

Bobbie Holsclaw

Jefferson County Clerk's Office

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INST # 2022089875 BATCH # 381398

JEFFERSON CO, KY FEE \$110.00

PRESENTED ON: 04-20-2022 2 10:03:41 AM LODGED BY: BUTLER LEGAL SERVICES PLLC RECORDED: 04-20-2022 10:03:41 AM BOBBIE HOLSCLAW CLERK BY: LEEMESIA EDWARDS INDEXING CLERK

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FORTY-FIFTH AMENDMENT TO THE MASTER DEED AND DECLARATION OF CONDOMINIUM PROPERTY REGIME OF HURSTBOURNE SPRINGS CONDOMINIUMS

This Forty-Fifth Amendment is made and entered into as of April 15, 2022. The undersigned, the President and Secretary of Hurstbourne Springs Condominiums, Inc., hereby certify that, pursuant to Section 11.2 of the Master Deed, a majority of the Unit owners approved the following Forty-Fifth Amendment to the Master Deed. The signatures of all Unit owners who approved the Amendment are attached hereto. Accordingly, the Master Deed is so amended as follows:

RECITALS

Fenwick Development Company, Inc. placed to record a Master Deed and Declaration of Condominium Property Regime of Hurstbourne Springs Condominiums, dated November 10, 1995, of record in Deed Book 6664, Page 698, in the office of the Clerk of Jefferson County, Kentucky (the "Declaration"), which submitted to a horizontal [condominium] property regime (the "Regime") certain real property described in the Declaration, with that Declaration having been amended by a First Amendment dated April 16, 1996, of record in Deed Book 6724, Page 474, by a Second Amendment dated July 25, 1996, of record in Deed Book 6766, Page 220, by a Third Amendment dated August 30, 1996, of record in Deed Book 6782, Page 54, by a Fourth Amendment dated September 16, 1996, of record in Deed Book 6787, Page 901, by a Fifth Amendment dated January 3, 1997, of record in Deed Book 6839, Page 365, by a Sixth Amendment of record in Deed Book 6978, Page 832, by a Seventh Amendment dated March 31, 1999, of record in Deed Book 7218, Page 469, by an Eighth Amendment dated August 16, 1999, of record in Deed Book 7303, Page 924, by a Ninth Amendment dated December 2, 1999, of record in Deed Book 7364, Page 629, by a Tenth Amendment dated January 24, 2000, of record in Deed Book 7391, Page 346, by an Eleventh Amendment dated March 1, 2000, of record in Deed Book 7420, Page 426, by a Twelfth Amendment dated April 20, 2000, of record in Deed Book 7434, Page 323, by a Thirteenth Amendment dated July 14, 2000, of record in Deed Book 7479, Page 705, by a Fourteenth Amendment dated October 9, 2000, of record in Deed Book 7526, Page 142, by a Fifteenth Amendment dated October 24, 2000, of record in Deed Book 7534, Page 131, by a Sixteenth Amendment dated November 12, 2000, of record in Deed Book 7545, Page 844, by a Seventeenth Amendment dated December 14, 2000, of record in Deed Book 7559, Page 717, by an Eighteenth Amendment dated April 19, 2001, of record in Deed Book 7630, Page 750, by a Nineteenth Amendment dated May 16, 2001, of record in Deed Book 7648, Page 107, by a Twentieth Amendment dated June 1, 2001, of record in Deed Book 7657, Page 989, by a Twenty-First Amendment dated July 17, 2001, of record in Deed Book 7686, Page 52, by a Twenty-Second Amendment dated October 19, 2001, of record in Deed Book 7749, Page 747, by a Twenty-Third Amendment dated October 26, 2001, of record in Deed Book 7758, Page 636, by a Twenty-Fourth Amendment dated January 17, 2002, of record in Deed Book 7804, Page 944, by a Twenty-Fifth Amendment dated March 21, 2002, of record in Deed Book 7846, Page

