

The Boulders of Mallard Lake Restrictions
SECTIONS ONE, TWO, AND THREE RESTRICTIONS
(Revised 5-17-17)

DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR "THE BOULDERS OF MALLARD LAKE" SECTIONS ONE, TWO, AND THREE. **THESE RESTRICTIONS REPLACE ANY PREVIOUS RESTRICTIONS.**

THE UNDERSIGNED BEING THE DEVELOPER OF ALL LOTS IN THE BOULDERS OF MALLARD LAKE DO HEREBY ADOPT THESE REVISED RESTRICTIONS FOR THE FOLLOWING SECTIONS: (1) THE BOULDERS OF MALLARD LAKE SECTION ONE (BEING LOTS 81-100, LOTS 123-140, AND LOT 160) A PLAT OF WHICH IS RECORDED IN PLAT CABINET 3, SLIDE 237 AND ORIGINAL RESTRICTIONS RECORDED IN DEED BOOK 0760, PAGE 0408. (2) THE BOULDERS OF MALLARD LAKE SECTION TWO AND THREE (BEING LOTS 141-159) A PLAT OF WHICH IS RECORDED IN PLAT CABINET 3, SLIDE 374 AND ORIGINAL RESTRICTIONS RECORDED IN DEED BOOK 0860, PAGE 0809. ALL PLATS ARE RECORDED AT THE BULLITT COUNTY CLERKS OFFICE, SHEPHERDSVILLE, KENTUCKY.

DO HEREBY ADOPT THE FOLLOWING RESTRICTIONS:

- 1- Minimum Dwelling Size:
 - (A) The entire living area of all one-story residences must contain a minimum of 1,100 sq ft of living space, exclusive of the garage and basement.
 - (B) The entire living area of all one and a half story residences must contain a minimum of 1,200 sq ft of living space, exclusive of the garage and basement.
 - (C) The entire living area of all two story and split level residences must contain a minimum of 1,200 sq ft of living space, exclusive of the garage and basement.
 - (D) Finished basement areas, garages, and open porches are not included in computing floor areas.

- 2- All homes must be approved by the developer prior to construction.

- 3- All homes must have a TUSCANY STYLE EXTERIOR. Exterior material must be approved by the Developer, prior to construction. Developer understands that different exteriors are suitable on some plans and reserves the right to approve all types of exterior coverings.

- 4- All driveways shall be concrete or asphalt and shall be complete prior to occupancy.

- 5- The builder shall construct a city sidewalk that will run adjacent to the street and shall be approx. 48 inches in width and 4 inches in depth.

Fences shall not exceed 72" in height. Any lots that back up to a lake will be limited to the type of fence that can back up to the lake. The Developer will attempt to maintain some type of consistency in location and type of fencing along the lakes.

18- Prior to occupancy, weather permitting, all builders and/or owners shall landscape the front of their home.

19- All finish grading shall be done in a manner that all water will drain towards the street and/or rear yard ditches.

20- All yards shall be properly maintained. It shall be the duty of each lot owner to keep grass on the property cut, to keep the lot free of weeds and rubbish, and to keep it otherwise neat and attractive in appearance. Should any owner fail to do so, then the HOMEOWNERS ASSOCIATION may take such action as it seems appropriate, including mowing, lot clean up, etc, in order to make the lot neat and attractive. The owner shall immediately upon demand, reimburse the Homeowners Association for all costs expended.

21- All garbage shall be collected at least once a week. No garbage can or receptacle of any kind shall be stored in such a way to be visible from the front of the residence, with the exception of the day of collection. This would exclude waste receptacles used during the construction of the home.

22- No outside clothesline shall be erected or placed on any lot.

23- No antennae, except for a standard small television antennae, shall be erected or placed on any lot, unless its design and placement are approved by the Developer or his assignee, which approval shall be within the sole and absolute discretion of the Developer and may be arbitrarily and unreasonably withheld.

24- Satellite dishes must be 24 inches or smaller in diameter. Placement of said dish must be in the rear of the home, not visible from the front of the home.

25- No basketball goal or backboard, permanent or temporary, or any other type of sports equipment of similar nature, shall be placed past the city sidewalks, in the right of way, or in the streets.

26- No animals, including without limitation, reptiles, livestock, or poultry of any kind, shall be raised, bred, or kept on any lot. A reasonable number of dogs, cats, or other traditional household pets may be kept and restrained to their owners property.

27- There shall be no overnight or continuous daytime parking on the streets. VEHICLES WILL BE TOWED AT THE OWNERS EXPENSE. This excludes vehicles parked during the construction of the homes.

28- All mailboxes and post are to be uniform and can be purchased from the developer.

Any mailbox installed, that is not in compliance with the regulations, can be replaced by the Homeowners Association and be billed to the homeowner at 150% of the cost.

29- Any Swimming Pool erected or placed on any lot must be fenced around the perimeter of the swimming pool and must meet all local regulations. The location of the pool must be approved by the Developer or its assignee.

