

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
OF OAK AKRES SUBDIVISION PLAT 3, LOTS 19-12 AND LOTS 51-56**

WHEREAS, CLIFTON M. WOOLF and ELAINE E. WOOLF, DONALD R. WOOLF and JUDITH G. WOLF, PATRICIA R. ZUROWESTE and DOROTHY C. SULLIVAN and JAMES MILLER and KAREN MILLER, hereinafter referred to as "OWNERS" are the Owners of Oak Akres, Plat 3, Lots 19 - 42 and Lots 51 - 56, situate in the City of Warrenton, County of Warren, State of Missouri.

WHEREAS, it is deemed in the best interests of all persons who may become and are owners of any lots described herein to have certain covenants, conditions, and restrictions created, imposed and placed of record relating to these lots

NOW, THEREFORE, the Owners, as makers of these covenants, for the purpose of protecting property values and providing for the quiet and peaceful enjoyment of the subdivision, do hereby subject said lot to the following covenants, conditions and restrictions which shall operate as covenants running with the land into whomsoever hands it or any part of it shall come and do hereby declare that all said lots shall be held, sold and conveyed subject to the following covenants, conditions and restrictions and the rights and easements herein contained are hereby made and declared to be rights and easements in fee and annexed to and forever to continue to be annexed to, passing with and inuring to all of said land, and said lots and all parts thereof to remain forever subject to the burdens and entitled to the benefits created by said restrictions and shall be enforceable at the suit of any and every lot owner or trustees of any part of said lots by injunction or other proceeding whether in law or equity.

1. Each lot is to be a single family residential dwelling though all lots are zoned R-3 by the City of Warrenton, Missouri.
2. No trailers or mobile homes shall be placed or moved onto any lot.

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3. The minimum house sizes shall be:
  - (a) 1,200 square foot minimum for a single story residence.
  - (b) 1,000 square foot minimum on main floor where the residence is a two (2) story or higher.
  - (c) 1,200 square foot minimum on the main floor where the residence is a split level
4. Each lot/residence shall have at minimum a two (2) car attached garage and no carports shall be allowed.
5. Each lot/residence shall have a concrete driveway from the garage to the street.
6. No fences or screening of any kind shall be constructed or maintained on any lot between the rear of the residence building itself and the street upon which the lot fronts.

Fences shall be allowed from the rear of the residence to the back boundary line provided the design has been previously approved by the Trustees.
7. No building or construction of any kind shall be done on any lot until the building plans have been submitted and approved by the Trustees.
8. No commercial activity or business of any kind shall be allowed on any lot.
9. All lot owners acknowledge that Oak Akres Subdivision is located within the City Limits of the City of Warrenton and that building permits are required and that the City of Warrenton has building regulations that must be met.
10. No animals of any kind, including, but not limited to, cattle, swine, horses, fowl, reptiles, rabbits, sheep and birds shall be allowed except up to a total of two (2) domestic dogs or cats or other common household pets shall be allowed. Said household pets must be contained to the lot owner's property. The City of Warrenton does have a leash law and the Trustees or another lot owner could call for assistance by the Warrenton Police Department. No separate housing such as dog houses or kennels shall be allowed.

11. No unlicensed motor vehicles or non-operating motor vehicles shall be allowed at any time on any lot.

12. Inasmuch as all lots are located within the City of Warrenton, all lots are subject to all applicable City, County, State and Federal ordinances and laws.

13. The original Board of Trustees shall be CLIFTON M. WOOLF, ELAINE E. WOOLF, DONALD R. WOOLF and JUDITH G. WOOLF.

Upon twenty (20) lots being sold in Oak Akres Subdivision, Plat 3, Lots 19 - 42 and Lots 51 - 56, one of the original Trustees shall immediately resign and a new Trustee shall be elected at the next annual meeting to serve a three (3) year term. Upon Twenty-three (23) lots being sold, a second original Trustee shall resign and an additional new Trustee shall be elected to serve a three (3) year term. Upon Twenty-eight (28) lots being sold, the final two (2) original Trustees shall resign and a third new Trustee shall be elected to serve a three (3) year term.

