

**THIRD AMENDMENT TO DECLARATION  
CREATING HARBORVIEW HOMEOWNERS ASSOCIATION  
(PHASES 3 through 9)**

KNOW ALL MEN BY THESE PRESENTS, that WHEREAS, CRAIG A. PORTER, was made the Trustee, by the Declaration Creating Harborview Homeowners Association (Phases 3 through 9) executed on October 28, 1993, and recorded November 2, 1993 in Book 2285, at Page 793 of the records of the Recorder of Deeds for Clay County, Missouri, of certain real property described as follows:

All of:

Plat 3 Lots 1-68; Plat 4 Lots 1-17; Plat 5 Lots 1-57; Plat 6 Lots 1-52; Plat 7 Lots 1-60; Plat 8 Lots 1-58; and Plat 9 Lots 1-20, Harborview, a subdivision of Clay County, Missouri; and

WHEREAS, that document was amended by a document executed on August 5, 1997, by CRAIG A. PORTER, Trustee, and recorded at Book 2711, Page 851 of the records of the Recorder of Deeds for Clay County, Missouri; and

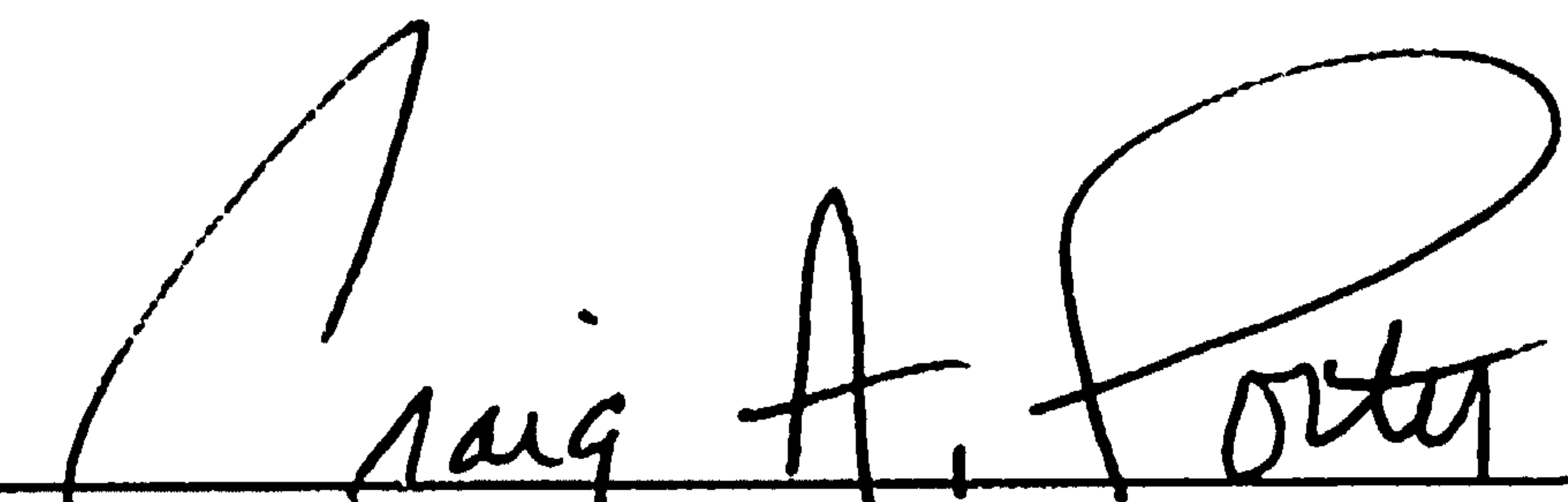
WHEREAS, CRAIG A. PORTER, herein referred to as the Trustee, was granted the power to amend the declaration creating Harborview Homeowners Association (Phases 3 through 9), hereinafter referred to as the "Declaration", pursuant to Article VI. Now therefore, the Trustee hereby further amends that Declaration by adding the following provisions:

ARTICLE XII, paragraph 1 is hereby added as follows:

No satellite dish or similar device for reception of television and radio signals from satellites shall be erected unless they are less than one meter in diameter. If this provision is preempted by current FCC or other Federal, State, or Local Government regulations as they may exist or be amended or updated from time to time, then this provision is automatically amended so that it is in conformance with such amended FCC or other Federal, State or Local Government regulations.

All other provisions of the restrictions and amendment thereto not inconsistent with this amendment remain unchanged.

IN WITNESS WHEREOF, this amendment has been executed on this 19 day of January, 1998.

