

DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS OF
"TROY AIRPARK 2 AND 3"

IN THE COUNTY OF LINCOLN, STATE OF MISSOURI

AMENDED

DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS OF
"TROY AIRPARK"

IN THE COUNTY OF LINCOLN, STATE OF MISSOURI

WHEREAS, the undersigned, FRANK D. BALDWIN and FLORENCE A. BALDWIN, his wife, and MICHAEL BRADSHER and SHARON BRADSHER, his wife, owners of the following described parcels of land in Lincoln County, Missouri.

(SEE SCHEDULE "A" ATTACHED FOR DESCRIPTION)

WHEREAS, the undersigned FRANK D. BALDWIN and FLORENCE A. BALDWIN, his wife; MICHAEL BRADSHER and SHARON BRADSHER, his wife; VERNON E. DURY II, a single person; ROBERT A. JACOBSON; ROBERT A. JACOBSON and DIANA M. JACOBSON, his wife; CHARLES F. EUBANKS and MARY S. EUBANKS, his wife; and MELVIN E. FILSINGER and CATHY M. FILSINGER, his wife, being all of the owners of Lots located in "TROY AIRPARK".

(SEE SCHEDULE "B" ATTACHED FOR NAMES AND LOT NUMBERS)

WHEREAS, it is deemed in the best interest of all persons who may become and are owners of any lots in "TROY AIRPARK", "TROY AIRPARK 2" and "TROY AIRPARK 3" have certain restrictions, reservations, limitations, conditions, easements and covenants, created, imposed and placed of record relating to the property.

AND WHEREAS, it is deemed in the best interest of all of the Lot owners of "TROY AIRPARK", "TROY AIRPARK 2" and "TROY AIRPARK 3" to Amend existing Restrictions on "TROY AIRPARK" said restrictions being recorded in Book 725, Page 34, Records of Lincoln County, Missouri.

NOW THEREFORE,

1.) The owners of the real estate described on Schedule "A" as makers of this covenant, for the purpose of protecting property values and providing for quiet and peaceful enjoyment of properties do hereby subject all lots or re-subdivison thereof in "TROY AIRPARK 2 and 3" to the same covenants, conditions and restrictions as recorded in Book 725, Page 34 except as amended herein which shall operate as covenants running with the land into whomsoever hands it or any part of it shall come and does hereby declare that all lots in said subdivision shall be held, sold and conveyed subject to the following covenants, conditions and restrictions; and the rights and easements herein contained and shown on the

Recorded Plat of AMENDED "TROY AIRPARK" and "TROY AIRPARK 2 and 3" forever to continue to be annexed to, passing with and inuring to each of said lots, each of them to remain forever subject to the burdens and entitled to the benefits created by said easements, and shall be enforceable at the suit of any and every owner of any lot in said subdivision by injunction or other proceeding whether in law or equity.

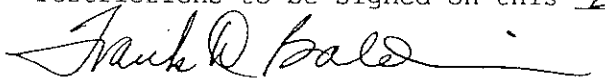
All streets, runways, taxiways and easments, as shown on the Recorded Plat of AMENDED "TROY AIRPARK" and "TROY AIRPARK 2 and 3" shall remain for the private use of the owners of lots in this subdivision; provided, however, that the trustees may, at their discretion, publicly dedicate any such street or streets and may grant all utility easement rights therein or any portion or portions thereof. The owners of the real estate described on Schedule "A" reserve the right to use the streets and easments as shown on the recorded Plats namely AMENDED PLAT of "TROY AIRPARK" and "TROY AIRPARK 2 and 3" to service additional development, any additional development shall be subject to the same restrictions and assessments as contained herein. This shall not be construed to mean owners shall make additional development.

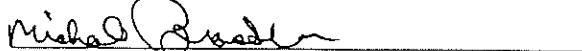
2.) The owners of the real estate described on Schedule "A" and the owners of the lots described on Schedule "B" being all of the owners of the real estate affected by this Amendment and Declaration agree that there shall be recorded an AMENDED PLAT to "TROY AIRPARK" and that PLATS 2 and 3 of "TROY AIRPARK" may be recorded and further agrees that the easements as shown on the AMENDED PLAT of "TROY AIRPARK" and the Plats of "TROY AIRPARK 2 and 3" are approved and are subject to the same terms and conditions of all previous easements as per the recorded restrictions cited herein.

