

Phase H

**AMENDMENT TO DEED RESTRICTIONS
OF
NAUTICAL CHASE
SINGLE FAMILY RESIDENTIAL DEVELOPMENT
IN ANDERSON COUNTY, KENTUCKY**

THAT, WHEREAS, the Developer, Firm Ground, LLC is the owner of NAUTICAL CHASE, a single family residential subdivision in Anderson County, Kentucky; and

WHEREAS, the Developer hereby establishes a general plan for the use, occupancy and enjoyment of the subdivision.

NOW, THEREFORE, the Developer does hereby set forth the following amendment to the originally filed deed restrictions dated February 1, 2005 for Phase 2, Harbour Pointe of the residential subdivision:

3. BUILDING RESTRICTIONS:

d. LANDSCAPING shall read as follows: Landscaping each lot as a part of the construction of the residence thereon with a well-planned landscape concept is required. A landscaping plan shall be submitted to the Developer for approval. A minimum requirement of foundation planting and two approved trees in excess of 1 & 1/2 inch caliper in the front yard. A maximum of two(2) trees may also be planted between the curb and sidewalk of each front yard, those lots that have side yards exposed to a curb and sidewalk may also plant two(2) additional trees between the curb and sidewalk in that side yard area. The trees size and type of tree planted must be approved by the Developer or its designee before planting commences. Artificial planting, decorative concrete items are generally not permitted in the front yard. Upon the failure of any lot owner to comply with the provisions in this paragraph, the Developer or its designee, may take action to comply with the terms of this paragraph and shall be reimbursed by the lot owner for the expenses incurred in complying with this paragraph. The landscaping plan submitted to the Developer for the approval shall include the following requirements:

d. LANDSCAPING:

II. shall read as follows: Upon completion of the residence and final lot grading, the lot shall be grass sodded or hydro grass seeded from side lot line to side lot line and from the curb to the back of the house. The remainder of the lot may be grass seeded and mulched or strawed and maintained or reseeded until a stand of lawn grass is established. Final Grading for landscaping shall not direct concentrated storm water onto adjoining properties

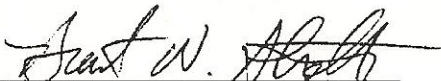
7/14/05
Bain + [redacted]

ANDERSON CO. 3. BUILDING RESTRICTIONS:

i. SWIMMING POOLS shall read as follows: Swimming pools shall be in-ground as well as above ground. It is the intention of these restrictions and conditions that only suitable swimming pools are allowed in NAUTICAL CHASE. A swimming pool must be located not nearer the street than the rear wall of the home (in relation to the street upon which the front of the home faces). The Developer, or its designee, must approve all pool construction plans and specifications, including all materials and color combinations, in writing, prior to the erection or alteration of any pool or appurtenant structure. If an above ground pool leaks and/or becomes inoperable due to the lack of structural integrity of the pool sidewalls, the pool must be repaired within sixty (60) days. The exterior exposed pool walls must be landscaped accordingly and approved by the developer or its assigns. The area below decking, surrounding above ground pools, must be either enclosed or landscaped. This enclosure must be approved by the developer or its assigns. An above ground pool owner must correct the above deficiencies within the sixty (60) day period or The Developer, or its designee, may have the option of making the corrections or removing the above ground pool from the premises. The Developer, or its designee, may take action to comply with the terms of this paragraph and shall be reimbursed by the HOMEOWNER for the expenses incurred in complying with this paragraph.

IN WITNESS WHEREOF, the Developer has approved these Restrictions causing them to be Executed by its authorized officers on the 14th day of July, 2008.

FIRM GROUND LLC
A KENTUCKY LIMITED LIABILITY COMPANY


Brent W. Stratton, Manager

COMMONWEALTH OF KENTUCKY
COUNTY OF ANDERSON

The foregoing instrument was acknowledged, subscribed and sworn to before me this 14th day of July, 2008, by Brent W. Stratton, Manager, for and on behalf of Firm Ground LLC, A Kentucky Limited Liability Company.

Notary Public _____ State at Large

My commission expires Aug 29, 2011

Prepared by Craig E. Stratton
115 Plantation Drive
Lawrenceburg, KY 40342
502-680-1244

DOCUMENT NO: 161657
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TOTAL FEES: \$13.00
COUNTY CLERK: EDITH HANKS
COUNTY: ANDERSON COUNTY
DEPUTY CLERK: VIRGINIA ANN MEDLEY