



**Bobbie Holsclaw**  
Jefferson County Clerk's Office

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**INST # 2016161283**

**BATCH # 31941**

JEFFERSON CO, KY FEE \$13.00

PRESENTED ON: 07-11-2016 6 10:05:14 AM

LODGED BY: PULTE HOMES OF OHIO LLC

RECORDED: 07-11-2016 10:05:14 AM

BOBBIE HOLSCRAW  
CLERK

BY: TERESA HIGGS  
RECORDING CLERK

**BK: D 10658**

**PG: 976-979**

**FIFTH AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR WOODLANDS CREEK**

**JEFFERSON COUNTY, KENTUCKY**

**THIS FIFTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WOODLANDS CREEK (“Amendment”)** is entered into and effective as of July 11, 2016, by **PULTE HOMES OF OHIO LLC**, a Michigan limited liability company, with an office and place of business at 10035 Forest Green Boulevard, Louisville, Kentucky 40223 (“Declarant”).

**RECITALS:**

**A.** Declarant and/or Declarant’s predecessor has previously entered into that certain Declaration of Covenants, Conditions and Restrictions pertaining to *Woodlands Creek* dated as of May 31, 2006, of record in Deed Book 8848, Page 798, as amended by Amendments of record in Deed Book 9119, Page 155; Deed Book 9478, Page 246; Deed Book 9894, Page 834; and Deed Book 10600, Page 480; all in the Jefferson County Clerk’s Office (as amended, the “Declaration”).

**B.** Declarant’s rights as Declarant were transferred by instruments of record in Deed Book 9894, Page 839; Deed Book 9971, Page 780; and Deed Book 10289, Page 562, all in the Jefferson County Clerk’s Office.

**C.** Declarant is obligated as the “Declarant” under the Declaration.

**D.** Section 10(c) of the Declaration provides that so long as Declarant owns a Lot, Declarant may unilaterally amend this Declaration, by recording an amendment to the Declaration in the Jefferson County Clerk’s office.

**E.** Section 1(c) of the Declaration states that the “Properties” that are subject to the Declaration shall include such additions thereto as may thereafter be brought within the jurisdiction of the Association.

**F.** The parties now desire to further amend the Declaration, to add the real estate described on Exhibit A hereto as a portion of the “Properties” to which the Declaration pertains, and to include the real estate described on Exhibit A within the scope of the Declaration, as described herein.

**G.** Certain capitalized terms not defined herein shall have the same meaning ascribed to them in the Declaration.

**NOW, THEREFORE**, for and in consideration of the above recitals, Declarant hereby declares as follows:

**1. ADDITIONAL SECTION.** From and after the date of this Amendment, the term “Properties,” as defined in the Declaration, shall include Lots 88 through 104, inclusive, in

Woodland Creek Extension, as shown on a Record Plat of record in Plat Book 55, Page 65-66, in the office aforesaid, a copy of which Record Plat is attached as Exhibit A hereto. The parties intend that Lots 88 through 104 shall be entitled to all of the benefits granted to the Properties pursuant to the Declaration, and shall be encumbered by all of the burdens imposed on the Properties pursuant to the Declaration.

2. **RATIFICATION.** Except as modified by this Amendment, the Declaration shall remain in full force and effect.

IN TESTIMONY WHEREOF, witness the signature of the Declarant as of the date noted above.

PULTE HOMES OF OHIO LLC

By: \_\_\_\_\_

Title: Division Vicepresident of Sales

(“Declarant”)

STATE OF Kentucky )

) SS.

COUNTY OF JEFFERSON )

The foregoing instrument was acknowledged before me this 28 day of April, 2016, by Mike Archer, as VP of Sales Columbus, Ky of Pulte Homes of Ohio LLC.

My commission expires: 10/17/2018

Mike Mefford  
NOTARY PUBLIC

This instrument was prepared by:

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EXHIBIT A

[ATTACH PLAT]