

FIRST AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR THE VILLAGE OF OAK PARK

This FIRST AMENDMENT is made this 7<sup>th</sup> day of November, 1986, by The Villages of Cherry Hills Development Co., a Missouri general partnership (hereinafter referred to as "Declarant").

RECITALS

A. Declarant has previously acquired (and is still the owner of a large portion of) a 202+ acre tract of land located off of Old Manchester Road in St. Louis County, Missouri (hereinafter, the "Land").

B. Declarant has heretofore subjected a portion of the Land, to the covenants, conditions, restrictions, reservations, easements, servitudes, liens and charges (collectively, the "Covenants and Restrictions") provided in that certain Declaration of Covenants, Conditions and Restrictions for The Village of Oak Park dated July 21, 1986, and recorded in the Office of the Recorder of Deeds of St. Louis County, Missouri on July 25, 1986, in Book 7950, Pages 966 through 1002, (the "Declaration").

C. In accordance with the Declaration, Declarant desires to subject an additional portion of the Land to the provisions of the Declaration.

NOW, THEREFORE, Declarant does hereby declare and amend the Declaration as follows:

1. The Declaration is hereby amended by adding to the real property described on Exhibit A of the Declaration, the real property described on Exhibit A(1) attached hereto.

2. The Declaration is further amended by adding to the real property depicted on the plat attached as Exhibit B to the Declaration, the real property depicted on the plat attached hereto as Exhibit B(1).

3. The real property described on Exhibit A(1) attached hereto and depicted on the plat attached hereto as

Exhibit B(1), and all improvements situated on said real property, shall be held, sold and conveyed subject to the terms and provisions of the Covenants and Restrictions set forth in the Declaration, all of which shall run with such real property and shall be binding on all parties having any right, title or interest in such real property or any part thereof, and their heirs, personal representatives, successors and assigns.

4. The Declaration, as amended hereby, is hereby restated and ratified in all respects.

IN WITNESS WHEREOF, Declarant has executed this First Amendment as of the date first above written.

DECLARANT:

THE VILLAGES OF CHERRY HILLS  
DEVELOPMENT CO., a Missouri  
general partnership

By: Taylor-Morley-Simon, Inc.,  
a Missouri corporation,  
general partner

ATTEST:

[CORPORATE SEAL]

By

*[Signature]*  
Asst Secy

By

*[Signature]*  
Benton E. Taylor, Chairman

STATE OF MISSOURI )  
                              ) SS:  
COUNTY OF ST. LOUIS)

On this 7<sup>th</sup> day of November, 1936, personally appeared before me, a notary public in and for the County and State aforesaid, Benton E. Taylor, whose identity is well known (or satisfactorily proven) to me, and being by me duly sworn, did acknowledge before me under oath that he is the Chairman of TAYLOR-MORLEY-SIMON, INC., a Missouri corporation, a general partner of THE VILLAGES OF CHERRY HILLS DEVELOPMENT CO., a Missouri general partnership; that said instrument was signed and sealed on behalf of said partnership by authority of said partnership's agreement of general partnership and by authority of said corporation's Board of Directors; and that said instrument is the free act and deed of said partnership.

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

*[Signature]*  
Notary Public

My commission expires:

LETTA B. HAEMEL, NOTARY PUBLIC  
COUNTY OF ST. LOUIS, STATE OF MISSOURI  
COMMISSION EXPIRES JUNE 2, 1939

(0061H)

