

**LAKE SHORE ESTATES IMPROVEMENT DISTRICT
JEFFERSON COUNTY, KANSAS
RESTRICTIONS AND REGULATIONS**

I. **INTRODUCTION:**

For the purpose of providing an orderly transition and development of the entire subdivision as a residential and resort subdivision, and for the further purpose of insuring adequate restrictions and covenants for the protection of all property owners and for the mutual benefit of Lake Shore Estates Improvement District (LSEID), its successors in title, or assigns, entitled to said lots or any of them, said LSEID does hereby impose the following restrictions, covenants and reservations which shall be binding upon all purchasers, owners, their successors and assigns in the subdivision:

II. **RESTRICTIONS:**

1. All lots shall be for single family residential use except those lots designated as special use areas (Parks, Commercial, Recreational, Utilities, etc.) Unless specified by LSEID.
2. Any Park tracts sold for residential use by LSEID can be rezoned for residential use.
3. No building shall be erected, placed, or altered on any lot until the building plans and specifications, including, but not limited to, the type of materials to be used, and plot plan showing the location of such building is submitted in writing and have been approved in writing by LSEID.
4. In the event LSEID fails to approve such design and location within thirty (30) days after said plans and specifications have been submitted to LSEID, or any event, if no suit to enjoin the erection of such building or the completion thereof, such approval will not be deemed to have been fully complied with.
5. All building plans and materials must comply with local building codes in force at the time of construction.
6. Not more than one single family dwelling house may be erected or constructed on any one lot.
7. No single wide mobile homes, sheds, campers, tents or other such structures may be erected, placed upon or moved onto any lot in LSEID to be used as a temporary or permanent residence. With the exception of approved mobile homes in T section set forth to be permanent residences.
8. No accessory, basement, or temporary building, including a boat house, shall be constructed or erected on said lots unless built of solid or permanent material. No unpainted exteriors shall be permitted without permission.

9. No open basements or foundations shall remain unenclosed without permanent sub-flooring for more than three (3) weeks. The exteriors of all buildings must be completed within six (6) months from the commencement of construction.
10. Open foundation type construction shall not be permitted without prior permission and written plan approval of LSEID.
11. For all blocks in LSEID, except Blocks A, S, and T, the minimum residence living space on ground floor, exclusive of porch area and garage area, shall be no less than 600 square feet. The front set back shall be no less than 30 feet and the set back for the sides and rear of the lot shall be no less than 10 feet.
 1. On Ranchette lots, all designated in Block S, the minimum residence living space on ground floor, exclusive of porch and garage areas, shall be no less than 500 square feet.
 2. In Block A minimum residence living space on ground floor, exclusive of porch and garage area, shall be no less than 1,100 square feet.
 3. Block T is the Mobile Home Section. Trailers older than 10 years will not be permitted to be placed in this section. Where feasible, the length of the trailer shall not be more than 70 feet long and not less than 55 feet. The width shall not exceed 16 feet and not be less than 12 feet. The trailer must comply with a set-back of 5 feet from the back boundary of the lot. It must allow a minimum of 14 feet for parking off the road and 10 feet must be allowed for a set-back on the opposite side. A tube must be inserted of not less than 14 feet for the drive. Tube sizes shall be determined by the Directors of LSEID. The trailer must be skirted within 30 days of being placed in Block T.
 4. For Block CM is for multi-family or single family dwellings. Each dwelling is to be at least 1100 square feet in size and shall be situated on no less than two (2) lots.
 5. All double-wide or modular homes placed upon or erected upon any lots designed as single or multi-family dwellings shall be no more than ten (10) years old. All double-wide or modular homes shall be placed or erected in specified areas only and shall be subject to any square footage regulation for those lots in that section.
12. Water District #10 operates the water supply. Residents must connect to that system according to their regulations. Water District #10 will bill homeowners or lot owners for any water usage not paid for by renters.
13. Sewer District #6 operates the sewer system and residents must connect to it according to their regulations. Sewage disposal of any kind must be in accordance with the laws and regulations pertaining to Kansas Department of Health Environment and the Environmental and Sanitary Codes of Jefferson County, Kansas, and at all times must be kept above minimum requirements. No raw sewage may be discharged directly or indirectly onto the ground. Waste from pets must be cleaned up regularly and not allowed to accumulate. Sewer District #6 will bill homeowners or lot owners for any sewer usage fees not paid for by renters.

