

Sixth Amendment to Restrictive Agreement of Dougherty Ridge Subdivision

This 6th amendment to the Restrictive Agreement of the Dougherty Ridge Subdivision is executed this 3rd day of April, 2023 by Judy Mundle, Arthur Clyne and Rhonda Woerndle, duly elected Subdivision Trustees of the Subdivision, according to the Restrictive Agreement of the Dougherty Ridge Subdivision recorded in Book 6764, Pages 2188-2198 of the St. Louis County records.

WITNESSETH:

WHEREAS, by an instrument entitled Restrictive Agreement of Dougherty Ridge Subdivision recorded in Book 6764 pages 2188-2198 of the St. Louis County Records, certain agreements were imposed upon the property described on exhibit A attached hereto and made a part hereon, and,

WHEREAS, the Restrictive agreement was subsequently amended by the First Amendment on November 7, 1977, the Second Amendment on June 26, 1978, the Third Amendment on October 8, 1986, the Fourth Amendment on November 13, 2006 and the Fifth Amendment on April 3rd, 2023. Said amendments are duly recorded in the St. Louis County records.

WHEREAS, the original Restrictive Agreement provides under paragraph 18, that the Agreement may be amended by a majority vote of lot owners present and voting at a meeting call for the purpose of amending the Restrictive Agreement, and,

WHEREAS, at a meeting duly called under the provisions of paragraph 18 of the Restrictive Agreement, the amendment set forth here was submitted to the lot owner present and adopted by a vote of ___ for and ___ against.

NOW, THEREFORE, effective this date, the Restrictive Agreement, the 3rd amendment specifically, and all Amendments generally are amended as follows:

In recognition of the technology now available, the following provisions will make technological communication available relating to subdivision business.

Lot Owners have the choice to provide an electronic mail address (email address) to the Trustees. If a Lot Owner provides an email address to the Trustees, it will be considered as acceptable and proper as a means of communication as follows:

1. Notice can be sent of upcoming meetings, including date, time, and venue using electronic communication.
2. Electronic notice can be sent for any matter which the Trustees would like to communicate with the Lot Owners.
3. The annual assessment billing can be sent to Lot Owners via electronic communication.
4. Notice can be sent to the Lot Owners by electronic communication, for voting on any future Amendments presented for consideration, or voting for Trustees, or any other matter as deemed necessary by the Trustees.
5. The Trustees will consider any vote submitted by a Lot Owner via electronic communication as a properly submitted vote.
6. Lot Owners may attend, participate and vote at meetings by electronic communication.

If a Lot Owner chooses not to submit an email address, they will continue to receive communication by the Postal Service.

In Witness Whereof, The Trustees do hereby certify that on the xx day of xxxx, 2023 this Sixth Amendment, as set forth in this instrument, was approved and adopted at a meeting of the Dougherty Ridge lot owners called for and held in accordance with the provisions of Paragraph 18 of the Restrictive Agreement.

Dougherty Ridge Subdivision

By _____
Judy Mundle, Trustee

By _____
Rhonda Woerndle, Trustee

By _____
Arthur Clyne, Trustee

Subscribed and sworn to me this _____ day of April 2023,

Charles H. Billings

Notary Public

My Commission expires 10/16/2024