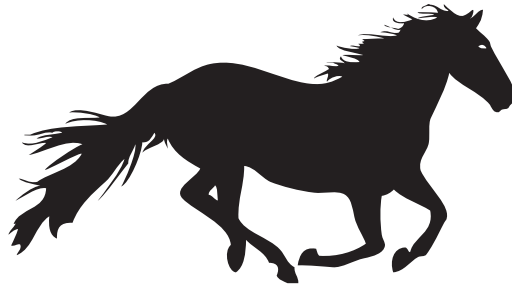




Eagle Meadows



Equestrian Friendly Estates

Homeowner's Guide

Revised 7/14/22

For more information, visit:

www.HelpingHomeowners.com

Note: The developers, www.HelpingHomeowners.com, and associates assume no responsibility or liability for any errors or omissions in this document or on the website. The Covenants, Conditions, Restrictions, Amendments, and other real estate land records for Eagle Meadows Subdivision are publicly available through the Recorder's Office in Christian County, Missouri. This document does not substitute for **Due Diligence**.

"Due Diligence means examinations, inspections, investigations, tests, studies, analyses, appraisals, evaluations and/or investigations with respect to the Property, the Documents, and other information and documents regarding the Property, including, without limitation, examination and review of title matters, applicable land use and zoning Laws and other Laws applicable to the Property, the physical condition of the Property, and the economic status of the Property." (LawInsider.com Definition)

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Subdivision Plat



Note: For the official plat registered with the county, go to Christian County, MO Recorder's Office.

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2005114362
REC. FEE: 48.00
PAGES: 9
CHRISTIAN COUNTY, MISSOURI, IN THE
RECORDERS OFFICE
ROY MEADOWS, RECORDER OF
SAID COUNTY, DO HEREBY CERTIFY THAT
THE WITHIN INSTRUMENT OF WRITING
WAS, ON 07-19-2005 AT 1:11 PM
DULY FILED FOR RECORD AND IS
RECORDED IN THE RECORDS OF THIS
OFFICE. IN BOOK 395 AT PAGE
4556 IN TESTIMONY WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY
OFFICIAL SEAL AT OZARK, MO., ON
THIS DATE: 07-19-2005
ROY MEADOWS, RECORDER
Kelly Hall, DEPUTY

**DECLARATION OF COVENANTS,
RESTRICTIONS AND CONDITIONS
OF
EAGLE MEADOWS SUBDIVISION**

WHEREAS, on the 19th day of July, 2005, The Stocker Construction Company Inc. and Kasada Properties LLC are the owners, grantors and Developers of the property located in Christian County, Missouri, described as Eagle Meadows, a Subdivision recorded in book H, at page 357, in the office of Recorder of Deeds of Christian County, Missouri.

WHEREAS, the Developers desire to provide for the development of Eagle Meadows Subdivision as a controlled development with single-family homes.

NOW, THEREFORE, the Developers declare that the real estate platted as Eagle Meadows Subdivision shall be subject to the restrictions, covenants and conditions, easements and charges, hereinafter set forth, which shall run with the land and be binding on all present and future owners, and shall insure to the benefit of each owner of any part of the land in Eagle Meadows Subdivision.

ARTICLE I

DEFINITIONS

Section 1. The following words when used herein shall have the following meanings:

A. "Owner" shall mean the holder of record fee simple title, whether one or more persons, of any lot or dwelling unit.

B. "Lot" shall mean any tract of land designated by a number on any plat of property in and available for private ownership.

C. "Dwelling Unit" shall mean any building or portion thereof designed and intended for occupancy by one family as a residence.

D. "Property" or "properties" shall mean the real property included in the plat of and any additional real property that shall be made subject to these covenants as provided herein.

E. "Subdivision Plat" shall mean a recorded plat covering any or all of the Property referred to in this Declaration.

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ARTICLE II

EXPANSION

Section 1. Developers shall have the right to add additional property to Eagle Meadows Subdivision by declaration in writing, recorded in the Christian County Recorder's Office, subjecting said property to the provisions of this instrument, on the same terms and conditions as provided herein for Eagle Meadows Subdivision, provided that such addition shall be approved by the County of Christian.

ARTICLE III

GENERAL PROVISIONS

Section 1. Enforcement. The Developers shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration as modified and amended.

Section 2. Amendment. The covenants and restrictions of the Declaration may be amended in whole or in part at any time within seven years from the date of recordation of by an instrument in writing executed by the Developers, their successors or assigns.

A. The covenants and restrictions of this Declaration shall run with the land, for a term of thirty years from the date this Declaration is recorded, after which time they shall automatically extend for successive periods of ten years unless otherwise amended as herein provided.

ARTICLE IV

LAND USE

Section 1. None of said lots shall be used except for residential purposes. No building or structure of any kind shall be erected, altered, placed or permitted to remain on the lots described above other than newly constructed detached single family dwellings, and other buildings incident and necessary to the residential use of said dwellings may be constructed on said lot, so long as the same are not associated with commercial or business activities.

Section 2. The following minimum design standards shall apply to all dwellings constructed in the subdivision:

A. One level dwellings shall have a minimum of 1500 square feet of finished area.

B. Two level (a main floor with a basement) shall have a minimum of 1500 square feet of finished area on the main level.

C. Two story without basement, and two story with basement, shall have a minimum of 1200 square feet of finished area on the first floor level and a minimum of 700 square feet of finished area on the second floor level.

D. All dwelling units in subdivision shall be equipped with fully enclosed attached double or triple car garages. (carports are not permitted)

BOOK 0395 PAGE 4558

E. In computing the square footage of the finished area, it shall be figured exclusive of basement, open porches, closed porches, and garages. The Developers, or their designated representatives or assigns, may modify the design standards during the residential construction period as long as the modifications are approved in writing by the Developers and such modifications conform and harmonize with the exiting surroundings and dwellings.

F. No basketball goals shall be attached to the front of any dwelling or garage.

G. Front Exteriors of all homes will be brick and/or stone. A 30 foot setback line from right of way line shall prevail on all houses off subdivision roads. All houses along county roads must observe a 40 foot setback line from the right-of-way.

Section 3. All buildings shall be located or situated on the lot or lots in accordance with the building practices of Christian County and previously approved by Developers.

Section 4. No modular home, and no mobile home, shall be erected on, or moved onto any lot. Contractors, only with written approval of the Developers, may temporarily place small buildings, or trailers for office or storage purposes.

Section 5. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at anytime as a residence, either temporarily or permanently. No old house or other building shall be moved onto or placed upon any lot.

Section 6. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.

Section 7. No unlicensed, wrecked or inoperable vehicle of any type or description shall be parked, left, maintained or located on any lot or adjacent thereto, including the platted streets thereof. No trailers, trucks larger than 1 ton, camper bodies, boat or boat and trailer, or R.V.'s shall be parked, left or maintained on any street: the same may be garaged or may be stored in the rear of the residences constructed on said lots. No semi-truck or trailer shall be allowed to be parked on, or to remain on, property other than those approved by Developers for construction purposes.

Section 8. No residence shall be commenced on any lot and left with its exterior in a partially finished condition for more than one year from the time of commencement of construction.

Section 9. Animals will be permitted with the following exceptions:

A. No chickens, pigs, goats, or other animals, or fowl, shall be maintained on any lot within the subdivision, with the following exceptions. A reasonable number of generally recognized house pets are permitted only if they are kept solely as domestic pets and not for commercial purposes. No animal shall be allowed to make an unreasonable amount of noise, or to become a nuisance. No animal shall be allowed to roam the Subdivision. All animals must be contained in owners yard. No pens shall be closer than 30 feet from any property line.

