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Dottie D. Crenshaw
Recorder of Deeds

FITCH AND ASSOCIATES

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF TROY AIRPARK 7**

THIS DECLARATION is made this 4 day of June, 2018.

WHEREAS, the undersigned MICHAEL BRADSHER AND SHARON BRADSHER, Husband and Wife, and FRANK D. BALDWIN AND FLORENCE A. BALDWIN, Husband and Wife, being all of the original owners and developers of TROY AIRPARK, and DEAN J. REAKA AND JOAN E. REAKA, Husband and Wife, being the owners of the lot in TROY AIRPARK 7, the following described parcel of land in Lincoln County, Missouri. SEE SCHEDULE "A" ATTACHED HERETO AND INCORPORATED HEREIN AS THE DESCRIPTION OF TROY AIRPARK 7, and

WHEREAS, it is deemed in the best interest of all persons who may become and are owners of the lot in TROY AIRPARK 7, known as LOT 37, as reflected in TROY AIRPARK, PLAT 7, recorded in Plat Book 14 at Page 318, in the Lincoln County, Missouri, Recorder of Deeds Office, to have certain restrictions, reservations, limitations, conditions, easements and covenants created, imposed and placed of record relating to this property, and

WHEREAS, a Declaration of Covenants, Conditions and Restrictions of TROY AIRPARK was recorded in Book 725, Page 34 of the Lincoln County Records, and amended in Book 863, Page 103 of the Lincoln County Records, and amended in Book 2101, Page 553 of the Lincoln County Records, and

WHEREAS, the original owners/developers, Michael Bradsher and Sharon Bradsher, Husband and Wife and Frank D. Baldwin and Florence A. Baldwin, Husband and Wife reserved the right to use the streets and easements as shown on the recorded Plat to service additional developments and that any additional development shall be subject to the same easements, restrictions and assessments as contained within the Declaration of Covenants, Conditions and Restrictions of TROY AIRPARK. It was the intent of the original owners/developers that TROY AIRPARK and any additional developments would be served by one set of trustees and the original Declaration of Covenants, Conditions and Restrictions and any subsequent amendments, and

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WHEREAS, a Declaration of Covenants, Conditions and Restrictions of TROY AIRPARK 2, and 3, and Amended Declaration of Covenants, Conditions and Restrictions of TROY AIRPARK were recorded in Book 863, Page 103 of the Lincoln County Records, and as amended in Book 2101, Page 523 of the Lincoln County Records, and

WHEREAS, a Declaration of Covenants, Conditions and Restrictions of TROY AIRPARK 4 and TROY AIRPARK 5 were recorded in Book 2101, Page 523, of the Lincoln County Records, and

WHEREAS, the undersigned owners in TROY AIRPARK 7 agree they are subject to the Declaration of Covenants, Conditions and Restrictions as recorded Book 725, Page 34 of the Lincoln County Records and as subsequently amended in Book 863, Page 103 of the Lincoln County Records and as amended in Book 2101, Page 523 of the Lincoln County Records, and

WHEREAS, it is deemed in the best interest of all persons who may become and are owners of any lots in TROY AIRPARK 7 to place certain restrictions, reservations, limitations, conditions, easements and covenants created, imposed and placed of record relating to this property, and

WHEREAS, there are certain non-conforming uses on the Property which will continue to be allowed once the Property described herein is accepted into the Subdivision.

WHEREAS, the lot owners in TROY AIRPARK 7 agree that TROY AIRPARK may be used as a collective term for all of the TROY AIRPARKS to include the following: TROY AIRPARK, TROY AIRPARK 2, TROY AIRPARK 3, TROY AIRPARK 4, TROY AIRPARK 5, TROY AIRPARK 6 and TROY AIRPARK 7.

NOW THEREFORE, the owners 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 in said subdivision 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 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 any Recorded Plats of TROY AIRPARK, TROY AIRPARK 2, TROY AIRPARK 3, TROY AIRPARK 4 and 5, TROY AIRPARK 6 and TROY AIRPARK 7 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 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, shall be ESTABLISHED as follows, consistent with the Declaratory Judgment entered by the Circuit Court of Lincoln County, Missouri, on December 15, 2015, and recorded as Instrument Number 2015010240, in Book 2394 at Page 622, of the records of the Lincoln County, Missouri Recorder of Deeds, which states, in pertinent part that “[t]he Covenants, Conditions and restrictions of the previous Declarations recorded in Book 725 at Page 34 and in Book 863 at Page 103 apply to all lot owners in Troy Airpark 4 and Troy Airpark 5, along with the Second Amended Declaration of

