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CERTIFIED-FILED FOR RECORD
MARY E. DEMPSEY
RECORDER OF DEEDS
ST. CHARLES COUNTY, MISSOURI
BY: DCARROLL

Title of Instrument: Amendment to By-Laws of Heritage Garden Condominium Association

Date of Instrument: July 23, 2026

Grantor: Heritage Garden Condominium Association

Grantee: Heritage Garden Condominium Association

Grantee's Mailing Address: 177 Weldon Pkwy #1022

Maryland Heights, MO 63043

Legal description: n/a

Book(s) and Page(s) Affected:

Book 857 pages 480 through 485

VALUED CUSTOMER

AMEMDMENT TO BY-LAWS OF HERITAGE GARDEN CONDOMINIUM ASSOCIATION

This Amendment is adopted this 23rd day of July, 2026, by the Board of Directors of the Heritage Garden Condominium Association (hereinafter "Association")

WITNESSETH:

WHEREAS, Heritage Garden Condominiums is a residential condominium complex consisting of 246 residential apartments located in the Heritage residential community located in Saint Charles County, Missouri, created under the provisions of the Condominium Act of the State of Missouri and By-Laws of said condominiums is executed 13th day of November, 1979 recorded in Book 857 Page 427

WHEREAS: The board of directors of the Association is authorized to amend the By-Laws by a majority at any regular or special meeting of the Board of Directors.

The Board of Directors has approved this amendment in accordance with Article 16.1.

BY-LAWS
of the
HERITAGE GARDEN CONDOMINIUM ASSOCIATION

ARTICLE I – MEMBERS, VOTING AND MEETINGS

1.1 Number of Members: The total number of Members shall equal the total number of Units in Heritage Garden Condominiums (the "Property"). Heritage Garden Condominium Association consists of 246 units. The total number of the Board of Directors shall be six (6).

1.2 Voting Rights: The corporation shall allow only one (I) class of membership. Members shall be entitled on all issues to one (1) vote for each unit. This party will be known as the "Voting Member". Shall more than one person own a Unit, the voting member shall be designated by all owners in writing, properly filed with the Board. Should the same person or persons own more than one Unit, the same voting member may be designated for each Unit, and in the event he or she hall have one vote for each such Unit. If an Owner owns the unit through a corporation they shall act through its president or through such other officer or director as its Board designates in writing. In the absence of such advice, the unit' s vote shall be suspended in the event more than one person or entity seeks to exercise. All designations of voting members shall be held by the Secretary among the records of the Board. A voting proxy for a Unit Owner shall be presented to the Secretary in writing and remain on file.

1.3 Meeting:

a) A majority of all voting members in good standing or a majority of Members of the Board of Directors shall constitute a quorum for a meeting. Except as otherwise provided in these By-Laws or in the Declaration, the presence in person or by proxy to total sixty percent (60%) of all unit owners shall constitute a quorum at meetings of the corporation. A Quorum of Directors will consist of four (4) directors.

b) Annual Meeting: The annual meeting of the members shall be held within the last fifteen (15) days of the month designated by the Board of Directors. All members shall be given ten (10) days written and electronic notice, using the best current technology, by the Board of Directors of such meeting. Such notices shall be sufficient if deposited in the mailboxes of

Units, in addition to electronic notification using the best current technology. Annual meeting thereafter will be held within ten (10) days in either direction of the same date upon the same notice.

c) Special Meetings:

The president may call special meetings of the voting members at any time. In addition, it shall be the duty of the president to call a special meeting of the Corporation if so directed by resolution of a majority of a quorum of the Board of Directors or upon a petition signed by at least sixty percent (60%) of the total votes of the Corporation. The notice of any special meeting shall state the date, time, and place of such meeting and the purpose thereof. A special meeting shall be called for the purpose of considering any matter requiring the approval of the voting members or the Board of Directors for any reasonable purpose. No business shall be transacted at a special meeting except as stated in the notice. The majority of the Board of Directors or two-thirds of the of the voting members may call any such meeting upon giving ten (10) days notice in the same manner as provided for annual meetings.

ARTICLE II – BOARD OF DIRECTORS

2.1 Authority of the Developer: The authority of the developer is no longer relevant since the developer quit ownership of property. All powers and duties exercised by the developer are the powers and duties of the Board of Directors.

2.2 Number, Term and Election: The Board of Directors consists of six (6) members and will be elected with staggered terms of 3 years, in the following manner: Annual election will take place to elect two (2) outgoing Directors each year. A notice of such elections shall be given by the Board of Directors to all Unit owners in the same manner and within the same time provided in Section 1.3 (b) above. All nominees must be Members in Good Standing. For the purpose of this meeting and election only, a quorum of Unit Owner shall not be necessary. The members of the Board of Directors shall serve without compensation.

