

**SECOND AMENDMENT TO
MASTER DEED AND DECLARATION OF
CONDOMINIUM PROPERTY REGIME**

FOR SPINDLEWICK, A CONDOMINIUM

THIS SECOND AMENDMENT TO MASTER DEED AND DECLARATION OF CONDOMINIUM PROPERTY REGIME for SPINDLEWICK, A CONDOMINIUM, is made by COLSTON BUILDING & DEVELOPING CO.

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

1.1 "Developer" means Colston Building & Developing Co., a Kentucky corporation, the office of which is 41 Highwood Drive, Louisville, Kentucky 40206.

1.2 "Master Deed" means the Master Deed and Declaration of Condominium Property Regime for Spindlewick, a Condominium Regime dated the 20th day of May, 1987, which Master Deed is recorded in Deed Book 5680, beginning at Page 192 in the County Clerk's Office of Jefferson County, Kentucky, and as amended on May 29, 1987, of record in Deed Book 5682, Page 187, and as further amended by First Amendment dated August 26, 1987, of record in Deed Book 5705, Page 288, which First Amendment was corrected on September 3, 1987, of record in Deed Book 5707, Page 945, all in the Office of the County Clerk aforesaid.

1.3 "Second Amendment" means the herein Second Amendment to the Master Deed and Declaration of Condominium Property Regime for Spindlewick, A Condominium.

1.4 "Regime" means the condominium plan created by the Master Deed.

1.5 "Unit Owner" means the person(s), firm(s), corporation(s), partnership(s), association(s), trustee, or other legal entity who hold 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 The Master Deed provides for the expansion of the Regime by Phases. Exhibit "C" referred to in the Master Deed shows the separate Phases of the Regime. Another copy of the said Exhibit "C" is attached hereto and made a part hereof.

2.2 It is now the desire and intent of the Developer to add Phase IV and Phase V to the Regime, with Building "D" to be

constructed on Phase IV and Building "E" to be constructed on Phase V.

3. PROVISIONS AFFECTING EXPANSION OF REGIME

The Developer, therefore, does now amend the Master Deed as follows:

3.1 Phase IV and Phase V of the Regime as shown on plat attached hereto as Exhibit "A" and made part hereof, are hereby added to the Regime.

3.2 The layout, location, unit numbers and dimensions of the Units which are to be constructed in Buildings "D" and "E" in Phases IV and V, respectively, are more fully described on the floor plans thereof filed simultaneously herewith and recorded in Apartment (Condominium) Ownership Book 40, Page 49 through 51 in the County Clerk's Office aforesaid, and bearing said Clerk's File Number 546.

3.3 There is attached hereto as Exhibit "B" a reallocation of the percentages of general common element ownership as a result of the expansion of the Regime effected by this Second Amendment.

4. AUTHORITY FOR THIS SECOND AMENDMENT

This Second Amendment is authorized pursuant to Section E "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.

6. BINDING EFFECT

6.1 The provisions of this Second 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 Second 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.

BOOK 5797 PAGE 66

Dated this 17 day of August, 1988.

COLSTON BUILDING & DEVELOPING CO.

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 Colston Building & Developing Co., a Kentucky corporation, on behalf of the corporation, this 17 day of August, 1988.

My commission expires: 4-25-90.

[Signature]
NOTARY PUBLIC, STATE-AT-LARGE, KY

This instrument prepared by:

BOROWITZ & GOLDSMITH

By: [Signature]
MORRIS B. BOROWITZ
1825 Meidinger Tower
Louisville, Kentucky 40202
(502) 584-7371

