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MODIFICATION AND AMENIMENT OF RESTRICTIONS, CONDITIONS
AND BUILDING LINES - TOWN & COUNTRY SOUTH

WHEREAS, by plat recorded in Plat Book 120 Pages 44 and 45, and by Indenture of Restrictions recorded in Book 6091 Page 388 of the St. Louis County Records, the building lines, restrictions and conditions were created and established to govern and benefit the subdivisions of the real estate described therein to be known as Town & Country South Plats One, Two, Three, etc.;

AND WHEREAS, E. Berninger is still the owner of all of the real estate described in said Indenture of Restrictions, except a few lots in Town & Country South Plat One, and is desirous of the modification and amendment of the building lines, restrictions and conditions created and established as aforesaid;

NOW THEREFORE, E. Berninger does by these presents modify and amend the building lines, restrictions and conditions created and established as aforesaid, as follows:

Section I titled "Designation And Selection Of Trustees-Meetings Of Lot Owners" of Indenture of Restrictions recorded in Book 6091 Page 388 of the St. Louis County Records is hereby revoked and cancelled in its entirety and the following Section inserted in lieu thereof:

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I.

DESIGNATION AND SELECTION OF TRUSTEES
MEETINGS OF LOT OWNERS

STATE OF MISSOURI) ss
COUNTY OF ST. LOUIS)
FILED FOR RECORD

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Board of Trustees. A Board of Trustees consisting of Gene L. Vescovo, Robert E. Vescovo, and Robert E. Vescovo, is hereby established, each of said persons to serve for a term of three (3) years. Said Trustees shall elect a Chairman of the Board of Trustees, whose office shall terminate upon the conveyance by E. Berninger or her nominees, G & B Land Development Company and Vescovo Building & Realty Company, of all their right, title and interest in and to all of the above described property. Should any of the said Trustees die, refuse to act, or become incapable of acting during his term of office, the surviving Trustees shall appoint a successor Trustee in his stead; provided, however, that in the event a Trustee fails to attend two (2) consecutive meetings of the Board of Trustees, after reasonable notice thereof, the Chairman of the Board of Trustees shall have the power, in his sole discretion, to appoint a new Trustee to serve in the place of said absent Trustee. At the expiration of the terms of office of Gene L. Vescovo, Berenice Vescovo and Robert E. Vescovo, they shall automatically be reaffirmed for successive terms of one (1) year each so long as E. Berninger or her nominees, G & B Land Development Company and Vescovo Building & Realty Company, retains title to any of the above described property. In the event E. Berninger, or her nominees, G & B Land Development Company and Vescovo Building & Realty Company, shall transfer all their right, title and interest in and to all of the above described property, then the terms of office of said Gene L. Vescovo, Berenice Vescovo and Robert E. Vescovo,

shall automatically thereupon expire, and the owners of the lots in the subdivision shall cause an election to be held to fill the vacancies caused by the automatic expiration of the terms of office of the said Trustees, and the new Trustees shall hold offices for terms of one, two and three years respectively. Thereafter, the office of a Trustee, on becoming vacant for any reason whatsoever, shall be filled by election held by the lot owners within the subdivision. Notice of meeting for holding of any such election shall be mailed first-class to the last known mailing address of each owner at least five days prior to any such meeting. The owner or owners of property shall be entitled to one vote for each lot owned by him, her, or it or them, and the person or persons receiving a majority of the votes cast shall be declared elected, and shall serve for the terms decided on at the election.

Paragraph "D" under Section IV titled "Restrictions," of Indenture of Restrictions recorded in Book 6091 Page 388 of the St. Louis County Records is hereby revoked and cancelled in its entirety and the following paragraph inserted in lieu thereof:

"D. No building shall be located on any lot nearer to the front lot line or nearer to the side street line than twenty (20) feet. No building shall be located nearer than 6 feet to an interior lot line, except that no side yard shall be required for a garage or other permitted accessory building located 30 feet or more from the minimum building setback line. No dwelling shall be located on any interior lot nearer than 20 feet to the rear lot line, for the purpose of this covenant, eaves, steps and open porches shall not be considered as part of a building, provided, however, that this shall not be construed to permit any portion of a building, on a lot to encroach upon another lot."

Building lines as shown on plat recorded in Plat Book 120 Pages 44 and 45 of the St. Louis County Records are hereby reduced from thirty (30) feet to twenty (20) feet.

Any of the terms and conditions of Indenture of Restrictions recorded in Book 6091 Page 388 of the St. Louis County Records which may be in conflict with this instrument are hereby revoked and cancelled.

IN WITNESS WHEREOF, the undersigned has set her hand this 31 day of

July, 1968.

E. Berninger
E. Berninger.

STATE OF MISSOURI)

COUNTY OF ST. LOUIS) ss

On this 31 day of July, 1968, before me personally appeared E. BERNINGER, to me known to be the person described in, and who executed the foregoing instrument, and acknowledged that she executed the same as her 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.

My term expires: Aug 21 1969

The undersigned Trustees join in this instrument to evidence their acceptance hereof.

Gene L. Vescovo
Gene L. Vescovo

Berenice Vescovo
Berenice Vescovo

Robert E. Vescovo
Robert E. Vescovo

STATE OF MISSOURI }
COUNTY OF ST. LOUIS } ss.

On this 31 day of JULY, 1968, before me personally appeared GENE L. VESCOVO, BERENICE VESCOVO and ROBERT E. VESCOVO, Trustees, 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.

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.



Charmayne Nichols
Notary Public