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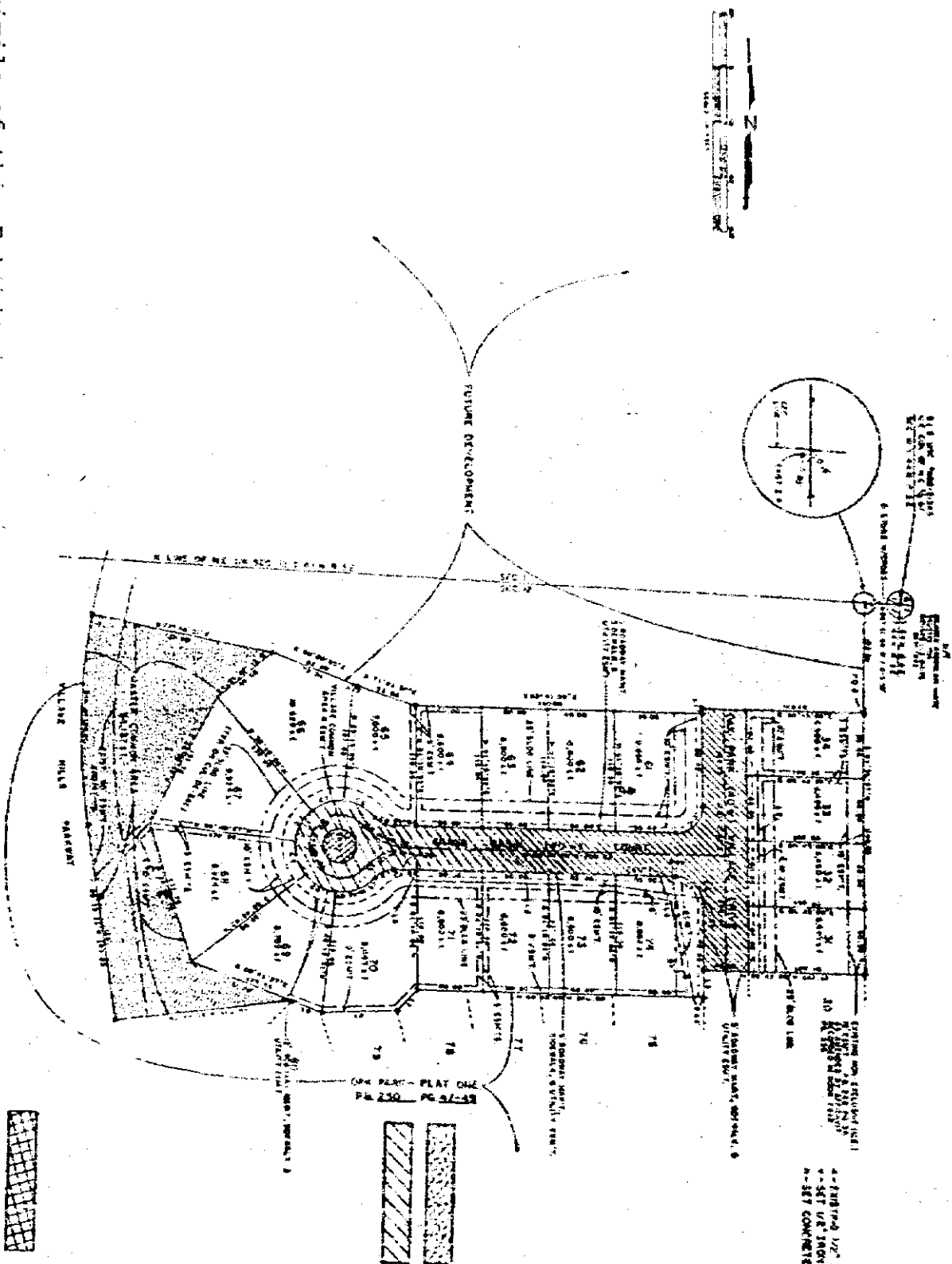
EXHIBIT A(1)  
TO  
FIRST AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR THE VILLAGE OF OAK PARK