B. Horses will be permitted on lot 15, the maximum number of horses shall not exceed two (2) on said lot 15.

BOOK 0395 PAGE 4559

Section 10. Signs: No sign of any kind shall be displayed to the public view of any lot except as follows:

- A. One sign of not more than five (5) square feet advertising the property for sale or rent;
- B. Signs used by a builder to advertise the property during the construction and sales period;
- C. Signs of such shape, size and location as the Developers, or their designated representatives or assigns, deem necessary, for security control and to advertise Eagle Meadows Subdivision; and
- D. One sign, not to exceed one (1) square foot in size, which may contain the name or names of the owner or owners and/or the dwelling unit number.
- E. All dwellings shall prominently display the address assigned by 911 for the dispatch of emergency vehicles and for identification by visitors.

Section 11. Landscaping and Lawns: Each owner shall complete landscaping prior to occupying the premises, unless a delay is necessary based on weather conditions. Each owner of a lot within Eagle Meadows Subdivision shall keep all shrubs, trees, grass and plantings, including the area located between the boundary line of his property and the street on which such owner's property abuts, neatly trimmed, properly cultivated and free of trash, weeds and other unsightly material.

Section 12. No soil may be removed from said subdivision without written consent of the Developers.

- A. Lot owner shall take all steps to ensure soil does not escape the bounds of the lot in accord with State Regulations, (especially during construction).

Section 13. Employment in the home shall not alter the residential appearance of the residence and no home, that is otherwise vacant, may house employment. No home occupation shall necessitate regular truck deliveries. There shall be no outdoor storage of materials used in the home occupation. No signs advertising home occupation will be allowed.

Section 14. Each occupant in Eagle Meadows Subdivision shall be required to contract with a licensed waste hauler for the weekly removal of all solid waste, trash or garbage generated by said occupant. No garbage or trash shall be placed or kept on any property, except in covered containers of a standard type. No incinerators shall be kept or maintained on any lot.

Section 15. Driveways: All driveways from the street to garage upon any lot shall be paved with asphalt or concrete.

Section 16. Fences: No fence may be constructed, put up, or installed without written approval of Developers, or their designated representatives or assigns, after proper submission of plans and specifications to Developers, or their designated representatives or assigns;

- A. Chain link fences are permitted where appropriate to contain pets or other permitted animals.

BOOK 0395 PAGE 4560

B. Privacy fences may not exceed seventy-two (72) inches in height, and may only enclose a swimming pool, tennis court, or patio.

C. No fences may be cut, taken down, or removed which border the exterior property line of the subdivision, without the written approval of the Developers, or their designated representatives or assigns.

D. Barbed wire is not permitted.

Section 17 Trees: Trees may not be cut or removed without approval of Developers, or their designated representatives or assigns.

Section 18. Antennas: No radio towers or antennas, either for receiving or transmitting, shall be erected on any lot or on the exterior of any house located thereon. A television antenna that does not exceed six (6) feet in height above the edge of the house on which it is erected is permitted.

Section 19. Outside Lighting: Spotlights, floodlights, or similar type high intensity lighting shall be designed, located and constructed so as to eliminate or significantly reduce glare on adjoining residences, and the Developers, or their designated representatives or assigns, may direct that they be redesigned or eliminated if they determine that it is advisable. Other types of low intensity lighting, which do not disturb the owners, or other occupants of the properties may be allowed.

Section 20. Easements: Easements are reserved and dedicated as shown upon the recorded plat of Eagle Meadows Subdivision.

Section 21. All lot entrances will be from Interior Road. No entrances to be made off of County Road, except those already plated or approved by Developers, or their designated representatives or assigns.

Section 22. Repair of Buildings: No building, structure or fence upon any lot within Eagle Meadows Subdivision, shall be permitted to fall into disrepair, and each such building, structure or fence shall at all times be kept in good condition and repair and adequately painted or otherwise finished.

ARTICLE V

ARCHITECTURAL CONTROL

Section 1. Architectural Control: No Building, house, barn, garage, tool shed, fence, wall or other structure or improvement of any kind, nor any addition thereto, shall be commenced or placed on any Lot until the plans and specifications for said improvement, including the location of said improvement on the Lot, and the intended building contractor or other person or corporation involved therein, shall have been submitted to and approved, by the Developers, or their designated representatives or assigns. After such plans and specifications are approved, such building or improvements shall be constructed to strict conformity with the plans and specifications as approved. In the event that Developers shall not approve or reject or make objection to said plans within a period of 30 days after submission to the Developers, then the plans and specifications shall be deemed to have been approved. No lot shall be divided without the prior written consent of the Developers, and shall be according to County specifications.

BOOK 0395 PAGE 4561

Section 2. Delivery of Notices and Documents: Any written notice or other documents relating to or required by the Covenants and Restrictions may be delivered either personally or by mail. If by mail, it shall be addressed as follows;

A. To an Owner or Builder: the address of any Lot within Eagle Meadows Subdivision, owned, by him or to any other address last furnished by an Owner to the Developers.

B. To the Developers: to its designated agent, currently Ken Anderson, 104 S. 2nd Ave. Ozark, Mo.65721.

Note: Current developers and location to send documents to...
Helping Homeowners/Eagle Meadows Subdivision
Michael and Linda Gray
300 Eagle Flight
Ozark, MO 65721

BOOK 0395 PAGE 4562

IN WITNESS WHEREOF, the undersigned, THE STOCKER CONSTRUCTION COMPANY Inc
herein has set its hand and seal this 16th day of JULY, 2005.

The Stocker Construction Company Inc

By: [Signature]
Steve Beck, President

[Signature]
Jim Taylor, Secretary



STATE OF MISSOURI

COUNTY OF ST. LOUIS

On this 16th day of JULY, 2005, before me personally appeared
Steve Beck, to me personally known, who being duly sworn, did say that he is PRESIDENT of
THE STOCKER CONSTRUCTION COMPANY Inc and that the seal affixed to this instrument
is the corporate seal of said corporation, and that the said instrument was signed and sealed in
behalf of said corporation by authority of its Board of Directors and the said PRESIDENT
acknowledged said instrument to be the free act and deed of said corporation.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal, at
Webster Groves, Missouri, the day and year first above written.

[Signature: Jay R. Lewis]
Notary Public
My commission expires: April 23, 2006

JAY R. LEWIS
Notary Public - Notary Seal
STATE OF MISSOURI
St. Louis County
My Commission Expires: April 23, 2006

BOOK 0395 PAGE 4563

IN WITNESS WHEREOF, the undersigned, KASADA PROPERTIES LLC herein has set its hand this 19th day of July, 2005.

KASADA PROPERTIES LLC

By: Ken Anderson
Ken Anderson Managing Member

STATE OF MISSOURI

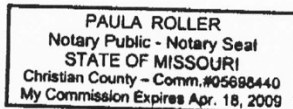
COUNTY OF CHRISTIAN

On this 19th day of July, 2005, before me personally appeared Ken Anderson, to me personally known, who being duly sworn, did say that he is the Managing Member of KASADA PROPERTIES LLC, and that the said instrument was signed in behalf of said LLC by authority of its Managing Member and Ken Anderson acknowledged said instrument to be the free act and deed of said KASADA PROPERTIES LLC.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal, at OZARK, Missouri, the day and year first above written.

