

SECOND AMENDMENT TO THE TRUST INDENTURE AND
RESTRICTIVE COVENANTS AND CONDITIONS PERTAINING TO A
SUBDIVISION OF LAND IN CALDWELL COUNTY, MISSOURI

This Amendment is made as of this 1st day of JANUARY, 1995, by the Board of Trustees of Hideaway Lakes Trusteeship pursuant to a vote of over fifty-one percent (51%) of the lots into which Hideaway Lakes subdivision may be subdivided.

RECITALS

WHEREAS, National Development Company, Inc., a Texas corporation (hereinafter called "National") did, on October 11, 1983, adopt and file with the Caldwell County, Missouri Recorder of Deeds in Book 162 at Page 509 the original Trust Indenture and Restrictive Covenants and Conditions Pertaining to a Subdivision of Land in Caldwell County, Missouri (hereinafter called the "Indenture and Covenants");

WHEREAS, the Indenture and Covenants were amended on September 9, 1990, and filed of record with the Caldwell County, Missouri Recorder of Deeds on September 12, 1990 in Book 171 at Page 588;

WHEREAS, Article V of the Indenture and Covenants provides that a vote of fifty-one percent (51%) or more of the owners of the lots into which Hideaway Lakes may be subdivided may vote to amend the Indenture and Covenants; and

WHEREAS, a ballot that was circulated to all lot owners and more than fifty-one percent (51%) of said owners approved the following changes to the Indenture and Covenants.

NOW, THEREFORE, the Indenture and Covenants shall be amended as follows:

1. Permanent Structures. Permanent structures shall be allowed in the subdivision up to seven hundred (700) square feet in size for resident type buildings, but no such structure shall be erected until it has been approved in advance by the Board of Trustees.
2. Storage Sheds. Storage sheds shall be allowed in the subdivision up to three hundred (300) square feet in size, provided such storage sheds are approved in advance by the Board of Trustees before they are erected or placed on the property.

3. Roofs Over Trailers. Roofs over trailers shall be allowed in the subdivision provided they are approved in advance by the Board of Directors before they are erected.

4. Tents. Tents may be used by the lot owners provided they are removed when they are not in actual use.

5. Gas or Propane Installations. Permanent gas or propane installations are not allowed by any lot owner at Hideaway Lakes.

6. Camper Vehicles. Camper vehicles may be used in Hideaway Lakes provided they are of commercial manufacture and have been approved in writing by the Board of Trustees.

7. Set-back Requirements. All campers and residence type buildings shall be no nearer than twenty-five (25) feet from the center of any road adjoining the lot and a distance from each side of the camper or residence type building shall be no closer than five (5) feet from each side of the lot that does not adjoin a road.

8. Grandfather Provision. All existing buildings at Hideaway Lakes are hereby deemed approved by the Board of Trustees even though said existing buildings may not comply with the square footage restrictions contained in this Second Amendment to the Indenture and Covenants.

9. Amended Provisions. This Second Amendment shall be deemed to have replaced any provision in the Indenture and Covenants that are inconsistent with the provisions of this Second Amendment. All other provisions of this Indenture and Covenants shall remain in full force and effect.

IN WITNESS WHEREOF, the Board of Trustees has designated the undersigned to execute this Second Amendment on behalf of Hideaway Lakes Trusteeship as of the date first above written.

HIDEAWAY LAKES TRUSTEESHIP

By: Louis A. Mautino
Louis A. Mautino, Trustee

STATE OF MISSOURI)
) ss.
COUNTY OF CALDWELL)

RECORDER'S CERTIFICATE

The undersigned, as Recorder of Deeds of Caldwell County, Missouri, does hereby certify that the within instrument of writing was on the 7th day of February A.D., 1995, at 8 o'clock and 40 minutes A.M. duly filed for record in this office and recorded in Book 176 at Page 193.

IN WITNESS WHEREOF, I hereto set my hand and affix my official seal at my office in Kingston, Missouri, this 17th day of February, 1995.