0700J

CONDOMINIUM
OR
APT. OWNERSHIP
BOOK 4 PAGE 49-51
FILE NO. 548

170983
Beasly
1880
JUL 18 PM 2:16
Mullins

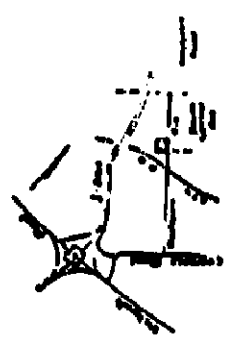
BOOK 5797 PAGE 66

WILSON "Dud" Y.
PHASE II and PHASE I

SMITHSONIAN, A CORPORATION

COLUMBIA UNIVERSITY & BRITISH C

PLANNING & DESIGN

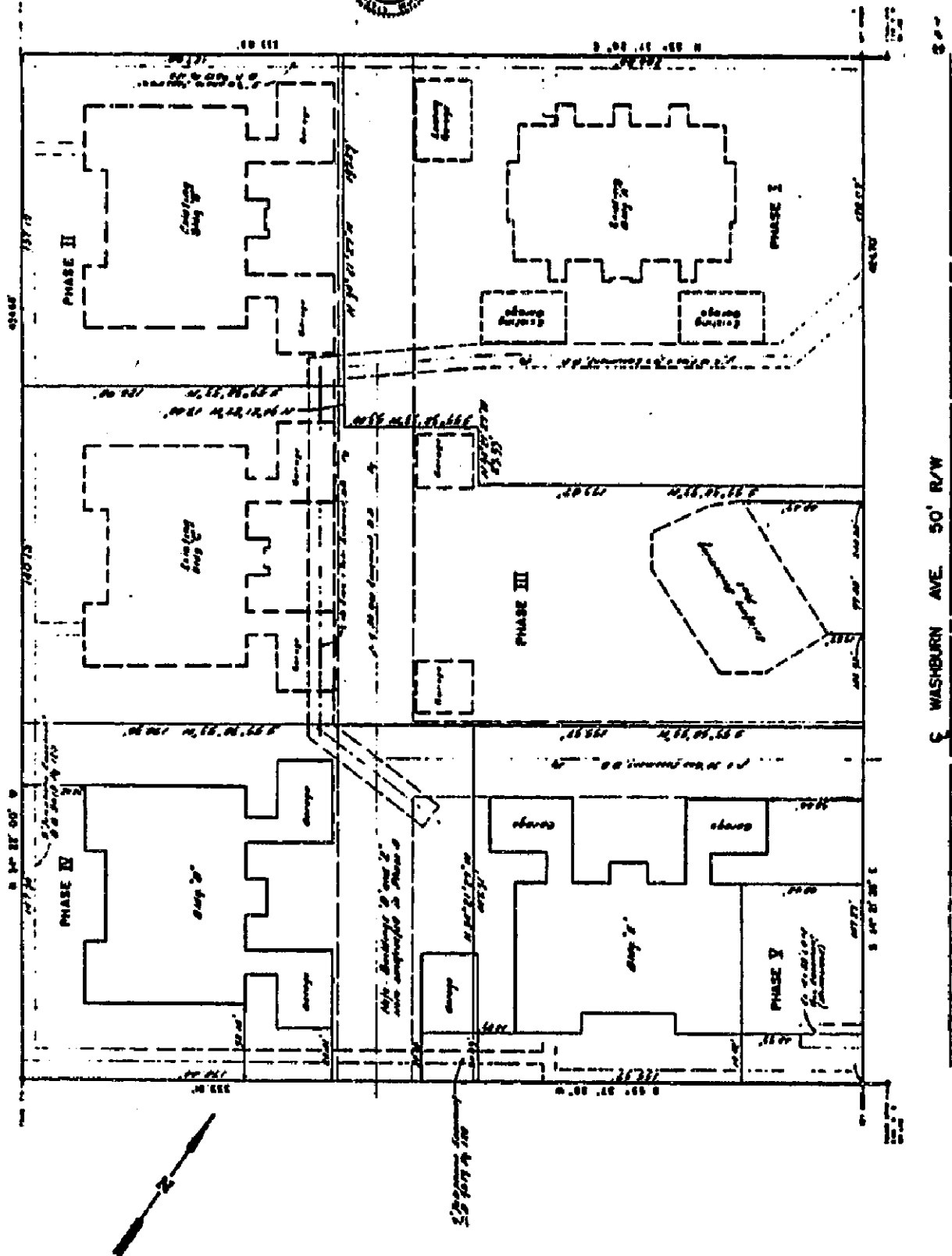


Notes:
1. The building shown on this plan is to be constructed in accordance with the specifications and details shown on the drawings.
2. The building shown on this plan is to be constructed in accordance with the specifications and details shown on the drawings.
3. The building shown on this plan is to be constructed in accordance with the specifications and details shown on the drawings.