  
CRAIG A. PORTER, TRUSTEE

BOOK 2770 PAGE 861

STATE OF MISSOURI  
CLAY COUNTY  
CERTIFY INSTRUMENT

98 JAN 20 A 10:20 AM

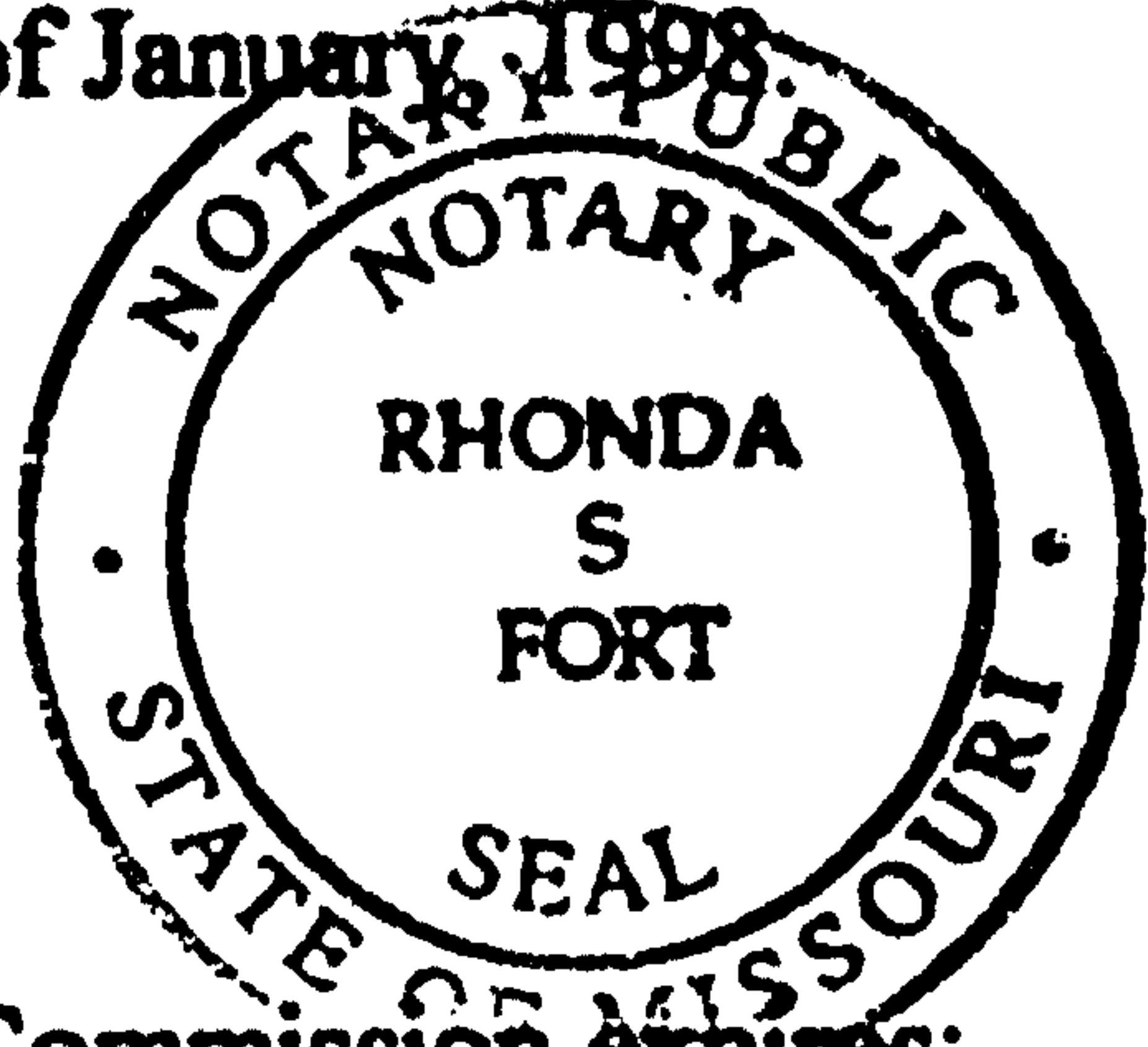
BOOK 2770 PAGE 861  
MARY E. MOBERLY  
RECORDER OF DEEDS  
*By Anita Lemery,  
Deputy*

BOOK 2770 PAGE 862

STATE OF MISSOURI     )  
                                  ) ss.  
COUNTY OF CLAY     )

On this 9 day of January, 1998, personally appeared before me Craig A. Porter, who is personally known to me to be the person who executed the foregoing instrument and acknowledged that the he executed same as his free act and deed.

In Testimony Whereof, I have hereunto affixed my signature and notarial seal this 19 day of January, 1998.



Rhonda S. Fort  
Notary Public

My Commission expires: 11-12-2000

Rhonda S. Fort  
Notary Public, State of Missouri  
County of Clay  
My Commission Exp. 11/12/2000