Beverly Graham
RECORDER OF DEEDS OF
CALDWELL COUNTY, MISSOURI

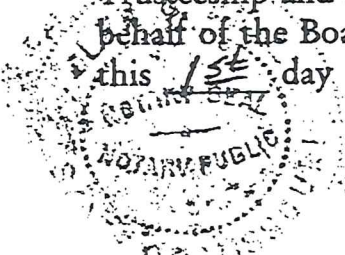
(SEAL)

By *Charlene Ward* Deputy
Charlene Ward

Fee \$ 27.00 paid

STATE OF MISSOURI)
) ss.
COUNTY OF CALDWELL)

BE IT REMEMBERED, that before me GLEN G. BEAL, a Notary Public in and for the County and State aforesaid, came LOUIS A. MARTINO, a member of the Board of Trustees of Hideaway Lakes Trusteeship and he acknowledged to me that he executed the foregoing instrument on behalf of the Board of Trustees of Hideaway Lakes Trusteeship as his free act and deed on this 15th day of JANUARY, 1995.



Glen G. Beal
Notary Public

My Commission Expires:

May 15, 1996

GLEN G BEAL
NOTARY PUBLIC STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXP MAY 15, 1996

LEGAL DESCRIPTION

TRUST INDENTURE AND RESTRICTIVE COVENANTS AND CONDITIONS PERTAINING TO A SUBDIVISION OF LAND IN CALDWELL COUNTY, MISSOURI.

KNOW ALL MEN BY THESE PRESENTS, that WHEREAS, National Development Company, Inc., a Texas corporation, is the owner of certain real property located in Caldwell County, Missouri, and described as follows:

The South Half of the Northwest Quarter of the Southwest Quarter except Two (2) acres out of the Northwest Corner for "Zimmerman Cemetery", and the South Half of the Northeast Quarter of the Southwest Quarter, and the South Half of the Northwest Quarter of the Southeast Quarter, all in Section Thirty-four (34), in Township Fifty-five (55), of Range Twenty-eight (28), excepting lands conveyed to the State of Missouri for highway purposes.

A tract of land in Section 34, Township 55 North, Range 28 West, Caldwell County, Missouri and being more particularly described as follows: All of the East three quarters of the South Half of the Southeast Quarter of the Northwest Quarter; and all of the North Half of the Northwest Quarter of the Southeast Quarter and all of the North Half of the North Half of the Southwest Quarter; excepting therein the following two tracts:

Tract No. 1: Beginning at the West Quarter Corner of said Section 34; thence South 89 degrees, 29 minutes, 40 seconds East, 680.37 feet to a point; thence South 00 degrees, 30 minutes, 20 seconds West (11.14 feet to a point; thence North 88 degrees, 25 minutes, 15 seconds West 680.49 feet to a point; thence North 00 degrees; 30 minutes, 20 seconds East, 598.40 feet to a point of beginning, containing 9.45 acres more or less;

Tract No. 2: Beginning at a point which bears South 00 degrees, 30 minutes, 20 seconds West, 598.40 feet from the West Quarter corner of said Section 34, thence South 88 degrees, 25 minutes, 15 seconds East, 851.32 feet to a point; thence South 00 degrees, 30 minutes, 20 seconds West, 46.40 feet to a point; thence North 89 degrees, 29 minutes, 40 seconds West, 850.93 feet to a point; thence North 00 degrees, 30 minutes, 20 seconds East, 62.35 feet to the point of beginning, containing 1.06 acres more or less. Excluding the aforementioned tracts, the acreage contained herein is 64.49 acres.

A tract of land in Section 34, Township 55 North, Range 28 West, Caldwell County, Missouri and being more particularly described as follows: All of the Northeast Quarter of the Southeast Quarter except 20 feet off the East side for road purposes, and a tract beginning at the Southeast Corner of the Northeast Quarter of the Southeast Quarter of said Section 34; thence along the East line of said section South 00 degrees, 30 minutes, 20 seconds West, 534.96 feet to a point; thence North 89 degrees, 29 minutes, 24 seconds West, 1318.29 feet to a point; thence along the West line of the Southeast Quarter of the Southeast Quarter, South, 230.00 feet to a point; thence North 88 degrees, 10 minutes, 33 seconds West, 1080.98 feet to a point; thence North 83 degrees, 31 minutes, 35 seconds West, 967.59 feet to a point; thence North 15 degrees, 35 minutes, 25 seconds West, 665.46 feet to a point; thence along the North line of the South half of the South Half of said Section 34, South 89 degrees, 19 minutes, 40 seconds East, to the point of beginning, containing in all 91.5 acres more or less.

All of the Southeast Quarter of the Northeast Quarter of Section Thirty-four (34), Township Fifty-five (55), Range Twenty-eight (28), except a strip 20 feet wide off the East side thereof used for a roadway.

Subject to easements, right of way, and reservations of record.