

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

**WOODMONT SUBDIVISION
PHASE III**

JEFFERSON COUNTY, KENTUCKY

THIS THIRD SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS for Woodmont Subdivision, Phase III ("Supplemental Declaration") is made on this 31st day of October, 2000, by Woodmont, LLC, a Kentucky limited liability company, with an address of 1510 Citizens Plaza, 500 West Jefferson Street, Louisville, Kentucky 40202 ("Developer").

WHEREAS, Developer caused a certain Declaration of Covenants, Conditions and Restrictions of Woodmont Subdivision, Phase 1-A, to be duly recorded in Deed Book 7140, Page 779, in the Office of the Clerk of Jefferson County, Kentucky, on November 20, 1998 ("Prior Declaration"), for the purpose of creating a residential subdivision (the "Subdivision") in multiple phases (individually, a "Phase"); whereas said Prior Declaration having been amended by Supplemental Declaration of Covenants, Conditions and Restrictions of Woodmont Subdivision, Phase 1-B ("Supplemental Declaration") and duly recorded in Deed Book 7154, Page 139, in the Office of the Clerk of Jefferson County, Kentucky, on December 16, 1998; whereas said Prior Declaration have been further amended by Second Supplemental Declaration of Covenants, Conditions and Restrictions of Woodmont Subdivision, Phase 2 ("Second Supplemental Declaration") and duly recorded in Deed Book 7342, Page 590, in the Office of the Clerk of Jefferson County, Kentucky, on October 22, 1999.

WHEREAS, Developer is the owner of certain real property located in Jefferson County, Kentucky, to be added to the Subdivision as an additional Phase.

NOW, THEREFORE, Developer hereby declares that a portion of the Subdivision consisting of "Phase III", as hereinafter defined, shall be held, sold, and conveyed subject to easements, restrictions, covenants, and conditions in the Prior Declaration, Supplemental Declaration, and Second Supplemental Declaration, which are for the purpose of protecting the value and desirability of the Subdivision. The easements, restrictions, covenants, and conditions shall (i) run with the land contained in the Subdivision; (ii) be binding on all parties having any right, title, or interest in the Subdivision, their heirs, successors, and assigns; and (iii) inure to the benefit of each owner.

1. Amendment to Section 1/Amendment. Section 1 and Amendment of the Prior Declaration, Supplemental Declaration, and Second Supplemental Declaration, entitled "The Property", "Amendment", and "Amendment to Section 1/Amendment", respectively, are hereby amended to include the following described property ("Phase

III") in addition to the property currently subject to and described in the Prior Declaration, Supplemental Declaration, and Second Supplemental Declaration:

BEING Lots 118 through 188 as shown on the plat of Woodmont, Phase III, of record in Plat and Subdivision Book 47, Page 10, in the Office of the Clerk of the County Court of Jefferson County, Kentucky.

BEING part of the same property acquired by Woodmont, LLC, by Deed from Dr. John R. Smith and Mrs. Elaine M. Smith, husband and wife, dated January 9, 1998, of record in Deed Book 6984, Page 0600; Deed dated June 30, 1999, of record in Deed Book 7273, Page 0362; and Deed dated August 10, 2000, of record in Deed Book 7494, Page 0781; and by Deed from Larry R. Anderson and Dessie M. Anderson, husband and wife, dated February 12, 1998, of record in Deed Book 6998, Page 0897, and Deed dated July 30, 1999, of record in Deed Book 7291, Page 0517, all Deeds of record in the Office of the Clerk of the County Court of Jefferson County, Kentucky.

The term "Lot", as used in the Prior Declaration, Supplemental Declaration, and Second Supplemental Declaration shall include any lot or similar property as delineated on the Plat of Phase III.

The term "Lot Owner", as used in the Prior Declaration, Supplemental Declaration, and Second Supplemental Declaration shall include the owner or owners of any Lot of Phase III.

2. Article III, Section 3. Article III, Section 3, Subsections B and C of the Prior Declaration shall be amended as follows:

- B. The ground floor of a one and one-half story house shall be a minimum of thirteen hundred (1,300) square feet with a total minimum area of two thousand three hundred (2,300) square feet, exclusive of garage.
- C. The ground floor of a two-story house shall be a minimum of one thousand one hundred fifty (1,150) square feet with a total minimum area of two thousand three hundred (2,300) square feet, exclusive of garage.

3. Definitions. All capitalized terms not defined herein shall have the same meanings as those set forth in the Prior Declaration, Supplemental Declaration, and Second Supplemental Declaration.

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4. No Other Modifications. Other than as set forth herein, the Prior Declaration, Supplemental Declaration, and Second Supplemental Declaration shall remain in full force and effect.

WITNESS the signature of the Developer on this 31st day of October, 2000.

WOODMONT, LLC
A Kentucky Limited Liability Company

By: *Thomas F. Buetow*
Name: Thomas F. Buetow, Member
("Developer")

COMMONWEALTH OF KENTUCKY
COUNTY OF JEFFERSON

The foregoing instrument was acknowledged before me this 31st day of October, 2000, by Thomas F. Buetow for and on behalf of Woodmont, LLC, a Kentucky limited liability company.

Cathy E. Harman
NOTARY PUBLIC
KENTUCKY, STATE AT LARGE

My Commission Expires: 3-14-03

THIS INSTRUMENT PREPARED BY:

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Recorded in Plat Book

No. 47 Page 10
Part No. _____

Document No.: IN2000158555
Lodged By: woodmont phase 3
Recorded On: 11/22/2000 12:01:59
Total Fees: 12.00
Transfer Tax: .00
County Clerk: Bobbie Holsclaw-JEFF CO KY
Deputy Clerk: CARBAR