Sharon L. Birkman, Recorder of Deeds

DEED OF RESTRICTIONS

ACON 244 AME 885

This instrument, made and entered into this 1924 day of 1906, by STALWART ENTERPRISES, INC., herinaiter referred to as Grantors, WITNESSETH:

WHEREAS, the Grantors are now the owners of a certain tract of land in the County of Franklin, State of Missouri, described as follows:

HIMLVIEW ACRES, being a tract of land in the part of the West one-half of the Northeast one-quarter of Section Twenty-two (22), Township Forty-three (43) North, Range One (1) East of the 5th P. M. in Franklin County, Missouri, being a portion of the property acquired by Doed from Edward G. Straatz un and Lena Straatmann, his wife, dated December 30th, 1965 and recorded in Book 242 at page 898 of the Franklin County Land Records.

Whereas, Grantors in consideration of the premises and for the mutual benefit of the Grantors and the owners of the several lots in said subdivision hereby agree to establish certain easements, restrictions and conditions to run with the land as to both grantor and lot owners, their heirs, successors and assigns, as follows:

The following real letions shall be subject to proper enforcement clauses:

Deeds to lots in this subdivision will be made subject to the following covenants and restrictions which shall run with the land and bind all subsequent owners until and including a date 25 years from the date of execution of this instrument.

- 1. All toilets, baths, sinks, lavatories and inside drains shall be connected with an approved type septic tank properly installed as to meet Missouri State Health Department requirements.
- 2. Easement to Union Electric Company and Southwestern Bell Telephone Company is hereby reserved on all lots in said subdivision.
- 3. The owners of said lots shall elect two of their number to act as Trustees to maintain the roads within said subdivision. Said election shall take place on Jacuary 1st of each year at a place designated by the trustees whose terms are expiring. Said Trustees shall assess all property owners for the upkeep of the roads within said subdivision. In the event any property owner fails to pay such assessments within thirty (30) days after notice, said Trustees shall be empowered to file delinquent assessment for road purposes in the Recorder's Office of Franklin County, Missouri, which assessment shall thereafter be a lien upon the lot for which such assessment was made, and the Trustees shall be empowered to enforce payment of such lien by proper legal action and to recover their costs, including attorneys fees, for the enforcement of such assessment.
- 4. The Trustees shall not assess less than \$1.00 per month per lot as a road assessment.
- 5. All property owners of this subdivision shall have road easement rights to the main road over HILL TOP DRIVE.
- 6. The Trustees who shall serve until January 1, 1967, at which time there shall be an election under the provisions of Paragraph 3 of these restrictions, shall be Warren Wiele and Clyde H. Brinley.
- 7. No accumulation of trash, junk or other debris shall be allowed on any of said lots and any automobile which is not operable or is unlicensed to operate on the Highway of the State of Missouri shall be considered junk and shall not be allowed to remain on any of said lots.
- 8. The owners of eighty percent of the lots can amend or add to these restrictions at any time.

10. All residences must have a main floor area of (exclusive of porches and garages) of not less than 800 square feet and have solid continuous foundations of either stone, concrete block, concrete or brick. All buildings must have exterior portion constructed of new material except that used brick will be permitted.

1 183 m

No concrete block houses will be permitted. Roll tar paper or lar e amount of metal (except preformed dropped siding) shall not be used as roofing or m the outer exposed walling of any building. Roofs must be of approved man le type, residences must have the exterior portions completed and painted be one occurancy and exteriors must be completed within six months of start of construction. Basements only, or trailers shall not be used for living quarters.

- 11. All outbuildings shall be kept in a neat order and built of new material except used brick may be used.
- 12. No livestock shall be kept except cattle or horses.
- commercial
 13. No/dog kennels shall be permitted.
- 14. Culverts of sufficient capacity for the proper drainage of the roads or drives, must be installed by the lot owner at his expense, at all private entrances to his property.

Said Grantors and every person hereafter having any right, title or interest in any lot in said subdivision shall have the right to prevent or stop violations of any of said restrictions, by injunction or other lawful procedure, and to recover any damages resulting from such violation.

IN WITNESS WHEREOF, the Grantors have caused this Deed of Restrictions to be duly executed by them the day and year first above written.

STALWART ENTERPRISES, INC.

Vice President

STATE OF MISSOURI, COUNTY OF JEFFERSON On this / Jtday of James , 1966, before me appearedly to me personally known, who, being by me duly sworn, did say that he is the Vice-President of STALWART ENTERPRISES, INC. a corporation of the State , 1966, before me appeared of Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf Thinley acknowledged said instrument to be the free act and deed of said corporation.

IN ASST MONY WHEREOF, I have hereunto set my hand and affixed my official seal in the Sounty, and State the day and year first above written. SAL BY

.:

EUSON CO.

My term expires JAN. 18, 1969

STATE OF MISSOURI, { SS

I, Henry J. Tibbe, Recorder of Deeds, within and for said County and State, do bereby corrify that the foregoing instrument of writing was filed for record on the A. dey of 19 kb, at 10'clock 12 minutes P. M. and duly received on the 21'ay of Hand 1966, in Book 244, Page

IN TESTIMONY WHEREOF, I bercunto set my hand and affixed my official soul, at my office in Union, the date afor

Bensey Folkly Receiver of Danda

By Official Langes

AMENDMENT TO HILLVIEW ACRES SUBDIVISION

Whereas heretofore restrictions were filed of record in Book 244, page 885 of the Franklin County, Missouri records, which provided that said restrictions would remain in effect for a period of 25 years from date of June 13, 1966.

Now Therefore, we, the undersigned owners of lots in said subdivision, do hereby agree, upon the mutual agreement of the other lot owners, that said restrictions are hereby readopted by the undersigned and shall remain in force and effect for an additional term of 25 years from date hereof, and shall be automatically extended for additions terms of 5 years each, unless at anytime 80% of the lot owners shall agree in writing to alter, amend or repeal said restrictions, which shall be filed of record in the Office of the Recorder of Deeds of Franklin County, Missouri. It is further provided however, that in any event Paragraphs 3 and 4 of the original restrictions shall never be completely revoked unless the maintenance of Hill Top Drive/ would be taken over by a public entity.

(also known as Hillview Acres Drive)

In Witness Whereof the undersigned have executed the above and foregoing, this August $\mathcal{A}/$, 1991.

Wayne H. Calvin

Wayne H. Calvin

Myra L. Calv

DOBUSTE WIDE TRAILERS OR NON-PERMANENT STRUCTURES.

RECREATIONAL VALCES BELONGING TO THE PROPERTY OWERNERS

MAY BE STORED UPON THAT INDIVIDUALS PROPERTY, ADWEVER

THAT ARE NOT TO BE USED AS INVIDUALS

, 0,	10 96	. 0	200	45	L10112 6	QUAR
	4.C			St		(
	PB		l	car	'	131
	MEN			-	- 1	dil
	SMH		(A)	7		VI
		<u>4.c</u> PB	H.C. PB MEN	TEN C	HE SEE PB CLOW MEN Leve	HE ELEV PB LLEV MEN Leve.

SEAL SEAL