LEGAL DESCRIPTION

A tract of land being part of Section 12, Township 44 North, Range 3 East of the 5th Principal Meridian, St. Louis County, Missouri, and being more particularly described as follows:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF ABOVE SAID SECTION 12; THENCE NORTH 86 DEGREES 41 MINUTES 59 SECONDS WEST ALONG THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12 A DISTANCE OF 1013.38 FEET TO A POINT, SAID POINT BEING ON THE WESTERLY LINE OF PROPERTY NOW OR FORMERLY CONVEYED TO MILDRED KROENLEIN WHITE, TRUSTED FOR RICHARD LEE WHITE, BY DEED RECORDED IN BOOK 5836 ON PAGE 443 OF THE ST. LOUIS COUNTY RECORDS; THENCE SOUTH 01 DEGREES 35 MINUTES 57 SECONDS WEST ALONG SAID WESTERLY LINE OF WHITE PROPERTY 100.90 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE CONTINUING ALONG LAST SAID COURSE SOUTH 01 DEGREES 35 MINUTES 57 SECONDS WEST ALONG SAID WESTERLY LINE OF WHITE PROPERTY 240.00 FEET TO A POINT ON A NORTHERLY LINE OF "OAK PARK" - PLAT ONE AT THE VILLAGES OF CHERRY HILLS, A SUBDIVISION RECORDED IN PLAT BOOK 250 ON PAGES 47 THROUGH 49 OF THE ST. LOUIS COUNTY RECORDS; THENCE ALONG SAID NORTHERLY LINE OF "OAK PARK" - PLAT ONE THE FOLLOWING COURSES AND DISTANCES: THENCE NORTH 88 DEGREES 43 MINUTES 08 SECONDS WEST 147.16 FEET; THENCE SOUTH 01 DEGREES 16 MINUTES 52 SECONDS WEST 24.53 FEET; THENCE NORTH 88 DEGREES 43 MINUTES 08 SECONDS WEST 260.00 FEET; THENCE SOUTH 46 DEGREES 01 MINUTES 27 SECONDS WEST 27.21 FEET; THENCE SOUTH 88 DEGREES 21 MINUTES 23 SECONDS WEST 69.51 FEET; THENCE NORTH 68 DEGREES 01 MINUTES 27 SECONDS WEST 28.85 FEET; THENCE SOUTH 83 DEGREES 44 MINUTES 39 SECONDS WEST 162.87 FEET TO A POINT ON THE EASTERLY LINE OF ABOVE SAID "OAK PARK" - PLAT ONE; THENCE ALONG SAID EASTERLY LINE OF "OAK PARK" - PLAT ONE THE FOLLOWING COURSES AND DISTANCES: THENCE NORTH 06 DEGREES 15 MINUTES 21 SECONDS WEST 180.03 FEET TO A POINT OF CURVATURE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 602.00 FEET; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 194.26 FEET; THENCE DEPARTING SAID EASTERLY LINE OF "OAK PARK" - PLAT ONE SOUTH 77 DEGREES 46 MINUTES 01 SECONDS EAST 167.26 FEET; THENCE SOUTH 68 DEGREES 09 MINUTES 05 SECONDS EAST 82.89 FEET; THENCE SOUTH 71 DEGREES 04 MINUTES 50 SECONDS EAST 55.68 FEET; THENCE SOUTH 88 DEGREES 43 MINUTES 08 SECONDS EAST 260.00 FEET; THENCE NORTH 01 DEGREES 16 MINUTES 52 SECONDS EAST 4.53 FEET; THENCE SOUTH 88 DEGREES 43 MINUTES 08 SECONDS EAST 148.49 FEET TO THE POINT OF BEGINNING

EXHIBIT B(1) TO FIRST AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR THE VILLAGE OF OAK PARK



MASTERS COMMON AREA.

