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Notation

AMENDMENT, MODIFICATION AND CHANGE
OF INDENTURE OF TRUST AND RESTRICTIONS
FOR
TALL OAKS AT WINDING TRAILS

WHEREAS, the Indenture of Trust and Restrictions of TALL OAKS AT WINDING TRAILS, dated the 20th DAY OF December, 1990 and recorded January 11, 1991 in Book 8914 Page 320 of the St. Louis County Recorder of Deeds' Office, provides for amendment to the Indenture of Trust and Restrictions under Paragraph 4. Amendments of ARTICLE X "GENERAL PROVISIONS",

NOW THEREFORE, in accordance with procedure outlined in said Paragraph 4. Amendments of ARTICLE X "GENERAL PROVISIONS", the following amendments to the Indenture of Trust and Restrictions have been adopted:

Under ARTICLE IX RESTRICTIONS, Paragraph 17 is to be deleted in its entirety and replace in lieu thereof with the following:

"17. Fences. No fences or screening of any kind shall be erected or maintained on any Lot between the rear of the residence constructed on such Lot and the street upon which such Lot fronts. Fences may be maintained on other portions of the Lot only with the written consent of the Architectural Control Committee, and the decision of such committee to approve or reject a fence shall be conclusive. Fences shall be a maximum of 4'0" in height, and constructed of wrought iron, brick, cedar, treated lumber, or a durable vinyl material. Non-stockade design styles are required, and a minimum spacing of 1" between slats shall be maintained. Nothing herein contained shall prevent placement of fences by the Trustees on the Common Ground."

Under ARTICLE IX RESTRICTIONS, Paragraph 18 is to be deleted in its entirety and replace in lieu thereof with the following:

"18. Television Antennae. No exterior television or radio antennae, towers or other such devices will be allowed. Satellite dishes are permitted, subject to the approval and written consent of the Architectural Control Committee and the following conditions: i. the maximum diameter of the satellite dish shall not exceed 18"; ii. The satellite dish shall be for the personal use of the homeowners; iii. The satellite dish shall not be located in front of the residences; iv. Landscaping around the satellite dish may be required; and v. the installation shall comply with all local building codes and zoning requirements."

Under ARTICLE IX RESTRICTIONS, Paragraph 20 is to be added to read as follows:

"20. Decks & Miscellaneous Additions. Exterior decks, gazebos, trellises, stairs and other structures may be erected on Lots subject to the approval and written consent of the Architectural Control Committee. Requests for approval shall be submitted in writing. Copies of the appropriate Building Permits, Final Inspection Reports and the Certificate of Use and Occupancy are required, where applicable."

Under ARTICLE IX RESTRICTIONS, Paragraph 21 is to be added to read as follows:

"21. Hot Tubs. Exterior hot tubs and Jacuzzis are permitted if, in the judgment of the Architectural Control Committee, they are compatible with the residential design and constructed of suitable materials. Hot tubs and Jacuzzis must be physically connected to the dwelling or an attached deck. Landscaping may be required around the structure. Requests for approval shall be submitted in writing. Copies of the appropriate Building Permits, Final Inspection Reports and the Certificate of Use and Occupancy are required, where applicable."

WE, the undersigned Trustees TALL OAKS AT WINDING TRAILS, having received the written approval of more than two-thirds (2/3) of the property owners of TALL OAKS AT WINDING TRAILS, agree to adopt the foregoing Amendment to the Indenture of Trust and Restrictions of TALL OAKS AT WINDING TRAILS as recorded in Book 8914 Page 320 of the St. Louis County Recorder's office, effective the 16 day of July, 1998.

TRUSTEES OF TALL OAKS AT WINDING TRAILS

Thomas A. Beck
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