

**SEVENTH AMENDMENT TO THE
DECLARATION OF TRUST AND RESTRICTIONS
OF INNSBROOK ESTATES SUBDIVISION
OF WARREN COUNTY, MISSOURI**

THIS, Seventh Amendment to Declaration of Trust and Restrictions of the Innsbrook Estates Subdivision of Warren County, Missouri (“Amendment”) made and entered into this 12th day of April 2010, by The Innsbrook Corporation, a corporation of the State of Missouri, hereinafter referred to as “Developer” and Innsbrook Owners Association, Inc., a not for profit corporation of the State of Missouri, hereinafter referred to as “Trustee”,
WITNESSETH THAT:

WHEREAS, on the 30th day of June, 1980, the Aspenhof Corporation, a Corporation organized under the laws of the State of Missouri, as the developer, caused to be recorded the Declaration of Trust and Restrictions of Innsbrook Estates Subdivision in Warren County, Missouri in Book 237 Page 198 in the Warren County Recorder’s Office; and

WHEREAS, said Declaration of Trust and Restrictions were amended by instrument dated October 26, 1982, and recorded in Book 263 page 525 of the Warren County Records; and

WHEREAS, said Declaration of Trust and Restrictions were amended by instrument dated December 12, 1983, and recorded in Book 274 page 751 of the Warren County Records; and

WHEREAS, said Declaration of Trust and Restrictions were amended by instrument dated February 2, 1988, and recorded in Book 409 page 291 of the Warren County Records; and

WHEREAS, said Declaration of Trust and Restrictions were subsequently further amended by instruments recorded in Book 497 page 71, and Book 657 page 347 of the Warren County Records; and

WHEREAS, said Declaration of Trust and Restrictions were amended by instrument dated November 27, 1997, and recorded in Book 841 page 80 of the Warren County Records; and

WHEREAS, said Declaration of Trust and Restrictions were amended by instrument dated October 10, 2006, and recorded as Document number 200608620 of the Warren County Records; and

WHEREAS, said Declaration of Trust and Restrictions were amended by instrument dated June 05, 2009, and recorded as Document number 200903554 of the Warren County Records; and

WHEREAS, The Innsbrook Corporation and the Innsbrook Owners Association, Inc. have agreed to execute, and have recorded in the Warren County Records, a Seventh Amendment to the Indenture of Trust and Restrictions of the Innsbrook Estates Subdivision, whose terms and provisions are deemed acceptable and satisfactory by the Innsbrook Owners Association, Inc.;

NOW, THEREFORE, Article IV Restrictions, the following sections is hereby amended as follows:

Section 4.12: “Off-the-road” vehicular activity shall not be operated within the Subdivision other than an area specifically provided for such type of recreation. Any permitted vehicles, including Utility Vehicles and Golf Carts, are permitted only on the roads within the Subdivision and the vehicle owner’s property within the Subdivision.

Section 4.13: Vehicles permitted and prohibited.

(A) The following vehicles, as defined by the Missouri Revised Statutes as amended from time to time, are prohibited from operation within the Subdivision:

(1) “All-terrain vehicle” (“ATV”), any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and/or handlebars for steering control;

(2) “Motorized bicycle” and/or any two-wheeled or three-wheeled device having a motor that is not registered or improperly registered and licensed by a government regulatory agency.

(B) The following vehicles, as defined by the Missouri Revised Statutes as amended from time to time (or any other appropriate section), are permitted for operation within the Subdivision:

(1) “Utility vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of one thousand eight hundred fifty pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

(2) “Golf cart”, a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of twenty miles per hour [Note: Missouri Revised Statutes do not specifically define “golf cart” at this time; however, the Missouri Legislature during 2009 session of the 95th General Assembly in Senate Bill 67 (SB-67) cited the above-referenced definition].

(3) “Motorcycles”, which shall be properly registered and licensed with an appropriate state governmental regulatory agency.

(C) Not contrary to the provisions of this Section, any vehicles, including all-terrain vehicles, owned an operated by maintenance or utility department of the Trustee and/or the Developer are permitted within the Subdivision.

Section 4.14: Vehicle requirements

1. Driver must have a valid government issued driver license or be a minimum of sixteen (16) years of age; and
2. Vehicle must have minimum state-required liability insurance coverage; and
3. Vehicle must have a sufficient and operable muffler; and
4. Nighttime driving requires lights (fixed or portable) and reflectors.

Section 4.15: Watercraft restrictions

1. Motorized Personal Watercraft (PWC or “Jetskis”) are prohibited;
2. Electric powered boats shall create NO WAKE;
3. The maximum capacity shall not exceed 220lbs thrust or 10 horsepower; and
4. Mono-hull watercraft shall not exceed 20’ overall length, 8’ overall width.

Section 4.16: Infractions

1. Any infraction shall result in loss of privileges to common properties for the duration of the infraction.

NOW, THEREFORE, Article IV Restrictions shall be deemed amended as provided above and in full force and effect upon the date of this Amendment.

TRUSTEE:

INNSBROOK OWNERS ASSOCIATION, INC.

By: _____ [Edmund J. Boyce] _____
Edmund J. Boyce, Jr., President and Trustee

ATTEST:

_____ [Lester J. Buechele] _____
Lester J. Buechele, Secretary and Trustee

DEVELOPER:

THE INNSBROOK CORPORATION

By: _____ [Lester J. Buechele] _____
Lester J. Buechele, President

ATTEST:

_____[Edmund J. Boyce]_____
Edmund J. Boyce, Jr., Secretary

STATE OF MISSOURI)
) SS.
COUNTY OF WARREN)

On this 12th day of April, 2010, before me appeared Edmund J. Boyce, Jr., to me personally know, who, being by me duly sworn, did say that he is the President and a Trustee of Innsbrook Owners Association, Inc., a not for profit 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 on behalf of said corporation, by authority of its Board of Directors, and he acknowledged the execution of 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 the day and year above written.

_____[Alison M. Reisel]_____
Notary Public

My Commission Expires: July 12, 2012
ALISON M. REISE
My Commission Expires
July 12, 2010
St. Charles County
COMMISSION #08379767

STATE OF MISSOURI)
) SS.
COUNTY OF WARREN)

On this 12th day of April, 2010, before me appeared Lester J. Buechele, to me personally know, who, being by me duly sworn, did say that he is the Secretary and a Trustee of Innsbrook Owners Association, Inc., a not for profit 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 on behalf of said corporation, by authority of its Board of Directors, and he acknowledged the execution of said instrument to be the free act and deed of said corporation.

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