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RELEASE		PROJECT NO.	
DATE	BY	NO.	DATE

WASHBURN AVE. 50' R/W

EXHIBIT "A"

SPINDLEWICK, A CONDOMINIUM

ALLOCATION OF PERCENTAGES
OF GENERAL COMMON ELEMENT OWNERSHIP
AS A RESULT OF ADDING PHASES IV AND V TO THE REGIME

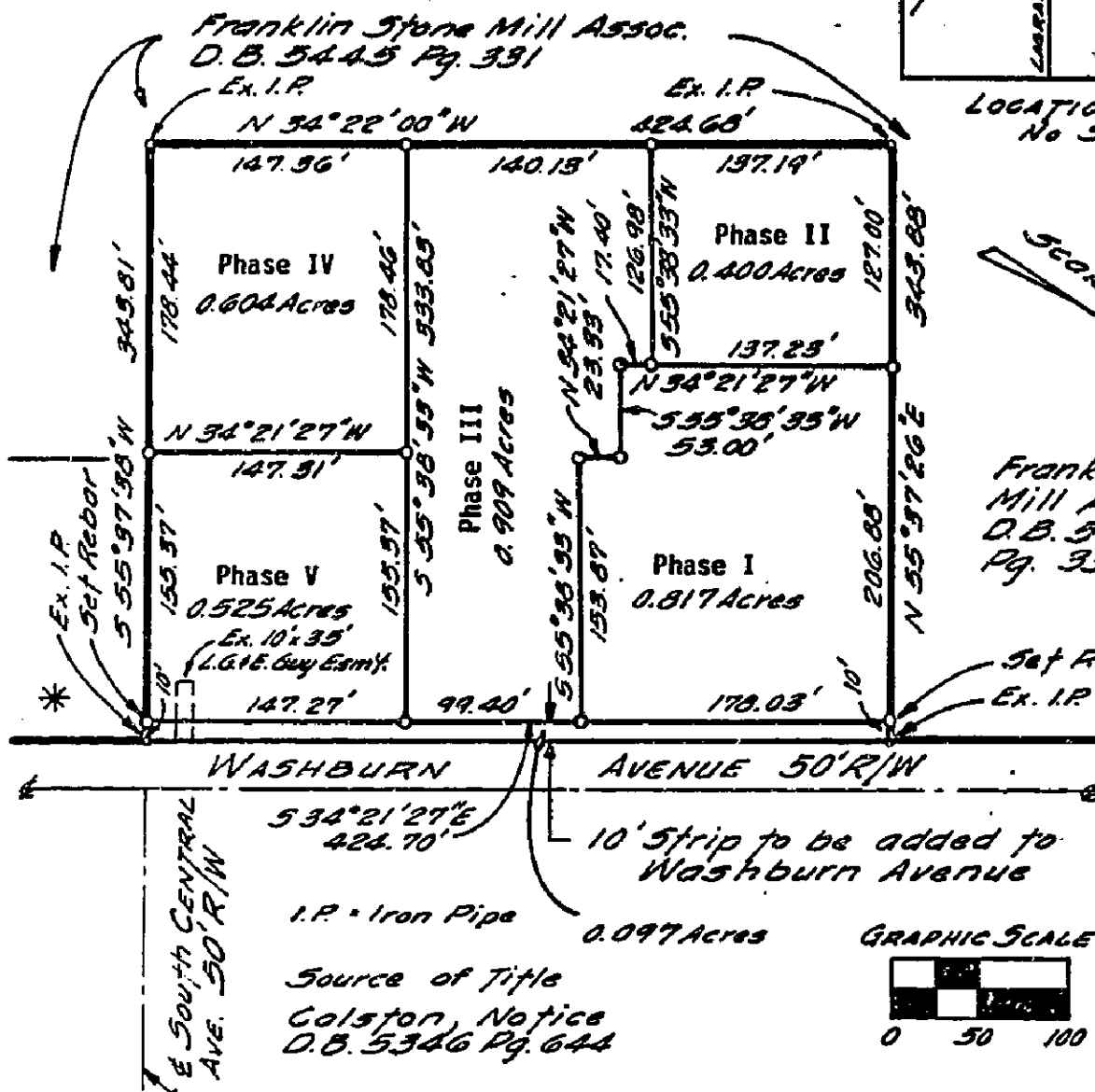
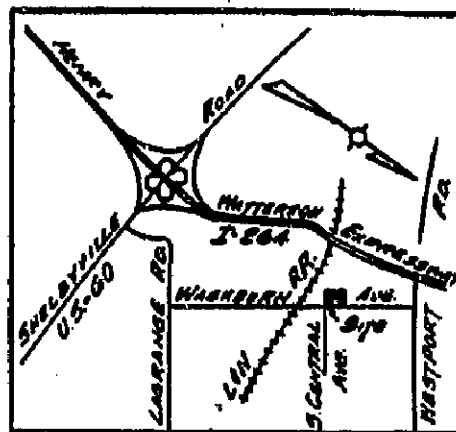
<u>UNIT NUMBER</u>	<u>SQUARE FEET</u>	<u>PERCENTAGE</u>
<u>PHASE I - Building "A"</u>		
1	1,174.80	2.31%
2	1,212.00	2.39%
3	1,212.00	2.39%
4	1,174.80	2.31%
5	1,209.60	2.38%
6	1,212.00	2.39%
7	1,212.00	2.39%
8	1,209.60	2.38%
<u>PHASE II - Building "B"</u>		
9	1,229.19	2.42%
10	1,386.03	2.73%
11	1,383.14	2.73%
12	1,218.87	2.40%
13	1,158.52	2.28%
14	1,388.92	2.74%
15	1,385.52	2.73%
16	1,159.10	2.28%
<u>PHASE III - Building "C"</u>		
17	1,229.46	2.42%
18	1,388.47	2.74%
19	1,382.45	2.72%
20	1,230.09	2.42%

