

## **Proposed Amendments to Amber Meadows Declaration of Restrictions**

Proposed amendments to By Laws & Restrictions. Each amendment (1-5) must be voted on and each must pass independently by 51% (371 Homes x 0.51 = 189.21, so 190 yes votes) to pass. For each change below you must Circle YES if you are in favor or NO if not in favor. No circle on either Yes or No is considered a NO vote. This voting is sent out with 2018 Annual Dues. This voting document should be returned no later than January 1, 2018 to, AMHOA C/O Young Management Group, Inc., 10660 Barkley St., Suite 200, Overland Park, KS 66212

1.      YES      NO    : Allowing for wrought iron fencing.

Provision 2 Paragraph F of the 12/20/2017 Declaration of Restrictions is stricken in it's entirety and will now read as follows: "No fencing shall be permitted upon any of the lots unless such fencing shall be wooden or wrought iron and built with methods and materials which harmonize with external design of buildings in Amber Meadows; no fences shall be permitted on the west lot lines of lots adjoining Quivira Road or on the north lot lines of lots adjoining 127th Street except fences erected by the Developer or the Amber Meadows Homes Association.

2.      YES      NO    : Allowing for garbage cans storage outside of a house, but hidden behind a fence/home or other approved structure. OP regulation 7.36.180

Provision 2 add Paragraph Z to the 12/20/2017 Declaration of Restrictions and will read as follows: "All Solid Waste and Recycling Containers, whether or not containing Solid Waste or Recyclables, shall, at all times other than when placed out for Collection within the allowable Collection time period, be screened from view from any public right-of-way or adjoining property and located behind the existing building line. Must follow City of Overland Park regulations on storage of exterior maintenance of Solid Waste and Recycling Containers. Items must be stored within a fully enclosed structure (your home or garage) or in the back yard if they are substantially screened from view from any adjacent property by a fence or wall. Portable storage units are not allowed. Items may not occupy more than 20 percent of the area of the rear yard while no larger than 200 sq ft. Items must be stored in such a manner as to discourage harborage of rodents, insects and other pests. AMHOA Architectural Committee must approve any structure."

3.      YES      NO    : Allowing for detached sheds that are no more than 6 feet tall. Matches house colors and roofing. (Basically small, free-standing external storage). OP regulation 16.100.105.2, 18.180.070, 18.390.140D.

- a. This would be essentially the same thing as the current option for sheds, the only difference being that this option is detached from house and has a height limit.
- b. Cannot be seen from the street unless on a corner lot where it is unavoidable except where they have a tall fence.
- c. The structure cannot be metal.
- d. The structure must have cement flooring.
- e. These structures may not exceed the height of the tallest fence in the surrounding yard or 6ft, whichever is greatest.
- f. These structures must comply with the paint color regulations. Even if they are plastic/vinyl. The colors themselves must still be earth tones.
- g. The structures are not required to have the same roofing as the house as long as the roofing appearance is not offensive and either has a close color match to the house's roof OR meets the paint color.

Provision 2 Paragraph Y of the 12/20/2017 Declaration of Restrictions is stricken in it's entirety and will now read as follows: "No outbuildings shall be allowed which are not attached to the home without following the City of Overland Park regulations and with approval of the AMHOA Architectural Committee. 1) Outbuilding cannot exceed the height of the tallest fence in yard or 6ft privacy, whichever is greater. 2) Outbuilding cannot be seen from the street, must be in backyard, unless on a corner lot where it is unavoidable. 3) Outbuilding cannot be metal, plastic or vinyl. 3) Outbuilding must have a cement floor. 4) Outbuilding must comply with the Amber Meadows paint color regulations. 5) The outbuilding are not required to have the same roofing as the house as long as the roofing appearance is not offensive and either has a color match to the house roof or meets the paint color."

4. YES NO : Allowing small free standing structures for storage purposes that are not visible from the road in front of the house. (In other words, the back yard only). Examples are Deck Box and Storage Containers. OP regulation 16.100.105.2, 18.180.070, 18.3801.140D.

Provision 2 add Paragraph Z to the 12/20/2017 Declaration of Restrictions and will read as follows: "Permit small free standing structures for storage purposes that are not visible from road, in back yard only. Such as Deck Box and/or Storage Containers on decks"

5. YES NO : Improved flexibility of HOA rules/bylaws. The 10 year gap is much too large and does not account for how rapidly people's needs are changing these days. Change to every 3 years.

Page 2, Persons Bound by These Restrictions, paragraph 2 of the 12/20/2017 Declaration of Restrictions is stricken in it's entirely and will now read as follows: "These covenants are to run with the land and shall be binding on all owners within this subdivision and their heirs and assigns and all persons claiming under them until 2018, and shall be automatically continued thereafter for successive periods of three (3) years each, unless the owners of the fee title to the majority of said lots shall by resolution at a special meeting called for that purpose upon mailed notices to all such owners, release, change or alter any or all of the said restrictions at the end of any such three (3) year period at least three (3) months prior to said expiration. The following restrictions or protective covenants shall be kept by all persons owning, occupying or using said land and may be enforced by injunction, mandatory or otherwise. The Association shall be entitled to recover reasonable attorney's fees, filing and court costs, and pre-judgment interest at the statutory rate related to enforcement of these covenants from the party who violates or attempts to violate said covenants."

6. YES NO : Allow for solar shingles, such as those by Tesla Solar Roof, <https://www.tesla.com/solarroof>. Not the panel type but solar shingles that look like current roof tops. OP regulation 18.390.140K.

Provision 5 add Paragraph I to the 12/20/2017 Declaration of Restrictions and will read as follows: "Solar panels are not permitted on roof tops. However invisible solar shingles are permitted. These shingles from the road look similar to current shingles. Must be consistent with existing color scheme of HOA. Must following the City of Overland Park regulations and be approved by the Architectural Committee."

LOT# \_\_\_\_\_ Initials: \_\_\_\_\_ Date: \_\_\_\_\_