lease-purchase contract to buy, or similar agreement, regardless of whether the Owner receives any consideration or benefit, including, but not limited to a fee, service, gratuity, or emolument are prohibited.

The purpose of this Amendment is to ensure that Residences will be occupied by their owners. Therefore, contracts for deeds or similar purchase arrangements will be considered leasing until title is recorded in the name of the occupant.

Use of any Residence for operation of time sharing, fractional sharing, short-term stays (of less than 12 months) are prohibited. Short term stays such as those advertised through forums such as Airbnb or VRBO are prohibited.

The Association shall be permitted to bring legal action to compel the removal of any person violating this restriction, and the Association shall be entitled to collect reasonable attorney's fees from the Owner of any Residence who permits a violation of this restriction.

This Amendment shall become effective as an amendment of the Declaration and binding upon all of the Lots upon the recordation hereof in the Recording Office.

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

MELROSE RESERVE HOMES ASSOCIATION INC.

By: Connie S. Vilott
Printed Name: Connie S. Vilott
Its: President

By: Linda R. Sirridge
Printed Name: LINDA R. SIRRIDGE
Its: Secretary

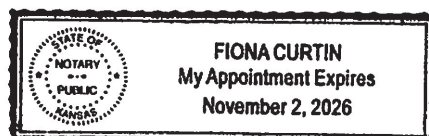
STATE OF KANSAS)
) ss:
COUNTY OF JOHNSON)

This instrument was acknowledged before me on AUGUST 17, 2023 by CONNIE S. VILOTT, President and LINDA R. SIRRIDGE, Secretary of Melrose Reserve Homes Association, a Kansas nonprofit corporation.

Fiona Curtin
Notary Public

Printed Name: FIONA CURTIN

My commission expires:
11-2-2026



MELROSE RESERVE HOMES ASSOCIATION, INC.

EXHIBIT A

LEGAL DESCRIPTION

MELROSE RESERVE, Lots 1
through 50, and Tracts "A" "B" "C"
and "D", replat of part of
HIGHLANDS AT THE VILLAGE
OF ST. ANDREWS, FIRST PLAT,
and part of the Southeast Quarter,
Section 26, Township 13 South,
Range 24 East, in the City of
Overland Park, Johnson County,
Kansas.