

RECORDED and INDEXED

1106

STATE OF MISSOURI
County of Warren
I hereby certify that this instrument was
FILED FOR RECORD

on May 31, 2002
at 11 o'clock 15 min A.M. and is
recorded in Book 1109 Page 540.

JERRI JORDAN
Ex-Officio Recorder of Deeds

By Deborah L Engeman
Deputy Recorder 29

BOOK 1109 PAGE 540



RESTRICTIONS FOR PRAIRIE HAVEN SUBDIVISION

May 30, 2002

Page 1

**Bret Bell, Ellen Bell & Philip Reid - 1840 Sapling, O'Fallon, MO 63366
of the County of Warren in the State of Missouri, Party (ies) of the First Part (Grantor)**

**Bret Bell, Ellen Bell & Philip Reid - 1840 Sapling, O'Fallon, MO 63366
of the County of Warren in the State of Missouri, Party (ies) of the Second Part (Grantee).**

A tract of land being all of the Southeast Quarter of the Northwest Quarter, part of the South Half of the Northeast Quarter, all in Section 36, Township 48 North, Range 3 West, and being described as follows: Beginning at an old stone at the center of Section 36; thence along the South line of the Southeast Quarter of the Northwest Quarter, North 87°- 32' West 1338.78 feet to an iron rod by an old post; thence along the West line of the Southeast Quarter of the Northwest Quarter, North 02°-07' East 1323.81 feet to an iron rod by an old post; thence along the North line of the Southeast Quarter of the Northwest Quarter, South 87°-35' East 1327.61 feet to an iron rod by an old post; thence along the North line of the South Half of the Northeast Quarter, South 87°-47' East 2,667.46 feet to an iron rod; thence along the West line of Missouri State Highway "W", South 03°-35' West 140.74 feet; thence along the curve to the left, 185.53 feet, said curve having a radius 2,894.90 feet, and a central angle of 03°-40'; thence South 00°-03' East 1018.89 feet to an iron rod; thence along the South line of the South Half of the Northeast Quarter, North 87°- 22' West 2,651.05 feet to place of beginning and containing 121.19 acres more or less.

The above described property comprises Prairie Haven Subdivision and shall be subject to the following restrictions and provisions:

- 1) No subdividing resulting in a lot of less than 3 acres.
- 2) One single family residence per lot of permanent construction. Minimum above ground living space of 1,700 square feet. Minimum of 1,000 square feet on first floor if more than one story. Construction of residence must be completed within 9 months of beginning. All residences must be approved to their design and location by the trustees prior to building.
- 3) Mobile homes, modular, manufactured or any type of prefab homes are not permitted.

- 4) No outbuildings may be constructed prior to completion of residence unless approved by a majority of the trustees. Outbuildings must be to the rear of the residence and approved by majority of the trustees to their design and location.
- 5) No structure of a temporary character, trailer, basement, tent, shack, garage or other outbuildings shall be used as a place of residence temporarily or permanently.
- 6) No animals, livestock or poultry of any kind shall be raised, bred or kept except two(2) dogs or cats provided they are not kept or bred for commercial purposes. No dog or cat shall be permitted by the lot owner to be off the lot of the owner unless on a leash. Up to one horse per every 2 fenced acres may be allowed. Horses may not be ridden on subdivision road. All wire and livestock fencing must be to the rear of the residence and no closer than 100 feet from the subdivision road. Other fencing may be allowed if approved by a majority of the trustees to its design and location.
- 7) Unlicensed motor vehicles other than construction or farm equipment shall not be operated on subdivision roads. Nor shall unlicensed drivers be permitted to operate motor vehicles on subdivision road.
- 8) No construction closer than 75 feet of the road easement or 50 feet of the property lines.
- 9) No unlicensed vehicles, salvage, dumping or other visible storage which constitute a nuisance or annoyance to the neighborhood.
- 10) Any vehicle larger than a standard size pickup truck, and any boats, trailers, or other miscellaneous vehicles other than operating cars and pickups, must be parked to the rear of the residence.
- 11) Lot owners shall keep their lots mowed on a reasonable schedule as not to create a nuisance to their neighbors. If this is not done trustees have the right to enter the lot to mow it and an assessment may be charged against the lot owner.
- 12) Lot owners whose lots border subdivision road shall be assessed \$150.00 per year for road maintenance . This assessment is subject to change by a 60% majority vote of the lot owners. At the time of purchase, each owner becomes jointly responsible for the cost of maintenance and for the cost of improvements on the road as originally constructed.
- 13) Special assessments may be approved by a 60% majority vote of the lot owners.
- 14) Any lot owner who owns two or more connecting tracts will be considered a single lot owner entitled to one vote and may be assessed as only one lot, except the developer, who will have one vote for each unsold lot.
- 15) Assessments are due within 30 days after notice. After the due date the assessments will bear a 10% per annum charge until paid, such assessment & interest shall constitute a lien upon said lot.