MASTERS COMMON AREA UNTIL SUCH TIME AS PUBLIC RIGHT-OF-WAY IS  
ACCEPTED BY ST. LOUIS COUNTY, NOTWITHSTANDING SUCH ACCEPTANCE BY  
ST. LOUIS COUNTY;

(1) THE VILLAGES OF CHERRY HILLS MASTERS HOMEOWNERS' ASSOCIATION SHALL REMOVE ANY SNOW, ICE AND DEBRIS FROM (BUT SHALL NOT BE OBLIGATED TO REPAIR, RESTORE OR REPLACE) ALL SIDEWALKS LOCATED IN VILLAGE HILLS PARKWAY OR LOCATED WITHIN ANY ROADWAY MAINTENANCE, SIDEWALK OR UTILITY EASEMENT AREA THAT BORDERS VILLAGE HILLS PARKWAY; AND

(11) THE VILLAGES OF CHERRY HILLS MASTERS HOMEOWNERS' ASSOCIATION SHALL MAINTAIN ALL GRASSY STRIPS LOCATED IN VILLAGE HILLS PARKWAY OR LOCATED WITHIN ANY ROADWAY MAINTENANCE, SIDEWALK OR UTILITY EASEMENT AREA THAT BORDERS VILLAGE HILLS PARKWAY IN THE SAME MANNER AS SUCH ASSOCIATION MAINTAINS THE GRASSY AREAS COMPREHENDING THE MASTERS COMMON AREA; PROVIDED, HOWEVER, THAT EACH OWNER OF A LOT (AS THOSE TERMS ARE USED AND DEFINED IN THE MASTER AND VILLAGE DECLARATIONS AS AMENDED, FROM TIME TO TIME) SHALL MAINTAIN ALL GRASSY STRIPS WHICH ARE LOCATED IN THE PUBLIC RIGHT-OF-WAY AND WHICH ARE CONTIGUOUS TO THE SIDEWALKS LOCATED ON SUCH OWNER'S LOT IN THE SAME MANNER AS SUCH OWNER IS REQUIRED TO MAINTAIN THE LAWNS ON SUCH OWNER'S LOT.

VILLAGE COMMON AREA.

THE VILLAGE OF OAK PARK HOMEOWNERS' ASSOCIATION SHALL REPAIR, RESTORE AND REPLACE ALL SIDEWALKS LOCATED WITHIN OAK PARK VILLAGE DRIVE OR GRAND BASIN COURT OR LOCATED WITHIN ANY ROADWAY MAINTENANCE, SIDEWALK AND UTILITY EASEMENT AREA THAT BORDERS OAK PARK VILLAGE DRIVE OR GRAND BASIN COURT, AND SHALL REMOVE ANY SNOW, ICE AND DEBRIS FROM ANY OF SUCH SIDEWALKS NOT LOCATED ON AN OWNER'S LOT. EACH OWNER OF A LOT SHALL REMOVE ANY SNOW, ICE AND DEBRIS FROM THE SIDEWALKS LOCATED ON SUCH OWNER'S LOT.

A larger facsimile of this Exhibit is available in the Recorder of Deeds Office for St. Louis County as "OAK PARK" - PLAT TWO.

SECOND AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR THE VILLAGE OF OAK PARK

This SECOND AMENDMENT is made this 23rd day of February, 1987, by The Villages of Cherry Hills Development Co., a Missouri general partnership (hereinafter referred to as "Declarant").

RECITALS

A. Declarant has previously acquired (and is still the owner of a large portion of) a 202+ acre tract of land located off of Old Manchester Road in St. Louis County, Missouri (hereinafter, the "Land").

B. Declarant has heretofore subjected a portion of the Land, to the covenants, conditions, restrictions, reservations, easements, servitudes, liens and charges (collectively, the "Covenants and Restrictions") provided in that certain Declaration of Covenants, Conditions and Restrictions for The Village of Oak Park dated July 21, 1986, and recorded in the Office of the Recorder of Deeds of St. Louis County, Missouri on July 25, 1986, in Book 7960D FOR RECORD Pages 966 through 1002, as amended by that certain First Amendment to Declaration of Covenants, Conditions and Restrictions for The Village of Oak Park dated November 7, 1986, and recorded in the Office of the Recorder of Deeds of St. Louis County, Missouri on November 13, 1986, in Book 8014, Pages 667 through 670 (the "Declaration").