III. HEALTH NUISANCES

NUISANCES DEFINED. Nuisances, as used in this section, include with limitation:

- (a) Filth, excrement, lumber, rocks, dirt, cans, paper, trash, metal or any offensive or disagreeable thing or substance thrown or left or deposited upon any street, ally, park, public or private enclosure or lot whether vacant or occupied;
- (b) All dead animals not removed within 24 hours after death;
- (c) Any place or structure or substance which emits or causes any offensive, disagreeable or nauseous odors;
- (d) All stagnant ponds or pools of water,
- (e) All grass or weeds or other unsightly vegetation not usually cultivated or grown for domestic use or to be marketed or for ornamental purposes;
- (f) Abandoned iceboxes or refrigerators kept on the premises under the control of any person, or any icebox or refrigerator not in actual use unless the door, opening or lid thereof is unhinged, or unfastened and removed therefrom;
- (g) All articles or things whatsoever caused, kept, maintained or permitted by any person to the injury, annoyance or inconvenience of the public or neighborhood;
- (h) Any fence, structure, thing or substance placed upon or being upon any street, alley or public ground so as to obstruct the same, except as permitted by the rules and regulations of LSEID.

WEEDS; DUTY OF OWNER. All persons or their agents owning, occupying or controlling any lot or piece of ground within LSEID shall have the duty to cut all weeds, grasses and unsightly growth on the lot or piece of ground owned, occupied or controlled by them, including the street or alley abutting the property. Weeds and grasses shall be kept below a maximum height of eight inches.

ABATEMENT OF NUISANCES. Whenever any member of the governing body shall find evidence that a nuisance exists the Secretary of the Board of Directors shall issue a written notice requiring the owner or agent of the owner to remove and abate from the premises the thing or things therein described within a period of time, not exceeding 10 days, to be specified in the notice. Notice shall be mailed to the owner or agent at his or her last known address.

SAME; LSEID MAY ABATE. If the owner, agent or occupant shall fail to abate the nuisance within the time stated in the notice the governing body of LSEID may proceed to have the nuisance abated from the lot or parcel of ground and the cost thereof shall be charged against the owner of the lot or parcel of ground on which the nuisance is located. If the cost is not paid then the amount will be turned over to the county clerk and it shall be collected by the county treasurer and paid to LSEID as other taxes are collected and paid.

INOPERABLE VEHICLES:

FINDINGS. The governing body finds that junked, wrecked, dismantled, inoperative, discarded or abandoned vehicles in an upon real property within LSEID is a matter affecting the health, safety and general welfare of the citizens of LSEID for the following reasons:

- (a) Such vehicles serve as a breeding ground for flies, mosquitoes, rats and other insects and rodents;
- (b) They are a danger to persons, particularly children, because of broken glass, sharp metal protrusions, insecure mounting on blocks, jacks, or supports and because they are a ready source of fire and explosion;
- (c) They encourage pilfering and theft, and constitute a blighting influence upon the area in which they are located thereby causing a loss in property value of surrounding property;
- (d) They constitute a fire hazard in that they block access for fire equipment to adjacent buildings and structures.

DEFINITIONS.

Inoperable - A condition of being junked, wrecked, wholly or partially dismantled, discarded, abandoned or unable to perform the functions or purpose for which it was originally constructed.

Vehicle - Any automobile, truck, tractor or motorcycle which as originally built contained an engine regardless of whether it contains an engine at any other time.

PROHIBITIONS.

It shall be unlawful for any person, partnership, corporation, or their agent either as owner, lessee, tenant or occupant of any lots or parcel of ground within LSEID to park, store or deposit, or permit to be parked, stored, or deposited thereon, an inoperable vehicle unless it is enclosed in a garage or other building.

TEMPORARILY DISABLED VEHICLE.

This shall not apply to any persons, partnership or corporation or their agent with one vehicle inoperable for a period of no more than 30 consecutive days.

PRESUMPTIONS:

Any of the following conditions shall raise the presumption that a vehicle is inoperable:

- (a) Absence of an effective registration plate upon such vehicle;
- (b) Placement of the vehicle or parts thereof upon jacks, blocks, chains or other supports;
- (c) Absence of one or more parts of the vehicle necessary for the lawful operation of the vehicle upon streets and highways.

ADMINISTRATIVE PROCEDURE.

Whenever a complaint is made to LSEID or notice is given of the existence of an apparent violation of the Inoperable Vehicle restriction, the owner, lessee or occupant shall within seven days of said complaint be served a written notice. Such notice shall inform such person of the violation and direct that he or she take action within seven days after receipt of such notice to comply with provision of this article or prosecution will be commenced for violation thereof.

OPEN BURNING.

It shall be unlawful for any person to dispose of refuse by open burning or cause, allow or permit open burning within the limits of LSEID. Burning of grasses may only be allowed if the person has obtained a lawful burning permit from the local Fire Chief. Fires used for noncommercial food preparation such as barbecuing are allowed.

RODENT CONTROL:

DEFINITIONS.

