

EXHIBIT "B"
DECLARATION OF PROTECTIVE COVENANTS
(RESERVATIONS AND RESTRICTIONS)
FOR SUBJECT PARCEL IN PHELPS COUNTY, MISSOURI
KNOWN AS MARAMEC TRAILS
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A. Utilities and Easements.

15 foot utility easement adjacent to all dedicated public roads and public roadway easements

15 feet each side of the side tract lines are reserved for utility purposes as necessary

30 feet along the back lines of all tracts are reserved for utility purposes as necessary

All utilities installed by anyone other than Developer or Developer's agent or contractor on said tract or utility easements established on other tracts shall be underground unless determined unfeasible by Developer and acknowledged in writing by Developer prior to placement or installation of such utilities.

B. Buildings.

No more than one detached single-family structure allowed per tract.

Only single-family structures allowed - no multi-family structures.

No building or structure intended for or adapted for business purposes is allowed. Said tract shall not be used for commercial use, said "commercial use" including Bed & Breakfasts and renting of residences for periods of less than 60 days.

Tracts smaller than 15 acres - one storage building allowed in addition to the residence

Tracts from 15 to under 25 acres - two storage buildings allowed in addition to the residence

Tracts 25 acres and larger - up to eight non-residential buildings (storage, barn, equipment shed, etc.)

No garage, storage building or other structure shall be erected on any tract smaller than 25 acres, or within 450 feet of roadways on tracts of 25 acres or larger, prior to the erection of a single-family residential structure. All non-residence buildings, except those greater than 450 from roadways on tracts of 25 acres or larger, shall be constructed of new materials and of similar general design as residence. No basement, shack, tent, trailer, barn, garage, or other outbuildings shall at any time be used as a residence, temporarily or permanently, nor shall any residence or improvement of a temporary character be permitted. No structure of any kind shall be moved onto any part of the above described property. No mobile or readily movable homes (single or double wide), nor structures commonly referred to as trailers, shall be placed or used upon said tract for any purposes whatsoever.

Within 450 feet of public roadways the following additional restrictions shall also apply:

Residences shall be minimum 1600 square feet or larger. Split foyer residence shall have 1,600 square feet of heated floor area on one of the floor levels. All such square feet area figures or measurements shall exclude garages, porches, patios, breezeways, basements whether finished or not, and other areas which are either open or closed solely by screens. For the purpose of determining compliance with this restriction, all concrete slab floor areas shall be excluded from the measurement, and outside wall dimensions may be used to determine floor areas. The 1600 sq.ft. shall include open loft floor areas with normal 8 feet or higher ceilings and shall include that portion of sloped ceiling loft areas having ceiling heights greater than 4 feet.

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C. Campers/RV Vehicles.

No vehicles or enclosures of a temporary or camping character, which includes self propelled recreational vehicles, motor coaches, motor homes, tents, camping trailers, auto trailers, recreational vehicles, moveable sheds, vehicles of any kind, or machinery shall be allowed over ten (10) days per month on any tract less than 25 acres in size unless they are housed, kept, or stored within an approved storage building constructed in compliance with paragraphs B above. On tracts of 25 acres or larger, one (1) such recreational vehicle shall be allowed on a continuing basis. Any such recreational vehicles or temporary enclosures not housed, kept, or stored within an approved storage building constructed in compliance with these covenants shall be located, parked, or kept no closer than 450 feet from any roadway or property line.

D. Subdivision of Tracts and Locations of Buildings.

1. No tracts may be subdivided into subsequent tracts of less than Twenty (20) Acres unless it fronts on the public roadway, in which case it may be subdivided into subsequent tracts of no less than Six (6) Acres and having a minimum road frontage of 350 feet.
2. All detached garages are to be constructed no closer to the road or front property line than the front of the constructed residential structure. The front line of any other detached storage buildings (outbuildings, workshops, green houses, etc.) shall be located further from the road or front property line than the rear most line of the residential structure. If the residential structure is located more than one hundred (100) feet from the road or front property line, then the front of any detached garage or storage building may be located closer to the road than the rear line of the residential structure provided the front of the detached garage or storage building remains at least one hundred (100) feet from the road or front property line.
3. For building purposes, there shall be a minimum front setback line of seventy-five (75) feet (fifty feet from the edge of any public or private road easement) and side tract building setbacks of not less than thirty (30) feet with rear tract setbacks of not less forty (40) feet.

E. Fences, Walls, Other Structures and Obstructions:

No fence or wall shall be constructed within fifty (50) feet of any road right-of-way or road easement without the written consent of the Developer. All garbage cans or trash containers storage areas, above-ground heating fuel tanks, soft water tanks, air conditioners or other residential support equipment, satellite dishes, and similar items shall not be placed or installed closer to the road or front property line than the front building line of the residential structure unless the residential structure is located more than one hundred (100) feet from the road or property line, in which case such items may be located closer to the road than the residential structure provided they remain at least one hundred (100) feet from the road.

