

DECLARATION OF ANNEXATION

SHELBY COUNTY
MC6 PG458

**OLD HERITAGE SUBDIVISION, NOW SECTIONS 1 AND 2
SHELBY COUNTY, KENTUCKY**

THIS DECLARATION OF ANNEXATION FOR OLD HERITAGE SUBDIVISION, NOW SECTIONS 1 AND 2 (“Declaration of Annexation”) is made, imposed and declared as of this 20th day of January, 2022, by **CLAYTON PROPERTIES GROUP, INC.**, a Tennessee corporation, d/b/a Arbor Homes, with an address of 16218 Shelbyville Road, Louisville, Kentucky 40245 (the “Declarant”).

W I T N E S S E T H:

WHEREAS, Declarant is the current owner and developer of lots in a certain residual subdivision known as “**OLD HERITAGE SUBDIVISION, Section 1**” (the “Subdivision”) pursuant to that certain Declaration of Covenants, Conditions and Restrictions for Old Heritage Subdivision, Section 1, recorded in Deed Book D683, Page 514, in the Office of the Clerk of Shelby County, Kentucky (“Declaration”), as shown on Final Plat of Old Heritage Subdivision Section 1 of record in Cabinet Book CAB9, Page 396 (“Section 1 Plat”) in the Office of the Clerk aforesaid; and

WHEREAS, Declarant desire to annex certain additional real property known as Section 2 as shown on the Final Plat of **OLD HERITAGE SUBDIVISION - SECTION 2**, filed on October 7, 2021 of record in Cabinet Book CAB10, Page 59 in the Office of the Clerk aforesaid (“Section 2” or the “Annexed Property”) into the Subdivision regime shown on the Section 1 Plat, and to subject Section 2 to the Declaration, pursuant to the provisions of Article XV, Section 2 of the Declaration; and

WHEREAS, the Declarant desires to exempt Lots 1003 and 1004 which lots are open space lots, from certain restrictions concerning use, maintenance fees, and building size.

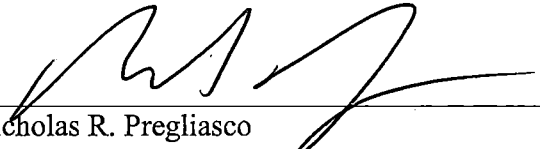
NOW, THEREFORE, in accordance with the foregoing preambles, which are hereby incorporated herein, the Declarant hereby declares as follows:

1. The Annexed Property consists of the lots numbered 59 through 104 and open space lots 1003 and 1004 inclusive, as shown on Record Plat of **OLD HERITAGE SUBDIVISION - SECTION 2**, filed on October 7, 2021 of record in Cabinet Book CAB10, Page 59 in the Office of the Clerk aforesaid.

2. Section 2 is hereby annexed to **OLD HERITAGE SUBDIVISION** and the scheme set forth in the Declaration shall be and hereby is extended to include the Annexed Property as more particularly described as:

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THIS INSTRUMENT PREPARED BY:



Nicholas R. Pregliasco
BARDENWERPER, TALBOTT & ROBERTS, PLLC
1000 N. Hurstbourne Pkwy., 2nd Floor
Louisville, Kentucky 40223
(502) 426-6688

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