

**THIRD AMENDMENT TO  
 MASTER DEED AND DECLARATION OF  
 CONDOMINIUM PROPERTY REGIME  
 FOR  
 THE GARDENS OF EASTERN PARKWAY, A CONDOMINIUM**

THIS THIRD AMENDMENT TO MASTER DEED AND DECLARATION OF CONDOMINIUM PROPERTY REGIME for THE GARDENS OF EASTERN PARKWAY, A CONDOMINIUM, is made by COLSTON CORPORATION.

1. **DEFINITIONS** As used in this document, the following terms shall have the meaning shown:

1.1 "Developer" means Colston Corporation, a Kentucky corporation, the office of which is located at 41 Highwood Drive, Louisville, Kentucky, 40206.

1.2 "Master Deed" means the Master Deed and Declaration of Condominium Property Regime for The Gardens of Eastern Parkway, a Condominium Regime dated the 1st day of August, 1989, which Master Deed is recorded in Deed Book 5942, beginning at Page 103 in the County Clerk's Office of Jefferson County, Kentucky, and as amended by First Amendment thereto Dated September 10, 1990, of record in Deed Book 5992, Page 770, and as further amended by Second Amendment thereto dated October 15, 1990, recorded in Deed Book 6004, Page 538, all in the Office of the County Clerk aforesaid.

1.3 "Third Amendment" means the herein Third Amendment to the Master Deed.

1.4 "Regime" means the condominium regime created by the Master Deed, as amended by this Third Amendment.

1.5 "Unit Owner" means the person(s), firm(s), corporation(s), partnership(s), association(s), trustee, or other legal entity holding a recorded Deed or other instrument conveying title to a Unit. Unit Owner has the further meaning as defined in the Master Deed.

2. **PURPOSE OF SECOND AMENDMENT**

2.1 Section 5 of the Master Deed provides for the expansion of the Regime in Phases. It is now the desire and intent of the Developer to expand the Regime by adding Phase 3 to the Regime, with Building "C" to be constructed on Phase 3.

3. **PROVISIONS EFFECTING EXPANSION OF REGIME**

The Developer does now amend the Master Deed as follows:

3.1 The land comprising Phase 3 of the Regime is described as shown on plat attached hereto as Exhibit "A" and made part hereof. Said land is hereby added to the Regime as

Phase 3. The land comprising Phase 3 is part of the property acquired by Developer by a deed dated the 1st day of June, 1989, of record in Deed Book 5882, Page 459, in the County Clerk's Office aforesaid.

3.2 The building known as Building "C," located on Phase 3 is described on Exhibit "A."

3.3 The layout, location, unit numbers and dimensions of the Units which are to be constructed in Building "C" on Phase 3 are more fully described on the floor plans thereof filed simultaneously herewith and recorded in Apartment (Condominium) Ownership Book 43, Pages 17 through 30 in the County Clerk's Office aforesaid, and bearing said Clerk's File Number 622.

3.4 The total area of the land in Phase 3 is 54,593.75 square feet. The total area of land in Phase 3 covered by Building "C" is 7,610 square feet.

3.5 Exhibit "B," attached hereto and made part hereof, sets forth the reallocation of the percentages of general common element ownership as a result of the expansion of the Regime adding Phase 3 as effected by this Amendment.

4. AUTHORITY FOR THIS SECOND AMENDMENT

This Second Amendment is authorized pursuant to Section 5 ("Expansion of Regime") of the Master Deed and other relevant provisions of the Master Deed.

5. CONTINUATION OF MASTER DEED AS AMENDED HEREBY

The provisions of the Master Deed as amended hereby remain in full force and effect, and apply to Phase 3 in a manner consistent with this Third Amendment.

6. BINDING EFFECT

6.1 The provisions of this Third Amendment are binding upon each Unit Owner and their successors and assigns and also upon the successors and assigns of the Developer.

6.2 The Developer executes this Third Amendment on its own behalf and on behalf of all Unit Owners as their attorney-in-fact and pursuant to the powers contained in and granted by the Master Deed.

Dated this 19<sup>TH</sup> day of NOVEMBER, 1990.

