

Amendment Number 2  
to the Protective Covenants  
for TATARRAX HILLS  
Riley County, Kansas

The following changes, additions, and/or deletions are hereby made a part of the Protective Covenants for Tatarrax Hills in the County of Riley, Kansas.

With reference to Article VIII, ASSOCIATION ASSESSMENTS, page 7, second paragraph is amended as follows:

"Obligations and Lien. The Owner of any Lot, by acceptance of a deed therefor, whether or not it shall be so expressed in such deed, is obligated and agrees to pay to the Association annual assessments or charges and special assessments under such terms as are herein provided. The Association annual and/or special assessments shall not begin nor become due and payable on any Lot until a Living Unit has been constructed on the Lot and occupied as a residence. Once a Living Unit has been occupied as a residence, the Association annual and special assessments shall continue to be due and payable as an obligation against the Lot and owner regardless of whether or not the Living Unit remains occupied. Lots number 69 and 70 shall not be charged any such annual or special assessments by the Association while said Lots are being used for public purposes or the common need of the Subdivision. The annual and special assessments, together with interest, costs, and reasonable attorney's fees and costs of collection, shall be a charge on the Owner's land and shall be a continuing lien upon the property against which each such assessment is made until paid. Each unpaid assessment, associated expense, and obligation shall pass with the land to successor Owner in title and shall continue to be a charge against the land until paid. Further, no sale or transfer shall relieve such Lot from liability for any assessments thereafter becoming due or from the lien thereof. The Association shall, upon request, and for a reasonable charge, furnish a certificate signed by the treasurer of the Association setting forth the assessments owed to date on a specified Lot."

With reference to Article VIII, ASSOCIATION ASSESSMENTS, page 8, first paragraph is amended as follows:

"Collections. Both annual and special assessments must be fixed at a uniform rate for all Lots so obligated and may be collected on a monthly installment basis. Annual assessments shall first become due

on the first day of the month following the month in which a Living Unit is first occupied. The annual assessment period shall run from January 1 through December 31 and shall be prorated during the first year of obligation based on the number of months the assessment is due and owing. The treasurer shall immediately notify each Owner in writing of any increase in the annual assessments. Unsold Lots owned by the Declarant shall not be subject to annual assessments; however, the Declarant shall maintain all unsold Lots in such a manner as not to detract from the visual appearance of the Subdivision. It is further understood the Declarant shall maintain common Areas until such time as the Association can financially assume such responsibilities."

This amendment shall become effective as of the date of filing with the Register of Deeds of Riley County, Kansas.

This amendment is approved by the Declarant, Tatarrax, Inc., and by Lot owners whose executed approval is attached hereto.

STATE OF KANSAS

SS

COUNTY OF POTTAWATOMIE

Richard A. Fornelli and Lawrence A. Schmid, of lawful age, being first duly sworn, state that they are the President and Secretary, respectively, of Tatarrax, Inc., Declarant in the Declaration of Protective Covenants for Tatarrax Hills, and that the above amendment is authorized and approved by Tatarrax, Inc. Dated this 17th day of June, 1985.



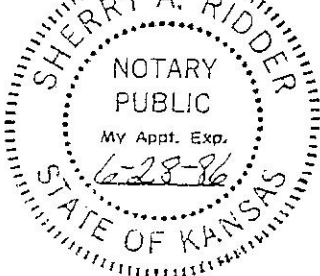
*Richard A. Fornelli*

Richard A. Fornelli, President

*Lawrence A. Schmid*  
Lawrence A. Schmid, Secretary

Subscribed and sworn to before me this 17th day of June, 1985.

My commission expires: June 28, 1986



*Sherry A. Ridder*  
Notary Public