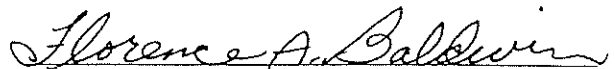
It is approved that the lots may be resubdivided and/or enlarged or reduced namely Lot 8, Lot 9 and the addition of Lot 22 as per the AMENDED PLAT of "TROY AIRPARK" and "TROY AIRPARK 2 and 3" and further approved that the owners of Lot 9 may concurrently convey the real estate described on Schedule "C" hereof to the owners of the real estate listed on Schedule "A" Tract 2 in order to accomplish the resubdivision of Lot 9 and the creation of Lot 22.


It is further approved that Lots 14 through 18 shall not be subject to width requirement for frontage size of residences as required in paragraph 10 of the recorded restrictions as those lots are restricted by size and slope and paragraph 10 is therefore amended to exclude Lots 14 through 18.

IN WITNESS WHEREOF, the owners have caused these covenants, conditions and restrictions to be signed on this 28th day of December, 1995.


FRANK D. BALDWIN


MICHAEL BRADSHER


FLORENCE A. BALDWIN


SHARON BRADSHER

STATE OF MISSOURI)
) ss
COUNTY OF LINCOLN)

On this 28th day of December, 1995, before me personally appeared VERNON E. DURY II, a single person, to me known to be the person described in and who executed the foregoing instrument and acknowledged he executed the same as his free act and deed.

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

Tracy K. Martin
NOTARY PUBLIC

MY COMMISSION EXPIRES:

TRACY K. MARTIN
Notary Public-Notary Seal
STATE OF MISSOURI
Lincoln County
My Commission Expires: Sept. 22, 1998

STATE OF MISSOURI)
) ss
COUNTY OF LINCOLN)

On this _____ day of _____, 1995, before me personally appeared ROBERT A. JACOBSON, to me known to be the person described in and who executed the foregoing instrument and acknowledged he executed the same as his free act and deed.

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

NOTARY PUBLIC

MY COMMISSION EXPIRES:

STATE OF MISSOURI)
) ss
COUNTY OF LINCOLN)

On this 28th day of December, 1995, before me personally appeared ROBERT A. JACOBSON and DIANA M. JACOBSON, his wife, to me known to be the persons described in and who executed the foregoing instrument and acknowledged they executed the same as their free act and deed.

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

Tracy K. Martin
NOTARY PUBLIC

MY COMMISSION EXPIRES:

TRACY K. MARTIN
Notary Public-Notary Seal
STATE OF MISSOURI
Lincoln County
My Commission Expires: Sept. 22, 1998 4

STATE OF MISSOURI)
) ss
COUNTY OF LINCOLN)

On this 29th day of December, 1995, before me personally appeared MELVIN E. FILSINGER and CATHY M. FILSINGER, his wife, to me known to be the persons described in and who executed the foregoing instrument and acknowledged they executed the same as their free act and deed.

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

Tracy K. Martin
NOTARY PUBLIC

MY COMMISSION EXPIRES:

TRACY K. MARTIN
Notary Public-Notary Seal
STATE OF MISSOURI
Lincoln County
My Commission Expires: Sept. 22, 1998

STATE OF MISSOURI)
) SS
COUNTY OF LINCOLN)

On this 28th day of December, 1995, before me, Tracy K. Martin, a Notary Public in and for said State, personally appeared CHARLES F. EUBANKS and MARY S. EUBANKS, Trustees Under the Eubanks Living Trust Dated January 25, 1993, And Any Amendments Thereto, known to me to be the persons who executed the foregoing instrument and acknowledged to me that they executed the same for the purposes therein stated. And the said CHARLES F. EUBANKS AND MARY S. EUBANKS, further declared that they are the current Trustees of the Trust.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Troy, Missouri, the day and year first above written.

Tracy K. Martin
Notary Public

My commission expires:

TRACY K. MARTIN
Notary Public-Notary Seal
STATE OF MISSOURI
Lincoln County
My Commission Expires: Sept. 22, 1998

SCHEDULE "A"

TRACT 1 owned by Frank D. Baldwin and Florence A. Baldwin, his wife; and Michael Bradsher and Sharon Bradsher, his wife

A 36.79 ACRE TRACT OF LAND WITHIN
PART OF THE N.E. 1/4
OF SECTION 5 TOWNSHIP 49 NORTH, RANGE 1 WEST
OF THE 5th P.M.
AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT
THE S.W. CORNER OF THE S.E. 1/4 OF THE N.E. 1/4 OF SAID SECTION 5
THENCE N 00°30'11"E 1343.73 FT. TO A POINT;
THENCE S 86°26'29"E 667.52 FT. TO A POINT;
THENCE S 86°59'57"E 560.15 FT. TO A POINT;
THENCE S 03°13'19"W 1342.62 FT. TO A POINT;
THENCE N 87°02'38"W 1163.93 FT. TO THE
POINT OF BEGINNING
ALL AS SHOWN ON A PLAT BY FITCH AND ASSOC.