COLSTON CORPORATION

BY: Notice Colston  
Notice Colston, Jr., President

COMMONWEALTH OF KENTUCKY  
COUNTY OF JEFFERSON


The foregoing instrument was subscribed, sworn to, and acknowledged before me by Notice Colston, Jr., President of Colsten Corporation, a Kentucky corporation, on behalf of the corporation, this 19<sup>th</sup> day of November, 1990.

My commission expires: August 17, 1993.

  
NOTARY PUBLIC, STATE-AT-LARGE, KY

This instrument prepared by:

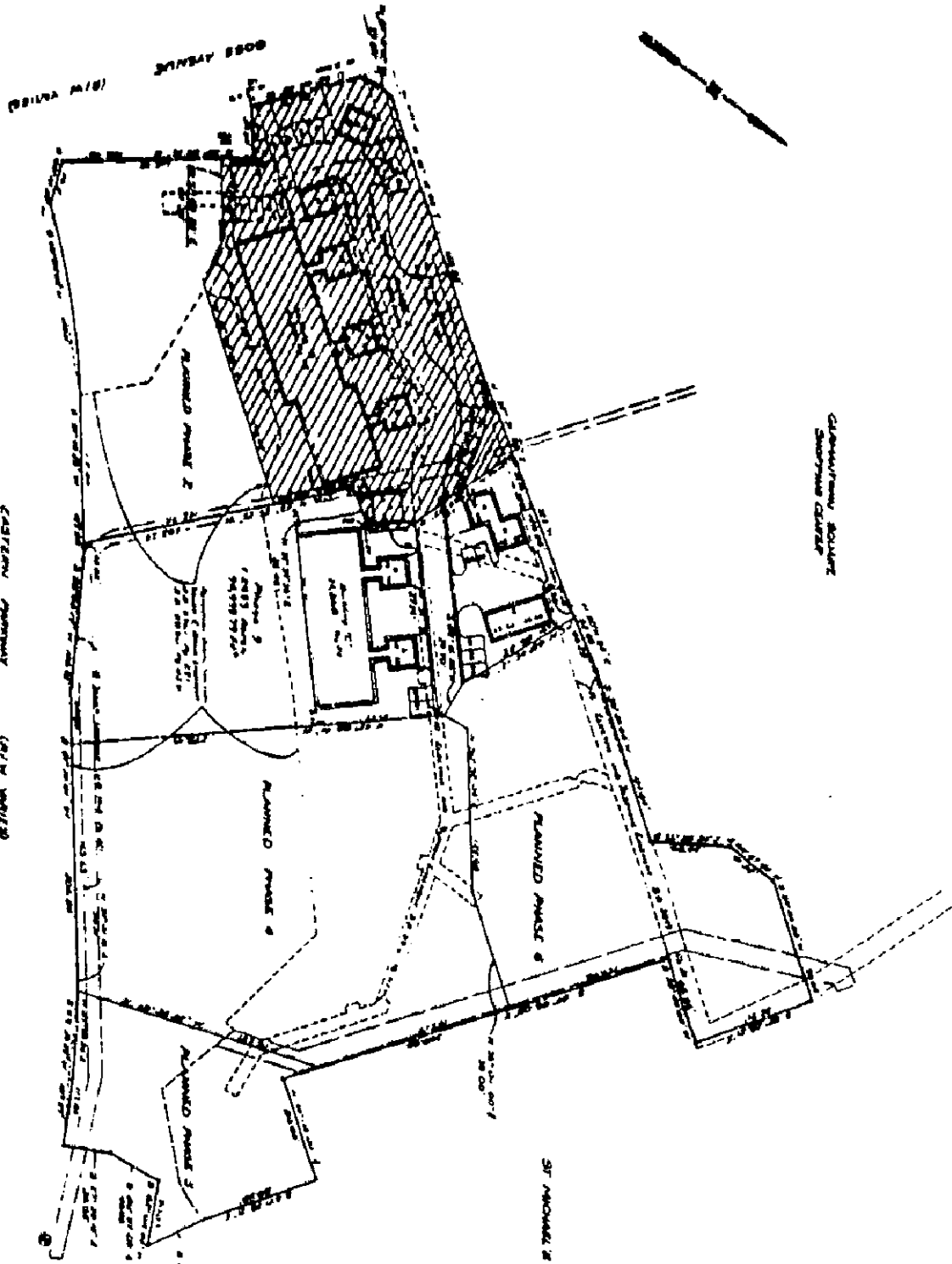
BOROWITZ & GOLDSMITH

BY:   
MORRIS B. BOROWITZ  
1825 Meidinger Tower  
Louisville, Kentucky 40202  
(502)584-7371