- 16) These provisions may be revised by a 60% vote of owners, one vote per lot owner.
- 17) Any owner who violates the restrictions may be subject to a suit for compliance by an individual owner at his own expense, or by the subdivision trustees, when so directed by a majority of owners at the expense of all lot owners. The undersigned have no obligation of enforcement of restrictions except in their capacity as lot owners.
- 18) The trustees will comprise of 3 in number and will be the governing body for the development. They shall have the right to prepare and enforce all reasonable rules and regulations for the enforcement of these restrictions and covenants; and they shall be authorized to grant variances with a 60% majority vote of the lot owners.
- 19) The first board of Trustees shall consist of Bret Bell, Ellen Bell and Philip Reid and shall serve until the first week of November, 2004. Afterwards a new board shall be elected for 3 year terms by the lot owners. The remaining trustees shall select a lot owner to fill any vacancy caused by resignation.
- 20) No road may be constructed or road easement granted connecting subdivision road to land outside the subdivision other than by the under signed developer.
- 21) No commercial businesses.

IN WITNESS WHEREOF, the Owners have set their hand this 30 day of May, 2002

[Signature]
Bret Bell

Ellen Bell
Ellen Bell

[Signature]
Philip A. Reid

STATE OF MISSOURI

COUNTY OF WARREN

ss. On this 30 day of May, 2002,
before me personally appeared

Bret Bell, Ellen Bell, Philip Reid

to me known to be the person or persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

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]
Pamela J. Brown - Notary Public

My term expires March 22, 2003

PAMELA J. BROWN
Notary Public - Notary Seal
STATE OF MISSOURI
Warren County
My Commission Expires: Mar. 22, 2003

RECORDED and INDEXED

00416

STATE OF MISSOURI

County of Warren

I hereby certify that this instrument was
FILED FOR RECORDon January 17, 2006
at 9 o'clock 00 min AM, and is
recorded in Book 1366 Page 422

JERRI JORDAN

Ex-Officio Recorder of Deeds

By Jenna J. Best
Deputy Recorder 30**RESTRICTIONS FOR PRAIRIE HAVEN SUBDIVISION**

January 1, 2006

**David Bayer, Arthur Wilke & Russell Vossenkemper – 121 Misty View Lane, St. Peters, MO.
63376 of the County of Warren in the State of Missouri, Party (ies) of the First Part (Grantor)**

**David Bayer, Arthur Wilke & Russell Vossenkemper – 121 Misty View Lane, St. Peters, MO.
63376 of the County of Warren in the State of Missouri, Party (ies) of the Second Part (Grantee)**

A tract of land being all of the Southeast Quarter of the Northwest Quarter, part of the South Half of the Northeast Quarter, all in Section 36, Township 48 North, Range 3 West, and being described as follows:

Beginning at an old stone at the center of Section 36; thence along the South line of the Southeast Quarter of the Northwest Quarter, North 87°-32' West 1338.78 feet to an iron rod by an old post; thence along the West line of the Southeast Quarter of the Northwest Quarter, North 02°-07' East 1323.81 feet to an iron rod by an old post; thence along the North line of the Southeast Quarter of the Northwest Quarter, South 87°-35' East 1327.61 feet to an iron rod by an old post; thence along the North line of the South Half of the Northeast Quarter, South 87°-47' East 2667.46 feet to an iron rod; thence along the West line of Missouri State Highway "W", South 03°-35' West 140.74 feet; thence along the curve to the left, 185.53 feet, said curve having a radius 2894.90 feet, and a central angle of 03°-40'; thence South 00°-03' East 1018.89 feet to an iron rod; thence along the South line of the South Half of the Northeast Quarter, North 87°-22' West 2651.05 feet to a place of beginning and containing 121.19 acres more or less.

The above described property comprises Prairie Haven Subdivision and shall be subject to the following restrictions and provisions:

- 1) **Lot Size** - No subdividing resulting in a lot of less than 3 acres.
- 2) **Residence Size** - One single-family residence per lot of permanent construction. Minimum above ground living space of 1,700 square feet. Minimum of 1,000 square feet on first floor if more than one story. Construction of residence must be completed within nine months of beginning.
- 3) **Residence Construction Type** - Mobile homes, modular, manufactured or any other type of prefabricated homes are not permitted.
- 4) **Outbuildings** - No outbuildings may be constructed prior to completion of residence unless approved by a majority of the trustees. Outbuildings must be to the rear of the front building line of the residence and approved by a majority of the trustees to their design and location.
- 5) **Other structures** - No structure of temporary character, trailer, basement, tent, shack, garage or other outbuilding shall be used as a place of residence, either temporarily or permanently.