627, by a Twenty-Sixth Amendment dated April 2, 2002, of record in Deed Book 7854, Page 14, by a Twenty-Seventh Amendment dated May 22, 2002, of record in Deed Book 7884, Page 503, by a Twenty-Eighth Amendment dated June 26, 2002, of record in Deed Book 7907, Page 967, by a Twenty-Ninth Amendment dated August 16, 2002, of record in Deed Book 7943, Page 406, by a Thirtieth Amendment dated September 18, 2002, of record in Deed Book 7963, Page 432, by a Thirty-First Amendment dated September 30, 2002, of record in Deed Book 7972, Page 478, by a Thirty-Second Amendment dated October 28, 2002, of record in Deed Book 7990, Page 231, by a Thirty-Third Amendment dated May 6, 2003, of record in Deed Book 8131, Page 180, by a Thirty-Fourth Amendment dated May 23, 2003, of record in Deed Book 8148, Page 336, by a Thirty-Fifth Amendment dated July 17, 2003, of record in Deed Book 8191, Page 181, by a Thirty-Sixth Amendment dated March 9, 2004, of record in Deed Book 8369, Page 759, by a Thirty-Seventh Amendment dated September 23, 2004, of record in Deed Book 8492, Page 634, by a Thirty-Eighth Amendment dated November 22, 2004, of record in Deed Book 8528, Page 58, by a Thirty-Ninth Amendment dated January 7, 2005, of record in Deed Book 8553, Page 431, by a Fortieth Amendment dated March 28, 2006, of record in Deed Book 8804, Page 555, by a Forty-First Amendment dated January 17, 2007, of record in Deed Book 8971, Page 508, by a Forty-Second Amendment dated December 18, 2007, of record in Deed Book 9155, Page 447, by a Forty-Third Amendment dated December 18, 2007, of record in Deed Book 9155, Page 444, and by a Forty-Fourth Amendment dated July 28, 2008, of record in Deed Book 9267, Page 165, all in the Office of the Clerk of Jefferson County, Kentucky.

NOW THEREFORE, in accordance with Section 11.2 of the Master Deed, the unit owners whose names and signatures appear at the end of this instrument hereby amend the Master Deed as follows:

WHEREAS, Article I, Section 1.4 of the Master Deed and Declaration of Condominium Property Regime of Hurstbourne Springs Condominiums currently reads:

"Unit" or "Condominium Unit" means the enclosed space consisting of one or more rooms as measured from interior unfinished surfaces, having direct access to the Common Elements. The location and extent of each Unit are as shown on the plans of the Regime recorded with this Declaration. Notwithstanding that some of the following might be located in the Common Elements or Limited Common Elements, the plumbing, heating, and air conditioning equipment (including all ducts and pipes), electrical wiring and equipment, hot water heater, telephone lines, cable television lines, window panes, doors (including storm and screen doors, if any), windows, halls, stairways and other equipment located within or connected to a Unit for the sole purpose of serving that Unit exclusively, are a part of the Unit; the maintenance, repair and replacement of same being the responsibility of the Unit owner.

The Association is responsible for replacing doors and windows in the event of a fire or any other major casualty. The replacement doors and windows will be of standard grade

as to be determined by the Board of the Association. The Unit Owners will be responsible for the cost of any Unit Owner's requested upgrade.

NOW THEREFORE, Article I, Section 1.4 of the Master Deed and Declaration of Condominium Property Regime of Hurstbourne Springs Condominiums shall now be amended to read:

"Unit" or "Condominium Unit" means the enclosed space consisting of one or 1.4 more rooms as measured from interior unfinished surfaces, having direct access to the Common Elements. The location and extent of each Unit are as shown on the plans of the Regime recorded with this Declaration. Notwithstanding that some of the following might be located in the Common Elements or Limited Common Elements, the plumbing, heating, and air conditioning equipment (including all ducts and pipes), electrical wiring and equipment, hot water heater, telephone lines, cable television lines, window panes, doors (including storm and screen doors, if any), windows, halls, stairways and other equipment located within or connected to a Unit for the sole purpose of serving that Unit exclusively, are a part of the Unit; the maintenance, repair and replacement of same being the responsibility of the Unit owner. However, excepted from this shall be any exterior water line from the main line at the street to the point where the exterior water line enters the residential structure. Said exterior water lines as defined in the previous sentence shall be considered "Common Elements" or "General Common Elements"; the maintenance, repair and replacement of same being the responsibility of the Council of Co-Owners. To further clarify this issue, all privately-owned irrigation lines, as well as any water lines located within the residential structure or underneath any Unit, are part of the Unit; the maintenance, repair and replacement of same being the responsibility of the Unit owner.

The Association is responsible for replacing doors and windows in the event of a fire or any other major casualty. The replacement doors and windows will be of standard grade as to be determined by the Board of the Association. The Unit Owners will be responsible for the cost of any Unit Owner's requested upgrade.

In all other respects, all of the terms and provisions of the Declaration are ratified and affirmed.

WITNESS the signatures of the Association by its duly authorized representatives as of this <u>15</u> day of <u>April</u>, 2022.

