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CERTIFIED-FILED FOR RECORD

MARY E. DEMPSEY

RECORDER OF DEEDS

ST. CHARLES COUNTY, MISSOURI

BY: KBEXTERMUELLER

ELECTRONICALLY RECORDED

Space Above Line Reserved for Recorder's Use

Title: AMENDMENT TO AMENDMENT CREATING A NEW INDENTURE FOR ST.
CHARLES HILLS SUBDIVISION

DATE: June 28, 2024

Grantor: St. Charles Hills Subdivision
Addresses: P.O. Box 1296
St. Charles, MO 63302

Grantee: The Owners of St. Charles Hills Subdivision
Addresses: P.O. Box 1296
St. Charles, MO 63302

Legal Description: St. Charles Hills Plat 1, a subdivision in St. Charles County, Missouri, as per plat thereof recorded as Daily No 6823 on October 29th, 1964 in the Office of the St. Charles County Recorder of Deeds

Reference Documents:

Book 417, Page 462

Final Judgment and Order of the St. Charles County Circuit court of March 23, 2010 in Cause #0911-CV08066

Document No. 2022R-033018

Note: The labels and designations set forth on this cover page are for purposes of permitting recording only and shall not amend or change the substance of the document.

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AMENDMENT TO
AMENDMENT CREATING A NEW INDENTURE
FOR
ST. CHARLES HILLS SUBDIVISION

This AMENDMENT TO AMENDMENT CREATING A NEW INDENTURE FOR ST. CHARLES HILLS SUBDIVISION (the "Amendment") made this 28th day of June, 2024, by St. Charles Hills Subdivision, a Missouri nonprofit corporation ("Grantor"), under and pursuant to authority reserved in Article VIII, Section 8.2 of the Amendment Creating a New Indenture for St. Charles Hills Subdivision, dated May 31, 2022, and recorded as Document Number 2022R-033018 of the St. Charles County Records, (the "Indenture"). Capitalized terms used but not otherwise defined herein shall have the meanings ascribed in the Indenture.

WITNESSETH, THAT:

WHEREAS, St. Charles Hills Subdivision, a Missouri nonprofit corporation, is the Association for St. Charles Hill Subdivision, a single-family residential subdivision located in St. Charles County, Missouri (the "Subdivision") and is named as the "Grantor" in the Indenture; and

WHEREAS, the Subdivision is subject to the covenants, conditions and restrictions contained in the Indenture; and

WHEREAS, Article VIII, Section 8.2 of the Indenture states, "Any proposed amendment shall be subject to approval by the Owners at a duly called meeting ... An affirmative vote of two-thirds [2/3] of the Owners who are voting, in person or by Subdivision-issued absentee ballot, is required to approve any proposed amendment. If the amendment is approved, the Trustees shall execute and file the amendment with the Recorder of Deeds of St. Charles County."; and

WHEREAS, more than 2/3 of the Owners, voting in person or by Subdivision-issued absentee ballot, have voted in favor of this amendment increasing the number of Trustees for the Association from Three (3) Trustees to five (5) Trustees, at a duly called meeting held on April 16, 2024; and

WHEREAS, in order to conform to the Owners increase in the number of Trustees, the terms for the election of Board Members have also been amended; and

NOW THEREFORE, in consideration of the premises, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby amends the Indenture as follows:

1. Article III, Section 3.1 shall be stricken and replaced to read as follows:

3.1 THE BOARD OF TRUSTEES. The Board of Trustees shall consist of five (5) members. The existing Board at the adoption of this New Indenture shall be assimilated as the Board under this New Indenture, holding the same staggered terms of office. Each subsequently elected Trustee shall serve a term of three (3) years.

2. **Article III, Section 3.3 shall be stricken and replaced to read as follows:**

3.3 ELECTIONS OF BOARD MEMBERS. The Board has staggered terms, so that at each annual election no more than two (2) Board positions are on the ballot for a 3-year term. At the first election after approval of this amendment, two (2) Board positions shall be on the ballot. At the second election after approval of this amendment, two (2) Board positions shall be on the ballot. At the third election after approval of this amendment, one (1) Board position shall be on the ballot. Notice of the annual election shall go out to all Owners at least 45 days prior to the date. Candidates for the Board shall file with the Board no later than 30 days before the election. Candidates shall be listed on the ballot in the order they filed.

Candidates will be given a fair opportunity to speak before the vote. Owners may vote in person or by Subdivision-issued absentee ballot. The candidate(s) receiving the most votes shall be elected. A tie will be broken by coin flip. If there is no Candidate for a position, the Board shall appoint a homeowner to fill the position for the whole term.

3. **The Declaration shall remain unchanged and in full force and effect except as otherwise provided herein.**

[The space below has intentionally been left blank; signature pages to follow]

IN WITNESS WHEREOF, Grantor, by its duly authorized officer, has executed this Amendment to Amendment Creating a New Indenture for St. Charles Hills Subdivision on this 25 day of June 2024

St. Charles Hills Subdivision
a Missouri nonprofit corporation

By: Cathy Garahl

Printed Name: Cathy Garahl

Title: President

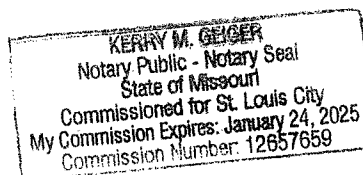
STATE OF MISSOURI)
) SS.
COUNTY OF ST. CHARLES)

On this 25 day of June in the year 2024, before me, a Notary Public in and for said state, personally appeared Cathy Garahl a Trustee of St. Charles Hills Subdivision, a Missouri nonprofit corporation, known to me to be the person who executed the within Amendment to Amendment Creating a New Indenture for St. Charles Hills Subdivision on behalf of said nonprofit corporation and acknowledged to me that he/she executed the same for the purposes therein stated.

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

Kerry M. Geiger
Notary Public

My term expires: 1-24-25



By: Laura Ozen Koski
Printed Name: Laura Ozen Koski
Title: Trustee

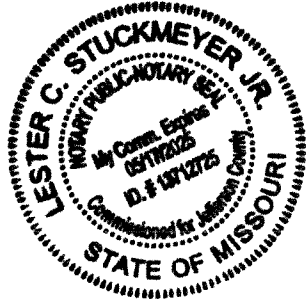
STATE OF MISSOURI)
) SS.
COUNTY OF ST. CHARLES)

On this 28th day of June in the year 2024, before me, a Notary Public in and for said state, personally appeared Laura Ozen Koski a Trustee of St. Charles Hills Subdivision, a Missouri nonprofit corporation, known to me to be the person who executed the within Amendment to Amendment Creating a New Indenture for St. Charles Hills Subdivision on behalf of said nonprofit corporation and acknowledged to me that he/she executed the same for the purposes therein stated.

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

[Signature]
Notary Public

My term expires: _____



By: Margaret Wolfbarger
Printed Name: Margaret Wolfbarger
Title: Trustee

STATE OF MISSOURI)
) SS.
COUNTY OF ST. CHARLES)

On this 25th day of June in the year 2024, before me, a Notary Public in and for said state, personally appeared Margaret Wolfbarger a Trustee of St. Charles Hills Subdivision, a Missouri nonprofit corporation, known to me to be the person who executed the within Amendment to Amendment Creating a New Indenture for St. Charles Hills Subdivision on behalf of said nonprofit corporation and acknowledged to me that he/she executed the same for the purposes therein stated.

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

My term expires: _____
Notary Public [Signature]

