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 Total Amt: \$30.00 Page 1 of 3  
 Christian County Recorder  
 Roy Meadows Recorder of Deeds  
 File# 2007-00022636

BK **2007** PG **22379**



**FIRST AMENDED DECLARATION OF  
 COVENANTS, CONDITIONS AND RESTRICTIONS  
 THE BRIARS SUBDIVISION PHASE I**

THIS FIRST AMENDED DECLARATION is made this 6<sup>th</sup> <sup>December</sup> day of ~~November~~, 2007, by **BRIARS DEVELOPMENT, LLC**, a Missouri Limited Liability Company ("Developer").

WITNESSETH:

WHEREAS, Developer has executed and filed with the Recorder of Deeds of Christian County, Missouri a Declaration of Covenants, Conditions, and Restrictions for The Briars Subdivision Phase I dated June 29, 2006 and recorded on July 3, 2006, in Book 2006 at page 10362 of the Christian County Recorder's office; and

WHEREAS, paragraph 18 of the Declaration of Covenants, Conditions, and Restrictions for The Briars Subdivision Phase I states in part: "The provisions of this Declaration may be amended, modified or supplemented, in whole or in part, at any time by a duly acknowledged and recorded written agreement (in one or more counterparts) signed by both (a) the Owners (excluding there the Developer if is then an Owner) of fifty percent (50%) of the Lots (excluding those owned by the Developer) within the District as then constituted and (b) the Developer if it is then an Owner"; and

WHEREAS, the Developer desires to amend the Covenants, Conditions and Restrictions for The Briars Subdivision Phase 1 to allow for accessory detached buildings, including garages and storage sheds, subject to review and approval by the Architectural Committee; and

WHEREAS, Montileone Development Co., Inc., a Missouri corporation, is the owner of over fifty percent (50%) of the lots within the District, excluding the Developer owned lots.

NOW, THEREFORE, in consideration of the premises, the receipt and sufficiency of which is hereby acknowledged, the Developer and the fifty percent (50%) of the current property owners in the District for themselves and for their successors or assigns, and for their future grantees hereby AMENDS the Declaration of Covenants, Conditions and Restrictions for The Briars Subdivision Phase I as follows:

1. Paragraph 9(i) is removed in its entirety.
2. All other provisions of the Declaration of Covenants, Conditions and Restrictions for The Briars Subdivision Phase I, dated June 29, 2006, and recorded in Book 2006 at page 13062 of the records of the Christian County Recorder's office remain the same and are in full force and effect.

IN WITNESS WHEREOF, the Developer and the Property Owner have caused this Amended Declaration of Covenants, Conditions and Restrictions to be duly executed the day and year first above written.

**Developer:**

Briars Development, LLC  
MGM Properties, Inc., Member

By: *Rex Maples*  
Rex Maples, Vice-President

**Property Owner:**

Montileone Development Co., Inc.

By: *Rob Montileone*  
Rob Montileone, President

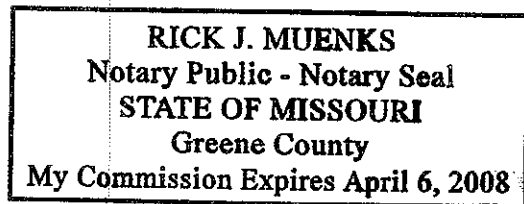
STATE OF MISSOURI )  
                                  ) SS.  
COUNTY OF GREENE )  
                                  ) December

On this 21<sup>st</sup> day of ~~November~~ December, 2007, before me, Rick J. Muenks, a Notary Public in and for said State, personally appeared Rex Maples, Vice President of MGM Properties, Inc., member of Briars Development, LLC, known to me to be the person who executed the within First Amended Declaration of Covenants, Conditions, and Restrictions, The Briars Subdivision Phase I, in behalf of said limited liability company and acknowledged to me that he executed the same for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year last above written.

*Rick Muenks*  
Notary Public

My commission expires: 4/6/2008



STATE OF MISSOURI )  
 ) SS.  
COUNTY OF GREENE )

On this 12<sup>th</sup> day of ~~November~~ <sup>December</sup>, 2007, before me, Angela Dowen, a Notary Public in and for said state, personally appeared Rob Montileone, President of Montileone Development Co., Inc., known to me to be the person who executed the within First Amended Declaration of Covenants, Conditions, and Restrictions, The Briars Subdivision Phase I, in behalf of said corporation and acknowledged to me that he executed the same for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year last above written.

Angela Dowen  
Notary Public

My commission expires: 12/25/09

