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1624 1778

SECOND AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
THE HIGHLANDS
ST. CHARLES COUNTY, MISSOURI

70343

THIS AMENDMENT is made as of the 19th day of November, 1993, to that certain Declaration of Covenants, Conditions and Restrictions for The Highlands dated as of October 19, 1992, and recorded in Book 1493, Page 138 in the Recorder of Deeds' Office of St. Charles County, Missouri, as amended (the "Declaration"). (Terms defined in the Declaration are used herein as defined therein unless otherwise indicated).

RECITALS

A. Article X, Section 4 of the Declaration provides that this Declaration may be amended by unanimous consent of the Directors at any time prior to the election of the Board of Directors by the Association.

B. The Board of Directors has unanimously agreed to change Article VI, paragraph 5 as set forth below and as evidenced by the attached Consent of Directors attached hereto as Exhibit A, incorporated herein by reference.

AMENDMENT

Pursuant to the authority vested in the Board of Directors by the Declaration and in accordance with the terms of Article X, Section 4 of the Declaration, Article VI, paragraph 5 of the Declaration is hereby deleted in its entirety and the following inserted in lieu thereof:

5. ASSESSMENT RATE. Assessments and Special Assessments must be fixed at a uniform rate for all Lots. Notwithstanding the foregoing, to the extent that the Association is required to maintain, repair and/or replace private streets within the Subdivision, those Lots lying within the municipality containing the private streets may be separately assessed for such street maintenance, repair and/or replacement.

Except as otherwise provided herein the Declaration shall remain unchanged and in full force and effect.

STL-22485

Enw: Hessel + Eppinger

1624 1779

IN WITNESS WHEREOF, the undersigned has set its hand this day and year first above written.

[NO SEAL]

THE HIGHLANDS HOMEOWNERS ASSOCIATION

[Signature]
Robert N. Whittaker, Sr., President

STATE OF MISSOURI)
COUNTY OF ST. CHARLES)

On this 30 day of November, 1993, before me personally appeared Robert N. Whittaker, Sr., to me personally known, who, being by me duly sworn, did state that he is the President of The Highlands Homeowners Association, a Missouri not-for-profit corporation, and that said instrument was signed on behalf of said corporation, and said Robert N. Whittaker, Sr. acknowledges said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last above written, in the County and State aforesaid.

Brenda Cannito
Notary Public



My commission expires:

BRENDA CANNITO
NOTARY PUBLIC STATE OF MISSOURI
ST. CHARLES COUNTY
MY COMMISSION EXPIRES JUNE 1, 1996

STL-274485

EXHIBIT A

WRITTEN CONSENT OF DIRECTORS

NO. 1624 IV:1780

OF

THE HIGHLANDS HOMEOWNERS ASSOCIATION

November 22, 1991

The undersigned, being all of the directors of The Highlands Homeowners Association, consent to the following resolutions and waive notice of a meeting of the Board of Directors and the holding of such meeting, it being intended that this consent shall have the same force and effect as a unanimous vote of the directors at a special meeting of the Board of Directors of the corporation duly called and held at which a quorum was present and acting unanimously throughout. The resolutions to which the undersigned consent are as follows:

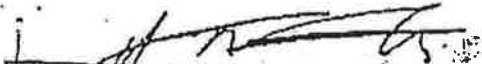
BE IT RESOLVED, that Article VI, paragraph 5 of the Declaration of Covenants, Conditions and Restrictions for The Highlands dated as of October 19, 1992 (the "Declaration") be and hereby is amended by deleting said Article in its entirety and substituting in lieu thereof the following:


"5. Assessment Rate. Assessments and Special Assessments must be fixed at a uniform rate for all Lots. Notwithstanding the foregoing, to the extent that the Association is required to maintain, repair and/or replace private streets within the Subdivision, those Lots lying within the municipality containing the private streets may be separately assessed for such street maintenance, repair and/or replacement."

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BE IT FURTHER RESOLVED, that, except as otherwise amended herein, the Declaration shall remain unchanged and in full force and effect; and

BE IT FURTHER RESOLVED, that the president of the corporation be and hereby is authorized and directed in the name of and on behalf of the corporation to execute and deliver Second Amendment to Declaration of Covenants, Conditions and Restrictions for the Highlands setting forth the above amendment.


Robert N. Whittaker, Sr.



Robert N. Whittaker, Jr.


Gregory G. Whittaker

Being All of the Directors

STATE OF MISSOURI
COUNTY OF ST. CHARLES
PUBLIC RECORDS

93 DEC 27 PM 3:37


RECORDER OF DEEDS

END OF DOCUMENT