TRACT 2 owned by Frank D. Baldwin and Florence A. Baldwin, his wife

A 5.697 ACRE TRACT OF LAND WITHIN
PART OF THE N.E. 1/4
OF SECTION 5 TOWNSHIP 49 NORTH, RANGE 1 WEST
OF THE 5th P.M. AND BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS: BEGINNING AT
THE N.W. CORNER OF LOT 8 OF TROY AIRPARK
THENCE N 00°31'59"E 141.28 FT. TO A POINT;
THENCE N 57°33'16"E 473.53 FT. TO A POINT;
THENCE N 34°57'00"E 167.50 FT. TO A POINT;
THENCE N 75°40'55"E 180.51 FT. TO A POINT;
THENCE S 00°33'19"W 580.00 FT. TO A POINT;
THENCE N 89°46'00"W 666.18 FT. TO THE
POINT OF BEGINNING.
ALL AS SHOWN ON A PLAT BY FITCH AND ASSOC.

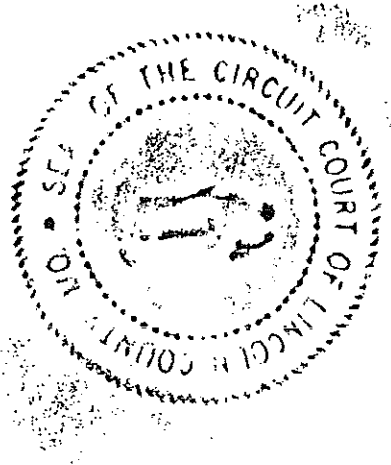
SCHEDULE "B"

TROY AIRPARK, PLAT BOOK 12, PAGE 67

- LOT 1 FRANK D. BALDWIN and FLORENCE A. BALDWIN, his wife
MICHAEL BRADSHER and SHARON BRADSHER, his wife
- LOT 2 FRANK D. BALDWIN and FLORENCE A. BALDWIN, his wife
MICHAEL BRADSHER and SHARON BRADSHER, his wife
- LOT 3 FRANK D. BALDWIN and FLORENCE A. BALDWIN, his wife
MICHAEL BRADSHER and SHARON BRADSHER, his wife
- LOT 4 FRANK D. BALDWIN and FLORENCE A. BALDWIN, his wife
- LOT 5 MICHAEL BRADSHER and SHARON BRADSHER, his wife
- LOT 6 ROBERT A. JACOBSON
- LOT 7 ROBERT A. JACOBSON and DIANA M. JACOBSON, his wife
- LOT 8 VERNON E. DURY II, a single person
- LOT 9 CHARLES E. EUBANKS and MARY S. EUBANKS, his wife
- LOT 10 MELVIN E. FILSINGER and CATHY M. FILSINGER, his wife

SCHEDULE "C"

A 0.705 ACRE TRACT OF LAND WITHIN
 PART OF THE N.E. 1/4
 OF SECTION 5 TOWNSHIP 49 NORTH, RANGE 1 WEST
 OF THE 5th P.M.
 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT
 THE NORTHWEST CORNER OF LOT 8 OF TROY AIRPARK
 THENCE N 00°27'24"E 70.00 FT. TO A POINT;
 THENCE S 89°50'35"E 666.21 FT. TO THE POINT OF
 BEGINNING OF THE TRACT HEREIN DESCRIBED;
 THENCE N 00°28'40"E 148.46 FT. TO A POINT;
 THENCE S 86°26'50"E 70.00 FT. TO A POINT;
 THENCE S 01°06'00"E 397.63 FT. TO A POINT;
 THENCE S 83°50'37"W 84.00 FT. TO A POINT;
 THENCE N 01°14'56"E 192.50 FT. TO A POINT;
 THENCE N 00°28'40"E 70.00 FT. TO THE
 POINT OF BEGINNING.
 ALL AS SHOWN ON A PLAT BY FITCH AND ASSOC.



STATE OF MISSOURI
 County of Lincoln
 FILED FOR RECORD

DEC 29 1995

At 1 o'clock 30 Minutes P M

MELBA HOUSTON Recorder
39.00

STATE OF MISSOURI
 County of Lincoln
 I hereby certify that this instrument was
 FILED FOR RECORD on 12-29 19 95
 at 1 o'clock 30 min P M. and is
 recorded in Book 863 Page 103

MELBA HOUSTON
 Recorder of Deeds
 By Melba Houston

