

**DECLARATIONS OF RESTRICTIONS, COVENANTS AND CONDITIONS OF
PRAIRIE VIEW HEIGHTS FIFTH ADDITION**

THIS Declaration of Restrictions, Covenants, and Conditions for PRAIRIE VIEW HEIGHTS FIFTH ADDITION made on the date hereinafter set forth, by LARRY E SCHELL and MARY ANN SCHELL, Husband and Wife, hereinafter often "Developer",

WITNESSETH

WHEREAS on the 11th day of June 1996 Developer was the owner of record of the following described real property, hereinafter call PRAIRIE VIEW HEIGHTS FIFTH ADDITION or the Property

See attached description, and

WHEREAS the final plat of PRAIRIE VIEW HEIGHTS FIFTH ADDITION has been approved by the City of Battlefield and will be recorded in the near future and

WHEREAS Developer has previously caused to be recorded in Book ____ at Page _____ in the Office of the Recorder of Deeds of Greene County, Missouri a "Declaration of Restrictions Covenants and Conditions of Prairie View Heights Fourth Addition and Any Subsequently Platted Additions of Prairie View Heights", and

WHEREAS said Declarations therein provided that said "any subsequently platted additions to PRAIRIE VIEW HEIGHTS shall be subject to the restrictions, covenants and conditions, easements and charges" contained therein and that same "shall run with the land and be binding on all present and future owners and shall inure to the benefit of each owner of the land included in PRAIRIE VIEW HEIGHTS FOURTH ADDITION and to any subsequently platted additions to PRAIRIE VIEW HEIGHTS" and

WHEREAS Developer desires that said restrictions, covenants and conditions, easements and charges shall apply to PRAIRIE VIEW HEIGHTS FIFTH ADDITION and further desires to amend one of said restrictions

NOW THEREFORE Developer does hereby declare that PRAIRIE VIEW HEIGHTS FIFTH ADDITION Subdivision and any subsequently platted additions to PRAIRIE VIEW HEIGHTS shall be and are subject to the restrictions, covenants and conditions, easements and charges set forth in the DECLARATION OF RESTRICTIONS, COVENANTS AND CONDITIONS OF PRAIRIE VIEW HEIGHTS FOURTH ADDITION as herein amended which shall run with the land and be binding on all present and future owners, and shall inure to the benefit of each owner of the land included in the PRAIRIE VIEW HEIGHTS FOURTH ADDITION the PRAIRIE VIEW HEIGHTS FIFTH ADDITION and to any subsequently platted additions to PRAIRIE VIEW HEIGHTS

Article 1 The Declaration of Restrictions Covenants and Conditions of Prairie View Heights Fourth Addition as recorded in the Office of the Recorder of Deeds of Greene County, Missouri is hereby incorporated into this Declaration by reference as if fully set forth herein

Article 2 So as to render same applicable to the property of the Fifth Addition, any references in Articles I through XI of the said Declaration of Restrictions, Covenants and Conditions of Prairie View Heights Fourth Addition to "PRAIRIE VIEW HEIGHTS FOURTH ADDITION" or to "PRAIRIE VIEW HEIGHTS FOURTH" shall be and is hereby declared to be amended and modified to read "Prairie View Heights Fifth Addition"

Article 3 Article VIII Section 4 of the said Declaration of Restrictions, Covenants and Conditions of Prairie View Heights Fourth Addition entitled "Antenna" is hereby amended and modified to read as follows with respect to the Fifth Addition and to all subsequently platted additions

"Section 4 Antenna and Satellite Dishes No antenna, satellite dish or other device for the transmission or reception of electronic signals shall be erected used or maintained outdoors on any Lot, unless approved by the Architectural Committee "

Article 4 The Declarations for the FOURTH ADDITION except as hereinabove amended in Article 3 hereof are hereby ratified and affirmed by Developer

IN WITNESS WHEREOF, the undersigned LARRY E SCHELL and MARY ANN SCHELL have caused this instrument to be executed on this _____ day of June, 1996

Larry E Schell

Mary Ann Schell

STATE OF MISSOURI)
) ss
COUNTY OF GREENE)

On this ___ day of June, 1996 before me personally appeared LARRY E SCHELL and MARY ANN SCHELL to me personally known who being duly sworn did say that they are the persons described above and they executed the foregoing instrument of their own free act and deed

The said Larry E Schell and Mary Ann Schell further declared themselves to be husband and wife

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Springfield, the day and year first above written

Notary Public

LEGAL DESCRIPTION OF PRAIRIE VIEW HEIGHTS
FIFTH ADDITION

DESCRIPTION:

BEGINNING AT AN EXISTING BOAT SPIKE AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 17 TOWNSHIP 28 NORTH, RANGE 22 WEST, THENCE S 87°03'57" E ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 666.49 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SOUTHEAST QUARTER, SAID POINT BEING THE SOUTHWEST CORNER OF PRAIRIE VIEW HEIGHTS FOURTH ADDITION, A SUBDIVISION IN GREENE COUNTY, MISSOURI, THENCE ALONG THE WESTERLY PROPERTY LINE OF SAID PRAIRIE VIEW HEIGHTS FOURTH ADDITION THE FOLLOWING THREE CALLS
N 03°01'36" E A DISTANCE OF 1,327.16 FEET,
S 87°14'19" E A DISTANCE OF 667.87 FEET,
N 03°01'43" E A DISTANCE OF 337.63 FEET,
THENCE N 87°14'19" W A DISTANCE OF 1336.12 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER, THENCE S 02°57'39" W A DISTANCE OF 337.63 FEET, THENCE S 02°58'03" W A DISTANCE OF 1325.14 FEET TO THE POINT OF BEGINNING ALL BEING IN GREENE COUNTY, MISSOURI AND CONTAINING 30.13 ACRES SUBJECT TO ANY EASEMENTS AND RIGHTS-OF-WAY OF RECORD