2.3 Officers of the Board of Directors. The Officers of the Board of Directors shall be a President, Secretary, and Treasurer, each of whom shall be a member of the Board of Directors and elected by the Board of Directors. The President will preside over all meetings of the Board and of the voting members. The Secretary will keep minutes of all meetings of the Board and of all voting members and, in general perform all duties incident to the office of Secretary. The Treasurer shall keep all financial records and books of account. The board shall purchase fidelity bond for all members of the Board of Directors and any person or persons handling funds belonging to the Unit Owners. All members of the Board of Directors and persons conducting business of behalf of the Unit Owners and Board of Directors are required to sign the following documents: 1) The Code of Conduct for all members of the Board, and 2) a Nondisclosure Agreement. These signed and dated documents will be filed with the Secretary prior to participating in matters of confidence and decision making or being provided the protection of the security bond. The premium for such bond shall be a common expense, apportioned and collected in the same manner as other common expenses. A quorum of Board Members shall comprise four (4) members. A majority of Directors (4) shall be required to adopt any resolution approved with affirmative vote, except in the case of modifying or imposition of any assessment. Meetings shall be held at regular intervals at a time and place established by the Board of Directors. The Board of Directors will determine the method for conducting regular meetings, which may be in person, or by electronic meeting forums, using the best current technology. Regular meeting shall be held at least once every quarter of the year. All members shall be given ten (10) days written and electronic notice, using the best current technology, by the Board of Directors of such meeting.

2.4 Removal of the Member of the Board of Directors: Should any member of the Board of Directors cease to be a Unit Owner or no longer a Member in Good Standing, or if he or she shall die or resign or suffer other disability, his term of office shall thereupon automatically terminate and the remaining board members shall identity and elect a Unit Owner in good standing to fill the unexpired term of such member. A member of the Board of Directors may be removed for cause by a petition bearing signatures of a minimum of sixty percent (60%) of Unit Owners in Good Standing. This petition shall be presented to the Secretary for validation of signatures and presentation to the Board.

ARTICLE III – POWERS OF THE ASSOCIATION

3.1 The Association shall have general responsibility to manage and administer the Property, approve the annual budget, provide for and collect monthly and other assessments and arrange and direct management of the Property, all as hereinafter more particularly provided. It shall promulgate rules and regulations relating to the use of the Common Elements and facilities, including any recreation facilities, park, laundry or any other similar facilities and may limit the use thereof as it deems advisable for the health, safety or general welfare of the Unit Owners. No person shall use the Common Elements in any manner not in accordance with rules and regulations. Specifically, and not by way of limitation, the Association shall have power to do all of the following:

3.2 To employ a manager and/or a managing agent to carry out the administrative duties given to the association, and pay such manger and/or such managing agent reasonable compensation. The Board of Directors has the duty to hire and dismiss personnel.

3.3 To estimate the cost of the expense of administration and maintenance and repair of all Common Elements, and make assessments therefor, including the cost of all water used, all electricity used, internet, sewer charges and the cost of trash and garbage pickup and removal, if any, all salaries and fees for employees, including the manager and/or managing agent and all other amounts needed in the performance of the duties herein assigned shall be determined.

3.4 To provide for maintenance, repair and replacement of the Common Elements and to determine the method of approving payment vouchers, a manner of assessing and collection from the Unit Owners their respective shares of the estimated expenses and all other expenses lawfully agreed upon by owners and Board of Directors. To provide, upon ten (10) days request written or electronically provided statement of the Owner's account setting forth the amount of any unpaid assessment or other charges. To keep detailed, accurate records in chronological order of the receipts and expenditures affecting the Property.

3.5 To employ and retain persons necessary for the maintenance, repair and replacement of any part of the property that the Association is obligated to maintain, repair or replace.

ARTICLE IV – REVOCATION OR AMENDMENT TO THE BY-LAWS

4.1 Amendment: These By-Laws may be amended by an instrument duly recorded and executed by at least sixty percent (60%) of the Board of Directors, but no such amendment shall affect the rights of any mortgagee vested prior thereto, or exchange the Share of a Unit Owner without his consent except as may be necessary due to an increase in the number of Units subject to this Declaration.

4.2 The officers of the Board of Directors of the Heritage Garden Condominium Association may delegate elements of their responsibilities and duties to other persons or management by if a majority of the Directors vote in the affirmative.

