

BOOK 1728 PAGE 1673

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

THIS AMENDMENT is made as of the 5th day of October, 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 II, Section 2 of the Declaration provides that the Developer may subject additional land to the Declaration by executing and recording an amendment to the Declaration in the office of the Recorder of Deeds of St. Charles County, Missouri, without the consent of any owner, mortgagee, or holder of any deed of trust encumbering the subdivision.

B. The Developer desires to add the property known as The Highlands Plat Four legally described on the attached Exhibit A, incorporated herein by reference (the "Additional Property") into The Highlands and subject it to the Declaration.

AMENDMENT

Pursuant to the authority vested in Developer by the Declaration and in accordance with the terms of Article II, Section 2 of the Declaration, Developer hereby amends the Declaration to include and add the Additional Property and hereby subjects the Additional Property to all of the terms and provisions of the Declaration.

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

STATE OF MISSOURI  
COUNTY OF ST. CHARLES  
FILED FOR RECORD

95 FEB -7 PM 3:10

*Barbara Hall*

RECORDER OF DEEDS

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



WHITTAKER CONSTRUCTION, INCORPORATED

*Gregory G. Whittaker*  
\_\_\_\_\_  
Gregory G. Whittaker  
Its Co-President

STATE OF MISSOURI            )  
  ) SS.  
COUNTY OF ST. CHARLES )

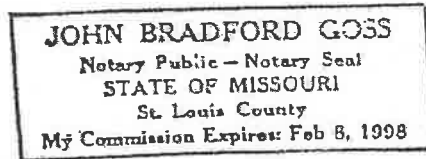
On this 6<sup>th</sup> day of February, 1995, before me personally appeared Gregory G. Whittaker, to me personally known, who, being by me duly sworn, did state that he is the Co-President of Whittaker Construction, Incorporated, a Missouri corporation, and that the seal affixed to the foregoing instrument is the corporate seal of the corporation and that said instrument was signed and sealed on behalf of said corporation, by authority of its Board of Directors and said Gregory G. Whittaker acknowledges said instrument to be the free act and deed of said corporation.

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

*John Bradford Goss*  
\_\_\_\_\_  
Notary Public

My Commission Expires:

2/8/98



Pickett, Ray & Silver's Corporate  
Registration No. LS-54-D



78-058B/AEA  
07/27/93

DESCRIPTION  
THE HIGHLANDS PLAT FOUR  
29.79 ACRES

A tract of land being part of U.S. Survey 1785, Township 46 North, Range 3 East, St. Charles County, Missouri, and being more particularly described as follows:

COMMENCING at an iron pipe at the Southwest corner of U.S. Survey 292, Township 46 North, Range 3 East, said point also being the most common corner of Lots 336 and 337 of The Highlands Plat One, as recorded in Plat Book 31, Pages 96 and 97 and Lot 232 of The Highlands Plat Two as recorded in Plat Book 31, Pages 167 through 169 of the St. Charles County Recorder's Office; thence leaving said corner and along the common line of said plats One and Two, also being the common line of said U.S. Survey 292 and U.S. Survey 1785, North  $16^{\circ}05'31''$  West, 45.01 feet to the POINT OF BEGINNING of the tract of land herein described; thence leaving said survey line and along the Northern line of The Highlands Plat One, South  $72^{\circ}56'28''$  West, 1025.13 feet to a point on the Eastern right-of-way line of Wolfrum Road; thence leaving said Northern line and along the Eastern line of said Wolfrum Road, North  $10^{\circ}48'41''$  West, 1007.87 feet to a point; thence continuing along said Eastern line, North  $12^{\circ}29'30''$  West, 342.66 feet to a point, said point being the Southwestern corner of property now or formerly of Roth as recorded in Book 941, Page 378 of said Recorder's Office; thence leaving said Eastern line and along the Southern line of said Roth property, North  $72^{\circ}38'08''$  East, 911.02 feet to a point on the aforementioned common Survey line; thence along said common line, also being the Western line of said Roth property, South  $16^{\circ}01'52''$  East, 79.81 feet to a point, said point being the Northwestern corner of said Highlands Plat Two; thence along said Survey line and said Western line, South  $16^{\circ}05'31''$  East, 1268.70 feet to the POINT OF BEGINNING and containing 29.79 acres more or less.

END OF DOCUMENT