

**AMENDMENT TO
THE VERSAILLES CONDOMINIUM
DECLARATION OF CONDOMINIUM OWNERSHIP AND BY-LAWS**

THIS AMENDMENT is made this _____ day of _____, 2004, by the Unit Owners as Members of Versailles Condominium Association ("Association").

WITNESSETH:

WHEREAS, The Versailles Condominium was created under the Missouri Condominium Property Act, Sections 448.005 to 448.210, RSMo, and applicable provisions of the Missouri Uniform Condominium Act, Sections 448.1-101 to 448.4-120, RSMo ("Acts"), by virtue of "The Versailles Condominium Declaration of Condominium Ownership and By-Laws," as recorded on January 6, 1981 in Book 257, Page 1127 of the records of the City of St. Louis, Missouri, as may be amended ("Declaration"); and

WHEREAS, the real property comprising the Condominium and subject to the Declaration is more particularly described on page 1 of the Declaration and depicted on the Plat of the Condominium as recorded in Plat Book 45, Page 29 of the records of the City of St. Louis, Missouri; and

WHEREAS, Section 8 of Article XIV of the Declaration authorizes amendment of the Declaration by approval of seventy-five percent (75%) of the Owners with notice to the holders of first deeds of trust against the Units, and

WHEREAS, the Missouri Uniform Condominium Act ("UCA") allows adoption of any of its provisions by amendment of the Declaration, provided that such amendment is adopted in accordance with the existing amendment provisions of the Declaration; and

WHEREAS, the Unit Owners of the Condominium as members of the Association, desire and intend to amend the Declaration to adopt the amendment procedures contained in the UCA for the Declaration, as hereinafter set forth.

NOW THEREFORE, the Association, in compliance with Section 8 of Article XIV of the Declaration, amends the Declaration as follows:

A. Section 8 of Article XIV is hereby deleted in its entirety, and a new Section 8 inserted in lieu thereof, to read as follows:

"ARTICLE SIXTEEN: AMENDMENT

8. Amendments. "The Declaration and By-Laws may be amended as follows:

“(a) Declaration -- General: The amendment procedures contained in Section 448.2-117 of the UCA are hereby adopted, as follows: Except in cases of amendments that may be executed by the Association under Section 448.1-107 of the UCA, or by certain Unit Owners under Section 448.2-112 of the UCA, this Declaration, including the Plat, may be amended only by vote or agreement of the Owners of Units to which at least sixty-seven percent (67%) of the votes are allocated.

“(1) Limitation of Challenges: No action to challenge the procedural validity of an amendment adopted by the Association pursuant to this Section may be brought more than one (1) year after the amendment is recorded; otherwise, such amendment shall be presumed to have been validly adopted. In no event shall a change of conditions or circumstances operate to amend any provision of this Declaration.

“(2) Special Amendments: Except to the extent expressly permitted or required by other provisions of the UCA, no amendment may create or increase special declarant rights, increase the number of units, or change allocated interests of a Unit, or the restriction that each residential Unit may be used solely for residential purposes, in the absence of unanimous consent of the Unit Owners.

“(b) By-Laws. Notwithstanding anything to the contrary in this Declaration Articles V, VI and VII of the Declaration, which contain By-Laws provisions and are referred to herein as the “By-Laws,” may be amended by a majority of all the Owners as provided in Section 448.3-106 of the UCA. Said By-Laws, or portions thereof, may be located in a separate document and need not be recorded.

“(c) Board Amendments: Notwithstanding anything to the contrary in this Section 8, the Board is authorized to amend this Declaration or the By-Laws to correct drafting or technical errors or to bring the Condominium into compliance with conditions imposed by lenders providing government insured loans.

“(d) Execution of Amendments: An amendment to the Declaration required by the UCA to be recorded by the Association, which has been adopted in accordance with this Declaration and the UCA, shall be executed on behalf of the Association by the President and certified by the Secretary, or by such other officers as may be designated by Board resolution.

“(e) Recordation of Amendments: Each amendment to the Declaration shall be recorded in the City of St. Louis and the amendment is effective only upon recording, unless otherwise expressly provided in the amendment.”

B. The President and Secretary of the Association are authorized to execute and record this Amendment upon its adoption and, by their signatures below, do certify that this Amendment has been duly approved as provided in Section 8 of Article XIV of the Declaration.

C. This Amendment shall be effective upon its recording in the records of the City of St. Louis, Missouri, and shall apply to events and circumstances occurring after said recording date.

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