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CERTIFIED-FILED FOR RECORD  
Barbara J. Hall  
Recorder of Deeds  
St. Charles County, Missouri  
BY:JJARDINE

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TITLE: AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS, AND RESTRICTIONS FOR THE HERITAGE OF  
HAWK RIDGE COMMUNITY ASSOCIATION

DATE: April 15, 2014

GRANTOR: WBI RESOLUTION, LLC

ADDRESS: 600 James S. McDonnell Blvd.  
Hazelwood, Missouri 63042

GRANTEE: HERITAGE OF HAWK RIDGE COMMUNITY ASSOCIATION

ADDRESS: 3333-4 Rue Royale  
St. Charles, Missouri 63301

REFERENCE: Declaration of Covenants, Conditions, and Restrictions for the Heritage of  
Hawk Ridge Community Association recorded in Book 2574, page 197, in  
the Recorder of Deeds' Office of St. Charles County, Missouri, as  
amended.

**AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND  
RESTRICTIONS FOR THE HERITAGE OF HAWK RIDGE COMMUNITY  
ASSOCIATION**

THIS AMENDMENT is made as of the 15<sup>th</sup> day of April, 2014, to that certain Declaration of Covenants, Conditions, and Restrictions for the Heritage of Hawk Ridge Community Association recorded in Book 2574, page 197, in the Recorder of Deeds' Office of St. Charles County, Missouri, as amended from time to time (the "Declaration"). (Terms defined in the Declaration are used herein as defined therein unless otherwise indicated.)

**RECITALS**

- A. WBI Resolution, LLC, a Missouri limited liability company ("Resolution") is the "Declarant" under the Declaration.
- B. Article XIII, Section 3 of the Declaration permits the Declaration to be amended by Declarant for so long as Declarant owns any Lot or Unit within the Properties.
- C. At the time of this Amendment, Declarant still owns at least one Lot or Unit within the Properties.
- D. Article V, Section 6, of the Declaration sets forth certain provisions regarding an Operating Deficit.
- E. In accordance with Article XIII, Section 3 of the Declaration, Declarant desires to amend the definition of Operating Deficit in the aforesaid Article V, Section 6, as more particularly set forth in this Amendment.

**AMENDMENT**

NOW, THEREFORE, in accordance with Article XIII, Section 3 of the Declaration, the Declarant desires to amend the following:

1. Operating Deficit. Notwithstanding anything to the contrary contained in the Declaration, there shall be no Operating Deficit, unless and until all reserves are first exhausted. Accordingly, the term "Operating Deficit" shall be amended to be defined as the difference between: (i) the operating expenses of the Association; and (ii) the sum of (A) the total operating revenues of the Association from all sources including, without limitation, annual and special assessments, revenues generated from fees charged by the Association for use of the Common Areas, and investment income and (B) all reserves of the Association.
2. Except as otherwise provided herein, the Declaration shall remain unchanged and in full force and effect.

**[SIGNATURE PAGE FOLLOWS.]**

IN WITNESS WHEREOF, the undersigned has set his hand the date first above written.

DECLARANT:

**WBI RESOLUTION, LLC**, a Missouri limited liability company

By: First Bank, a state chartered bank, its Managing Member



Andrew Schmidt  
Senior Vice President

STATE OF MISSOURI     )  
                                  ) SS.  
COUNTY OF ST. LOUIS    )

On this 15<sup>th</sup> day of April, 2014, before me appeared Andrew Schmidt, to me personally known, who, being by me duly sworn did say that he is Senior Vice President of First Bank, a Missouri state chartered bank, and that said bank is the managing member of WBI Resolution, LLC, a Missouri limited liability company, and said Andrew Schmidt acknowledged that he executed the same in behalf of said corporation and said limited liability company by authority of the Board of Directors of the corporation and said Andrew Schmidt acknowledged said instrument to be the free act and deed of said bank and said limited liability company.

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



Notary Public

Printed Name: Connie Mueller

My Commission Expires: 3-17-2017