4.3 Upon ten (10) days notice to the management or Board of Directors and payment of a reasonable fee, any Unit Owner may be furnished a statement of his account setting forth the amount of any unpaid assessment or other charges due and owing from such owner.

4.5 Rules and Regulations and Fine Structures shall be updated as needed by a majority vote of at least four (4) directors. These rules and regulation shall include definitions, including:

1) Requirements for a Member in Good Standing

2) Process for nominating, vetting and voting for candidate for the Board of Directors. Nomiation forms for candidates are available by hand delivery, sent by mail or available for download on the management website.

3) Creation and approval for the budget for the next fiscal year. The Board shall present the budget to the Unit Owners in attendance at the annual meeting.

These By-laws Amendments adopted by the Board of Directors on this 23rd day of July, 2026.

President	Gerard R. Beasley	Gerard Beasley	7/23/2026 Date
Vice-President	Jim Earnest	Jimmie ~~Jim~~ Earnest	7-23-2026 Date
Treasurer	Cheryl Hancock	Cheryl Hancock	7-23-26 Date
Secretary	Linda James	Linda James	7/23/26 Date
Member	Larry Coibion	Larry Coibion	7/23/26 Date
Member			Date

STATE OF Missouri)
) SS.
COUNTY OF St. Charles)

On this 23rd day of July, in the year **2026** before me, Paige E. Seydel, a Notary Public in and for said state, personally appeared Gerard Beasley, known to me to be the person who executed the within **Amendment to By-Laws of Heritage Garden Condominium Association,** and acknowledged to me that the facts contained therein are true and accurate to the best of their knowledge, information and belief, and that they executed the same for the purpose therein stated.

Paige E Seydel
Notary Public

My Commission Expires:

09/29/2026

PAIGE E SEYDEL
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
MY COMMISSION EXPIRES SEPTEMBER 29, 2026
ST. CHARLES COUNTY
COMMISSION #22412618

STATE OF Missouri)
) SS.
COUNTY OF St. Charles)

On this 23rd day of July, in the year **2026** before me, Paige E. Seydel, a Notary Public in and for said state, personally appeared Jimmie E. Earnest, known to me to be the person who executed the within **Amendment to By-Laws of Heritage Garden Condominium Association,** and acknowledged to me that the facts contained therein are true and accurate to the best of their knowledge, information and belief, and that they executed the same for the purpose therein stated.

Paige E Seydel
Notary Public

My Commission Expires:
09/29/2026

PAIGE E SEYDEL
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
MY COMMISSION EXPIRES SEPTEMBER 29, 2026
ST. CHARLES COUNTY
COMMISSION #22412618

STATE OF Missouri)
) SS.
COUNTY OF St. Charles)

On this 23rd day of July, in the year **2026** before me, Paige E. Seydel, a Notary Public in and for said state, personally appeared Cheryl Hancock, known to me to be the person who executed the within **Amendment to By-Laws of Heritage Garden Condominium Association,** and acknowledged to me that the facts contained therein are true and accurate to the best of their knowledge, information and belief, and that they executed the same for the purpose therein stated.

Paige E Seydel
Notary Public

My Commission Expires:
09/29/2026

PAIGE E SEYDEL
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
MY COMMISSION EXPIRES SEPTEMBER 29, 2026
ST. CHARLES COUNTY
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STATE OF Missouri)
) SS.
COUNTY OF St. Charles)

On this 23rd day of July, in the year **2026** before me, Paige E. Seydel, a Notary Public in and for said state, personally appeared Linda K. James, known to me to be the person who executed the within **Amendment to By-Laws of Heritage Garden Condominium Association**, and acknowledged to me that the facts contained therein are true and accurate to the best of their knowledge, information and belief, and that they executed the same for the purpose therein stated.

Paige E Seydel
Notary Public

My Commission Expires:
09/29/2026

PAIGE E SEYDEL
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
MY COMMISSION EXPIRES SEPTEMBER 29, 2026
ST. CHARLES COUNTY
COMMISSION #22412618

STATE OF Missouri)
) SS.
COUNTY OF St. Charles)

On this 23rd day of July, in the year **2026** before me, Paige E. Seydel, a Notary Public in and for said state, personally appeared Larry Coibion, known to me to be the person who executed the within **Amendment to By-Laws of Heritage Garden Condominium Association,** and acknowledged to me that the facts contained therein are true and accurate to the best of their knowledge, information and belief, and that they executed the same for the purpose therein stated.

Paige E Seydel
Notary Public

My Commission Expires:

09/29/2026

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STATE OF MISSOURI
MY COMMISSION EXPIRES SEPTEMBER 29, 2026
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