

SIXTH SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS

WOODMONT SUBDIVISION PHASE 5-A JEFFERSON COUNTY, KENTUCKY

THIS SIXTH SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS for Woodmont Subdivision, Phase 5-A ("Sixth Supplemental Declaration") is made on this 27 day of January, 2003, by Woodmont, LLC, a Kentucky limited liability company, with an address of 1510 Citizens Plaza, 500 West Jefferson Street, Louisville, Kentucky 40202 ("Developer").

WHEREAS, Developer caused a certain Declaration of Covenants, Conditions and Restrictions of Woodmont Subdivision, Phase 1-A, to be duly recorded in Deed Book 7140, Page 779, in the Office of the Clerk of Jefferson County, Kentucky, on November 20, 1998 ("Prior Declaration"), for the purpose of creating a residential subdivision (the "Subdivision") in multiple phases (individually, a "Phase"); whereas said Prior Declaration having been amended by Supplemental Declaration of Covenants, Conditions and Restrictions of Woodmont Subdivision, Phase 1-B ("Supplemental Declaration") and duly recorded in Deed Book 7154, Page 139, in the Office of the Clerk of Jefferson County, Kentucky, on December 16, 1998; whereas said Prior Declaration have been further amended by Second Supplemental Declaration of Covenants, Conditions and Restrictions of Woodmont Subdivision, Phase 2 ("Second Supplemental Declaration") and duly recorded in Deed Book 7342, Page 590, in the Office of the Clerk of Jefferson County, Kentucky, on October 22, 1999; whereas said Prior Declaration have been further amended by Third Supplemental Declaration of Covenants, Conditions and Restrictions of Woodmont Subdivision, Phase III ("Third Supplemental Declaration") and duly recorded in Deed Book 7549, Page 832, in the Office of the Clerk of Jefferson County, Kentucky, on November 22, 2001; whereas said Prior Declaration have been further amended by Fourth Supplemental Declaration of Covenants, Conditions and Restrictions of Woodmont Subdivision, Phase 4-A ("Fourth Supplemental Declaration") and duly recorded in Deed Book 7830, Page 737, in the Office of the Clerk of Jefferson County, Kentucky, on March 1, 2002; and whereas said Prior Declaration have been further amended by Fifth Supplemental Declaration of Covenants, Conditions and Restrictions of Woodmont Subdivision, Phase 4-B ("Fifth Supplemental Declaration") and duly recorded in Deed Book 7825, Page 100, in the Office of the Clerk of Jefferson County, Kentucky, on February 21, 2002.

WHEREAS, Developer is the owner of certain real property located in Jefferson County, Kentucky, to be added to the Subdivision as an additional Phase.

NOW, THEREFORE, Developer hereby declares that a portion of the Subdivision consisting of "Phase 5-A", as hereinafter defined, shall be held, sold, and conveyed subject to easements, restrictions, covenants, and conditions in the Prior Declaration,

Supplemental Declaration, Second Supplemental Declaration, Third Supplemental Declaration, Fourth Supplemental Declaration, and Fifth Supplemental Declaration, which are for the purpose of protecting the value and desirability of the Subdivision. The easements, restrictions, covenants, and conditions shall (i) run with the land contained in the Subdivision; (ii) be binding on all parties having any right, title, or interest in the Subdivision, their heirs, successors, and assigns; and (iii) inure to the benefit of each owner.

1. Amendment to Section 1/Amendment. Section 1 and Amendment of the Prior Declaration, Supplemental Declaration, Second Supplemental Declaration, Third Supplemental Declaration, Fourth Supplemental Declaration, and Fifth Supplemental Declaration, entitled "The Property", "Amendment", and "Amendment to Section 1/Amendment", respectively, are hereby amended to include the following described property ("Phase 5-A") in addition to the property currently subject to and described in the Prior Declaration, Supplemental Declaration, Second Supplemental Declaration, Third Supplemental Declaration, Fourth Supplemental Declaration, and Fifth Supplemental Declaration:

BEING Lots 257 through 260 and 276 through 312 as shown on the plat of Woodmont, Phase 5-A, of record in Plat and Subdivision Book 48, Page 69, in the Office of the Clerk of the County Court of Jefferson County, Kentucky.

