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

This Second Amendment to the Indenture of Trust and Restrictions,  
Winding Trails Subdivision, St. Louis County, Missouri made and  
entered this 11<sup>th</sup> day of January, 1982.

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  
First Amendment recorded in Book 7238 Page 765.  
Page 1366 6A of the St. Louis County Records; and

WHEREAS, said Indenture of Trust covers a certain parcel of  
real property as set out therein; and

WHEREAS, said Indenture of Trust provides for the same to be  
amended 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.

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

I

TRUSTEES' DUTIES AND POWERS

RECORDED FOR RECORD  
JAN 22 PM 1:54

Article IV subparagraph 7) of the Indenture of Trust is hereby  
amended to read as follows:

"7). To consider, approve or reject any and all plans and  
specifications or structures, fences, detached buildings, out-  
buildings, accessor buildings, swimming pools or tennis courts,  
proposed for construction and erection in the initial develop-  
ment of said lots, provided however, said Trustees shall not  
have the foregoing powers and duties as set out in this sub-  
paragraph 7 of Article IV as to the lots of Winding Trails  
Subdivision located and developed on the real property set forth  
and described in Exhibit 1 attached hereto and made a part hereof  
by reference and hereinafter referred to as the 'excluded parcel'.

The lots and property comprising the excluded property shall  
however be developed in accordance with all the terms, restric-  
tions, requirements and conditions set forth throughout this  
Indenture and shall strictly comply therewith, and said lots  
and property shall be developed in a manner that blends aestheti-

See  
Third  
Amendment  
  
See  
Sixth  
Amendment

cally with the other lots and property of Winding Trails Subdivision. In the event that one or more lots or any part of the excluded property is not developed in accordance with the terms, restrictions, requirements and conditions of this Indenture of Trust or that same are developed in a manner that does not blend aesthetically with the other lots and property of Winding Trails Subdivision, the Trustees hereunder shall be empowered to seek legal sanctions on such development by any means available to them, including but not limited to equitable relief to enjoin the development or further development insofar as same does not comply and adhere to the terms of this Indenture and all parts thereof.

The Trustees as to all of the lots and property of Winding Trails Subdivision, none excluded, shall have the right, power and authority to consider, approve or reject any and all plans and specifications for any and all proposed additions to any of the buildings or improvements located on the lots and property of the Subdivision, and to all alterations in the external appearance of buildings already constructed, it being provided that no buildings or structures, fences, detached buildings, outbuildings, accessory buildings, swimming pools, tennis courts or other structures may be erected or structurally altered on any of said lots unless there shall be first had the written approval of a majority of the Trustees to the plans and specifications therefor and to the grade proposed therefor. In the event the Trustees fail to approve or disapprove within thirty (30) days after building plans or other specifications for fences, swimming pools or tennis courts, accessory buildings and other outbuildings, or any other matters covered by this subparagraph 7, have been submitted to them hereunder, approval will not be required and the related restrictions shall be deemed to have been fully complied with, EXCEPT THAT the First Party shall not be governed by the terms and provisions of this Paragraph and First Party may construct any building structure that it may

desire or make alterations in existing structures owned by it, so long as it complies with the ordinances of St. Louis County.

The Trustee shall have the power to grant such set back variances as they deem necessary."

II

REAFFIRMATION

All other terms, conditions, restrictions, requirements and covenants of the Indenture of Trust and Restrictions, 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 execute this Second 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. Manli  
Secretary

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

O. this 27th day of January, 1982, 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 in behalf of said Corporation, by authority of the Board of Directors in that said Charles Liebert acknowledged said instrument to be the

free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County of St. Louis, State of Missouri the day and year first above written.

Diane J. Vickmann  
Notary Public  
DIANE J. VICKMANN



My Commission Expires:

April 23, 1983

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

Charles Liebert  
Trustee **CHARLES LIEBERT**

William A. Hueppauff  
Trustee **WILLIAM A. HUEPPAUFF**

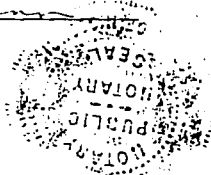
Richard M. Manlin  
Trustee **RICHARD M. MANLIN**

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

On this 21st day of January, 1982, 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. Vickmann  
Notary Public  
DIANE J. VICKMANN



My Commission Expires:

April 23, 1983

The foregoing <sup>Second</sup> Amendment to the Indenture of Trust  
and Restrictions, Winding Trails Subdivision, St. Louis County,  
Missouri is hereby approved.