30- No docks, piers, or permanent rafts shall be installed on any of the lakes.

31- No person, water craft or vehicle of any description shall be permitted in or upon any of the lakes, except for maintenance or safety purposes, as determined by the board of directors.

32- All lakes shall be the private property, of those owning property that backs up to the lakes. The only public access shall be from Mallard Lake Park, that is owned by the Homeowners Association. The developer and the Homeowners Association are not responsible for any accidents.

33- Ice skating or walking on the frozen surface of the lake is not permitted. Feeding the waterfowl is not allowed.

34- Many areas along Mud Run Creek are marked as a Conservation Area and are not included as part of the residential lots. This area is to be left undisturbed. No trees or under growth are to be removed. Additionally, there shall be no dumping of rubbish, dirt, grass clippings, leaves, etc. in this area. This is meant to be a natural area and shall not be disturbed, other than during the construction of streets and drainage areas by the developer.

35- No carport shall be constructed on any lot unless approved in writing by the Developer or Homeowners Association.

36- Accessory buildings- Any accessory building erected or placed on any lot larger than 300 sq feet must have the approval of the Developer or the Homeowners Association. All accessory buildings shall have a finished exterior of treated wood, painted wood, brick, stone, or siding.

37- Each homeowner shall pay an annual Homeowners Association Fee. The fee is currently set in the amount of \$150.00, at the writing of these restrictions. To get the current fee amount you can contact the Homeowners Association. This fee will be due May 1st of each year. All new homeowners shall pay a prorated amount, at the time of their closing. This fee will be paid to the Mallard Lake Homeowners Association. These fees are to be used for, but not limited to: Maintain common areas, landscaping, fencing, park areas, playground, clubhouse, pavilion, parking areas, entrance ways, utilities, street lights, grass cutting, retention basins, lakes, street repairs, insurance, meetings, etc. The amount of the annual fee can be changed by the developer or the Homeowners Association. Unpaid dues will result in a lien on the property and will be


44- The Mallard Lake Homeowners Association will be formed. The officers will be appointed by the developer. These officers shall serve as directors / trustees for the Homeowners Association for a term of two years. The Homeowners Association shall exercise those powers, duties, and functions set forth in these Restrictions. Any vacancy on the Homeowners Association shall be filled by a vote of lot owners as provided by rules adopted for conduct of business by the Homeowners Association. The Homeowners Association shall make reasonable rules and regulations for its operation and election of directors and may employ such agents as well as will enable it to carry out the provisions of this declaration. Every lot owner in the "The Boulders of Mallard Lake" shall be a member of the Homeowners Association and by acceptance of a deed for any lot, agrees to accept membership in, and does thereby become a member of the Homeowners Association. Such owner and member shall abide by the Homeowners Association By-Laws rules and regulations, shall pay assessments provide for when due, and shall comply with decisions of the Homeowners Association Board of Directors.

45- Any assessment levied by the Homeowners Association shall be used only for purposes generally benefiting the Homeowners Association and shall constitute a lien upon the lot and shall be enforceable against real estate by foreclosure or otherwise.

THESE RULES AND REGULATIONS REPLACE ANY PRIOR RULES AND REGULATIONS SET FORTH. THESE REGULATIONS APPLY TO ALL LOTS IN SECTION ONE, TWO, AND THREE, OF "THE BOULDERS OF MALLARD LAKE". THESE RULES AND REGULATIONS ARE ADAPTED BY THE DEVELOPER:

Developers-
R. Miles Properties
Dogwood Homes of Kentucky
Mallard Lake Development LLC.
P.O. Box 409
Mt Washington, Ky, 40047

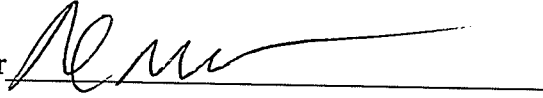
Date: 5-17-17

Prepared by:
Richard Miles- 
Managing Member,
P.O. Box 409
Mt Washington, Ky, 40047
502-957-4663

IN TESTIMONY WHEREOF, witness the signature of the Declarant this 19th
day of May, 2017.

BULLITT COUNTY
D920 PG441


By: Richard Miles, Managing Member



STATE OF KENTUCKY
COUNTY OF BULLITT

I, THE UNDERSIGNED Notary Public, for and in the County and State aforesaid hereby certify that the foregoing instrument was produced before me in said County and State acknowledged by Richard Miles, Managing Member, party thereto, to be his true act and deed and the true act and deed of said LLC

Witness my hand this 19 day of May, 2017.



NOTARY PUBLIC, KENTUCKY STATE AT LARGE

My commission expires: 10-22-17

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DOCUMENT NO: 580836
RECORDED: May 19, 2017 01:31:00 PM
TOTAL FEES: \$28.00
COUNTY CLERK: KEVIN MOONEY
DEPUTY CLERK: RITA
COUNTY: BULLITT CO CLERK
BOOK: D920 PAGES: 436 - 442

BULLITT COUNTY
D920 PG442