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F. General:

1. For buildings located within 450 feet of public roadways, the plans and specifications shall be approved by the Developer and the building shall be completed Twelve (12) months from the date construction is begun.
2. No animals, livestock, birds or poultry of any kind shall be raised, bred or kept on any tract smaller than 30 acres, except for a reasonable number of household pets. All dogs, or house pets, except for cats on tracts larger than 30 acres, shall be kept contained or "penned", and shall not be allowed to run loose, and shall be kept on leash whenever walked on a public roadway by the owner or anyone. For the purpose of determining compliance with this restriction, no livestock or poultry shall be considered to be household pets, and a "reasonable number" shall be defined as less than six total household pets and no more than four of any one type pet (i.e. dog, cat, etc.). On tracts larger than 30 acres, all livestock, animals, birds, or poultry of any kind kept shall be contained at least 150 feet away from any adjoining tract of less than 15 acres in size and at least 450 feet from any roadway, except that on existing non-forested areas designated as variance areas by the Developer horses may be kept up to the property line or roadway easements. No such variance areas have been designated on this 7.91 acre tract. No swine shall be allowed on this tractor any subdivided parcel, regardless of acreage.
3. The Developer shall have the right and authority to approve exceptions or variations from these restrictions without notice or liability to the owners of other tracts or any persons or authority whatsoever.
4. No garbage, rubbish, bottles, discarded material, refuse, or any unclean, foul, or stagnant material or substance of any nature whatsoever shall be dumped, placed, allowed to accumulate, or suffered to remain anywhere on said tract or any portion thereof.
5. No trees of more than Six (6) inches in diameter at a point Six (6) inches above the ground shall be removed from within any area closer than 50 feet from any side or rear tract line, except as required for construction of residential structures, driveways, or for utility installation on the utility easements established on this and other tracts.
6. No firearms shooting or firearms hunting is allowed on any tract smaller than 25 acres and no commercial or public shooting ranges are allowed.
7. No ATV's or dirt bikes shall be operated on any tract smaller than 30 acres or on the dedicated roads and right-of-ways by any resident, or visitor to any residence. On tracts of 30 acres and larger ATV's or dirt bikes shall be operated only by the owner/resident thereof or their visitor, and then only for agricultural purposes, property management, and hunting. No sport riding or competitive riding or other ATV and dirt bike use shall be allowed.
8. No motor vehicle or equipment in a wrecked or dilapidated condition, or otherwise inoperable or immobile under its own power, shall be permitted to remain on said tract, or any subdivided portion thereof.
9. All wastewater systems shall be designed and installed in accordance with 10 CSR 20-8.021 and shall be installed in accordance and compliant with either a soils analysis and report or a permeability test and report approved by the

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Developer and conducted/prepared by a certified soils scientist or a registered professional engineer, respectively. No lagoon systems are allowed. Individual (private) wells shall be constructed in accordance with the Missouri Private Well Construction Standards, 10 CSR 23, and shall be constructed by a well driller who holds a valid permit in the State of Missouri.

10. If any person, firm or corporation or their heirs, successors or assigns, shall violate or attempt to violate any of these reservations and restrictions, any other person or persons owning any part or parcel of the Property or the Developer may prosecute any proceeding at law or in equity against the person violating or attempting to violate any such reservations or restrictions in order to prevent him/her or them from so doing or to recover damages for such violation.
11. These reservations and restrictions are to run with the land, and shall be binding on all parties and owners, and on all parties claiming under them, for a period of Twenty-One (21) years from the date recorded, after which time said reservations and restrictions shall be automatically extended for successive periods of Ten (10) years each unless prior to the commencement of any Ten (10) year extension period an instrument in writing modifying, adding to, or rescinding said reservations and restrictions is signed by the owners of a Three-Quarters (3/4) majority of the tract owners in "Maramec Trails" has been recorded in the Office of the Phelps County, Missouri Recorder of Deeds.
12. Invalidation of any one of these reservations or restrictions by judgment or court order shall in no wise affect any of the other provisions, which shall remain in full force and effect.
13. Nothing in these reservations and restrictions shall be construed as to prohibiting any owner from mortgaging his property and executing a Deed of Trust on said property, and no provisions in these reservations and restrictions shall be construed so as to restrict or hinder any holder of a note secured by said Deed of Trust from exercising and enforcing any of the terms and conditions of said note and Deed of Trust.
14. The word "Developer" as used herein refers to Irvin R. Stack and Kathy G. Stack, their successors or assigns.

IN WITNESS THEREOF, the said Developer, Irvin R. Stack and Kathy G. Stack, and buyer have executed this instrument this _____ day of _____, 20__.

Buyer/Purchaser:

By: _____

By: _____

Developer:

By: _____

Irvin R. Stack

By: _____

Kathy G. Stack