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INST # 2023041801

BATCH # 444328

JEFFERSON CO, KY FEE \$46.00

PRESENTED ON: 03-02-2023 3 03:31:32 PM

LODGED BY: MINDEL SCOTT & ASSOCIATES

RECORDED: 03-02-2023 03:31:32 PM

BOBBIE HOLSCLAW

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BY: BECKY SEARCY

INDEXING CLERK

BK: D 12563

PG: 690-694

First Amendment to the Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for Windcrest Farms

This First Amendment to the Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for Windcrest Farms (“**First Amendment**”) is made on the date it is fully signed (“**Effective Date**”) by 9300 Old Bardstown, LLC, a Kentucky limited liability company (“**Declarant**”).

Background:

The Declarant previously recorded its Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for Windcrest Farms on July 29, 2022, of record in Deed Book 12418, Page 476, in the Jefferson County clerk’s office (“**Original Declaration**”).

The Declarant remains the sole owner of the Property.

Accordingly, under Section 15.2 of the Original Declaration, the Declarant amends the Original Declaration as follows:

1. **Definitions.** As used in this First Amendment, all the terms defined in the preamble and background have the meaning assigned to them. All capitalized words not otherwise defined have the meaning assigned to them in the Original Declaration. Additionally:

“**Declaration**” means the Original Declaration as amended by this First Amendment.

2. **Section 9.11.** Section 9.11 is added to the Original Declaration and reads as follows:

None of the Common Elements may be dedicated to a unit of local government without the acceptance of that unit of local government and the approval of the Louisville Metro Planning Commission. This restriction cannot be amended without the approval of the Louisville Metro Planning Commission.

3. **Original Declarant.** The original Declarant/property owner was incorrectly listed as Flynn Brothers Contracting, Inc. The correct Declarant/property owner is 9300 Old Bardstown, LLC. Accordingly, “**Declarant**” in the Original Declaration should be read as 9300 Old Bardstown, LLC. Additionally, Flynn Brothers Contracting, Inc., joins this First Amendment to confirm it was the incorrect declarant on the Original Declaration and that the correct Declarant is being joined in this First Amendment.

Exhibit A. Exhibit A is attached to this First Amendment to be incorporated with the Original Declaration.

4. **Declaration Affirmed.** Except as specifically modified by this First Amendment, the Declaration remains in full force. To the extent of any discrepancy between the Original Declaration and the First Amendment, the First Amendment controls.

[signatures on the following page]

Accordingly, the Declarant has signed below:

9300 Old Bardstown, LLC, by its Manager, Flynn Brothers Real Estate Holdings, LLC, by its Manager, Flynn Brothers Holdings, Inc.

By: Peter Rastocny, Jr.
Peter Rastocny, Jr., Treasurer

Commonwealth of Kentucky)
)
Jefferson County)

This First Amendment was acknowledged before me on February 23, 2023, by Peter Rastocny, Jr., as Treasurer for Flynn Brothers Holdings, Inc., Manager for Flynn Brothers Real Estate Holdings, LLC, Manager for 9300 Old Bardstown, LLC, the Declarant.

Brenda Nord
Notary Public

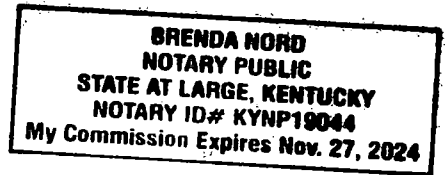
Commission Expires: 11-27-2024

Name: Brenda Nord

Notary ID: KYNP19044

Joined by the incorrect original Declarant
Flynn Brothers Contracting, Inc.

By: Peter Rastocny, Jr.
Peter Rastocny, Jr., Treasurer



Commonwealth of Kentucky)
)
Jefferson County)

This First Amendment was acknowledged before me on February 23, 2023, by Peter Rastocny, Jr., as Treasurer for Flynn Brothers Contracting, Inc.

Brenda Nord
Notary Public

Commission Expires: 11-27-2024

Name: Brenda Nord

Notary ID: KYNP19044

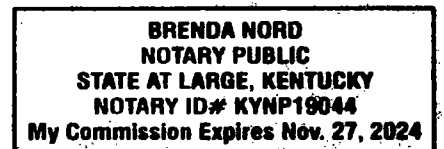
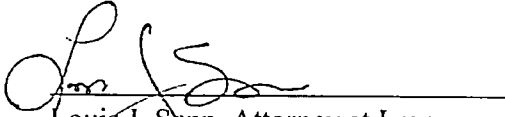


Exhibit A

Being all of Lots 1 – 58 and Open Spaces 121, 122, 124, 125, and 126 of the Windcrest Farms Subdivision Sections 1A and 1B as recorded in Plat Book 63, Page 37-38 of the Jefferson County clerk's office.

This First Amendment Prepared By:

A handwritten signature in black ink, appearing to read "L. Senn", is written over a horizontal line.

Louis J. Senn, Attorney at Law
Cox & Cox Law Office, PLLC
635 West Main Street
Suite 300B
Louisville, Kentucky 40202
502-410-0404

END OF DOCUMENT