

## **Bobbie Holsclaw**

## Jefferson County Clerk's Office

As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Jefferson County Clerk's Office.

INST # 2024052634 BATCH # 520395

JEFFERSON CO, KY FEE \$46.00
PRESENTED ON: 04-04-2024 4 12:18:15 PM
LODGED BY: LOUIS J SENN
RECORDED: 04-04-2024 12:18:15 PM
BOBBIE HOLSCLAW
CLERK
BY: ROXANN MCGAUGHEY
RECORDING CLERK

BK: D 12813 PG: 383-385

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

This Second Amendment to the Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for Windcrest Farms ("Second 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 19, 2022, of record in Deed Book 12418, Page 476, in the Jefferson County Clerk's office, and amended it by a first amendment dated February 23, 2023, of record in the in Deed Book 12563, Page 690, in the Jefferson County Clerk's office (collectively, the "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:

- <u>Definitions</u>. As used in this Second Amendment, all the terms defined in the preamble and background have their assigned meanings. 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 Second Amendment.
- 2. <u>Maintenance of Common Elements</u>. Anything to the contrary in this Declaration notwithstanding, the Association and the Lot owners are responsible for the maintenance of all common elements and common open spaces, recreational facilities, private streets, islands in the right-of-way and signature entrance features, so long as the subdivision is used as a residential subdivision or until properly dedicated to a unit of local government. This provision may not be amended.
- Declaration Affirmed. Except as specifically modified by this Second Amendment, the
  Declaration remains in full force. If there is any discrepancy between the Original
  Declaration and this Second Amendment, then the Second Amendment controls.

[signature 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: Kontray M.
Peter Rastocny, Jr., Treasurer

Commonwealth of Kentucky
)
Jefferson County

This Second Amendment was acknowledged before me on April 2, , 2024, 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.

Amanda Bitner

Notary Public

Expiration: 1 - 22 - 20 27

ID: KYNP75271

AMANDA BITNER
NOTARY PUBLIC
STATE AT LARGE, KENTUCKY
NOTARY ID # KYNP75271
My Commission Expires July 22, 2027

Prepared By:

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