3938J

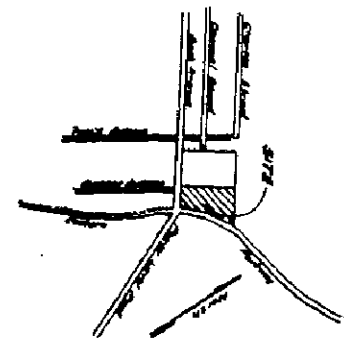
-3-

- (1) -
- (2) -
- (3) -
- (4) -



# EXHIBIT "A"

SECTION 1	SECTION 2	
Lot	Area	Area
1	1.2	1.5
2	1.3	1.6
3	1.4	1.7
4	1.5	1.8
5	1.6	1.9
6	1.7	2.0
7	1.8	2.1
8	1.9	2.2
9	2.0	2.3
10	2.1	2.4
11	2.2	2.5
12	2.3	2.6
13	2.4	2.7
14	2.5	2.8
15	2.6	2.9
16	2.7	3.0
17	2.8	3.1
18	2.9	3.2
19	3.0	3.3
20	3.1	3.4
21	3.2	3.5
22	3.3	3.6
23	3.4	3.7
24	3.5	3.8
25	3.6	3.9
26	3.7	4.0
27	3.8	4.1
28	3.9	4.2
29	4.0	4.3
30	4.1	4.4
31	4.2	4.5
32	4.3	4.6
33	4.4	4.7
34	4.5	4.8
35	4.6	4.9
36	4.7	5.0
37	4.8	5.1
38	4.9	5.2
39	5.0	5.3
40	5.1	5.4
41	5.2	5.5
42	5.3	5.6
43	5.4	5.7
44	5.5	5.8
45	5.6	5.9
46	5.7	6.0
47	5.8	6.1
48	5.9	6.2
49	6.0	6.3
50	6.1	6.4
51	6.2	6.5
52	6.3	6.6
53	6.4	6.7
54	6.5	6.8
55	6.6	6.9
56	6.7	7.0
57	6.8	7.1
58	6.9	7.2
59	7.0	7.3
60	7.1	7.4
61	7.2	7.5
62	7.3	7.6
63	7.4	7.7
64	7.5	7.8
65	7.6	7.9
66	7.7	8.0
67	7.8	8.1
68	7.9	8.2
69	8.0	8.3
70	8.1	8.4
71	8.2	8.5
72	8.3	8.6
73	8.4	8.7
74	8.5	8.8
75	8.6	8.9
76	8.7	9.0
77	8.8	9.1
78	8.9	9.2
79	9.0	9.3
80	9.1	9.4
81	9.2	9.5
82	9.3	9.6
83	9.4	9.7
84	9.5	9.8
85	9.6	9.9
86	9.7	10.0
87	9.8	10.1
88	9.9	10.2
89	10.0	10.3
90	10.1	10.4
91	10.2	10.5
92	10.3	10.6
93	10.4	10.7
94	10.5	10.8
95	10.6	10.9
96	10.7	11.0
97	10.8	11.1
98	10.9	11.2
99	11.0	11.3
100	11.1	11.4
101	11.2	11.5
102	11.3	11.6
103	11.4	11.7
104	11.5	11.8
105	11.6	11.9
106	11.7	12.0
107	11.8	12.1
108	11.9	12.2
109	12.0	12.3
110	12.1	12.4
111	12.2	12.5
112	12.3	12.6
113	12.4	12.7
114	12.5	12.8
115	12.6	12.9
116	12.7	13.0
117	12.8	13.1
118	12.9	13.2
119	13.0	13.3
120	13.1	13.4
121	13.2	13.5
122	13.3	13.6
123	13.4	13.7
124	13.5	13.8
125	13.6	13.9
126	13.7	14.0
127	13.8	14.1
128	13.9	14.2
129	14.0	14.3
130	14.1	14.4
131	14.2	14.5
132	14.3	14.6
133	14.4	14.7
134	14.5	14.8
135	14.6	14.9
136	14.7	15.0
137	14.8	15.1
138	14.9	15.2
139	15.0	15.3
140	15.1	15.4
141	15.2	15.5
142	15.3	15.6
143	15.4	15.7
144	15.5	15.8
145	15.6	15.9
146	15.7	16.0
147	15.8	16.1
148	15.9	16.2
149	16.0	16.3
150	16.1	16.4
151	16.2	16.5
152	16.3	16.6
153	16.4	16.7
154	16.5	16.8
155	16.6	16.9
156	16.7	17.0
157	16.8	17.1
158	16.9	17.2
159	17.0	17.3
160	17.1	17.4
161	17.2	17.5
162	17.3	17.6
163	17.4	17.7
164	17.5	17.8
165	17.6	17.9
166	17.7	18.0
167	17.8	18.1
168	17.9	18.2
169	18.0	18.3
170	18.1	18.4
171	18.2	18.5
172	18.3	18.6
173	18.4	18.7
174	18.5	18.8
175	18.6	18.9
176	18.7	19.0
177	18.8	19.1
178	18.9	19.2
179	19.0	19.3
180	19.1	19.4
181	19.2	19.5
182	19.3	19.6
183	19.4	19.7
184	19.5	19.8
185	19.6	19.9
186	19.7	20.0
187	19.8	20.1
188	19.9	20.2
189	20.0	20.3
190	20.1	20.4
191	20.2	20.5
192	20.3	20.6
193	20.4	20.7
194	20.5	20.8
195	20.6	20.9
196	20.7	21.0
197	20.8	21.1
198	20.9	21.2
199	21.0	21.3
200	21.1	21.4



