

**SECOND AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
THE OVERLOOK AT BEECH SPRING FARMS, NOW SECTIONS 1, 2 AND 3
JEFFERSON COUNTY, KENTUCKY**

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE OVERLOOK AT BEECH SPRING FARMS SUBDIVISION ("Amendment") is made, imposed and declared as of this 28 day of March, 2013, by Timber Creek, LLC, a Kentucky limited liability company, with an address of 16218 Shelbyville Road, Louisville, Kentucky 40245 ("Declarant").

WITNESSETH:

WHEREAS, Declarant is the current owner/developer of lots in a certain residential subdivision known as "THE OVERLOOK AT BEECH SPRING FARMS SUBDIVISION, SECTIONS 1 and 2" as shown on plats of same of record in Plat and Subdivision Book 51, Page 90, and Plat and Subdivision Book 53, Book 56, both in the Office of the Clerk of Jefferson County, Kentucky (the "Subdivision"); and

WHEREAS, Declarant desires to add lots 52 through 65 inclusive in SECTION 3 to said Subdivision ("Additional Property") pursuant to the provisions of Article I, Section 1.02 of the Declaration of Covenants, Conditions and Restrictions for The Overlook at Beech Spring Farms Subdivision, Section 1, of record in Deed Book 8891, Page 607, in the Office of the Clerk aforesaid, as previously amended by that certain First Amendment to Declaration of Covenants, Conditions, and Restrictions for The Overlook at Beech Spring Farms Subdivision, Section 1 and 2, of record in Deed Book 9523, Page 221, in the Office of the Clerk aforesaid (collectively, the "Declaration"); and

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

1. The Additional Property, more fully described on **Exhibit A** attached hereto and incorporated herein by reference and as shown on plat of The Overlook at Beech Spring Farm, Section 3, dated October 9, 2012, prepared by Land Design & Development, Inc. and filed simultaneously with the recording of this Amendment, of record in Plat and Subdivision Book 54, Page 35 in the Office of the Clerk aforesaid, be and hereby is annexed into The Overlook at Beech Spring Farms Subdivision, now Sections 1,2 and 3, and the scheme set forth in the Declaration shall be and hereby is extended to include the Additional Property.

2. Declarant declares that the Additional Property shall be owned, held, used, leased, conveyed and occupied subject to the conditions and restrictions set forth herein as if these conditions and restrictions were included in and made a part of the Declaration.

WITNESS the signature of Declarant by its duly authorized representative as of the day, month, and year first above written.

TIMBER CREEK, LLC
A Kentucky limited liability company

By: *Michael E. Fusateri*
Title: *Asst. Managing Partner*

COMMONWEALTH OF KENTUCKY)
) SS:
COUNTY OF JEFFERSON)

The foregoing instrument was subscribed, sworn to, and acknowledged before me by MICHAEL E. FUSATERI as ASST. MANAGING PARTNER of TIMBER CREEK, LLC, a Kentucky limited liability company, on behalf of the company, this 27th day of March, 2013.

My Commission expires: 3/22/2016

Jennette T. Revell
Notary Public, State at Large, Kentucky

THIS INSTRUMENT PREPARED BY:

[Signature]
BARDENWERPER, TALBOTT & ROBERTS, PLLC
Homebuilders Association of Louisville Building, Second Floor
1000 N. Hurstbourne Parkway
Louisville, Kentucky 40223
(502) 426-6688

EXHIBIT A**LEGAL DESCRIPTION OF THE OVERLOOK AT BEECH SPRING FARMS
SUBDIVISION SECTION 3**

BEING Lots 52 through 65, inclusive, as shown on the record plat of The Overlook at Beech Spring Farms, Section 3, prepared by David Winkler, PLS#3492 of Land Design & Development, Inc., dated October 19, 2012, and of record in Plat and Subdivision Book 54, Page 35, in the Office of the Clerk of Jefferson County, Kentucky.

BEING a portion of the same property conveyed to Declarant by deed dated February 15, 2005, of record in Deed Book 8572, Page 357 in the aforesaid Clerk's Office.

Recorded in Plat Book
No. 54 Page 35
Part No. _____

Document No.: DN2013066837
Lodged By: TIMBERCREEK
Recorded On: 03/28/2013 09:03:33
Total Fees: 13.00
Transfer Tax: .00
County Clerk: BOBBIE HOLSCLOW-JEFF CO KY
Deputy Clerk: TERHIG

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