C. In accordance with the Declaration, Declarant desires to subject an additional portion of the Land to the provisions of the Declaration.

NOW, THEREFORE, Declarant does hereby declare and amend the Declaration as follows:

1. The Declaration is hereby amended by adding to the real property described on Exhibit A of the Declaration, the real property described on Exhibit A(2) attached hereto.

(0139H - Oak Park - Plat Three - 01/19/87)

BOOK 8073 PAGE 454



2. The Declaration is further amended by adding to the real property depicted on the plat attached as Exhibit B to the Declaration, the real property depicted on the plat attached hereto as Exhibit B(2).

3. The real property described on Exhibit A(2) attached hereto and depicted on the plat attached hereto as Exhibit B(2), and all improvements situated on said real property, shall be held, sold and conveyed subject to the terms and provisions of the Covenants and Restrictions set forth in the Declaration, all of which shall run with such real property and shall be binding on all parties having any right, title or interest in such real property or any part thereof, and their heirs, personal representatives, successors and assigns.

4. The Declaration, as amended hereby, is hereby restated and ratified in all respects.

IN WITNESS WHEREOF, Declarant has executed this Second Amendment as of the date first above written.

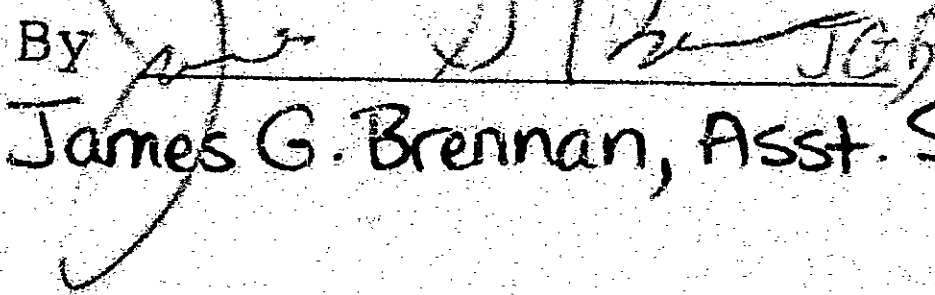
DECLARANT:

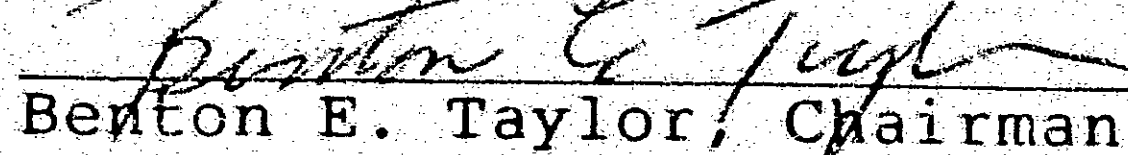
THE VILLAGES OF CHERRY HILLS  
DEVELOPMENT CO., a Missouri  
general partnership

By: Taylor-Morley-Simon, Inc.,  
a Missouri corporation,  
general partner

ATTEST:

[CORPORATE SEAL]

By    
James G. Brennan, Asst. Secretary

By    
Benton E. Taylor, Chairman

STATE OF MISSOURI )  
 ) SS:  
COUNTY OF ST. LOUIS)

On this 29th day of February, 1987, personally appeared before me, a notary public in and for the County and State aforesaid, Benton E. Taylor, whose identity is well known (or satisfactorily proven) to me, and being by me duly sworn, did acknowledge before me under oath that he is the Chairman of TAYLOR-MORLEY-SIMON, INC., a Missouri corporation, a general partner of THE VILLAGES OF CHERRY HILLS DEVELOPMENT CO., a Missouri general partnership; that said instrument was signed and sealed on behalf of said partnership by authority of said partnership's agreement of general partnership and by authority of said corporation's Board of Directors; and that said instrument is the free act and deed of said partnership.