BEING the same property acquired by Woodmont, LLC, by Deed from Lewis B. Carlisle and Linda B. Carlisle, husband and wife, dated May 31, 2001, of record in Deed Book 7656, Page 484, and recorded in the Office of the Clerk of the County Court of Jefferson County, Kentucky.

The term "Lot", as used in the Prior Declaration, Supplemental Declaration, Second Supplemental Declaration, Third Supplemental Declaration, Fourth Supplemental Declaration, and Fifth Supplemental Declaration, shall include any lot or similar property as delineated on the Plat of Phase 5-A.

The term "Lot Owner", as used in the Prior Declaration, Supplemental Declaration, Second Supplemental Declaration, Third Supplemental Declaration, Fourth Supplemental Declaration, and Fifth Supplemental Declaration shall include the owner or owners of any Lot of Phase 5-A.

2. Article III, Section 3. Article III, Section 3, Subsections B and C of the Prior Declaration shall be amended as follows:

A. Lots 257-260:

- i.) The ground floor of a ranch (one-story) house shall have the minimum floor area of 2,000 square feet, exclusive of garage.

- ii.) The ground floor of a one and one-half story house shall have a minimum first floor area of 1,700 square feet with a total minimum area of 2,600 square feet, exclusive of garage.
- iii.) The ground floor of a two-story house shall have a minimum first floor area of 1,300 square feet with a total minimum area of 2,600 square feet, exclusive of garage.
- iv.) The total floor area of all other houses in Lots 257-260 shall be a minimum of 2,600 square feet, exclusive of garage.

B. Lots 276-308:

- i.) The ground floor of a ranch (one-story) house shall have the minimum floor area of 2,250 square feet, exclusive of garage.
- ii.) The ground floor of a one and one-half story house shall have a minimum first floor area of 1,800 square feet with a total minimum area of 2,750 square feet, exclusive of garage.
- iii.) The ground floor of a two-story house shall have a minimum first floor area of 1,375 square feet with a total minimum area of 2,750 square feet, exclusive of garage.
- iv.) The total floor area of all other houses in Lots 276-308 shall be a minimum of 2,750 square feet, exclusive of garage.

C. Lots 309-312:

- i.) The ground floor of a ranch (one-story) house shall have the minimum floor area of 2,800 square feet, exclusive of garage.
- ii.) The ground floor of a one and one-half story house shall have a minimum first floor area of 2,000 square feet with a total minimum area of 3,000 square feet, exclusive of garage.
- iii.) The ground floor of a two-story house shall have a minimum first floor area of 1,500 square feet with a total minimum area of 3,000 square feet, exclusive of garage.
- iv.) The total floor area of all other houses in Lots 309-312 shall be a minimum of 3,000 square feet, exclusive of garage.

3. Definitions. All capitalized terms not defined herein shall have the same meanings as those set forth in the Prior Declaration, Supplemental Declaration, Second Supplemental Declaration, Third Supplemental Declaration, Fourth Supplemental Declaration, and Fifth Supplemental Declaration.

4. No Other Modifications. Other than as set forth herein, the Prior Declaration, Supplemental Declaration, Second Supplemental Declaration, Third Supplemental Declaration, Fourth Supplemental Declaration, and Fifth Supplemental Declaration, shall remain in full force and effect.

WITNESS the signature of the Developer on this 20th day of December, 2002.

WOODMONT, LLC
A Kentucky Limited Liability Company

By: William H. Cull
Name: William H. Cull
(Developer)

COMMONWEALTH OF KENTUCKY
COUNTY OF FRANKLIN

The foregoing instrument was acknowledged before me this 20th day of December, 2002, by William H. Cull, for and on behalf of Woodmont, LLC, a Kentucky limited liability company.

Jeresa S. Stivers
NOTARY PUBLIC
KENTUCKY, STATE AT LARGE

My Commission Expires: 3-31-03

THIS INSTRUMENT PREPARED BY:

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Document No.: DW2003019047
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Recorded On: 01/27/2003 02:43:55
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Transfer Tax: .00
County Clerk: Bobbie Holsclaw-JEFF CO KY
Deputy Clerk: CAROL

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