

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

This Fifth 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.

WITNESSETH:

WHEREAS, Declarant has made and declared that certain Declaration of Horizontal Property Regime and Master Deed Establishing Eastgate Business Park ("Master Deed") dated March 19, 2008, which is recorded in Deed Book 9206, Page 963 in the Office of the County Clerk of Jefferson County, Kentucky; as amended by First Amendment to Master Deed dated August 12, 2008, which is recorded in Deed Book 9272, Page 153, in the Office aforesaid; as amended by Second Amendment to Master Deed dated August 6, 2012, which is recorded in Deed Book 9925, Page 348, in the Office aforesaid; as amended by the Third Amendment to Master Deed dated September 27, 2012, which is recorded in Deed Book 9952, Page 974, in the Office aforesaid; as further amended by the Fourth Amendment to Master Deed dated June 10, 2013, which is recorded in Deed Book 10082, Page 223, in the Office aforesaid; and

WHEREAS, this Amendment is necessary and desirable to redescribe Building six (6) as created and described in the Fourth Amendment to Declaration of Horizontal Property Regime and Master Deed by subdividing said unit into three (3) separate Units in the Eastgate Business Park pursuant to Section 2 and Section 3(c) of the Master Deed;

WHEREAS, this Amendment is necessary and desirable to amend the Revised Exhibit B to represent the three (3) Units being put to record pursuant to the set of mylars recorded with

this Amendment;

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 six (6) 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 and recorded in Condominium Book 125, Pages 33 through 35, in the Office aforesaid; as amended by plans and specifications for the condominium project dated August 2, 2012 and recorded in Condominium Book 130, Pages 19 and 20, in the Office aforesaid; as amended by plans and specifications for the condominium project dated September 25, 2012 and recorded in Condominium Book 130, Pages 35 and 36, in the Office aforesaid as amended by plans and specifications for the condominium project dated June 4, 2013 and recorded in Condominium Book 130, Pages 95 and 96, in the Office aforesaid; as amended by plans and specifications for the condominium project filed simultaneously with the recording of this Amendment, and recorded in Condominium Book 133, Pages 23 through 24, 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. All six (6) buildings have been built as shown on the set of floor plans filed with the Master Deed and simultaneously with the recording hereof. No other buildings will be created and all buildings created are 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, to amend this Declaration and Master Deed to the extent of adding additional Units and common area, and, once added by addendum described below, shall have the same rights and privileges as provided herein.

EASTGATE BUSINESS PARK
REVISED EXHIBIT B

Percentage Interest in Common Elements

<u>Building No.</u>	<u>Unit No.</u>	<u>Area in Square Feet</u>	<u>Percentage Interest</u>
1		16,243.60	18.19%
2		14,625.10	16.38%
3		14,604.00	16.36%
4		14,619.10	16.37%
5		14,619.00	16.37%
6	101	9,109.00	10.20%
6	106	1,801.00	2.02%
6	107	3,666.00	4.11%
Totals		89,286.80	100.00%

Document No.: DN2015017627
 Lodged By: bardenwerper talbott robt
 Recorded On: 02/11/2015 02:15:13
 Total Fees: 16.00
 Transfer Tax: .00
 County Clerk: BOBBIE HOLSCLAW-JEFF CO KY
 Deputy Clerk: SHESCH

Recorded in Condo Book
 No. 103 Page 23-24
 Part No. 2970