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

Lietta B. Haenel  
Notary Public

My commission expires:

LIETTA B. HAENEL, NOTARY PUBLIC  
COUNTY OF ST. LOUIS, STATE OF MISSOURI  
COMMISSION EXPIRES JUNE 2, 1989



EXHIBIT A(2)  
TO SECOND AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR THE VILLAGE OF OAK PARK

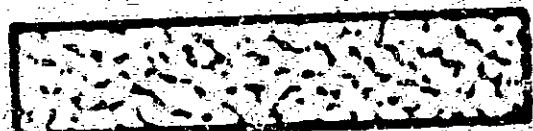
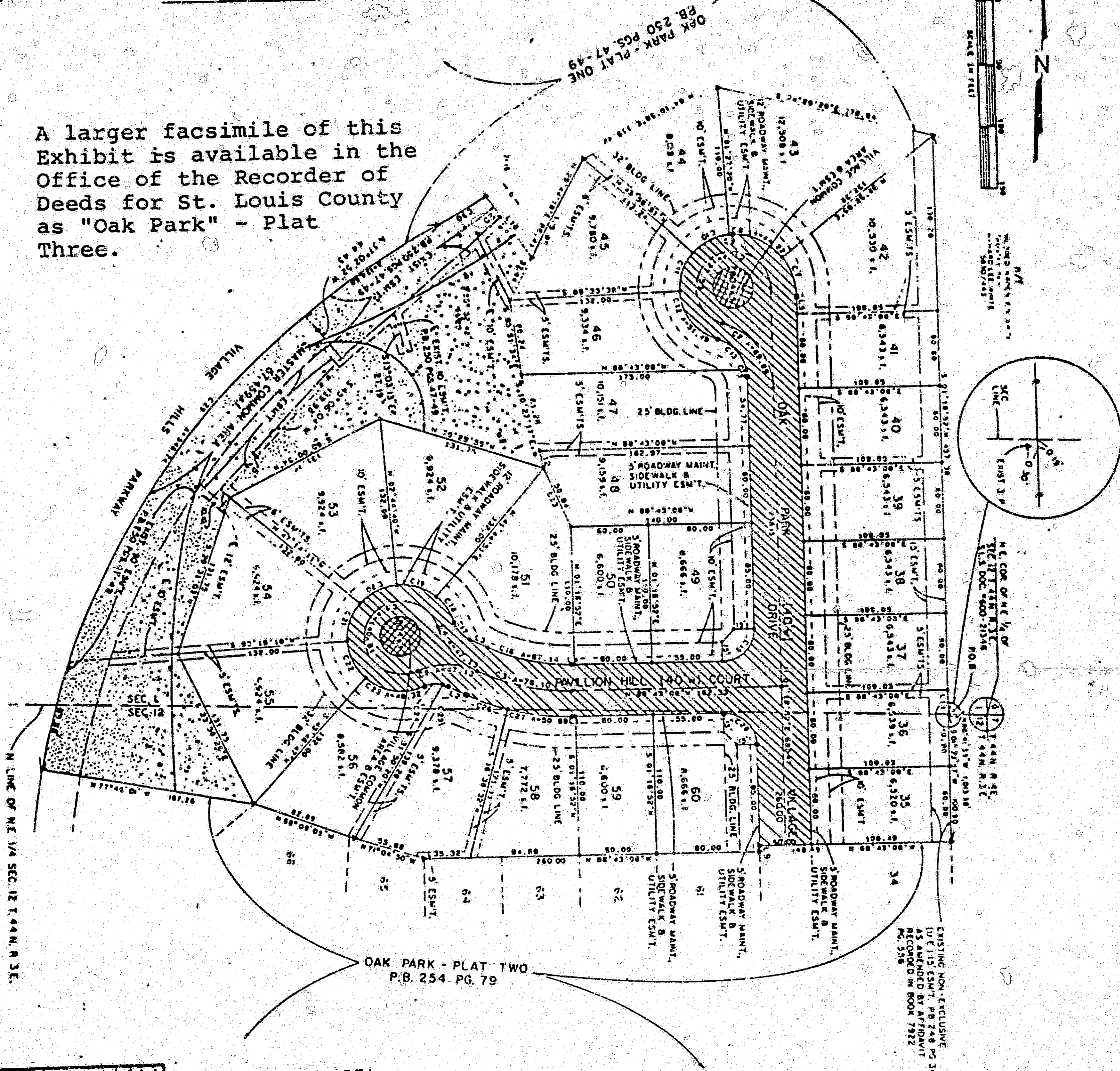
A TRACT OF LAND BEING PART OF SECTIONS 1 AND 12, TOWNSHIP 44 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN, ST. LOUIS COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF ABOVE SAID SECTION 12; THENCE NORTH 86 DEGREES 41 MINUTES 59 SECONDS WEST ALONG THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12 A DISTANCE OF 1013.38 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT, SAID POINT BEING ON THE WESTERLY LINE OF PROPERTY NOW OR FORMERLY CONVEYED TO MILDRED KROENLEIN WHITE, TRUSTEE FOR RICHARD LEE WHITE, BY DEED RECORDED IN BOOK 5830 ON PAGE 443 OF THE ST. LOUIS COUNTY RECORDS; THENCE SOUTH 01 DEGREES 35 MINUTES 57 SECONDS WEST ALONG SAID WESTERLY LINE OF WHITE PROPERTY 100.90 FEET TO THE NORTHEAST CORNER OF "OAK PARK" - PLAT TWO AT THE VILLAGES OF CHERRY HILLS, A SUBDIVISION RECORDED IN PLAT BOOK 254 ON PAGE 79 OF THE ST. LOUIS COUNTY RECORDS; THENCE ALONG THE NORTHERLY LINE OF "OAK PARK" - PLAT TWO THE FOLLOWING COURSES AND DISTANCES; THENCE NORTH 88 DEGREES 43 MINUTES 08 SECONDS