Paula Roller
Notary Public

My commission expires: Apr; 18, 2009



BOOK 0395 PAGE 4564

The STOCKER CONSTRUCTION COMPANY INC. 54.52 ACRE LEGAL DESCRIPTION

A PART OF SECTION 8, T26N, R21W CHRISTIAN COUNTY, MISSOURI,
DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF THE SW 1/4 OF SECTION 8 THENCE S 00 08'13" W ALONG THE EAST LINE OF SECTION 8 25.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF MELTON AVENUE FOR A POINT OF BEGINNING; THENCE S 88 11'08" E ALONG SAID RIGHT OF WAY 504.73 FEET; THENCE S 02 06'42" E LEAVING SAID RIGHT OF WAY 300.65 FEET; THENCE S 28 20'27"W 246.69 FEET; THENCE S 00 46'12"W 600.64 FEET; THENCE S 03 19'33"E 201.88 FEET; THENCE S 88 02'42"E 665.97 FEET TO THE EAST LINE OF THE SW 1/4 OF SECTION 8; THENCE S 00 44'51"W, 1298.27 FEET TO THE SOUTH LINE OF SECTION 8; THENCE N 88 11'09"W ALONG SAID SOUTH LINE 1320.00 FEET TO THE SW CORNER OF SECTION 8; THENCE N 00 44'51" E ALONG THE WEST LINE OF SECTION 8, 1307.43 FEET; THENCE N 00 59'05" E, 389.71 FEET; THENCE N 76 27'11"E, 230.44 FEET; THENCE N 87 55'00"E, 316.78 FEET; THENCE N 02 37'42"E, 201.27 FEET; THENCE N 86 21'20"W, 302.29 FEET; THENCE N 83 53'43"W, 246.50 FEET; THENCE N 00 43'04"E, 606.87 FEET TO THE POINT OF BEGINNING, CONTAINING 54.52 ACRES MORE OR LESS AND SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS OF RECORD.

KASADA PROPERTIES LLC 21.6 ACRE LEGAL DESCRIPTION

A PART OF THE SW 1/4 OF SECTION 8, T26N, R21W, CHRISTIAN COUNTY, MISSOURI,
DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF THE SW 1/4 OF SECTION 8, THENCE S 00 08'13"W, 25.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF MELTON ROAD; THENCE S 88 11'08"E, ALONG SAID RIGHT-OF-WAY 504.73 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING ALONG LAST DESCRIBED COURSE, 815.00 FEET; THENCE S 00 44' 51"W LEAVING SAID RIGHT-OF-WAY, 1316.73 FEET; THENCE N 88 02' 42"W, 665.97 FEET; THENCE N 03 19'33"W, 201.88 FEET; THENCE N 00 46'12"E, 600.64 FEET; THENCE N 28 20'27"W, 246.69 FEET; THENCE N 02 06'42"W, 300.65 FEET TO THE POINT OF BEGINNING. CONTAINING 21.6 ACRES MORE OR LESS AND SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS OF RECORD.

Assignment of Developer Rights 10/02/2009



Image# 004337520002 Type: LAN
Recorded: 10/02/2009 at 09:57:56 AM
Total Amt: \$27.00 Page 1 of 2
Christian County Recorder
Roy Meadows Recorder of Deeds
File# 2009-00014132

BK **2009** PG **14012**



ASSIGNMENT OF DEVELOPER'S RIGHTS IN EAGLE MEADOWS SUBDIVISION

THIS ASSIGNMENT, made on the 30th day of September, 2009, by and between **The Stocker Construction Company**, a Missouri corporation, Grantors/Assignor, and **Michael E. Gray and Linda E. Gray**, husband and wife, of the County of Christian, in the State of Missouri, Grantees/Assignees.


WHEREAS, Eagle Meadows Subdivision, a subdivision in Christian County, Missouri, is subject to **DECLARATION OF COVENANTS, RESTRICTIONS AND CONDITIONS** recorded in the office of the Recorder of Deeds in Christian County, Missouri, in Book 395 at Page 4556 (hereinafter referred to as the "Declaration"); and

WHEREAS, Grantor/Assignor is the successor Developer of the real property subject to the Declaration and desires to assign all rights of the Developer of Eagle Meadows Subdivision, as set forth in the Declaration, as amended, to Grantees/Assignees.

WITNESSETH, that Grantor/Assignor, for and inconsideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to it paid by Grantees/Assignees, the receipt of which is hereby acknowledged, does by these presents negotiate, transfer, assign, endorse, grant, convey, and deliver unto Grantees/Assignees, without warranty or recourse, all of its rights as the "Developer" as set forth in the Declaration, as amended. This assignment shall bind Grantor/Assignor and its successors and assigns and inures to the benefit of Grantees/Assignees and their heirs, successors, and assigns.

IN WITNESS WHEREOF, the undersigned, THE STOCKER CONSTRUCTION COMPANY, herein has set its hand and seal this 29th day of September 2009.


The Stocker Construction Company

By: 
Steven D. Beck President

STATE OF MISSOURI)
COUNTY OF St. Louis) ss.

On this 29th day of September, 2009, before me, a Notary Public in and for said County and State, personally appeared Steven D. Beck, who, known to me to be the person who executed the within instrument, states that he is the President of The Stocker Construction Company, a Missouri corporation, and is authorized by the Bylaws of said corporation to execute the within document on behalf of said corporation, and acknowledged to me that he executed the same on his free act and deed and as the free act and deed said corporation for purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



Notary Public



BRUCE F. HILTON
My Commission Expires
August 12, 2010
St. Louis County
Commission #06429361

CC&R Amendments 7/14/2009



Image# 004291190002 Type: LAN
Recorded: 07/14/2009 at 08:50:19 AM
Total Amt: \$27.00 Page 1 of 2
Christian County Recorder
Roy Meadows Recorder of Deeds
File# 2009-00010210

BK 2009 PG 10145



**AMENDMENT TO DECLARATION OF COVENANTS,
RESTRICTIONS AND CONDITIONS
OF EAGLE MEADOWS SUBDIVISION**

COMES NOW The Stocker Construction Company (hereinafter collectively referred to as "Developer"), as **Grantor**, and hereby states as follows:

WHEREAS, Eagle Meadows Subdivision, a subdivision in Christian County, Missouri, is subject to **DECLARATION OF COVENANTS, RESTRICTIONS AND CONDITIONS** recorded in the office of the Recorder of Deeds in Christian County, Missouri, in Book 395 at Page 4556 (hereinafter referred to as the "Declaration"); and

WHEREAS, Developer desires to add amend the Declaration in part.

NOW, THEREFORE, Developer hereby states as follows:

1. Article III, Section 2 of the Declaration provides that the covenants and restrictions of the Declaration may be amended in whole or in part at any time within seven years from the date of recordation of by an Instrument in writing executed by the Developers, their successors or assigns.

2. Article IV, Section 9.B. is hereby amended to read as follows:

Section 9. Animal will be permitted with the following exceptions:


B. Horses will be permitted on lots 12, 13, 14, and 15, the maximum number of horses shall not exceed (2) on any said lot.

3. In each and every other way the Declaration shall remain as last executed by Developer.

Grantee - Eagle Meadows Subdivision

IN WITNESS WHEREOF, the undersigned, THE STOCKER CONSTRUCTION COMPANY, herein has set its hand and seal this 6th day of July, 2009.

The Stocker Construction Company

By: 
Steven D. Beck President

~~Mark A. Stanger, Secretary~~
~~Tony McGhee, Treasurer~~

STATE OF MISSOURI)
COUNTY OF St. Louis) ss.

On this 6th day of July, 2009, before me, a Notary Public in and for said County and State, personally appeared Steven D. Beck, who, known to me to be the person who executed the within instrument, states that he is the President of The Stocker Construction Company, a Missouri corporation, and is authorized by the Bylaws of said corporation to execute the within document on behalf of said corporation, and acknowledged to me that he executed the same on his free act and deed and as the free act and deed said corporation for purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.




Notary Public



CC&R Amendments 11/07/2011



Image# 004751250004 Type: LAN
Recorded: 11/07/2011 at 02:55:09 PM
Total Amt: \$33.00 Page 1 of 4
Christian County Recorder
KELLY HALL Recorder of Deeds
File# 2011-00012107

BK **2011** PG **11998**



AMENDMENT TO THE DECLARATION OF COVENANTS, RESTRICTIONS AND CONDITIONS OF EAGLE MEADOWS SUBDIVISION

COMES NOW that Michael E. Gray and Linda E. Gray (hereinafter collectively referred to as "Developers"), as **Grantors**, and hereby states as follows:

Legal All of
WHEREAS, Eagle Meadows Subdivision, a subdivision in Christian County, Missouri, is subject to **DECLARATION OF COVENANTS, RESTRICTIONS AND CONDITIONS** recorded in the office of the Recorder of Deeds in Christian County, Missouri, in Book 395 Page 4556 (hereinafter referred to as the "Declaration"); and

Grantee Eagle Meadows Subdivision

WHEREAS, Developers desire to add and amend the Declaration in part.