14. The annual meeting, unless otherwise agreed to by a majority of the Trustees, shall be held the first Sunday in January, of each year at 1:00 o'clock p.m. at a site to be declared in writing to all lot owners.

15. The Trustees or any lot owners may bring suit, whether it be in law or in equity, to enforce these restrictions and if meritorious, shall recover their attorney fees and costs.

16. Special meetings can be called by the Trustees or, if they so decide, by Twenty (20) lot owners. Notice shall be given to all lot owners in writing.

17. Proxies shall be allowed at any meeting provided they have been notarized and there shall be no quorum for a meeting unless sixteen (16) lot owners, including proxies, are present.

18. These restrictions may be changed, modified or amended at any time in the future by written covenant signed and executed by sixteen (16) lot owners. The said covenant to be and become effective only upon the recording of the same in the office of the Recorder of Deeds of Warren County, Missouri. Such covenant shall not require the signature of any holder of a mortgage, deed of trust, or other lien against the respective

parcels or lots of this land or the improvements thereon.

19. A nullification of any of these restrictions by judgments or Court dictate or other order shall in no way effect any of the other provisions of these restrictions and all other provisions of these restrictions shall remain in full force and effect.

IN WITNESS WHEREOF, the Owners have hereunto set their hands this 20th day of October, 1997.

James Miller  
James Miller

Clifton M. Woolf  
Clifton M. Woolf

Karen Miller  
Karen Miller

Elaine E. Woolf  
Elaine E. Woolf

Patricia R. Zuroweste  
Patricia R Zuroweste

Donald R. Woolf  
Donald R. Woolf

Dorothy C Sullivan  
Dorothy C Sullivan

Judith G. Woolf  
Judith G. Woolf

Owners

STATE OF MISSOURI )  
COUNTY OF WARREN )

ss.

The above and foregoing Declaration of Covenants, Conditions and Restrictions was subscribed and sworn to before me this 20th day of October, 1997, by CLIFTON M. WOOLF, ELAINE E. WOOLF, DONALD R. WOOLF and JUDITH G. WOOLF.

Witness my hand and official seal.

My Commission Expires: \_\_\_\_\_


KAREN M. GENTRY  
NOTARY PUBLIC-NOTARY SEAL  
STATE OF MISSOURI  
WARREN COUNTY  
MY COMMISSION EXPIRES MAR. 7, 1998

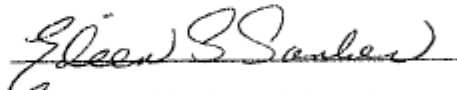
Karen M. Gentry  
Notary Public in and for the  
County and State aforesaid

STATE OF MISSOURI            )  
  ) ss.  
COUNTY OF WARREN            )

The above and foregoing Declaration of Covenants, Conditions and Restrictions was subscribed and sworn to before me this 20 day of OCTOBER, 1997, By James Miller & Karen Miller.

Witness my hand and official seal.

My Commission Expires:  EILEEN S SANKER  
NOTARY PUBLIC STATE OF MISSOURI  
WARREN COUNTY  
MY COMMISSION EXP. MAR. 19, 1998


  
Notary Public in and for the  
County and State aforesaid

STATE OF MISSOURI            )  
  ) ss.  
COUNTY OF WARREN            )

The above and foregoing Declaration of Covenants, Conditions and Restrictions was subscribed and sworn to before me this 21 day of OCTOBER, 1997, By Patricia R Zuroweste & Dorothy C Sullivan.

Witness my hand and official seal.

My Commission Expires:  EILEEN S SANKER  
NOTARY PUBLIC STATE OF MISSOURI  
WARREN COUNTY  
MY COMMISSION EXP. MAR. 19, 1998

  
Notary Public in and for the  
County and State aforesaid