

**AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR CHARLESTON PLACE DEVELOPMENT COMPANY**

THIS AMENDMENT to the Declaration of Covenants, Conditions and Restrictions is executed this 31 day of May, 1996, by CHARLESTON PLACE DEVELOPMENT COMPANY, a Missouri partnership ("Developer").

WITNESSETH:

WHEREAS, Developer, pursuant to the Declaration of Covenants, Conditions and Restrictions for Charleston Place Development Company, recorded in Book 364, at Page 390, in the Cole County Recorder of Deeds Office, has certain rights to amend the original Declaration of Covenants, Conditions and Restrictions for Charleston Place ("Declaration"); and

WHEREAS, Developer has deemed it desirable, necessary and advisable to amend the original Declaration;

NOW, THEREFORE, Developer hereby amends the Declaration, and the real property described in Article II of the Declaration is hereby made subject to the provisions of this amendment; and the property is and shall be held, transferred, sold, conveyed and occupied subject to the covenants, conditions and restrictions hereafter set forth in addition to the covenants, conditions and restrictions set forth in the Declaration, which shall run with the land. The covenants, conditions and restrictions set forth in this Amendment shall run with the land and be binding on all present and future owners of the property. It is expressly declared that the rights of existing holders of deeds of trust are not affected by the adoption of this Amendment.

AMENDMENT I

Article IX, Section 2, of the Declaration is hereby amended to provide as follows:

Section 2. **Restricted Lots.** Lots 1 through 13 shall be restricted for either condominium use or single family dwellings.

AMENDMENT II

Article IX, Section 5, of the Declaration shall be amended by the addition of the following:

Condominiums may have either front or side entry garages. All condominium structures located on Lots 1 through 13 shall be located at a minimum of 25 feet from the lot lines of Lots 1 through 13.

IN WITNESS WHEREOF, the Developer has caused this instrument to be executed by its duly authorized corporate officers and its seal affixed as of this 31 day of May, 1996.

CHARLESTON PLACE DEVELOPMENT
COMPANY, a Missouri partnership

By: *Kent George*
Kent George, President of the Managing
Partner -- Estate Land Development, Inc.
(a Missouri corporation)

Dwight D. George
Secretary, Estate Land Development, Inc.

STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

On this 31st day of May, 1996, before me appeared Kent George, to me personally known, who, being by me duly sworn, did state that he is the President of Estate Land Development, Inc, a Missouri corporation, the Managing Partner of Charleston Place Development Company, a Missouri partnership; that the seal affixed to the foregoing instrument is the corporate seal of Estate Land Development, Inc.; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; that said corporation is now in good standing; and further acknowledged said instrument to be the free act and deed of said corporate Managing Partner.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year first above written.

Cheryl L. Prater
Notary Public

My Commission expires: 4.19.98

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STATE OF MISSOURI
COUNTY OF COLE
RECORDED ON

'96 JUN 10 PM 2 42

BOOK 377 PAGE 932
LARRY D. RAYMAN
RECORDER

Debra Nash
Debra Nash, Deputy

*PO 21.00
C.M.P.S.
2500 E. Main City
20 Mo 65701*