NOW, THEREFORE, Developers hereby state as follows:

1. Article III, Section 2 of the Declaration provides that the covenants and restrictions of the Declaration may be amended in whole or in part at any time within seven years from the date of recordation of by an instrument in writing executed by the Developers, their successors or assigns.
2. Article III, General Provisions, is hereby amended to read as follows.

Section 2: Amendment. The covenants and restrictions of the Declaration may be amended in whole or part at any time within seven years from the date of recordation of by an instrument in writing executed by the Developers, their successors or assigns. If a majority (more than 50%) of the Lots are not developed (residential dwellings not constructed), the time to amend the covenants and restrictions of the Declaration shall automatically extend for successive periods of seven years until a majority of the Lots have been developed.

3. Article IV, Land Use, is hereby amended to read as follows:

Section 9: Animals will be permitted with the following exceptions:

B. Horses will be permitted on all Lots in Eagle Meadows Subdivision with the following conditions. The maximum number of horses shall not exceed two (2) on any Lot. No horses shall be kept on any parcel, either permanently or temporarily, unless a pasture for forage is provided for such animals. Fences must comply with requirements stated within the covenants and with Missouri Statute 272.020 (Missouri Fence Laws). The pasture must be mowed (to

control weeds) and otherwise cared for to insure healthy adequate forage growth. Lot Owners recognize and agree that the potential negative impact of over-grazing and/or improper grass cover management is not in their best interest or in the best interest of other Lot Owners in enjoying their property and in enhancing its value. Complete ground coverage must be maintained. Under no circumstances will animals be allowed on bare pastures. There must be at least one acre of pasture for each horse maintained on any Lot when using a rotational grazing method (multiple pastures). Or there must be at least two acres of pasture for each horse maintained on any Lot when using a continuous grazing method. If additional feed is needed, all hay and other feed shall be stored in the barn or other enclosed storage area approved by the Developers, or their designated representatives or assigns. No outside hay/feed storage will be allowed, including storage under a tarp. Watering tanks shall be used. During freezing temperatures, water tanks must be heated to allow horses to have access to clean water at all times. Missouri Statute 578.005 defines "Adequate Care", as normal and prudent attention to the needs of an animal, including wholesome food, clean water, shelter and health care as necessary to maintain good health. All horses must be provided with suitable shelter. This shelter will be a barn/stable which provides a minimum of one stall (at least 12 foot x 12 foot) per animal and adequate feeding and watering stations. The design and installation of these facilities is subject to approval by the Developers, or their designated representatives or assigns. If at any time a Lot Owner who keeps horses on his/her property fails to maintain a clean and healthy environment for the animals, or breaches these Covenants in any other way, legal action will commence. If the welfare of a horse is questioned, the Body Condition Scoring (BCS) system, developed by Texas A & M University, will be used. BCS is an objective way of determining the amount of body fat a horse has - using a numeric scoring system from 1 to 9. A score of 5 indicates a moderate condition and the ideal body condition for most horses. Any horse determined by an animal health agency employee or veterinarian to be malnourished shall be removed. Noncompliance with this amendment to the covenants by the Owner may result in the removal of all horses on the Lot at the Owner's expense. If a Lot Owner chooses to place horses on their Lot, the Lot Owner shall grant animal health officers, law enforcement officers, and veterinarians the right to enter the property at reasonable times for the purpose of monitoring the compliance with this Section. According to Missouri Statute 578.012 a person is guilty of animal abuse when a person having ownership or custody of an animal knowingly fails to provide adequate care or adequate control.

Section 23. Outbuildings: Detached garages, shops, and equestrian barns shall be permitted, but they must meet set-back requirements and blend with the residential exterior appearance (i.e., constructed of similar or like materials of the primary dwelling) or conform to the theme of the community. Steel sided pole type buildings, barns, or sheds will not be allowed. Any building existing in the aforesaid Eagle Meadows Subdivision as of November 7, 2011 shall not be affected by, nor subject to, the terms, conditions limitations and restrictions contained in this section (Article IV, Section 23).

Section 24. Underground Utilities: All utilities (electric, phone, cable, water, gas lines) shall be installed underground. Propane tanks supplying fuel to dwelling or outbuilding heating systems may be above ground.

Section 25. Ponds: All ponds must be constructed in accordance with the Missouri Pond Handbook from the Missouri Department of Conservation and approved by the Developers.

4. Article V, Architectural Control, Section 2.B. is hereby amended to read as follows.

Section 2B. To the Developers, or their successors, Michael E. Gray and Linda E. Gray,

Note: Current developers and location to send documents to...
Helping Homeowners/Eagle Meadows Subdivision
Michael and Linda Gray
300 Eagle Flight
Ozark, MO 65721

5. Article VI is hereby added.

Article VI, RESERVATION AND MAINTENANCE of EASEMENTS

Section 1. Developers grant and convey to each Owner, their respective family, invitees, guests and successors in title, a perpetual, non-exclusive easement for ingress and egress over and across the private road designated as Eagle Flight on the Plat, the use of such easement being subject to such limited access measures the Developers may establish for security and privacy purposes, including a security gate with restricted access at or near the intersection of Melton Ave and Eagle Flight as shown on the Plat. The maintenance, repair and upkeep of Eagle Flight, including appurtenances thereto such as curbs, sidewalks, privacy gate and security system, shall be the responsibility of the Owners. The cost of such maintenance and repair shall be divided equally among Owners. All costs incurred by the Owners resulting in such repairs, maintenance or replacement shall be assessed equally among the Lots as a special assessment. Each Lot Owner shall have one vote as the determination of the costs of maintenance, repair, and upkeep. Lots that have ingress and egress directly from Melton Ave are exempt from the special assessment and voting. A majority (more than 50%) of the Lot Owners are required to agree on costs of maintenance, repair, and upkeep before the maintenance, repair, and upkeep commences.

6. Article VII is hereby added.

Article VII, INHERENT RISK ACCEPTED

Section 1. Each Lot Owner, for himself, the members of their respective family, invitees, guests and successors ("Releasing Parties") shall be deemed to have released and agreed never to make a claim against the Developers, its successors or assigns for any injury, death or property damage (including diminution in value) that may ever be suffered or incurred by any of the Releasing Parties while on any Lot, Common Area, or private roads.

7. In each and every other way the Declaration shall remain as last executed by Developers.

IN WITNESS WHEREOF, the undersigned, Michael E. Gray and Linda E. Gray, herein has set its hand and seal this 7 day of Nov., 2011,

Michael E. Gray
Michael E. Gray

Linda E. Gray
Linda E. Gray

STATE OF MISSOURI }
 } ss.
COUNTY of Christian }

On this 7 day of November, 2011, before me, a Notary Public in and for said County and State, personally appeared Michael E. Gray and Linda E. Gray, who, known to me to be the person who executed the within instrument, states that they are authorized to execute the within document as the successor Developers of Eagle Meadows Subdivision as set forth in the Declaration, as amended and recorded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