		HURSTBOURNE SPRINGS CONDOMINIUMS COUNCIL OF CO-OWNERS, INC. By: Chuck Miller, President By: Judy Nesbit, Secretary
COMMONWEALTH OF KENTUC	KY)	SS:
COUNTY OF JEFFERSON)	
this 16 day of 1971 Springs Condominiums Council of	_, 2022, by Cl Co-Owners, I s Council of C	ed, subscribed and sworn to before me, nuck Miller, President of Hurstbourne nc., and by Judy Nesbit, Secretary of o-Owners, Inc., a Kentucky non-profit e uses and purposes set forth in the
	NOTARY PU	ice Miller JBLIC, STATE AT LARGE, KY
	My Commiss	sion Expires: <u>2/19/2023</u>
	Notary ID#	(DIT XX

INSTRUMENT PREPARED BY:

KERRY J. BUTLER

BUTLER LEGAL SERVICES, PLLC

8011 New LaGrange Road

Suite 4

Louisville, Kentucky 40222

(502) 365-2772

8207 Fenwick Farm Place	8206 Fenwick Farm Place	. 8204 Fenwick Farm Place	8203 Fenwick Farm Place	8202 Fenwick Farm Place	8201 Fenwick Farm Place	8200 Fenwick Farm Place	8323 Dravo Circle	8321 Dravo Circle	8319 Dravo Circle	8317 Dravo Circle	8315 Dravo Circle	8314 Dravo Circle	8313 Dravo Circle	8312 Dravo Circle	8311 Dravo Circle	8309 Dravo Circle	8307 Dravo Circle	8305 Dravo Circle	8303 Dravo Circle	8302 Dravo Circle	8301 Dravo Circle	8300 Dravo Circle	Street No. Street Name
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appoint a si and vote in Special Me	undersigned hereby appoints the following person, with full power to ubstitute, as my proxy and hereby authorizes him or her to represent his or her discretion all of my percentage of common interests at the eting to be held on Monday, April 11, 2022 from 4pm – 7pm at the This proxy does not apply if I personally appear at any such
_/	The acting President of The Hurstbourne Springs Condominiums
	The following person:
	(Check and complete only one)
BY:	Beanest Pollard Name of Unit Owner 3204 Hunthourne grings Dr. Address
	March 30, 2022

It is very important that you return a proxy if you do not plan on attending the Special Meeting by April 10, 2022.

	PROXY
appoint a s and vote in Special Me	undersigned hereby appoints the following person, with full power to substitute, as my proxy and hereby authorizes him or her to represent his or her discretion all of my percentage of common interests at the seting to be held on Monday, April 11, 2022 from 4pm – 7pm at the This proxy does not apply if I personally appear at any such
\angle	_ The acting President of The Hurstbourne Springs Condominiums
	The following person:
BY:	(Check and complete only one) Name of Unit Owner 3206 Hitchtbourne Springs Drive Address March 11, 2022
**	It is very important that you return a proxy if you do not plan on attending the Special Meeting by April 10, 2022.

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	The acting President of The Hurstbourne Springs Condominiums The following person: The following pe
BY:	(Check and complete only one) Charlate C. Thilsan Name of Unit Owner 3207 HUASTBOURNE Span DR. Address
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It is very important that you return a proxy if you do not plan on attending the Special Meeting by April 10, 2022.

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	The acting President of The Hurstbourne Springs Condominiums The following person: Samuer Whelen
BY:	(Check and complete only one) Renate Fish Name of Unit Owner 3212 Horstbourne Springs Dr. Address
**	It is very important that you return a proxy if you do not plan on attending the Special Meeting by April 10, 2022.

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YES	The acting President of The Hurstbourne Springs Condominiums The following person: (Check and complete only one)	12/6
	(Check and complete only one)	ARM
BY:	Name of Unit Owner	PL,
	82/8 FRAWICK FRM. PL. Address	
	04-15-22 Date	

It is very important that you return a proxy if you do not plan on attending the Special Meeting by April 10, 2022.

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	The acting President of The Hurstbourne Springs Condominiums The following person: August Rust
BY:	(Check and complete only one) Kathern Westley Name of Unit Owner Sory Famuih Farm Alace Address 4-8-27 Date
**	It is very important that you return a proxy if you do not plan on attending the Special Meeting by April 10, 2022.

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	The acting President of The Hurstbourne Springs Condominiums The following person:
BY:	(Check and complete only one) Stephanic Pack Name of Unit Owner 8212 Fenwick Form Place Address Date

It is very important that you return a proxy if you do not plan on attending the Special Meeting by April 10, 2022.

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appoint a su and vote in l Special Mee	undersigned hereby appoints the following person, with full power to abstitute, as my proxy and hereby authorizes him or her to represent his or her discretion all of my percentage of common interests at the eting to be held on Monday, April 11, 2022 from 4pm – 7pm at the This proxy does not apply if I personally appear at any such
	The acting President of The Hurstbourne Springs Condominiums The following person: Collette Deacklin
BY:	(Check and complete only one) Karen B. La Bro; Name of Unit Owner
	9200 Rock Wall Cl. Address 3-30-22 Date
**	It is very important that you return a proxy if you do not plan on attending the Special Meeting by April 10, 2022.

