

**SUPPLEMENTAL DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS**

GLEN LAKES SUBDIVISION
JEFFERSON COUNTY, KENTUCKY

THIS SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE GLEN LAKES SUBDIVISION ("Supplemental Declaration"), is made as of September 26, 2005, by OLYMPIA HOMES, LLC, a Kentucky limited liability company with principal office and place of business at 303 North Hurstbourne Parkway, Suite 100, Louisville, Kentucky 40222 ("Developer").

WITNESSETH:

WHEREAS, pursuant to that certain subdivision plat of record in Plat Book 51, Page 4, and Plat Book 51, Page 5, in the Office of the Clerk of Jefferson County, Kentucky, Sections 1A and 1B, respectively, of the Glen Lakes Subdivision (the "Subdivision") were created; and

WHEREAS, pursuant to that certain Declaration of Covenants, Conditions and Restrictions for Glen Lakes Subdivision, of record in Deed Book 8682, Page 272, in the aforesaid Clerk's Office (the "Declaration"), Sections 1A and 1B of the Subdivision are, *inter alia*, subject to certain covenants, conditions, restrictions, liens and reservations with respect to the Subdivision; and

WHEREAS, Developer is currently the "Developer" under the Declaration and the owner of all of the real property in the Subdivision, and desires to supplement and amend the Declaration as hereinafter set forth;

NOW, THEREFORE, in consideration of the foregoing premises, which are hereby incorporated herein, Developer hereby declares as follows:

1. **Definitions**. Capitalized terms used and not otherwise defined herein shall have the respective meanings given to them in the Declaration.
2. **Annexation of Adjacent Property to Subdivision**. Under the Declaration, the Developer has the right to cause additional real property to be annexed to and incorporated within the Subdivision and made subject to the Declaration. The Developer hereby amends the Declaration to provide that, notwithstanding any subsequent assignment of its rights as the "Developer" of the Subdivision, OLYMPIA HOMES, LLC, a Kentucky limited liability company ("Olympia"), hereby retains the irrevocable rights, for itself and its affiliates, and their respective successors and assigns (collectively, the "Olympia Group"), which rights shall be deemed to be a covenant running with the land for the benefit of the Olympia Group, as follows:

(a) From and after the date hereof, the Olympia Group shall, in connection with the development of properties adjacent to or in the vicinity of the Subdivision (the "**Adjacent Property**"), have access from and to any such Adjacent Property on and over the dedicated roadways within the Subdivision.

(b) From and after the date hereof, provided that the Adjacent Property will be developed as single-family detached residential units subject to the Declaration or an instrument containing similar covenants, conditions and restrictions, including, without limitation, the architectural and design criteria provisions set forth in the Declaration, the Developer of the Subdivision under the Declaration and the **GLEN LAKES COMMUNITY ASSOCIATION, INC.**, a Kentucky non-profit corporation (the "**Association**"), will cooperate with, and shall not object to, the efforts of any member of the Olympia Group to obtain approval from all applicable governmental and quasi-governmental entities, agencies, departments, bureaus, utilities and boards having jurisdiction over the Subdivision (collectively the "**Governmental Authorities**") of the development plans proposed by such member of the Olympia Group, or any entity affiliated with the members of any entity included within the Olympia Group, for all or any of the Adjacent Property, which approvals may be sought to make the Adjacent Property a part of the Subdivision or another subdivision as elected by the applicable member of the Olympia Group. Provided the Adjacent Property will be or has been developed as single-family detached residential units consistent with the architectural and design criteria provisions set forth in the Declaration, the owner of such Adjacent Property shall have the right to incorporate and annex all or any portion of the Adjacent Property as a part of the Subdivision subject to the Declaration, as amended, and to make owners of any lots developed therefrom full members of the Association on par with the other lot owners within the Subdivision.

(c) The real property depicted on **Exhibit A** attached hereto and made a part hereof, is being developed by Olympia as "Section 2" of the Subdivision, and upon the recording of the major subdivision plat therefor (the "**Section 2 Plat**") by Olympia, shall be deemed annexed to the Subdivision and incorporated therein, subject to such modifications in the architectural and construction standards and requirements imposed by the Declaration as Olympia may elect and as shall be set forth in a Supplemental Declaration of Covenants, Conditions and Restrictions recorded by Olympia contemporaneously with the Section 2 Plat (the "**Section 2 Supplemental Declaration**"). After the recordation of the Section 2 Plat and the Section 2 Supplemental Declaration, the owners of the lots created pursuant to the Section 2 Plat shall be members of the Association on par with other members of the Association. Contemporaneously with the recording of the Section 2 Plat, Olympia shall quitclaim to the Association the entire right, title and interest of Olympia in and to any portions of the real property included within such Section 2 and not otherwise platted as single-family residential subdivision lots, and upon such conveyance by Olympia, such unplatted areas shall become Common Area under the Declaration.