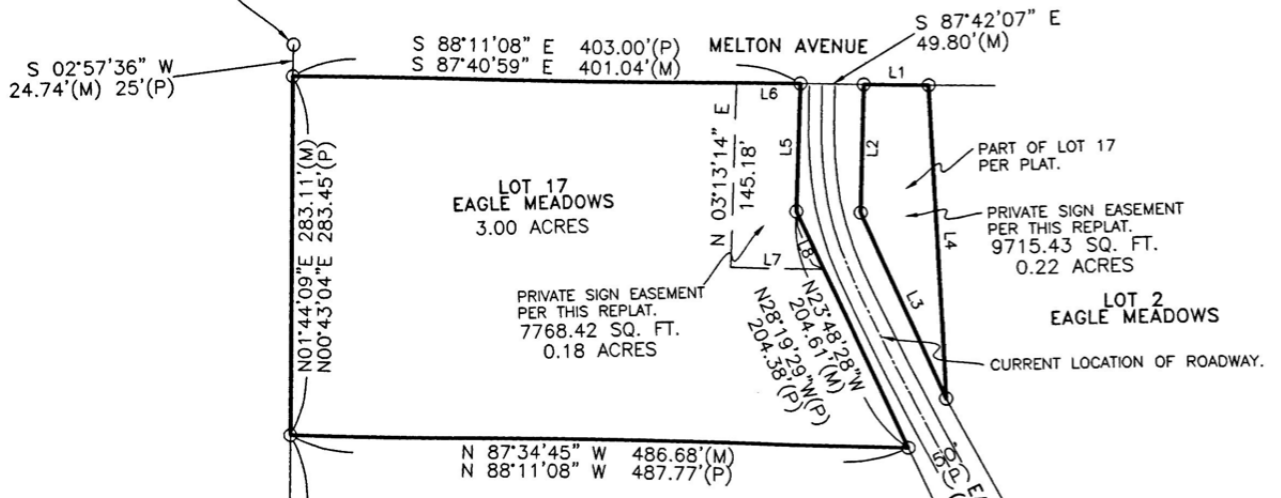


Cheryl Ann Mitchell
Notary Public



Front Entrance Easement

NW CORNER, NW1/4, SW1/4,
SEC. 8, T26N, R21W. FOUND
EXISTING IRON PIN.



Lot Improvement Checklist

Introduction and Purpose of this Document:

First of all...thanks for taking the time to follow the Covenants, Conditions, and Restrictions (CC&Rs) for Eagle Meadows Subdivision and becoming a member of this community. Part of the duties of the Developers (Michael and Linda Gray) is to oversee Land Use (Article IV) and Architectural Control (Article V). This role includes, but is not limited to: a) timely reviewing all submissions, b) ensuring that proposed improvements adhere to the guidelines set forth in the CC&Rs, and c) ultimately approving or disapproving proposals. We appreciate your compliance with the neighborhood covenants and your desire to improve your home and/or lot. Please take the time to submit all necessary information related to your proposed improvement to help expedite the process. If you have any questions or concerns regarding the process, please feel free to contact us. Otherwise, we will provide a response to you at our earliest convenience within a period of 30 days after submission.

Objectives/Goals of this Process:

- Preserve the integrity, quality, and land value within Eagle Meadows.
- Protect the natural beauty of Eagle Meadows by encouraging site development that is responsible and sensitive, while including appropriate architectural design that harmonizes with the natural elements of the Ozarks, as well as existing dwellings.

Steps to Success:

1. Carefully read the CC&Rs.
2. Obtain and plan using the "Division I Permit Procedure: Single Family Residences" from the Christian County Planning and Zoning Office, the "One & Two Family Residential Construction Guidelines and Inspection Checklists" from the Christian County Department of Building Inspections, and Unified Development Codes located at <https://www.christiancountymo.gov/offices/resource-management/planning-development/>.
3. Completely fill out this submission form.
4. Submit a complete set of building plans and specifications. These will not be returned, so please make a copy for yourself.
5. Be as detailed as possible.

Please Note:

1. This document does not replace any building or other permits required by Christian County, the State of Missouri, or any other governmental agency having jurisdiction in Eagle Meadows.
2. If the plans are not followed (or if construction/improvement begins before approval), the lot owner shall be held responsible for costs incurred in the enforcement (Article III) of the CC&Rs, including reasonable attorney fees.

3. During construction/lot improvement, the premises of the building site shall be kept in as orderly and neat (free of trash and debris) condition as possible. Contractors/lot owners are not allowed to burn construction materials at any time.
4. Please advise your contractor/builder and suppliers not to damage the road. It is the responsibility of the lot owner and his/her contractor to ensure that no damage to the subdivision road is caused by construction traffic. Should any damage occur to the road the lot owner will be held responsible for the cost for damages to be repaired to at least the same condition as it was before the damage was done.
5. All utilities (electric, phone, cable, water, gas lines, etc.) shall be installed underground. **Be sure to contact the Missouri One Call System (1-800-DIG-RITE or <https://mo1call.com/>) before excavating/digging.** Missouri law requires that any person making or beginning any excavation notify MOCS at least three but not more than ten working days, before commencing the excavation activity.
6. No building or structure of any kind shall be erected prior to the erection of a dwelling unit. The Unified Development Codes require a driveway access agreement to be approved by a designated Christian County Planning and Zoning official before the construction of a residential driveway.
7. Once the plans have been approved, no alteration, change or modification in the exterior appearance of any building, structure or other improvement shall be made without written approval by the Developers.
8. Approval shall be based, among other things, on adequacy of site dimensions; conformity and harmony of external design with proposed or existing neighboring structures or improvements; relation of topography; grade and finished ground elevation of the Lot to that of neighboring property; proper facing and aesthetic beauty; and quality and color of building materials to be used.
9. The Developers shall not be responsible or liable in any way for any defects in any plans or specifications approved or for any defects in any work done according to any plans and specifications approved. It is the responsibility of the lot owner to ensure the improvements meet building codes and structural/engineering soundness.
10. Submit all materials with certified delivery to:

Helping Homeowners/Eagle Meadows Subdivision

Michael and Linda Gray

300 Eagle Flight

Ozark, MO 65721

800-918-7323

info@rollinghillspublishing.com

I hereby acknowledge receipt of the following and its marked attachments
this

This receipt is not an acknowledgment that such submission is approved.

Drawing/Plans - Please attach the following (some are the same documents required by Christian County Planning and Zoning). Drawings do not have to be drawn to scale, but dimensions need to be shown. Please mark attachments with the following titles.

- ☐ **Cover Sheet** – Artist, 3D rendering, or photo of the lot improvement or structure exterior showing how it will look when built/constructed.
- ☐ **Exterior Elevations** – Shows the front, rear, and both sides of buildings and structures, with notes on exterior materials and color, finishes, roof pitches, and exterior height dimensions.
- ☐ **Floor Plan** – Shows layout of each floor, including square footage.
- ☐ **Plot Plan** – Detailed drawing include property lines, existing and proposed buildings and structures, paved areas and roads, prominent topography features, drainage and stormwater areas (directional arrows should illustrate drainage patterns), sediment and erosion control measures, utilities (electric, well, septic, etc...), easements, and general landscaping.
- ☐ **Additional Specifications** – Please include additional specifications where needed to assist in the decision making. Specifications give additional information not shown on the plans.

*** Please Note:** Only a Cover Sheet and Plot Plan are required for improvements not involving buildings and structures. Examples include, but are not limited to: fences, retaining walls, ponds, pools, and high intensity outdoor lighting. Water gardens, Koi Ponds, and Fishing Ponds also require Additional Specifications. Please indicate how the pond will be sealed or lined, how it will be constructed (including shape, size, and depth), how it will be properly filtered and aerated, and how mosquitoes will be controlled/prevented. The Missouri Pond Handbook needs to be followed for ponds bigger than ornamental/water garden size. It is recommended to consult an engineer experienced in pond design. Be sure to also satisfy federal, state, and local agency regulatory requirements prior to initiating construction. (Christian County requires a permit when one or more acres of soil are disturbed.)

Notice of Understanding:

I understand that I must receive the written approval of the Developer in order to proceed. The Developer's approval does not constitute approval of the local building or zoning department, conformance to local and Unified Development Codes, drainage design, or structural or engineering safety and/or soundness. I understand that I may be required to obtain building or other permits and approvals prior to the commencement of any work through regulatory agencies. I agree that my failure to obtain required building or other permits and approvals will result in the withdrawal of the Developer's approval.

I further agree not to alter existing drainage patterns on the Lot without the express approval in writing by the Developer.