	PROXY
appoint a sub and vote in h Special Meet	ndersigned hereby appoints the following person, with full power to ostitute, as my proxy and hereby authorizes him or her to represent is or her discretion all of my percentage of common interests at the ting to be held on Monday, April 11, 2022 from 4pm – 7pm at the This proxy does not apply if I personally appear at any such
	The acting President of The Hurstbourne Springs Condominiums
	The following person: Bill Spath - 8323 Drave Cir.
	(Check and complete only one)
3Y:	Name of Unit Owner
	8321 Brave Circle Address
	March 15, 2022 Date
**	It is very important that you return a proxy if you do not plan on attending the Special Meeting by April 10, 2022.

	PROXY
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	The acting President of The Hurstbourne Springs Condominiums
<u>110 - 110 -</u>	The following person:
	(Check and complete only one)
BY:	Edward & Margaret Curtis - Edward B Cution Name of Unit Owner Margaret A Custin
	3203 Hursthourne Springs Dr Address
	<u>4-8-2022</u> Date
**	It is very important that you return a proxy if you do not plan on attending the Special Meeting by April 10, 2022.

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<u></u>	The acting President of The Hurstbourne Springs Condominiums
	The following person:
	(Check and complete only one)
BY:	Rosemany U. Adams Name of Unit Owner
	8203 Fenwick Farm Pl Address
	3/12/2022 Date

It is very important that you return a proxy if you do not plan on attending the Special Meeting by April 10, 2022.

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	PROXY
appoint a substand vote in his Special Meeting	ersigned hereby appoints the following person, with full power to titute, as my proxy and hereby authorizes him or her to represent or her discretion all of my percentage of common interests at the g to be held on Monday, April 11, 2022 from 4pm – 7pm at the is proxy does not apply if I personally appear at any such
	he acting President of The Hurstbourne Springs Condominiums he following person: Freelie Brown
Ad	(Check and complete only one) Bill Bowen ame of Unit Owner B312 Dravo Circle ddress ate

It is very important that you return a proxy if you do not plan on attending the Special Meeting by April 10, 2022.

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L	The acting President of The Hurstbourne Springs Condominiums The following person: Anas T. Covia -
BY:	(Check and complete only one) Carolyn A. Doucette Carolyn a. Doucette Name of Unit Owner 8516 Rock Brook Circle Address April 11, 2022 Date
**	It is very important that you return a proxy if you do not plan on attending the Special Meeting by April 10, 2022.

	PROXY
appoint a su and vote in l Special Mee	undersigned hereby appoints the following person, with full power to abstitute, as my proxy and hereby authorizes him or her to represent his or her discretion all of my percentage of common interests at the sting to be held on Monday, April 11, 2022 from 4pm – 7pm at the This proxy does not apply if I personally appear at any such
	The acting President of The Hurstbourne Springs Condominiums The following person: Karen Wilson
	(Check and complete only one)
BY:	Name of Unit Owner
	Address
	Date 11, 2022
**	It is very important that you return a proxy if you do not plan on attending the Special Meeting by April 10, 2022.

From: Suzan vswalker@bellsouth.net Subject: Scan Mar 27, 2022 at 11.39 AM Date: Mar 27, 2022 at 11:40:09 AM To: Pat Kennedy Psofmarin@aol.com

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HURSTBOURNE SPRINGS CONDOMINIUMS

	PROXY
appoint a subst and vote in his Special Meeting	ersigned hereby appoints the following person, with full power to itute, as my proxy and hereby authorizes him or her to represent or her discretion all of my percentage of common interests at the 3 to be held on Monday, April 11, 2022 from 4pm – 7pm at the 3 is proxy does not apply if I personally appear at any such
	ne acting President of The Hurstbourne Springs Condominiums
ті	the following person: <u>FATRICIA KENNEDY</u> 3233 Hurstburne Spirgs Drive (Check and complete only one)
	DAMA CHERYL Me CLAIN ame of Unit Owner
	8515 Rock Brock Circle
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It is very important that you return a proxy if you do not plan on attending the Special Meeting by April 10, 2022.

	PROXY
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	The acting President of The Hurstbourne Springs Condominiums The following person: Mary Ellen Damles
	(Check and complete only one)
BY:	Name of Unit Owner
	3200 Rock Brook Court
	and 11 2012

It is very important that you return a proxy if you do not plan on attending the Special Meeting by April 10, 2022.