**REGISTRATION AND CERTIFICATION**

I HEREBY CERTIFY THAT THESE PLANS ACCURATELY SHOW THE LAYOUT, LOCATION, USE, DIMENSIONS AND BOUNDARIES OF THESE COMPARISON PLANS. I HAVE BEEN PAID MY FEES BY THE APPLICANT FOR THE REGISTRATION AND CERTIFICATION OF THESE PLANS AND I HAVE REVIEWED THE PLANS AND FOUND THEM TO BE CORRECT AND COMPLETE AND TO CONFORM TO ALL APPLICABLE LAWS, ORDINANCES AND REGULATIONS. I HAVE ALSO REVIEWED THE RECORDS OF ANY PREVIOUS PLANS AND FINDINGS OF ANY PREVIOUS SURVEYS AND BELIEVE THE INFORMATION CONTAINED HEREIN TO BE TRUE AND CORRECT.

IN WITNESS WHEREOF, I HAVE HEREunto SET MY HAND AND REGISTERED PROFESSIONAL EXAMINER, AT SAID COUNTY TO RECORD THE BROADWAY TRUSTEES OF CHILDREN AND FOUNDATION, INC. ON THE 27th DAY OF AUGUST, 1988.

AT COMMISSION EXPENSES \_\_\_\_\_

WALTER A. RICHMOND  
REGISTERED PROFESSIONAL EXAMINER  
MOBILE, ALABAMA

PHASE 2

THE LANDS OF EASTERN PARKWAY, A COMPOUND

DEVELOPER: COMPOUND INC.  
DEVELOPER: COMPOUND INC.  
1000000, 1000000

THE GARDENS OF EASTERN PARKWAY  
 BUILDINGS "B" & "C"  
 PHASE 1 AND PHASE 3

UNIT	SQJARE FEET	PERCENT OF OWNERSHIP
103	1,520.04	5.57
104	1,259.23	4.61
105	1,254.78	4.59
106	1,258.44	4.61
107	1,250.13	4.58
108	1,518.36	5.56
203	1,519.57	5.56
204	1,266.16	4.64
205	1,268.07	4.64
206	1,267.42	4.64
207	1,264.12	4.63
208	1,527.78	5.59
109	1,515.89	5.55
110	1,258.72	4.61
111	1,257.78	4.60
112	1,515.72	5.55
209	1,529.80	5.60
210	1,267.72	4.64
211	1,266.51	4.64
212	<u>1,525.62</u>	<u>5.59</u>
	27,311.86	100.00%

CONVEYANCE  
 FROM  
 TO  
 109675  
 1312  
 90 NOV 19 PM 3:02  
 607  
 27-30  
 607

November 8, 1990

END OF DOCUMENT EXHIBIT "B"