For the purpose of this article, the following words and phrases shall have the following meanings:

- (a) Building. Any structure, whether public or private, that is adapted for occupancy as a residence, public building, sheds any other structures on any premise.
- (b) Occupant. The person that has the use of, control or occupies any building or any portion thereof, whether the owner or tenant. In the case of vacant buildings, the owner, agent or other person having custody of the building shall have the responsibility of an occupant of a building.
- (c) Owner. The owner of any building or structure.
- (d) Rat harborage. Any condition which provides shelter or protection for rats, thus favoring their multiplication and continued existence in, under or outside of a structure of any kind.

NOTICE TO ERADICATE RATS.

Whenever LSEID notifies the occupant of any building or structure that there is evidence of rat infestation of the buildings or structures, the occupant shall immediately institute appropriate measures for freeing the premises so occupied of all rats.

ACCUMULATION OF GARBAGE.

It shall be unlawful for any person to place, leave, dump or permit to accumulate any garbage or trash in any building or premises so that the same shall afford food or harborage for rats. It shall be unlawful for any person to accumulate or to permit accumulation on any premises and on any open lot any lumber, boxes, barrels, bricks, stones or similar materials that may be permitted to remain thereon and which are rat harborages.

COLLECTION OF SOLID WASTE.

Trash collection is contracted privately by each lot or parcel of ground owner. LSEID will not contract for trash collection services for its citizens.

IV. REGULATIONS TO IMPROVE THE QUALITY OF LIFE AND SAFETY OF THE COMMUNITY (Statute 19-2765)

1. No hunting is allowed on LSEID property.
2. Exterior clothes lines must not be on any front lawn or front porch.
3. Motorcycles, mini-bikes, three-wheel vehicles and motor scooters are strictly **prohibited** in LSEID, unless legally licensed by Kansas State law, operated by a licensed driver & insured by Kansas State law. They must have muffler noise control.
4. Speed limits shall be 25 miles per hour in general and 15 miles per hour in Block T. The speed limits are posted at each entrance and at the entrance of Block T.

5. The driving, towing or pulling of lugged, crawler type or rimmed vehicles, or any other vehicles that may do damage to the roads or streets is prohibited.
6. Discarding of refuse in the private lakes, on streets, parks or any areas, or the altering, defacing or damaging of any signs, equipment, or facilities in LSEID is prohibited.
7. Molesting of wild life is prohibited.
8. No animals or fowls shall be kept or maintained on any lots except customary household pets, not to exceed two. Pets must be kept on a leash. Have their vaccinations and have tags.
9. No signs of any kind, with the exception of real estate "Sale" signs and/or owner's name and address signs will be displayed on any lot with permission of the governing body of LSEID.

22. OWNERSHIP REGULATIONS:

1. An assessment each year will be made against each lot, to be used by LSEID, for the general maintenance of roads, parks, swimming pool, office, equipment and any other facilities deemed necessary at the sole discretion of LSEID Board of Directors.
2. Written notice of sale or transfer of any lot shall be given to LSEID. The notice shall set forth the name and address of the purchaser or transferee.
3. These restrictions, covenants, and reservations shall run with the land, and shall be binding upon all parties and all persons claiming under them until which time they are modified by the Board of Directors of LSEID.
4. LSEID hereby reserves to itself, its successors, and assigns, an easement and right-of-way over a strip along the sides, front and rear boundary lines of the lot or lots in said addition, not exceeding ten (10) feet on each side and front boundary lines, and not exceeding then (10) feet on the rear boundary lines, for the purpose of installation and maintenance of public utilities, including, but not limited to, gas, water, electricity, telephone, drainage and sewage, and any appurtenance to the supply lines thereof, including the right to remove and/or trim trees, shrubs, or plants.
5. LSEID reserves the right at any time to enter upon the land of any property owner for the purpose of complying with any local, county, state, or federal laws or for the purpose of improving property, repairing or correcting any nuisance.
6. LSEID reserves the right to waive or modify or change any of the above restrictions, covenants, regulations or reservations set forth as to any lot or lots described herein when in its sole discretion it believes the above restrictions, covenants, regulations and reservations will be best for LSEID and the mutual benefit of property owners.

VI: ACCOUNTABILITY OF DIRECTORS:

No one Director shall contract for, or purchase, more than \$50.00 worth of services, supplies, goods etc. without the express approval of all other members of the Board of Directors of LSEID.

THESE RULES, REGULATIONS AND RESERVATIONS HAVE BEEN ADOPTED BY LAKE SHORE ESTATES IMPROVEMENT DISTRICT AND SHALL BE BINDING UPON EACH LOT OR PARCEL OF GROUND OWNER.

THESE AMENDMENTS HAVE BEEN ADOPTED BY THE BOARD OF DIRECTORS OF LAKE SHORE ESTATES IMPROVEMENT DISTRICT, AND SHALL BE BINDING AS OF NOVEMBER 29, 2000.