WEST 148.49 FEET; THENCE SOUTH 01 DEGREES 16 MINUTES 52 SECONDS WEST 4.53 FEET; THENCE NORTH 88 DEGREES 43 MINUTES 08 SECONDS WEST 260.00 FEET; THENCE NORTH 71 DEGREES 04 MINUTES 50 SECONDS WEST 55.68 FEET; THENCE NORTH 68 DEGREES 09 MINUTES 05 SECONDS WEST 82.89 FEET; THENCE NORTH 77 DEGREES 46 MINUTES 01 SECONDS WEST 167.26 FEET TO A POINT ON A CURVE TO THE RIGHT, SAID CURVE BEING ON A SOUTHEASTERLY LINE OF "OAK PARK" - PLAT ONE AT THE VILLAGES OF CHERRY HILLS, A SUBDIVISION RECORDED IN PLAT BOOK 250 ON PAGES 47 THROUGH 49 OF THE ST. LOUIS COUNTY RECORDS; THENCE ALONG SAID SOUTHEASTERLY LINE OF "OAK PARK" - PLAT ONE THE FOLLOWING COURSES AND DISTANCES; THENCE ALONG SAID CURVE TO THE RIGHT, WHICH HAS A RADIUS POINT BEARING SOUTH 77 DEGREES 46 MINUTES 01 SECONDS EAST 602.00 FEET, AN ARC DISTANCE OF 546.74 FEET TO A POINT OF REVERSE CURVATURE TO THE LEFT, SAID REVERSE CURVE HAVING A RADIUS OF 317.00 FEET; THENCE ALONG SAID CURVE TO THE LEFT AN ARC DISTANCE OF 43.83 FEET; THENCE SOUTH 33 DEGREES 39 MINUTES 12 SECONDS EAST 60.47 FEET; THENCE NORTH 29 DEGREES 44 MINUTES 18 SECONDS EAST 88.41 FEET; THENCE NORTH 64 DEGREES 10 MINUTES 58 SECONDS EAST 119.42 FEET; THENCE SOUTH 74 DEGREES 29 MINUTES 29 SECONDS EAST 170.94 FEET TO A POINT ON THE ABOVE SAID WESTERLY LINE OF WHITE PROPERTY; THENCE SOUTH 01 DEGREES 16 MINUTES 52 SECONDS WEST ALONG SAID WESTERLY LINE OF WHITE PROPERTY 457.38 FEET TO THE POINT OF BEGINNING.



