

RECORDED AND INDEXED
3254

STATE OF MISSOURI
County of Warren
I hereby certify that this instrument was
FILED FOR RECORD
on April 24, 2002
at 8 o'clock 45 min A M. and is
recorded in Book 1103 Page 413.

JERRI LORDAN
Ex-Officio Recorder of Deeds
By Ellen Ross
Deputy Recorder



**AMMENDMENTS TO THE
DECLARATION OF RESTRICTIONS AND CONDITIONS OF REFERRED PROPERTY IN
THIS COMMITMENT IN THE COUNTY OF WARREN, STATE OF MISSOURI**

Date: April ²⁴~~25~~, 2002

Grantor:

Scott Paul Heitgerd & Lani Michelle Heitgerd

Grantee:

Scott Paul Heitgerd & Lani Michelle Heitgerd

Reference: Book 1098 Page 439-441

The land referred to in this commitment is described as follows:

A tract of land lying in the Southeast Quarter of Section 28, Township 48 North, Range 2 West, Warren County, Missouri and being more fully described as follows, to-wit:

Beginning at the South end of the North-South Centerline of Section 28 at a 1" shaft with universal joint marking the Southwest corner of the Southeast Quarter of said Section 28; thence North 00 degrees 05' and 12" East along the North-South centerline of said Section, 1202.50 feet to a 5/8" iron pin; thence North 89 degrees 29' and 19" East leaving said North-South Centerline and parallel with the South line of said Section, 766.32 feet to a 5/8" iron pin; thence South 00 degrees 05' and 12" West parallel with the North-South Centerline of said section, 1202.50 feet to a 5/8" iron pin on the South line of said Section; thence South 89 degrees 29' and 19" West along said South line 766.32 feet to the Point of Beginning, containing 21.2 acres, more or less, along with a Non-exclusive Easement for ingress-egress and utilities 50.00 feet wide being 50.00 feet South of and adjacent to the following described line, beginning at the Northeast corner of the above described tract, thence North 89 degrees 29' 19' East along the North line of said tract extended East 659.61 feet to the Point of Termination of said line on the West right-of-way or record or not of record, if any. As per survey #99-047 of John P. Janes, Missouri Registered Land Surveyor #2354 During May of 1999.

Subject to building lines, easements, restrictions and conditions of record, if any.

USE RESTRICTIONS:

1. Commercial Activities - No commercial activity of any kind shall be conducted on any part of referred property or in any living unit. With the exception of individual residence occupied by said owner, Bret Bell, to have the option of a single home office.

2. Livestock - Swine, cows, goats, or birds, other than domestic pets (except house pets with vicious propensities) shall not be brought onto or kept on the property. All dogs and cats must be contained to owners property.
3. Signs - No signs, advertisements, billboards or advertising structures of any kind may be erected or maintained on referred property. Permission is hereby granted for signs naming the development and for the erection and maintenance of not more than one advertising board on each lot or tract as sold and conveyed, and may be used for the sole and exclusive purpose for advertising for sale of the lot or tract upon which it is erected.
4. Drilling and Quarrying - No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon referred property, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon referred property. No derrick or other structure designed for use in boring oil or natural gas shall be erected, maintained or permitted upon referred property.
5. Dumping of Rubbish - No part of referred property shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers or incinerators or other equipment for the storage or disposal of such material, which equipment shall be kept in a clean and sanitary condition.
6. Land Use - Referred property may be improved to, but no less than, 3 acre lots or tracts up to 7 lots or tracts. No lot or tract may be re-subdivided to less than 3 acres at any time. Referred property may not be improved, used or occupied for other than private single family residence purposes. Any residence erected or maintained on any said property, lot or tract shall be designed for occupancy by a single family. Mobile, modular and manufactured homes of any type are not permitted.
7. Minimum Size Requirements - Any residence consisting of a single level above ground level shall contain a minimum of 1500 square feet of enclosed floor area. Any residence consisting of 2 levels above ground level shall contain a minimum of 900 square feet of enclosed floor area on the first level above ground level and an overall minimum of 1500 square feet of enclosed floor area in the two levels above ground level. Any residence consisting of a level or part of a level below ground level shall contain an overall minimum of 1500 square feet of enclosed floor area in levels above ground level. The words "enclosed floor area" as used herein shall mean and include any residence enclosed and finished for all year occupancy, computed on outside measurements of the residence and shall not mean or include any area of basements, garages, porches or attics. A garage does not count toward the square footage measurement of the residence.



Scott Paul Heitgerd



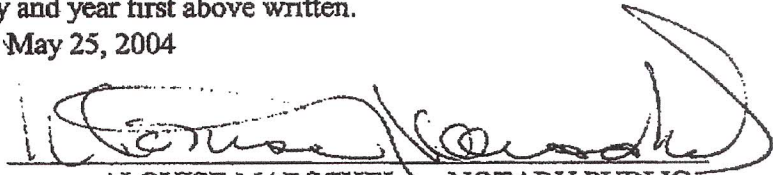
Lani Michelle Heitgerd

STATE OF MISSOURI)
) SS.
COUNTY OF WARREN)

On this 24th day of April, 2002, before me personally appeared Scott Paul Heitgerd and Lani Michelle Heitgerd, his wife, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal at my office in Warrenton, Missouri the day and year first above written.

My Commission Expires May 25, 2004


ALOUISE MARSCHEL - NOTARY PUBLIC