- 6) **Animals & Fencing** - No animals, livestock or poultry of any kind shall be raised, bred or kept except four (4) dogs or cats provided they are not kept or bred for commercial purposes. No dog or cat shall be permitted by the lot owner to be off the lot of the owner unless on a leash. Up to one horse per every 2 fenced acres may be allowed. Horses may not be ridden on subdivision road. All wire and livestock fencing must be to the rear of the residence and no closer than 75 feet of the road easement. Other fencing may be allowed if approved by a majority of the trustees to its design and location.
- 7) **Vehicles, On Road** - Unlicensed motor vehicles other than construction or farm equipment shall not be operated on subdivision roads. Nor shall unlicensed drivers be permitted to operate motor vehicles on subdivision road.
- 8) **Construction Distances** - No construction, other than fencing, closer than 75 feet of the road easement or 50 feet of the property lines.
- 9) **Nuisances** - No unlicensed vehicles, salvage, dumping or other visible storage which constitute a nuisance or other annoyance to the neighborhood will be allowed.
- 10) **Vehicles, Parking** - Any vehicle larger than a standard size pickup truck, and any boats, trailers, or other miscellaneous vehicles other than operating cars and pickups, must be parked to the rear of the front building line of the residence.
- 11) **Grass Mowing, Penalty** - Lot owners shall keep their lots mowed on a reasonable schedule as not to create a nuisance to their neighbors. If this is not done, the trustees have the right to enter the lot to mow it and an assessment may be charged against the lot owner.
- 12) **Annual Association Assessment** - All lot owners, with the exception of the owner of lot #8, shall be assessed an annual association fee of \$175.00. The owner of lot #8, whose lot does not border the subdivision road and is therefore not required to contribute to the cost of maintaining the subdivision road, will be assessed 15% of the total annual association fee. This assessment is subject to change by a 60% majority vote of the lot owners. At the time of purchase, each owner whose lot borders the subdivision road becomes jointly responsible for the cost of maintenance of the road and for the cost of improvements on the road as originally constructed.
- 13) **Special Assessments** - Special assessments may be approved by a 60% majority vote of the lot owners.
- 14) **Voting** - Any lot owner who owns two or more connecting tracts will be considered a single lot owner entitled to one vote and may be assessed as only one lot.
- 15) **Assessment Due Dates, Penalty** - Assessments are due within 30 days after notice. After the due date the assessments will bear a 10% per annum charge until paid. Such assessment and interest shall constitute a lien upon said property.
- 16) **Revising Provisions** - These provisions may be revised by a 60% vote of owners, one vote per lot owner.
- 17) **Violation Of Restrictions** - Any owner who violates the restrictions may be subject to a suit for compliance by an individual lot owner at his own expense, or by the subdivision trustees, when so directed by a 60% majority of owners, at the expense of all lot owners. The undersigned have no obligation of enforcement of restrictions except in their capacity as lot owners.
- 18) **Trustees** - The trustees will comprise of 3 in number and will be the governing body for the subdivision. They shall have the right to prepare and enforce all reasonable rules and regulations for the enforcement of these restrictions and provisions; and they shall be authorized to grant variances with a 60% majority vote of the lot owners.

- 19) **Trustee Elections** - The board of trustees shall be elected for 3-year terms by the lot owners. The remaining trustees shall select a lot owner to fill any vacancy caused by resignation. The first such election took place January, 2005.
- 20) **No Additional Roads** - No road may be constructed or road easement granted connecting subdivision road to land outside the subdivision.
- 21) **Businesses** - No commercial businesses will be allowed. This restriction is not subject to variance.
- 22) **Roadside Ditch Maintenance** - Lot owners whose lots border the subdivision road are responsible for all maintenance of the roadside rainwater runoff ditches, to the extent that any erosion of the ditches does not potentially adversely affect the structural integrity of the roadway. If this is not done, the trustees have the right to enter the lot to repair the ditch and an assessment may be charged against the lot owner.

Prairie Haven Subdivision Association Trustees:



 David Bayer



 Arthur Wilke



 Russell Vossenkemper

State of MISSOURI County of WARREN

On this 5th day of January, 2006, before me personally appeared DAVID BAYER, ARTHUR WILKE AND RUSSELL VOSSenkEMPER to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed as trustees of PRAIRIE HAVEN SUBDIVISION PROPERTY OWNERS ASSOCIATION.

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.



 Notary Public

My term expires: AUG 26, 2006

CAROL LUETKEMEYER
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Warren County
 My Commission Expires: Aug. 26, 2006