I further agree upon completion of my improvement, I hereby authorize the Developer to enter onto my property for exterior inspection at a mutually agreed upon time. I agree that my refusal to allow inspection may result in the withdrawal of the approval. If at any time during the

process, the Developer requests to enter onto the Lot or requests further information to determine if the improvement is being constructed in accordance with the approval plan and in compliance with the covenants, I will comply with the request to meet at a mutually agreed upon time. I agree that my failure to comply with the request shall result in withdrawal of the approval. I further understand that the Developer may request additional information prior to approving this request.

I further agree that my failure to start or complete the improvement within the time specified on the application shall result in withdrawal of the approval unless an extension is requested from the Developer in writing and approved in writing.

Additionally, I understand the Developer has the right, through due process, to sue for and obtain an injunction to prevent the breach of or to enforce the CC&Rs and this document, in addition to any action at law or in equity for damages (See Article III). The prevailing party in any such action shall be entitled to recovery of its costs and expenses, including reasonable attorneys' fees.

Homeowner Signature: _____ **Date:** _____

Homeowner Signature: _____ **Date:** _____

DECISION OF THE DEVELOPER

The Developer, having reviewed the Lot Improvement Submission Form, hereby finds that the request is:

☐ **APPROVED AS SUBMITTED**

MUST BE COMPLETED BY _____

☐ **DENIED FOR THE REASON(S) STATED BELOW**

☐ Improvement does not comply with applicable provisions of the declaration of covenants, conditions, and restrictions section(s):

☐ Improvement is not reasonably suitable for the lot.

☐ Not an approved exterior color or material.

☐ Request is not in harmony with surrounding structures.

☐ Did not receive sufficient information on plans to move forward.

☐ Other comments:

Developer _____

Date _____

Developer _____

Date _____

Managing Construction and Demolition Waste - PUB2045

Waste Management Program fact sheet

Division of Environmental Quality Director: Kyra Moore

05/14/2021

PUB2045



This guidance is provided primarily for construction, renovation and demolition contractors, roofing contractors, remodeling businesses, waste haulers, homebuilders and homeowners. Cities and counties that issue building permits may also find this fact sheet helpful. The guidance covers only materials and wastes commonly produced during building construction, renovation and demolition. For information on the management of surface coatings removed from bridges, water towers or other similar outdoor structures, refer to the department's fact sheet, [Environmental Regulations for Paint Removal on Outdoor Structures - PUB0118](#).

Management and Disposal Requirements

During construction, renovation and demolition activities you may produce one or more of the following types of materials. Management and disposal requirements differ for each of them:

Clean fill

Clean fill material is uncontaminated soil, rock, sand, gravel, concrete, asphaltic concrete, cinderblocks, brick, minimal amounts of wood and metal, and inert (non-reactive) solids approved by rule or the department for fill, reclamation or other beneficial use. Minimal amounts of wood and metal means the smallest amount possible. For example, reinforced concrete, which contains wire mesh or rebar, may be used as clean fill, but the exposed rebar must be removed before use. Asphaltic concrete that is planned for use as fill should not be crushed or ground to minimize leaching of any chemicals and toxic metals from the material. Mixed fill materials containing more than minimal amounts of wood and metal wastes, roofing shingles, sheet rock or other construction and demolition wastes are not considered clean fill.

Placement of clean fill materials may be subject to requirements of the department's Water Protection Branch, particularly if it is placed in contact with surface or subsurface waters of the state or if it would otherwise violate water quality standards. For questions about clean fill material placement, contact the Water Protection Program at [573-751-1300](tel:573-751-1300).

Note: Municipalities and county government departments may also have restrictions or requirements concerning the use of clean fill materials; check with these entities before beginning a fill project.

Recovered materials

Recovered materials are those wastes that have been removed for reuse (lumber, doors, windows, ceramic tile and glass) and also items that are removed to be made into new products. Potentially recyclable construction, renovation and demolition wastes may include scrap metals, asphalt

shingles, sheet rock, lumber, glass and electrical wire. However, if materials are removed from the property where they were generated, the recovered materials must be reused or repurposed into an item(s) for a different use(s) and not simply dumped or used as fill.

If you plan to remove reusable or recyclable materials from construction and demolition waste, the sorting must take place at the construction or demolition site. The wastes cannot be hauled from the site and dumped for later sorting, except at a permitted processing facility or at a facility that has received an approved permit exemption from the Waste Management Program. Although the department strongly encourages the recovery or recycling of potential waste materials whenever possible, these activities must be conducted legally.

Prior to separating certain wastes out to be reused or recycled into different products, research the materials and determine if there is a demand or market for the product(s) you plan to create from the recycled waste. The department's Waste Management Program has information regarding many recycling facilities in Missouri. You may contact the program at [573-751-5401](tel:573-751-5401) or search the [Missouri Materials Management Directory](#)

for more information.

Regulated (nonhazardous) construction, renovation and demolition wastes

Regulated nonhazardous construction, renovation and demolition wastes are those that do not meet the definition of clean fill and, for whatever reason, are not able to be recovered for reuse or recycling. Some examples of these wastes are insulation, drywall, wooden paneling, carpet padding, carpeting, linoleum, etc. These construction and demolition wastes must be disposed at a permitted solid waste landfill or processing facility.

Remember these key requirements about regulated non-hazardous construction and demolition wastes:

- In most cases, it is not legal to burn these wastes. Only untreated wood waste may be burned, and this is allowed as long as you apply for and obtain an open burning permit prior to burning the waste. For more information about open burning, review the fact sheet, [Facts on Open Burning Under Missouri Regulations - PUB2047](#). Contact the department's [regional office](#) nearest to your location for permit information and conditions for burning untreated wood waste. Check with municipal and county government departments in your area to determine any additional burning restrictions and requirements they may have.
- It is not legal to bury the wastes, except in a permitted solid waste landfill
- It is not legal to haul the wastes to private or public property and dump, burn or bury the wastes, even with the landowner's permission

If wastes are burned, buried, or hauled then burned and/ or buried as described in the scenarios above, everyone involved, including the contractor(s), subcontractor(s), waste hauler(s) and the

landowner(s) where the burial, dumping, and/or burning occurs may be held liable for these illegal actions (See Sections 260.210, 260.211 and 260.212 RSMo).

Hazardous materials and hazardous wastes

Although you may find a variety of hazardous materials in old buildings, lead-based paint and universal wastes (e.g., mercury-containing equipment and lamps) are usually the most common hazardous wastes that require special handling by demolition contractors. Hazardous wastes resulting from construction, renovation and demolition activities at small and large businesses, institutions, municipalities, churches, schools and other structures not specifically identified must be managed according to the Missouri Hazardous Waste Management Law and Regulations while the waste is on-site, in transport and during final disposal or treatment. Households and farmers are mostly exempt from hazardous waste requirements under Section 260.380.1. RSMo.

It is the generator's responsibility to determine if materials generated during construction, renovation and demolition are hazardous wastes, including any materials believed to be clean fill and planned for use as fill. A hazardous waste determination can be made by applying verifiable historical knowledge of the materials in question or by the analysis of a representative sampling of the waste materials. More information on hazardous waste management in Missouri is provided in the department's, [Handbook for Small Quantity Generators - PUB2174](#).

Nonhazardous waste must be taken to a permitted sanitary landfill for proper disposal. The waste may have to be managed by landfill personnel as a "special waste" and require the completion of a special waste disposal form. For more information about managing special wastes, see the department's fact sheet, [Special Waste - PUB2050](#).

Building components commonly encountered during demolition and renovation that can contain contaminants such as lead and other heavy metals include:

- Paint residue – Paint chips, paint scrapings and contaminated blast residue from building renovations or demolition projects.
- Demolition debris – Painted cinder block or bricks. Metal and boards that have been painted with lead-based or other heavy metal-based paint (note: painted metal and boards may not be used as clean fill).
- Scrap metal – Metal objects that contain lead or other heavy metals.
- Universal waste – Mercury-containing equipment and lamps, (e.g., thermostats and fluorescent light bulbs) and batteries.

