

Boone County, Missouri

Unofficial Document 712

Filed for record on June 29 1909 at 2:10 o'clock P.M. in Boone Co. Mo.
Document No. 663 recorded in Book 229 page 712. Bette Johnson, Recorder of Deeds

FIRST MODIFICATION OF AMENDED PROTECTIVE COVENANTS

OF A PART OF SHALIMAR GARDENS, BLOCK I

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, the undersigned constitute more than two-thirds (2/3) of the owners of the following described real estate situated in Boone County, Missouri, to-wit:

Lots Five (5) through Forty-six (46) of Shalimar Gardens, Block I, as shown by plat recorded in Plat Book 11, Page 126, Records of Boone County, Missouri.

WHEREAS, said lots are subject to the Amended Protective Covenants of a part of Shalimar Gardens, Block I, recorded in Book 616, Page 531, Deed Records of Boone County, Missouri; and

WHEREAS, the undersigned desire to modify the provisions of paragraph 3 of said Protective Covenants by revoking the same and adopting new provisions for paragraph 3; and

WHEREAS, the provisions of paragraph 29 of said Protective Covenants provide that the same may be modified upon the written consent of the owners of two-thirds (2/3) of the lots then subject to said Protective Covenants.

NOW, THEREFORE, the undersigned, being the owners of more than two-thirds (2/3) of the above-described lots, do hereby modify the provisions of said Protective Covenants in the following respects, to-wit:

1. That all of the provisions of paragraph 3 of the afore-said Protective Covenants are hereby abrogated, revoked and deleted and in the place and stead of said provisions the following paragraph 3 is hereby substituted, adopted and made a part of said Protective Covenants, to-wit:

3. No building or other structure shall be located closer to the front or side lot line than the building line shown on the plat of the subdivision. No building shall be located nearer to any interior side lot line or any rear lot line than permitted by the Rules, Regulations and Ordinances of Boone County, Missouri. For the purpose of this restriction, eaves, steps and open porches shall not be considered as a part of a building.

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2. That the aforesaid Protective Covenants recorded in Book 616, Page 531, Deed Records of Boone County, Missouri shall remain and continue in full force and effect except as modified herein.

3. This modification shall be binding upon the current and future owners of all of the above-described lots.

IN WITNESS WHEREOF, the undersigned have hereunto executed this Modification Agreement this 29th day of June, 1989.

OWNERS

[Signature]
LARRY W. BENTON
[Signature]
CECILIA A. BENTON

STATE OF MISSOURI)
) SS.
COUNTY OF BOONE)

On this 29th day of June, 1989, before me personally appeared LARRY W. BENTON and CECILIA A. BENTON, husband and wife, known to me 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, at my office in Columbia, Missouri, the day and year first above written.

PUBLIC
NOTARY
My commission expires:
October 10, 1992

[Signature]
Notary Public
BARBARA C WINN

MORTGAGEE'S CONSENT TO FIRST MODIFICATION OF PROTECTIVE COVENANTS

The undersigned, Century State Bank,
being the holder of the Note secured by a Deed of Trust on a part
of the above-described real estate recorded in Book 599, Page
589, Deed of Trust Records of Boone County, Missouri, does hereby

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consent and agree to the foregoing First Modification of Amended Protective Covenants of a Part of Shalimar Gardens, Block I and does hereby subordinate said Deed of Trust to said First Modification.

Dated this 29th day of June, 1989.

CENTURY STATE BANK
BY: [Signature]
President David B. Keller

[Signature]
Secretary Jerome C. Sinesfield

STATE OF MISSOURI)
COUNTY OF BOONE) SS.

On this 29th day of June, 1989, before me appeared David B. Keller, to me personally known, who, being by me duly sworn, did say that he is the President of Century State Bank, 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 said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors and the said President 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, at my office in Columbia, Missouri, the day and year first above written.

My commission expires:
May 8, 1990

[Signature]
Notary Public Mary Nistendirk

State of Missouri)
County of Boone) Sec.

I, the undersigned Recorder of Deeds of said County and State do hereby certify that the foregoing instrument of writing was filed for record in my office on the 29 day of June, 19 89 at 2 o'clock 10 minutes P M and is truly recorded in Book 729 Page 712

Witness my hand and official seal on the day and year aforesaid.

[Signature]
Deputy

