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**CERTIFIED-FILED FOR RECORD**

**MARY E. DEMPSEY**

**RECORDER OF DEEDS**

**ST. CHARLES COUNTY, MISSOURI**

**BY: CGRAF**

**\*ELECTRONICALLY RECORDED\***

**SECOND AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
OF THE VILLAS AT THE CROSSINGS**

THIS AMENDMENT is made as of the 12<sup>th</sup> day of December 2023, to that certain Declaration of Covenants, Conditions, and Restrictions of The Villas at The Crossings, dated October 27, 1998 and recorded in Book 2169, Page 696, in the Office of the St. Charles County Recorder of Deeds (the "Declaration"), by the Developer. (Terms defined in the Declaration are used herein as defined therein unless otherwise indicated.)

**RECITALS**

- A. Article XI, Section 3 of the Declaration permits the Declaration to be amended after more than 20 years have passed by an instrument signed by fifty-one percent or more of the Owners and made effective upon recording in the County Records.
- B. Twenty-five years have passed since the recording of the Declaration.
- C. Signed instruments have been obtained from sixty-six percent of the Owners in the subdivision and recorded in the Association records.

**AMENDMENTS**

NOW, THEREFORE, the Board of Directors hereby amends the Declaration as follows with the consent of sixty-six percent of the Owners:

1. Article IV, Subsection 4(g) is amended as follows (*Bold typeface used to indicate additions to the current language. Strikethrough typeface used to indicate language that was removed.*):

"Notwithstanding anything heretofore set forth in this section, Common Elements shall not include any item that solely serves a particular Unit (except gutters and downspouts) including, but not limited to plumbing, wiring, hot water heaters, furnaces, air conditioning equipment, **decks**, and exhaust fans. The responsibility for maintaining, repairing, and replacing any such item, shall be the sole responsibility of the particular Owner receiving the sole service of such item. The Common Elements shall include all outside parking spaces (excluding driveways) and the patios ~~and outside decks~~. The Association shall be responsible for maintaining,

repairing, and replacing such parking spaces, **and** patios ~~and decks~~. To the extent that any of the aforementioned items, except outside parking spaces, ~~decks~~ and patios are covered by an insurance policy carried by the Association, the relevant Owner or Owners shall be responsible for the payment of the deductible amount under said policy, and the Association shall apply the policy's proceeds to any repair or replacement;"

2. Article IV, Section 10 is amended as follows (*Bold typeface used to indicate additions to the current language. Strikethrough typeface used to indicate language that was removed.*):

"The Association shall procure and maintain adequate liability and hazard insurance on all property owned by the Association. The Association is authorized and required to procure and maintain liability and hazard insurance on all building structures, components, and systems being a part of the Unit or Lot (or a replacement of any part of a Lot), but excluding **decks and** personal property contents not constituting a part of the Unit. If insurance upon any property other than the Property owned by the Association is procured and maintained by the Association, it shall be procured and maintained in a manner which provides substantially equal benefits to all Owners."

3. The first paragraph of Article V is amended as follows (*Bold typeface used to indicate additions to the current language. Strikethrough typeface used to indicate language that was removed.*):

"The Association shall be responsible for maintenance to the Common Elements. In addition, the Association shall be responsible for exterior maintenance upon each Lot which is subject to assessment hereunder, as follows: paint, repair, replace, and care for roofs, gutters, downspouts, exterior building surfaces, including patio walls, trees, shrubs, grass, walks, and other exterior improvements. Such exterior maintenance shall not include **decks**, driveways, glass surfaces of exterior doors, garage doors, and windows, or the screened surfaces or interior surfaces of screened in ~~decks or~~ patios."

4. Article VI is amended as follows (*Bold typeface used to indicate additions to the current language. Strikethrough typeface used to indicate language that was removed.*):

"Each Unit shall have two (2) inside garage parking spaces which shall not be a Common Element. A patio **designated as** ~~or deck shall be~~ an assigned space so that the Owner of the Unit has one (1) patio space (except for walk-out Units which will have a patio and deck) ~~which~~ shall be common area to be maintained by the Association. All parking spaces and patios which are not assigned for the exclusive use of an Owner shall be open for the use of any other Owner or his guest."

Except as otherwise provided herein, the Declaration shall remain unchanged and in full force and effect.

SIGNATURE PAGE FOLLOWS.

IN WITNESS WHEREOF, the undersigned give their consent and have set their hands the date first above written.

**VILLAS AT THE CROSSINGS BOARD OF DIRECTORS**

*Cheryl Michel*

Printed name: CHERYL MICHEL

*Christine F. Groff*

Printed name: Christine F. Groff

*Rose Jarke*

Printed name: ROSE JARKE

**BEING ALL OF THE DIRECTORS**

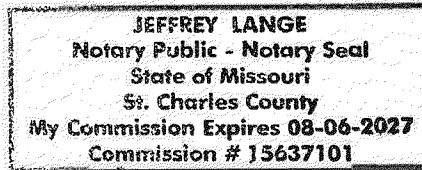
STATE OF MISSOURI )  
 ) SS.  
COUNTY OF ST. CHARLES )

On this 16 day of December, 2023, before me personally appeared the above-named individuals, who being by me duly sworn, did say that they are the Directors of the Villas at the Crossings subdivision and that they each executed this instrument and acknowledged said instrument to be their free act and deed.

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

*Jeffrey Lange*  
Notary Public

My term expires: 8/6/2027



SIGNED INSTRUMENTS FROM OWNERS HAVE BEEN RECORDED IN THE ASSOCIATION RECORDS.