

**DECLARATION OF RESTRICTIONS, COVENANTS AND CONDITIONS  
OF  
PRAIRIE VIEW HEIGHTS TENTH ADDITION**

THIS Declaration of Restrictions, Covenants and Conditions for PRAIRIE VIEW HEIGHTS TENTH ADDITION, made on the date hereinafter set forth, by R. T. SCHELL DEVELOPMENT COMPANY, L.L.C. hereinafter often "Developer",

WITNESSETH:

WHEREAS, on the \_\_\_ day of March, 2005, Developer was the owner of record of the following described real property, hereinafter called PRAIRIE VIEW HEIGHTS TENTH ADDITION, or the Property:

That certain parcel or tract of land being a part of the Southeast Quarter of Section 17, Township 28 North, Range 22 West, being more particularly described as follows:

Commencing at the Southeast corner of said Section 17;

Thence, N88°10'05"W, along the South line of said Section 17, a distance of 758.22 feet;

Thence, N01°49'55"E, a distance of 257.65 feet to an existing iron pin for a point of beginning;

Thence, N88°11'29"W, a distance of 210.78 feet;

Thence, N02°00'21"E, a distance of 238.93 feet;

Thence, N88°18'16"W, a distance of 78.17 feet to an existing iron pin at the Southeast corner of Prairie View Heights Eighth Addition, a recorded subdivision in Greene County, Missouri;

Thence, along the East line of said Prairie View Heights Eighth Addition for the following Five (5) described courses:

Thence, N02°03'15"E, a distance of 150.07 feet to an existing iron pin;

Thence, S88°01'18"E, a distance of 5.86 feet to an existing iron pin;

Thence, N01°59'47"E, a distance of 199.98 feet to an existing iron pin;

Thence, S88°13'59"E, a distance of 60.02 feet to an existing iron pin;

Thence, N01°59'55"E, a distance of 90.03 feet to an existing iron pin at the Southwest corner of Prairie View Heights Ninth Addition, a recorded subdivision in Greene County, Missouri;

Thence, along the South line of said Prairie View Heights Ninth Addition for the following Seven (7) described courses:

Thence, N73°44'58"E, a distance of 347.30 feet;

Thence, N55°47'30"E, a distance of 129.64 feet;  
Thence, N48°24'26"E, a distance of 90.98 feet;  
Thence, N28°11'55"W, a distance of 56.55 feet;  
Thence, N48°27'14"E, a distance of 140.00 feet;  
Thence, N41°35'43"W, a distance of 8.52 feet;  
Thence, N48°24'17"E, a distance of 60.00 feet;  
Thence, S41°35'43"E, a distance of 289.01 feet;  
Thence, S86°52'22"E, a distance of 41.51 feet;  
Thence, S36°29'14"E, a distance of 50.37 feet;  
Thence, S06°52'07"W, a distance of 46.16 feet to a point of non-tangent curvature to the right;  
Thence, along said non-tangent curve to the right, said curve having a radius of 630.00 feet; a central angle of 15°30'38", an arc distance of 170.65 feet, along a chord bearing S23°42'44" E to a point on the centerline of the abandoned railroad right-of-way;  
Thence, S46°39'33"W, along said centerline, a distance of 760.74 feet;  
Thence, N42°41'56"W, leaving said centerline, a distance of 47.88 feet to an existing iron pin;  
Thence, N81°47'02"W, a distance of 143.54 feet;  
Thence, S08°01'56"W, a distance of 179.80 feet to the point of beginning;  
Containing 13.76 acres (more or less)

WHEREAS, the plat of PRAIRIE VIEW HEIGHTS TENTH ADDITION has been approved by the City of Battlefield and has been recorded in Book ZZ at Page 62 in the Office of the Recorder of Deeds of Greene County, Missouri; and

WHEREAS, Developer's predecessor in interest has previously caused to be recorded in Book 2003 at Page 008548-03 in the Office of the Recorder of Deeds of Greene County, Missouri a "Declaration of Restrictions, Covenants and Conditions of Prairie View Heights Eighth 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 EIGHTH 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 TENTH ADDITION;

NOW THEREFORE, Developer does hereby declare that PRAIRIE VIEW HEIGHTS TENTH 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 EIGHTH ADDITION 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 EIGHTH ADDITION, the PRAIRIE VIEW HEIGHTS TENTH ADDITION and to any subsequently platted additions to PRAIRIE VIEW HEIGHTS.

Article 1. The Declaration of Restrictions, Covenants and Conditions of Prairie View Heights Eighth 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 Tenth Addition, any references in Articles I through XI of the said Declaration of Restrictions, Covenants and Conditions of Prairie View Heights Eighth Addition to "PRAIRIE VIEW HEIGHTS EIGHTH ADDITION" or to PRAIRIE VIEW HEIGHTS EIGHTH shall be and is hereby declared to be amended and modified to read "PRAIRIE VIEW HEIGHTS TENTH ADDITION."

Article 3. The Declarations for the Eighth Addition are hereby ratified and affirmed by Developer.

IN WITNESS WHEREOF, the undersigned RANDALL T. SCHELL, Operating Manager of R. T. SCHELL DEVELOPMENT COMPANY, L.L.C. has caused this instrument to be executed on this \_\_\_ day of March, 2005.

R. T. SCHELL DEVELOPMENT  
COMPANY, L.L.C.

\_\_\_\_\_  
Randall T. Schell, Operating Manager

STATE OF MISSOURI     )  
                                  ) ss.

COUNTY OF GREENE     )

On this \_\_\_ day of March, 2005 before me personally appeared **RANDALL T. SCHELL** to me personally known, who being duly sworn did say that he is the Operating Manager of **R. T. SCHELL DEVELOPMENT COMPANY, L.L.C.**, and that the said instrument was signed and sealed in behalf of said **R. T. SCHELL DEVELOPMENT COMPANY, L.L.C.**, and the said **RANDALL T. SCHELL** acknowledges said instrument to be the free act and deed of said limited liability company.

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.

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Notary Public, Margaret F. Wise