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FOURTH AMENDMENT TO THE INDENTURE OF TRUST AND RESTRICTIONS WINDING TRAILS SUBDIVISION ST. LOUIS COUNTY, MISSOURI

RECORDED]ss
FOR RECORD
AUG-9 11:11:00

This Fourth Amendment to the Indenture of Trust and Restrictions, Winding Trails Subdivision, St. Louis County, Missouri made and entered this 16th day of September, 1983.

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WHEREAS, a certain Indenture of Trust and Restrictions, Winding Trails Subdivision, St. Louis County, Missouri, ("Indenture of Trust") has heretofore been filed and recorded in Book 7166, Pages 1366 et. seq., of the St. Louis County Records; and

WHEREAS, said Indenture of Trust has heretofore been three times amended and said amendments are recorded in Book 7238, Pages 765-70, and Book 7383, Pages 1874-78, and Book 7400, Pages 546-52 of the St. Louis County Records; and

WHEREAS, said Indenture of Trust covers a certain parcel of real property as set out therein, and other property that may thereafter be made subject to the Indenture of Trust; and

WHEREAS, said Indenture of Trust provides for the same to be amended in Article 7, subparagraph 19 by the record owners of two-thirds (2/3) of the lot owners; and

WHEREAS, the undersigned, owning more than two-thirds (2/3) of the lots in fee simple, included under the Indenture of Trust, desire to amend said Indenture in order to make further provisions relating to the recreational area and facilities to be constructed as set forth in the Third Amendment to said Indenture of such Trust.

NOW, THEREFORE, said Indenture of Trust is amended as follows:

I

There shall be added to Article VIII (as set out in the Third Amendment to the Indenture of Trust) a new paragraph said paragraph to be identified as paragraph 7 and to read as follows:

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7. Other Members The Trustees, in their sole discretion, may sell memberships (outside memberships) in the recreation facilities to be created under this Article VIII to individuals

or families, not to exceed 35 in number, and such individuals and families need not be residents and lot owners in Winding Trails Subdivision. The Trustees may not exercise this power to sell such outside membership until one year from date of opening of the recreation area and facilities; after said date the Trustees may begin to sell outside memberships for such period until 35 in number have been sold.

Outside Memberships shall pay the same membership fee and same annual maintenance fee as required of lot owners and such fees shall be subject to change as set out in paragraph 6 of this Article VIII: thereafter such memberships shall have all the rights and privileges accorded other memberships.

Outside Memberships may be terminated by the member voluntarily at any time and no further annual maintenance fee shall then be due; provided however the membership fee shall not be refundable in whole or in part at any time.

II

There shall be added to the Indenture of Trust a new Article setting forth certain miscellaneous provisions pertaining to the administration of the recreation area created under the Third Amendment to the Indenture of Trust, said Article to be designated as Article IX and to read as follows:

IX

MISCELLANEOUS PROVISIONS

1. Non-owner Occupants. Any occupant, individual or family, that is not the owner of the residence so occupied shall have the same rights of use of the recreation facilities as the owner of such lot so long as all fees are paid currently; provided however the owner of said lot in whose name the membership is held shall not have use of said membership for the period in which he is not occupying the residence if the occupant thereof is enjoying the use of the facilities as provided for herein.

2. Trustees Power. The Trustees shall have authority to make additional rules and regulations pertaining to the use and

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enjoyment of the recreation area and facilities to insure the orderly use of such facilities and to provide for the cost of maintenance and upkeep of the facility.

III

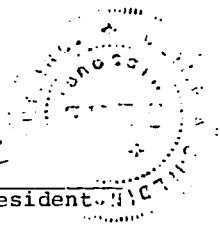
REAFFIRMATION

All other terms, conditions, restrictions, requirements and covenants of the Indenture of Trust and Restriction, Winding Trails Subdivision are hereby reaffirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned, owners of fee simple title to more than two-thirds (2/3) of the lots of Winding Trails Subdivision as set out in the records of St. Louis County, Missouri hereby executed this Third Amendment to the Indenture of Trust and Restrictions, Winding Trails Subdivision, the day and year first above written.

OLYMPIA BUILDING COMPANY,
A Corporation

BY: Charles Liebert
CHARLES LIEBERT, President



ATTEST:

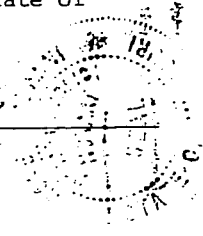
Richard M. ...
Secretary

STATE OF MISSOURI)
) SS.
COUNTY OF ST. LOUIS)

On this 25th day of July, 1983, before me appeared CHARLES LIEBERT to me personally known who being by me duly sworn stated that he is the President of OLYMPIA BUILDING COMPANY, a Corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the Corporate Seal of said Corporation, and that the said instrument was signed and sealed on behalf of said Corporation, by authority of the Board of Directors in that said CHARLES LIEBERT acknowledged said instru-

affixed my official seal in the County of St. Louis, State of Missouri, the day and year first above written.

Rose Dalanni
Notary Public
Rose DALANNI



My Commission Expires:

January 5, 1984

The foregoing Third Amendment to the Indenture of Trust and Restrictions, Winding Trails Subdivision, is hereby certified, accepted and approved by the undersigned Trustees.

Charles Liebert
Trustee CHARLES LIEBERT
Richard M. Manlin
Trustee RICHARD M. MANLIN
William A. Hueppauff
Trustee WILLIAM A. HUEPPAUFF

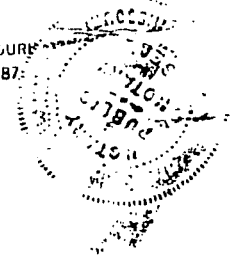
STATE OF MISSOURI)
) SS.
COUNTY OF ST. LOUIS)

On this 25th day of July, 1983, before me appeared RICHARD M. MANLIN, CHARLES LIEBERT, and WILLIAM A. HUEPPAUFF, to me known to be the persons described herein and who executed the foregoing instrument, and being duly sworn, did say that they are the present Trustees of Winding Trails, a Subdivision located in the County of St. Louis, State of Missouri, and that they executed said instrument as the Trustees of said subdivision and acknowledged that they executed the same as their free act and deed of said subdivision.

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.

Diane J. Viehmann
Notary Public

DIANE J. VIEHMANN
NOTARY PUBLIC, STATE OF MISSOURI
MY COMMISSION EXPIRES 4/23/87
ST. LOUIS COUNTY



My Commission Expires:

April 23, 1987