SECOND AMENDMENT TO THE FIRST AMENDED AND RESTATED DECLARATION OF RESTRICTIONS AND INDENTURE CREATING HOMEOWNERS ASSOCIATION AND ESTABLISHING RESTRICTIONS VILLE DU PRE ST PETERS, MISSOURI

THIS AMENDMENT is made and entered this ______ day of January, 2023, to that First Amended and Restated Declaration of Restrictions and Indenture Creating Home Owners Association and Establishing Restrictions for Ville Du Pre dated the 1st day of June, 2001 and recorded in Book 2585, Page 633-710 of the records of the Recorder of Deeds Office of St Charles County, Missouri.

WHEREAS, First Amended and Restated Declaration of Restrictions and Indenture Creating Home Owners Association and Establishing Restrictions for Ville Du Pre dated the 1st day of June, 2001 and recorded in Book 2585, Page 633-710 of the records of the Recorder of Deeds Office of St Charles County, Missouri, amendments thereto heretofore recorded (collectively referred to as "the Declaration"), set forth rules for the governance of the Ville Du Pre Owners Association, as well as forth covenants and restrictions for the mutual benefit of owners of lots at Ville Du Pre; and

WHEREAS, Article V(I) of the Declaration provides that the Declaration may be amended at any time and from time to time upon the execution and Recordation of an instrument executed by Owners owning an aggregate Percentage Interest of sixty seven percent (67%) or more; and

WHEREAS, the Owners desire and intended to amend the Declaration to promote the health, safety and welfare of the residents of Ville Du Pre and to preserve property values by encouraging owner occupancy of homes in Ville Du Pre by restricting leasing of homes in Ville Du Pre; and

WHEREAS, this instrument, further amending the Declaration, has been approved by vote or agreement of Owners owning an aggregate Percentage Interest of more than sixty seven percent (67%);

NOW, THEREFORE< the Declaration is amended as follows:

- 1. <u>Definitions:</u> Terms used herein and not otherwise defined shall have the meanings ascribed to them in the Declaration.
- 2. <u>Amendment:</u> Article II, Section 4.2 is hereby amended by deleting the entire Section and substituting in lieu thereof the following:

Section 4.2: Effective February 1, 2023 owners will not be allowed to lease or rent their lot. Existing leases as of January 31, 2023, shall be grandfathered but shall not be allowed to be leased again after sale of the property. This limitation of leases or rentals allowed does not apply to those situations wherein another relative, i.e. father, mother, son, daughter, niece or nephew has purchased the Lot for the purpose of providing housing for another above stated relative.

- Recordation: This Amendment shall be recorded in the records of the Office of the Recorder of Deeds
 of St Charles County, Missouri, and shall be effective upon recordation.
- Severability: In the event of the invalidity or unenforceability of any provision or portion of this
 Amendment, the remainder of the Amendment shall remain in full force and effect.

IN WITNESS OF WHEREOF, the President of the Board of Directors of Ville Du Pre Owners Association attests that the required number of Owners have authorized the Association to prepare, execute, certify and record the Amendment on the day and year first above written.

and record the Amendr	ent on the day and year first above written.	
	(Signature) (Signature) (Signature) (Print Name) (Print Name) (Print Name) (Signature) (Print Name)	
STATE OF MISSOURI)	
)ss	
COUNTY OF ST CHARLES)	
Sworn, and say that they are mus	ees of Country Creek Subdivision and that they executed the foregoing	 yluk
	at they executed the same as their free act and deed in said capacity.	d

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

My term expires:

Anny Gordon

AMY GORDON
Notary Public - Notary Scal
STATE OF MISSOURI
St. Charles County
My Commission Expires: July 11, 2023
Commission #15117336