DIRECTOR OF PLANNING,  
ST. LOUIS COUNTY, MISSOURI

BY: *Alvin A. Jansen*  
*Dec 2 1978*

# Lawyers Title Insurance Corporation

Home Office - Richmond, Virginia

SCHEDULE \_\_\_\_\_ cont'd.

PARCEL 1: A tract of land in Sections 25 and 36, Township 45 North, Range 3 East, St. Louis County, Missouri and being more particularly described as follows: Beginning at the Southeast corner of a tract of land conveyed to Viola Eschbrenner, as recorded in deed book 6594 page 1156 of the St. Louis County Record; thence North 0 degrees 53 minutes 42 seconds East, 1335.92 feet; thence North 1 degree 17 minutes 30 seconds East, 1341.34 feet; thence South 89 degrees 09 minutes 22 seconds East, 1201.43 feet; thence South 21 degrees 36 minutes 12 seconds West, 853.67 feet; thence South 12 degrees 46 minutes 11 seconds West, 302.10 feet; thence South 3 degrees 58 minutes 54 seconds East, 205.03 feet; thence South 86 degrees 01 minute 06 seconds West, 156.49 feet; thence South 1 degree 01 minute 06 seconds West, 409.31 feet; thence South 33 degrees 01 minute 10 seconds East, 157.21 feet; thence South 86 degrees 10 minutes 07 seconds West, 36.47 feet; thence South 32 degrees 48 minutes 59 seconds East, 549.00 feet; thence South 2 degrees 18 minutes 59 seconds East, 723.21 feet; thence South 49 degrees 13 minutes 40 seconds West, 267.25 feet; thence South 80 degrees 12 minutes 32 seconds West, 698.90 feet; thence South 65 degrees 51 minutes 48 seconds West, 137.93 feet; thence South 65 degrees 51 minutes 48 seconds West, 201.53 feet; thence South 21 degrees 01 minute 38 seconds East, 251.38 feet; thence along a curve to the right, having a radius of 695 feet, an arc length of 11.24 feet whose chord bears South 89 degrees 26 minutes 10 seconds West, 11.238 feet; thence South 20 degrees 06 minutes 02 seconds East, 216.47 feet; thence South 26 degrees 41 minutes 25 seconds West, 117.86 feet; thence North 88 degrees 40 minutes 50 seconds West, 1340.85 feet; thence North 1 degree 45 minutes 33 seconds East, 1345.76 feet; thence South 88 degrees 43 minutes 23 seconds East, 1330.94 feet to the point of beginning.

The above described tract of land contains in aggregate 111.434 acres, more or less.

PARCEL 2: A tract of land in Section 31, Township 45 North, Range 4 East in St. Louis County, Missouri and includes part of Lot 1 of Ephraim Barber Estates, Partition being more particularly described as follows: Beginning at the intersection of the East line of said Lot 1 of Ephraim Barber Estate Partition, with the South right-of-way line of Stracker Road; thence South 1 degree 04 minutes 19 seconds West, along the East line of said Lot 1, a distance of 1093.43 feet to a point; said point being the Southeast corner of said Lot 1; thence North 89 degrees 13 minutes 14 seconds West, along the South line of said Lot 1, a distance of 1101.08 feet to a point; thence North 1 degree 19 minutes 14 seconds East, 352.00 feet; thence North 88 degrees 40 minutes 46 seconds West, 99.81 feet; thence North 0 degrees 02 minutes West, 717.28 feet to a point; thence North 89 degrees 42 minutes East, 263.57 feet to a point; thence along the arc of a curve to the right having a radius of 690.00 feet and an arc length of 194.75 feet to a point; thence along a curve to the left having a radius of 260 feet and an arc length of 443.52 feet to a point; thence North 18 degrees 38 minutes 30 seconds East, 88.33 feet to the South line of the aforementioned Stracker Road; thence along said line South 64 degrees 42 minutes East, 227.73 feet to a point; thence continuing along said South line 56 degrees 23 minutes East, 77.50 feet to the point of beginning.