Paint Residue

Paint residue should be laboratory-tested before disposal unless there is sufficient historical knowledge of the paint types and whether or not they contained heavy metals to make an accurate determination that the residue is either hazardous or nonhazardous. The appropriate test method is the Toxicity Characteristic Leaching Procedure (TCLP), EPA Method 1311, referenced in the Code of Federal Regulations (CFR), 40 CFR Part 261. The test should include the eight metals noted in 40 CFR Part 261.24 (arsenic, barium, cadmium, chromium, lead,

mercury, selenium and silver). Environmental laboratories capable of conducting a TCLP may be found by conducting an internet search of such companies. If one or more of the analytical limits meet(s) or exceed(s) the regulatory limit, the waste must be managed as a hazardous waste.

Demolition Debris

While it is unlikely that a representative sample of demolition debris, including painted block or brick, would fail the TCLP mentioned above, all solid wastes must receive an accurate hazardous waste determination when they are generated. If generator knowledge of the material is insufficient to make an accurate hazardous waste determination, then testing of the debris is needed. Demolition debris should not be chipped, shredded, milled, ground, mulched or similarly processed in a way that would increase their leachability before disposal.

Scrap Metals

When scrap metals are sent to a salvage yard for recycling, it is not necessary to make a hazardous waste determination on those materials. If recycling is not possible, and the metals must be discarded in a solid waste landfill, the metals are subject to a hazardous waste determination as described above.

Universal Waste

Universal wastes are commonly generated by a wide variety of establishments and include batteries, pesticides, mercury-containing equipment (e.g., thermostats) and lamps (e.g., fluorescent light bulbs). Managing these wastes under the Universal Waste Rule helps reduce the regulatory burden on the waste generator versus management solely as a hazardous waste. More information on universal waste management is available in [The Universal Waste Rule in Missouri - PUB2058](#).

Asbestos-containing material

Certain construction, renovation, or demolition wastes, such as asbestos-containing materials, require special handling and disposal procedures at a sanitary landfill. These special procedures mean the waste will be considered a special waste and require additional steps to ensure the waste is managed appropriately during disposal (see the department's fact sheet, [Special Waste - PUB2050](#)). The landfill may require submission of a special waste disposal request form, along with test results to prove that the waste is not hazardous, before accepting the waste for disposal.

Before planning a demolition project, bidding a project, letting a bid or beginning the demolition process, it is important to know if the building has any asbestos-containing materials, and who is responsible for removing them. All public, institutional or commercial buildings, and in some instances residential structures, must be inspected for asbestos before renovation or demolition activities. Buildings may contain asbestos in ceiling or floor tile, insulation or soundproofing on ceilings, pipes, ductwork, boilers, on the outside as transite siding or in shingles. The presence of asbestos-containing materials cannot be confirmed just by looking. A sample of the suspected

asbestos-containing material must be collected and sent for analysis to determine whether or not asbestos is in a material.

A thorough inspection of any regulated building must be conducted by a Missouri-certified asbestos inspector to determine the presence and condition of asbestos-containing materials. Depending upon the results of the inspection, a registered asbestos abatement contractor may be required to complete the removal and disposal process. For information regarding asbestos demolition, renovation and abatement (removal), please review the department's [Asbestos](#) webpage. For more specific information about managing asbestos-containing materials, please contact the department's Air Pollution Control Program's Asbestos Unit at [573-751-4817](tel:573-751-4817). If the asbestos-containing materials are to go to a solid waste landfill or transfer station for disposal, contact the facility in advance to see if they will accept these materials and find out what special handling or packaging requirements must be used for them to accept the waste.

Other Requirements

Other legal requirements related to managing construction, renovation and demolition wastes include:

- Anyone engaged in building construction, modification or demolition of structures must maintain a record of all sites used for construction and demolition waste disposal for one year. The records must be made available to department team members upon request (see Section 260.210.7 RSMo).
- Cities and counties issuing building permits are required to notify each permittee in writing of the legal requirements for construction and demolition waste disposal (Section 260.210.8 RSMo).
- A person shall be guilty of conspiracy if he knows or should have known that his agent or employee has violated the civil or criminal provisions of the law related to illegal disposal of construction and demolition waste or other solid waste (Section 260.212.9 RSMo).
- Anyone selling, conveying or transferring property that contains construction and demolition waste or other solid waste on the site (whether buried or not), must disclose the existence and location of the waste disposal site to a potential buyer early in the negotiation process and explain the liability for remediation of the waste may be transferred to the new owner (Section 260.213 RSMo).
- Anyone hauling materials that could fall or blow from a vehicle, including construction and demolition waste, must cover the load and secure it so that none of it can become dislodged and fall from the vehicle (Section 307.010 RSMo). In addition, many landfills and transfer stations in Missouri require all incoming loads to be covered. Some facilities accept open loads, but may charge you an extra fee to dispose of them.
- A person commits the crime of littering if they throw or place, or cause to be thrown or placed, any garbage, trash, refuse or rubbish of any kind on the right-of-way of any public road or highway; in or on any waters of the state or the streambanks; and on any public or private property (owned by another and without their consent) (Section 577.070, RSMo).

Penalties for Illegal Disposal of Construction, Renovation and Demolition Wastes

The Missouri Solid Waste Management Law provides for civil penalties for persons who dispose, or allow the disposal of, regulated construction and demolition wastes in unpermitted areas. The law also contains criminal provisions for certain types of illegal construction, renovation and demolition waste disposal. Illegal waste disposal may also result in additional penalties for violations of air, water and hazardous waste management laws, depending on the situation and means of waste disposal. The Revised Statutes of Missouri and the Code of State Regulations give the department's Waste Management Program and the Air Pollution Control Program the authority to assess penalties for violations of the Solid Waste Management Law and regulations, the Hazardous Waste Management Law and regulations, and the Missouri Air Conservation Law and regulations.

Additional Information

You may obtain additional information about properly managing construction and demolition wastes from the sources listed below.

On the Web

- [Managing Solid Waste Encountered During Excavation Activities - PUB2192](#)
- [Asbestos Requirements for Demolition and Renovation Projects - PUB2157](#)
- [Environmental Regulations for Demolition Project Checklist - PUB2374](#)

Additional Considerations and Information Sources

- Hazardous waste requirements are available in the Missouri Hazardous Waste Management Law, [Sections 260.350 through 260.575 RSMo](#) and the [Hazardous Waste Management Commission regulations](#). Most of the federal environmental requirements in 40 CFR Part 260 are adopted by reference into the Missouri regulations.
- Solid waste requirements are available in the Solid Waste Management Law in [Sections 260.200 through 260.345 RSMo](#), and the Solid Waste Management regulations are in [10 CSR 80](#)
- [Federal regulations](#) are available at federal depository libraries or may be purchased from a U.S. Government Bookstore, the U.S. Government Printing Office or from a commercial information service such as the Bureau of National Affairs. Federal Regulations.
- Team members from the department's [regional offices](#) for your location can provide additional information and guidance on the air pollution and solid waste management requirements for your construction, renovation and demolition project.

Other Guidance

The [Missouri Department of Health and Senior Services](#) - Office of Lead Licensing and Accreditation may provide information regarding training, licensure, and work practice standards

for lead abatement activities. Disposal is an abatement activity. See Sections 701.300 and 701.338 RSMo.

Please note municipalities and county governments may have their own additional materials and waste management requirements that may be stricter than those discussed above. Check with your local governmental entities before you start your project.

If you have more questions, contact:

Waste Management Program
1730 East Elm Street
PO Box 176
Jefferson City, MO 65102-0176
[573-751-5401](tel:573-751-5401)

Air Pollution Control Program
1659 East Elm Street
PO Box 176
Jefferson City, MO 65102-0176
[573-751-4817](tel:573-751-4817)

Nothing in this document may be used to implement any enforcement action or levy any penalty unless promulgated by rule under chapter 536 or authorized by statute.

