

**FIRST AMENDMENT TO  
DECLARATION OF HORIZONTAL PROPERTY REGIME AND MASTER DEED OF  
EASTGATE BUSINESS PARK**

This First Amendment to Declaration of Horizontal Property Regime and Master Deed of Eastgate Business Park ("Amendment") is made at the direction of and caused to be recorded by Pinnacle Properties of Louisville, LLC, a Kentucky limited liability company (hereinafter referred to as the "Declarant"), having an address of PO Box 43957, Louisville, KY 40243, as a supplement to the Master Deed establishing Eastgate Business Park dated October 4, 2007.

**WITNESSETH:**

**WHEREAS**, Declarant has made and declared Declaration of Horizontal Property Regime and Master Deed Establishing Eastgate Business Park dated March 19, 2008, which is recorded in Deed Book 9206, Page 963, in the Office of the County Clerk of Jefferson County, Kentucky (the "Master Deed"); and

**WHEREAS**, this Amendment is necessary and desirable to add two (2) buildings to Eastgate Business Park pursuant to Section 2 of the Master Deed;

**NOW, THEREFORE**, in accordance with the foregoing preambles, which are hereby incorporated herein, Declarant hereby declares that the real property ("Property"), more fully described on Exhibit A attached to the Master Deed, shall be owned, held, used, leased, conveyed and occupied subject to the conditions and restrictions set forth in this Amendment as if these conditions and restrictions were included in and made a part of the Master Deed.

1. Section 2, first paragraph shall be amended to read as follows:

The Master Deed and Declaration cover three (3) buildings as situated on said real estate as fully described on the site plan and set of floor plans of the building dated March 26, 2008, prepared by Mindel Scott & Associates, Inc., and recorded in Condominium and Apartment Ownership Book 123, Pages 96 through 97 pursuant to KRS 381.835 in the office of the County Clerk of Jefferson County, Kentucky; as amended by plans and specifications for the

condominium project dated August 5, 2008, filed simultaneously with the recording of this Amendment, and recorded in Condominium and Apartment Ownership Book 125. Pages 23 through 25, in the Office aforesaid and by reference thereto, made a part of this Declaration and Master Deed.

2. Section 2, second paragraph shall be amended to read as follows:

EASTGATE BUSINESS PARK shall be developed incrementally so that it may eventually consist of up to 90,000 square feet of non-residential condominium space in up to six (6) buildings of which three (3) buildings shown on the set of floor plans filed with the Master Deed and simultaneously with the recording hereof are constructed and will be followed by other buildings which will be created, added and subjected to this condominium regime by addendums to this Declaration and Master Deed upon the filing of plans together with the common elements appurtenant thereto. Declarant specifically reserves the right, from time to time, until all of the buildings and all of the square footage are completed, to amend this Declaration and Master Deed to the extent of adding additional buildings, units and common area, and, once added by addendum described below, shall have the same rights and privileges as provided herein.

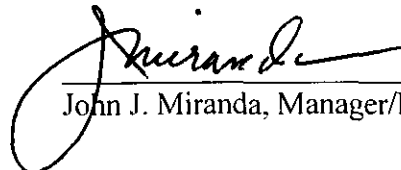
3. Section 3, Section (a) shall be amended to read as follows:

(a) For purposes of identification, each unit has been assigned a number as indicated on Revised Exhibit B attached hereto and made a part hereof. No unit bears the same identification number as any other unit.

4. Pursuant to Section 2 of the Master Deed, Declarant hereby makes certain adjustments in the percentages of ownership in the common elements as set forth on Revised Exhibit B to the Master Deed as attached to this Amendment.

**IN WITNESS WHEREOF**, the Declarant has caused this First Amendment to the Declaration of Horizontal Property Regime and Master Deed Establishing Eastgate Business Park to be executed on this 12<sup>th</sup> day of August, 2008.

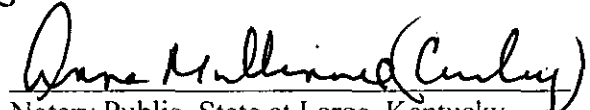
**PINNACLE PROPERTIES OF LOUISVILLE, LLC**  
a Kentucky limited liability company

  
\_\_\_\_\_  
John J. Miranda, Manager/Member


STATE OF KENTUCKY     )  
  )  
COUNTY OF JEFFERSON    )

I, a Notary public in and for the State and County aforesaid, do hereby certify that on this 12<sup>th</sup> day of August, 2008, John J. Miranda, Manager/Member of **PINNACLE PROPERTIES OF LOUISVILLE, LLC** appeared before me and before me acknowledged that he executed and delivered the foregoing instrument as his free and voluntary act and deed and as the free and voluntary act and deed of **PINNACLE PROPERTIES OF LOUISVILLE, LLC**, a Kentucky limited liability company.

My Commission expires: Oct 22, 2008

  
Notary Public, State at Large, Kentucky

**THIS INSTRUMENT PREPARED BY:**

  
**BARDENWERPER, TALBOTT & ROBERTS, PLLC**  
8311 Shelbyville Road  
Louisville, Kentucky 40222  
(502) 426-6688

**EASTGATE BUSINESS PARK**  
**REVISED EXHIBIT B**

DB 09272PG0156

**Percentage Interest in Common Elements**

<b><u>Building</u></b> <b><u>No.</u></b>	<b><u>Area in</u></b> <b><u>Square Feet</u></b>	<b><u>Percentage</u></b> <b><u>Interest</u></b>
1	16,243.60	35.72%
2	14,625.10	32.16%
3	14,604	32.12%
<hr/>		
<b>Totals</b>	45,472.70	100.00%

**Recorded in Condo Book**  
No. 125 Page 33-35  
Part No. 2049

Document No.: 0N2008116116  
Lodged By: BARDENWEKPER LAW FIRM  
Recorded On: 03/12/2008 11:19:42  
Total Fees: 16.00  
Transfer Tax: .00  
County Clerk: BOBBIE HOLSCLAW-JEFF CO KY  
Deputy Clerk: SHESCH

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