3. **Additional Construction Requirements.** The Developer hereby amends the Declaration to provide that, notwithstanding any subsequent assignment of the rights of Olympia as the "Developer" of the Subdivision:

(a) The roof of each house constructed within the Subdivision shall have an extended rake over the brickline or side walls acceptable to Olympia, its successors and assigns, with a minimum of a 12" rake, and the roof pitch of each house shall not be less than a plane of 10 inches vertical for every plane of 12 inches horizontal, unless otherwise agreed by Olympia in its reasonable discretion; and

(b) Each house constructed within the Subdivision shall have an excavated and poured concrete wall basement, with walls at least eight (8) feet in height, unless otherwise agreed by Olympia in its reasonable discretion.

The foregoing covenants and restrictions shall constitute a covenant running with the land for the benefit of Olympia, its successors and assigns..

4. **Restriction on Amendment of Declaration.** The Developer hereby amends the Declaration to provide that, notwithstanding any subsequent assignment of the rights of Olympia as the "Developer" of the Subdivision, it shall be a restriction and covenant running with the land, for the benefit of Olympia, and its successors and assigns, providing that without the prior written consent of Olympia (which consent shall not be unreasonably withheld, delayed or conditioned), the provisions of the Declaration relating to the architectural or design criteria of the homes to be constructed within the Subdivision, including, without limitation, the restrictions set forth in Section 3 of this Supplemental Declaration, cannot be modified; provided, however, Olympia's consent to such modification of the architectural or design provisions of the Declaration shall not be required once control of the Association has been transferred to the individual lot owners in accordance with the terms of the Declaration.

5. **No Other Modification.** Except as expressly supplemented hereby, the terms of the Declaration shall remain in full force and effect as written.

WITNESS the signature of Developer as of the date first above written.

Olympia Homes, LLC, a Kentucky limited liability company

By: VC

Title: M. F. UBER & CO

COMMONWEALTH OF KENTUCKY)
)SS:
COUNTY OF JEFFERSON)

The foregoing instrument was acknowledged before me this 26 day of September, 2005, by RICHARD WILSON, the Member of Olympia Homes, LLC, a Kentucky limited liability company, on behalf of said company.

My Commission Expires: 01-24-07

[Seal]

[Signature]
Notary Public
State of Kentucky at Large

THIS INSTRUMENT PREPARED BY:

[Signature]
Gregory A. Compton, Esq.
MIDDLETON REUTLINGER
4965 U.S. Highway 42, Suite 2800
Louisville, Kentucky 40222
(502) 584-1135
email: gcompton@middreut.com

AFTER RECORDING, RETURN TO:
MATTINGLY-FORD TITLE SERVICES, LLC
101 BULLITT LANE, SUITE 202-B
LOUISVILLE, KENTUCKY 40222
(502) 212-7000