For more information

Waste Management Program
Address

1730 E. Elm St.
PO Box 176
Jefferson City, MO 65102-0176
United States

Main
[573-751-5401](tel:573-751-5401)

Toll-free
[800-361-4827](tel:800-361-4827)

Fax
[573-526-3902](tel:573-526-3902)

Email
wmp@dnr.mo.gov

Facts on Open Burning Under Missouri Regulations - PUB2047

Air Pollution Control Program fact sheet
Division of Environmental Quality Director: Kyra Moore
05/01/2020
PUB2047



Open burning is the burning of any materials in which air contaminants are emitted directly into the air without first passing through a stack or chimney. This fact sheet summarizes allowable and prohibited open burning under Missouri regulations. It does not include open burning restrictions that city or county governments may impose in addition to Missouri's state regulations. Prior to conducting any open burning, businesses and citizens should contact the city or county of jurisdiction for any local restrictions.

The open burning of certain trade wastes and tires is prohibited because the toxic emissions that can be released are harmful to human health. Smoke from fires also typically produces large amounts of small particulate matter that can be inhaled, causing respiratory problems. The burning of common household trash, including paper products and food waste, can also have severe consequences. Studies have indicated the open burning of an individual household's trash could release pollutants in higher levels than the burning of the trash of thousands of homes by a municipal waste incinerator because the lower combustion temperatures prevent complete incineration. These pollutants can include dioxins, volatile organic compounds, acetaldehyde, formaldehyde, hydrogen chloride and naphthalene. Open burning exposes individuals to toxic emissions that may irritate the eyes, skin and upper respiratory tract. The central nervous system can also be affected, causing headaches, dizziness and fatigue.

Because of these potential dangers, the Missouri Department of Natural Resources strongly discourages open burning of any material prior to investigating alternatives. Some rural areas can participate in a "green box" service, which provides a trash collection point near a centrally located county road for local residents to use. Green boxes are usually picked up or emptied once a week. Other options include waste disposal services, waste diversion, recycling and composting. Contact your local Solid Waste Management District for assistance in implementing these safer alternatives to open burning.

Prohibited Open Burning Under State Regulation

Any waste generated by a business, trade, industry, salvage, or demolition operation cannot be burned unless it is untreated or vegetative wood waste. Wastes that may not be burned include but are not limited to tires, carpet, used oil, asphalt roofing material, rubber products, hazardous materials, Styrofoam™, plastics, petroleum-based products, durable goods, treated wood and any asbestos-containing material.

Allowable Open Burning Under State Regulations

Note: Local governments may have stricter laws and policies

Open Burning of Household Refuse

Missouri allows open burning of household refuse from residential premises with four dwelling units or less provided it is burned on the property owned by the party that generates it. This exemption does not apply to mobile home parks or apartment complexes. Household waste is solid waste produced by routine household activities, such as paper waste and garbage from daily activities. This does not include home remodeling waste, waste from home businesses, durable goods, such as appliances, carpets or furniture, tires or other non-routine household waste. Materials such as tires or used oil may not be used to start the fires or be burned in the fires.

Open Burning of Vegetative Wastes

Missouri allows open burning of yard waste from sites provided it originates and is burned on the same premises. Materials such as tires or used oil may not be used to start the fires or be burned in the fires. Yard waste includes trees, tree leaves, brush or other vegetation.

Open Burning in Agricultural, Natural Resource or Land Management Operations

Missouri allows the open burning of material associated with agricultural and forestry operations that is related to the growing or harvesting of crops. However, several exceptions apply. Materials such as tires or used oil may not be used to start the fires or be burned in the fires. Any burning that creates a public health hazard or produces smoke that impairs visibility for those operating motor vehicles or airplanes is prohibited. In an ozone non-attainment area between April 15 and Sept. 15 the person must notify the staff director in writing at least 48 hours prior to burning for pest or weed control or crop production.

Open Burning in Land Clearing Operations, Commercial and Non-Commercial Collection Operations

Open burning of tree trunks, tree limbs and vegetation from land clearing operations is allowed without an air curtain incinerator if the burning takes place outside the city limits and is greater than two-hundred (200) yards from the nearest occupied structure. Commercial land clearing operations inside the city limits or less than 200 yards from the nearest occupied structure must follow the requirements specified in the open burning rule. Materials such as tires or used oil may not be used to start the fires or be burned in the fires. Commercial and non-commercial collection operations where vegetative waste is generated off site must use an Air Curtain Incinerator if more than 80 cubic yards of vegetative waste per week is burned.

Open Burning at Wood Processing Facilities

Open burning of untreated wood waste from wood processing facilities is allowed if production is less than 8,000 board feet per day and located more than a mile outside of an incorporated area. The burning also must be done at least 200 yards from the nearest occupied structure. Wood processing facilities producing more than 8,000 board feet per day that wish to burn more than 80 cubic yards of untreated wood waste per week must use an Air Curtain Incinerator

Open Burning of Trade Waste

The open burning of untreated wood waste from trade, construction and demolition waste must be burned between sunrise and sunset, be supervised at all times, occur at least two 200 yards away from the nearest structure not owned by the party conducting the burning unless an Air Curtain Incinerator is used and waivers are obtained from the owner or occupant of the structure or the local fire department provides approval. Waiver from the fire department to the owner of the ACI should be in writing. Any person burning more than 80 cubic yards of this untreated wood waste per week at a single location must use an Air Curtain Incinerator.

Open Burning for Recreational Purposes

Campfires and other fires used solely for recreational purposes, ceremonial occasions or outdoor noncommercial preparation of food are allowed in Missouri. Fires shall include only vegetative woody materials or untreated wood products.

Open Burning of Certain Trade Waste

The open burning of certain trade wastes, such as explosives or hazardous waste, may be allowed with written approval from the staff director and the fire control authority in that jurisdiction. Information submitted to the staff director must show open burning is the only feasible method of disposal and that disposal is in the public's interest.

The information provided in this fact sheet should not be construed to permit open burning that causes or constitutes a public health hazard, nuisance or a hazard to vehicular or air traffic or violates any other rule or statute.

For Reference

10 CSR 10-6.045 [Open Burning Requirements](#)

For More Information

Missouri Department of Natural Resources
Air Pollution Control Program
PO Box 176, Jefferson City, MO 65102-0176
[800-361-4827](tel:800-361-4827) or [573-751-4817](tel:573-751-4817) office
[800-361-4827](tel:800-361-4827) fax

Missouri Department of Natural Resources
Solid Waste Management Program
PO Box 176, Jefferson City, MO 65102-0176
[800-361-4827](tel:800-361-4827) or [573-751-5401](tel:573-751-5401) office
[573-526-3902](tel:573-526-3902) fax

Kansas City Air Quality Program

Air Quality Section
2400 Troost Ave., Suite 3200
Kansas City, MO 64108
[816-513-6314](tel:816-513-6314)
[816-513-6290](tel:816-513-6290) fax

[St. Louis County Department of Health](#)

Air Pollution Control Section
6121 North Hanley Road
St. Louis, MO 63134
[314-615-8924](tel:314-615-8924)
Email: airpollution.doh@stlouisco.com

Springfield Air Quality Control
Department of Environmental Services
PO Box 8368
Springfield, MO 65801-8368
[417-864-1412](tel:417-864-1412)

City of St. Louis Department of Health
Air Pollution Control Program
1520 Market Street
St. Louis, MO 63101
[314-612-5100](tel:314-612-5100)
[314-612-5105](tel:314-612-5105) fax

Nothing in this document may be used to implement any enforcement action or levy any penalty unless promulgated by rule under chapter 536 or authorized by statute.

[For more information](#)
Air Pollution Control Program
Address

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Email

wmp@dnr.mo.gov

Subdivision Developers' Contact Information

Helping Homeowners/Eagle Meadows Subdivision

Michael and Linda Gray

300 Eagle Flight

Ozark, MO 65721

800-918-7323

info@rollinghillspublishing.com

For more information, visit:

www.HelpingHomeowners.com