EXHIBIT "B" PAGE 1

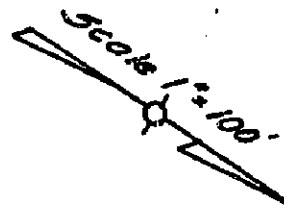
21	1,159.37	2.29%
22	1,385.67	2.73%
23	1,391.05	2.74%
24	1,162.64	2.29%
<u>PHASE IV - Building "D"</u>		
25	1,226.58	2.42%
26	1,386.05	2.73%
27	1,387.00	2.73%
28	1,224.88	2.41%
29	1,130.08	2.22%
30	1,384.78	2.73%
31	1,377.84	2.71%
32	1,136.53	2.24%
<u>PHASE V - Building "E"</u>		
33	1,225.93	2.42%
34	1,383.74	2.73%
35	1,382.07	2.72%
36	1,226.22	2.42%
37	1,132.66	2.23%
38	1,381.54	2.72%
39	1,383.39	2.73%
40	1,134.93	2.24%
TOTALS	50,759.51	100.00%

PREPARED BY:
 DAUGHERTY & TRAUTWEIN, PSC
 3717 Taylorsville Road
 Louisville, KY 40220
 (502) 459-8402
 August, 1988
 0704J

* Hamp, George & Florence
 105 Parkhill Ave. #3K
 Staten Island, N.Y. 10304
 1985 Jeff. Co. Tax Bill #85-21-110628-2
 Unable to determine D.B. & Pg.



LOCATION MAP No Scale



Franklin Stone Mill Assoc.
 D.B. 5445
 Pg. 331



DAUGHERTY & TRAUTWEIN, INC.
 CONSULTING ENGINEERS & LANDSCAPE ARCHITECTS
 3717 Taylorsville Road
 Louisville, Kentucky 40220

FOR: Colston Building & Developing Co.
 41 Highwood Drive
 Louisville, Ky. 40206

SCALE: 1" = 100' DATE: May, 1986

I hereby certify that this plat and survey were made under my supervision, and that the angular and linear measurements are witnessed by monuments shown hereon, are true and correct to the best of my knowledge and belief. This survey and plat meets or exceeds the minimum standards of governing authorities.

John T. Higgins, Sr. 869
 August 24, 1987
 DATE

STATE OF KENTUCKY
 JOHN T. HIGGINS
 869
 REGISTERED
 LAND SURVEYOR

NOTE: This survey subject to all legal roadways, easements, and rights-of way, if any, whether shown hereon or not.