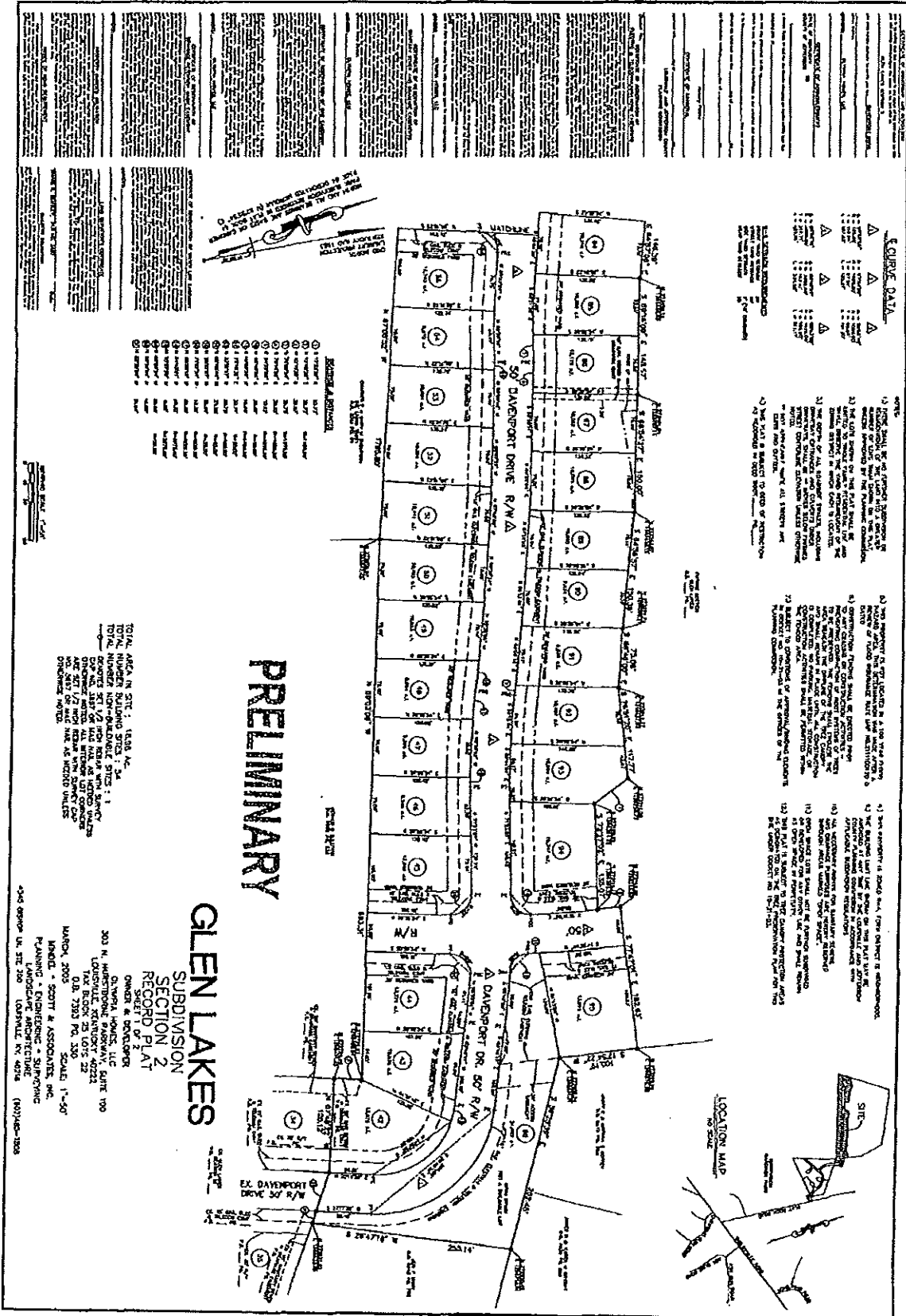
EXHIBIT LIST:

Exhibit A – Depiction of Section 2 of the Subdivision

Glen Lakes Supplemental Declaration 091505 Final.DOC

Document No.: DN2005161402
Lodged By: MATTINGLY AND FORD
Recorded On: 09/26/2005 03:10:42
Total Fees: 16.00
Transfer Tax: .00
County Clerk: BOBBIE HOLSCAW-JEFF CO KY
Deputy Clerk: CARHAR

EXHIBIT A



LEGEND

▲	1.00' WIDE
▲	2.00' WIDE
▲	3.00' WIDE
▲	4.00' WIDE
▲	5.00' WIDE
▲	6.00' WIDE
▲	7.00' WIDE
▲	8.00' WIDE
▲	9.00' WIDE
▲	10.00' WIDE
▲	11.00' WIDE
▲	12.00' WIDE
▲	13.00' WIDE
▲	14.00' WIDE
▲	15.00' WIDE
▲	16.00' WIDE
▲	17.00' WIDE
▲	18.00' WIDE
▲	19.00' WIDE
▲	20.00' WIDE
▲	21.00' WIDE
▲	22.00' WIDE
▲	23.00' WIDE
▲	24.00' WIDE

NOTES

- 1) THIS MAP IS A PRELIMINARY SUBDIVISION MAP AND IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN TO SHOW THE GENERAL LAYOUT OF THE PROPOSED SUBDIVISION.
- 2) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 3) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 4) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 5) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 6) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 7) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 8) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 9) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 10) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 11) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 12) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 13) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 14) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 15) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 16) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 17) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 18) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 19) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 20) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 21) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 22) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 23) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.
- 24) THE TOTAL AREA OF THE SUBDIVISION IS 1.00 AC. AND THE TOTAL NUMBER OF LOTS IS 24.

PRELIMINARY GLEN LAKES SUBDIVISION SECTION 2 RECORD PLAT

TOTAL AREA IN SITE : 1.00 AC.
TOTAL NUMBER BUILDING SITES : 24
TOTAL NUMBER NON-BUILDABLE SITES : 1
OWNER : GLEN LAKES SUBDIVISION
303 N. WASHINGTON ST. SUITE 100
LOUISVILLE, KENTUCKY 40222
TEL. NO. 502.582.2222
FAX NO. 502.582.2222
MAILING ADDRESS : 303 N. WASHINGTON ST. SUITE 100
LOUISVILLE, KY 40222
OWNER'S REPRESENTATIVE : GLEN LAKES SUBDIVISION
PLANNING : SCOTT & ASSOCIATES, INC.
LANDSCAPE ARCHITECTURE : SCOTT & ASSOCIATES, INC.
303 N. WASHINGTON ST. SUITE 100
LOUISVILLE, KY 40222 (502) 582-2222