**EXHIBIT B(2)**  
**TO SECOND AMENDMENT TO DECLARATION OF COVENANTS,**  
**CONDITIONS AND RESTRICTIONS FOR THE VILLAGE OF OAK PARK**

A larger facsimile of this Exhibit is available in the Office of the Recorder of Deeds for St. Louis County as "Oak Park" - Plat Three.



**MASTER COMMON AREA.**



**MASTER COMMON AREA UNTIL SUCH TIME AS PUBLIC RIGHT-OF-WAY IS ACCEPTED BY ST. LOUIS COUNTY, NOTWITHSTANDING SUCH ACCEPTANCE BY ST. LOUIS COUNTY:**

(I) THE VILLAGES OF CHERRY HILLS MASTER HOMEOWNERS' ASSOCIATION SHALL REMOVE ANY SNOW, ICE AND DEBRIS FROM (BUT SHALL NOT BE OBLIGATED TO REPAIR, RESTORE OR REPLACE) ALL SIDEWALKS LOCATED IN VILLAGE HILLS PARKWAY OR LOCATED WITHIN ANY ROADWAY MAINTENANCE, SIDEWALK OR UTILITY EASEMENT AREA THAT BORDERS VILLAGE HILLS PARKWAY; AND

(II) THE VILLAGES OF CHERRY HILLS MASTER HOMEOWNERS' ASSOCIATION SHALL MAINTAIN ALL GRASSY STRIPS LOCATED IN VILLAGE HILLS PARKWAY OR LOCATED WITHIN ANY ROADWAY MAINTENANCE, SIDEWALK OR UTILITY EASEMENT AREA THAT BORDERS VILLAGE HILLS PARKWAY IN THE SAME MANNER AS SUCH ASSOCIATION MAINTAINS THE GRASSY AREAS COMPRISING THE MASTER COMMON AREA; PROVIDED, HOWEVER, THAT EACH OWNER OF A LOT (AS THOSE TERMS ARE USED AND DEFINED IN THE MASTER AND VILLAGE DECLARATIONS AS AMENDED, FROM TIME TO TIME) SHALL MAINTAIN ALL GRASSY STRIPS WHICH ARE LOCATED IN THE PUBLIC RIGHT-OF-WAYS AND WHICH ARE CONTIGUOUS TO THE SIDEWALKS LOCATED ON SUCH OWNER'S LOT IN THE SAME MANNER AS SUCH OWNER IS REQUIRED TO MAINTAIN THE LAWNS ON SUCH OWNER'S LOT.



**VILLAGE COMMON AREA.**

THE VILLAGE OF OAK PARK HOMEOWNERS' ASSOCIATION SHALL REPAIR, RESTORE AND REPLACE ALL SIDEWALKS LOCATED WITHIN OAK PARK VILLAGE DRIVE OR PAVILLION HILL COURT OR LOCATED WITHIN ANY ROADWAY MAINTENANCE, SIDEWALK AND UTILITY EASEMENT AREA THAT BORDERS OAK PARK VILLAGE DRIVE OR PAVILLION HILL COURT, AND SHALL REMOVE ANY SNOW, ICE AND DEBRIS FROM ANY OF SUCH SIDEWALKS NOT LOCATED ON AN OWNER'S LOT. EACH OWNER OF A LOT SHALL REMOVE ANY SNOW, ICE AND DEBRIS FROM THE SIDEWALKS LOCATED ON SUCH OWNER'S LOT.

**END OF DOCUMENT**