The above described tract of land contains in aggregate 28.72 acres, more or less.

Schedule \_\_\_\_\_ Page \_\_\_\_\_ 2 No. DC297754

035-1-899-0040-1

EXTRA COPY

BOOK 7383 PAGE 1879

# Lawyers Title Insurance Corporation

Home Office - Richmond, Virginia

SCHEDULE \_\_\_\_\_ cont'd.

**PARCEL 3:** A tract of land in Section 30, Township 45 North, Range 4 East, St. Louis County, Missouri and being more particularly described as follows: Beginning at the Southeastern property corner of a tract of land conveyed to Catherine Moulihan as recorded in Deed Book 6525 page 503 of the St. Louis County Records, thence along the Western line of a tract of land conveyed to the City of Ellisville as recorded in Deed Book 5348 page 432 of the St. Louis County records, South 1 degree 05 minutes 01 second West, 654.42 feet; thence South 44 degrees 40 minutes 25 seconds West, 108.69 feet; thence North 1 degree 05 minutes 01 second East, 733.10 feet to a point on the Southern line of the aforementioned Moulihan tract; thence along said Southern line, South 88 degrees 57 minutes 05 seconds East, 74.94 feet to the point of beginning.

The above described tract of land contains in aggregate 1.1935 acres, more or less.

**PARCEL 4:** A tract of land in Section 30, Township 45 North, Range 4 East, St. Louis County, Missouri, and being more particularly described as follows: Beginning at the Southwestern property corner of the tract of land conveyed to the City of Ellisville as recorded in Deed Book 5348 page 432 of the St. Louis County records; thence North 88 degrees 40 minutes 40 seconds West, 80.54 feet; thence North 11 degrees 32 minutes 42 seconds West, 162.41 feet; thence North 74 degrees 14 minutes 28 seconds West, 125.00 feet; thence North 15 degrees 45 minutes 32 seconds East, 102.23 feet; thence along a curve to the right having a radius of 470 feet and an arc length of 237.19 feet; thence North 44 degrees 40 minutes 25 seconds East, 140.43 feet to a point in the Western line of the aforementioned City of Ellisville tract; thence along said Western line, South 1 degree 05 minutes 01 seconds West, 556.09 feet to the point of beginning.

The above described tract of land contains in aggregate 1.886 acres, more or less.

**PARCEL 5:** A tract of land in the Northeast quarter of the Northwest quarter of Section 31, Township 45 North, Range 4 East, St. Louis County, Missouri and being more particularly described as follows: Beginning at the intersection of the Southern property line of a tract of land conveyed to the City of Ellisville as recorded in Deed Book 5348 page 432 of the St. Louis County Records with the Southern right-of-way line of Strecker Road; thence along the Southern right-of-way line of Strecker Road, South 64 degrees 39 minutes 24 seconds East, 148.88 feet; thence South 83 degrees 13 minutes 41 seconds East, 169.57 feet; thence South 63 degrees 26 minutes 41 seconds East, 74.57 feet; thence leaving said Southern right-of-way line, South 19 degrees 53 minutes 49 seconds West, 88.33 feet; thence along the curve to the right having a radius of 260 feet and an arc length of 433.52 feet whose chord bears South 67 degrees 39 minutes 51 seconds West, 385.018 feet to a point of reverse curvature; thence along a curve to the left having a radius of 690 feet and an arc length of 121.34 feet whose chord bears North 69 degrees 36 minutes 25 seconds West, 121.185 feet; thence North 82 degrees 48 minutes 33 seconds East, 73.10 feet; thence North 0 degrees 30 minutes 26 seconds East, 296.08 feet to a point in the Southern property line of the aforementioned City of Ellisville Tract; thence along said Southern line, South 88 degrees 57 minutes 05 seconds East, 55.00 feet to the point of beginning.

The above described tract of land contains in aggregate 2.644 acres, more or less.

Schedule \_\_\_\_\_ Page 3 No. **HC297754**

035-1-999-0040-1

END OF DOCUMENT

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BOOK 7383 PAGE 1880

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