SIGNED THIS 28th DAY OF November, 2000

AT OZAWKIE, KANSAS

Gayle D. Petitt
Gayle Petitt, President

Matilda Buckley
Matilda Buckley, Treasurer

Kathryn Barnes
Kathryn Barnes, Secretary

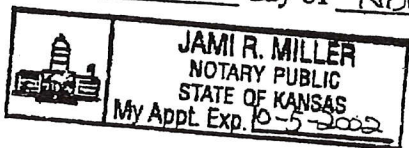
State of Kansas

SS:

County of Jefferson

Signed and sworn to before me this 28th day of November, 2000.

Jami R. Miller
Notary Public



JEFFERSON CO. KS. SS
FILED FOR RECORD

VOL 533 PG 546

2001 APR -4 A 10: 21

Delia Heston
REGISTER OF DEEDS

AMENDMENT TO RESTRICTIONS

The Board of Directors of Lake Shore Estates Improvement District has amended Section II paragraph 10 of the Restrictions and Regulations of Lake Shore Improvement District to reflect the addition of paragraph 10 (f):

FF 6.00

10(f) All Doublewide or Modular homes will have cement or cement block foundations in lieu of skirting. All lot restrictions for any block or section of LSEID previously stated in the Restrictions and Regulations of LSEID shall be strictly adhered to accordingly.

This amendment has been adopted by the Board of Directors of Lake Shore Estates Improvement district as of the 3rd day of April 2001.

Signed: *Herbert L. Manger*
HERBERT L. MANGER, President

Signed: *Jerry L. Turner*
JERRY L. TURNER, Secretary

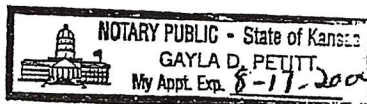
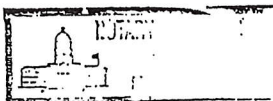
Signed: *David D. Pickens*
DAVID D. PICKENS, Treasurer

State of Kansas

County of Jefferson

Signed and Sworn to before me this 3rd day of April 2001.

Signed: *Gayla D. Pettit*



Amendment to Restrictions

The Board of Directors of Lake Shore Estates Improvement District has amended Section II-10 A and B of the Restrictions and Regulations of Lake Shore Estate Improvement District to reflect the addition of Section II-10-E

There will be no single wide 80' trailers placed on or in Section S or T after this date 13 October 2003.

This amendment has been adopted by the Board of Directors of Lake Shore Estates Improvement District as the 13 day of October 2003.

Signed Herb Manger President

Herb Manger

Signed Rob Van Donge Secretary

Rob Van Donge

Signed Pauline Turner Treasurer

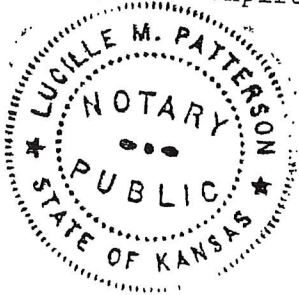
Pauline Turner

State of Kansas
County of Jefferson

This instrument was acknowledged before me on October 13, 2003 by Herb Manger, Rob VanDonge and Pauline Turner.

Lucille M. Patterson
Lucille M. Patterson
Notary

My term expires October 3, 2007



JEFFERSON CO. KS. SS
FILED FOR RECORD

VOL 606 PG. 749

2003 OCT 13 A 9:50
Delia Heston
REGISTER OF DEEDS

FEE 8.00

Amendment to LSID Restrictions

The Board of directors of Lakeshore Estates Improvement District is adding a restriction to read as follows:

Anyone building, buying a home or mobile trailer in Lakeshore Estates Improvement District will have to have water, sewer, and trash service before moving into the home or mobile trailer. This also applies to present residents as well. This amendment will be in Lakeshore Estates Restrictions and Regulations Section II #14.

This amendment has been adopted by the Board of Directors of Lakeshore Estates Improvement District as of 12 day of July, 2004.

Signed: Herb Manger
Herb Manger, President

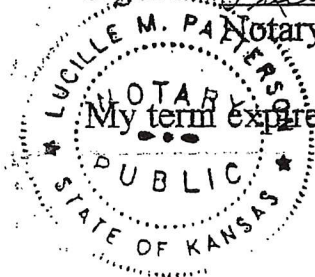
Signed: Ron Van Donge
Ron Van Donge, Secretary

Signed: Ronald K. Smith
Ronald K. Smith, Treasurer

State of Kansas, County of Jefferson

Signed and Sworn to before me this 12th day of July, 2004.

Signed: Lucille M. Patterson
Notary Public



My term expires: 10-03-2007