

**TWELTH AMENDMENT OF THE DECLARATION OF HORIZONTAL PROPERTY REGIME AND
MASTER DEED ESTABLISHING HUNSINGER GARDENS**

THIS TWELTH AMENDMENT to Master Deed for Hunsinger Gardens ("Amendment") is made the direction of Hunsinger Gardens Council of Co-Owners, Inc., a Kentucky not for profit corporation (the "Council"), whose principal office is c/o Community Management Associates, LLC., 4965 U.S. Hwy. 42, Suite 1000, Louisville, Kentucky 40222, as a supplement to the Declaration of Master Deed establishing Hunsinger Gardens dated August 2, 2005 and filed in Deed Book 8672, Page 359, in the Office of the Clerk of Jefferson County, Kentucky.

WITNESSETH:

WHEREAS, Faulkner Hinton Hunsinger, LLC, a Kentucky limited liability company (the "Declarant"), made and declared a Master Deed Establishing Hunsinger Gardens, dated August 2, 2005, which is recorded in **Deed Book 8672, Page 359**, in the Office of the County Clerk of Jefferson County, Kentucky; as amended by that certain Amendment to Master Deed of Hunsinger Gardens of record in **Deed Book 8672, Page 388**; as amended by that certain Amendment to Master Deed of Hunsinger Gardens of record in **Deed Book 8686, Page 863**; as amended by that certain Amendment to Master Deed of Hunsinger Gardens of record in **Deed Book 8696, Page 813**; as amended by that certain Fourth Amendment to Master Deed of Hunsinger Gardens of record in **Deed Book 8749, Page 205**; as amended by that certain Fifth Amendment to Master Deed of Hunsinger Gardens of record in **Deed Book 8763, Page 757**; as amended by that certain Sixth Amendment to Master Deed of Hunsinger Gardens of record in **Deed Book 8775, Page 832**; as amended by that Seventh Amendment to Master Deed of Hunsinger Gardens of record in **Deed Book 8785, Page 780**; as amended by that Eighth Amendment to Master Deed of Hunsinger Gardens of record in **Deed Book 8829, Page 572**, as amended by that Ninth Amendment to Master Deed of Hunsinger Gardens of record in **Deed Book 8875, Page 338**, as amended by that Tenth Amendment to Master Deed of Hunsinger Gardens of record in **Deed Book 10018, Page 0224**; as amended by that Eleventh Amendment to the Master Deed of Hunsinger Gardens of record in Deed Book 10579, Page 595, all in the office aforesaid, (the "Master Deed"); and

WHEREAS, the Declarant has relinquished Declarant's control to the Council; and

WHEREAS, under, Article 8 of the Master Deed, "Amendment of the Declaration," the Master Deed may be modified, altered amended or added to by Declarant pursuant to an instrument recorded by Declarant in the Office of the County Clerk of Jefferson County, Kentucky, subject to an in accordance with Section V1(F) or by an instrument signed by each Unit Owner of record (and by Declarant, if the consent of the Declarant to such amendment is required under the terms of the condominiums documents,) or by a vote of greater than 75% in interest in the common elements at any duly called meeting of the home owners provided that:

- (A) A notice of the meeting containing a full statement of the proposed modification, alteration, amendment or addition has been sent to all owners as listed on the books and records of the Council and to all mortgagees requesting the same; and
- (B) The Board of Directors (and Declarant is required by the provisions of the condominium documents) approve the change; and
- (C) An instrument evidencing the change and signed by the President or any Vice President of the Council is duly recorded in the Office of the Jefferson County Clerk. Such instruments need not contain the written consent of any Unit owner but shall contain the verified statement and certification of the secretary or other officer of the Council not otherwise signing the instrument that the requirement of this subsection (C) above has been satisfied.

WHEREAS, Hunsinger Gardens Council of Co-Owners called a meeting of the owners on for the annual election of officers and to discuss and vote on the change to Article V, Section 3 Paragraph D (the “Amendment”) on August 11, 2021 with proper notice of the meeting sent to all recorded owners and previously approved by the Board of Directors for Hunsinger Gardens Council of Co-Owners.

WHEREAS, at that meeting, owners with at least 75% interest in the common elements approved of the amendment.

THEREFORE, ARTICLE V, SECTION 3 Paragraph (D) of the Master Deed, as amended, is amended and replaced with:

- (D) A Unit owner shall not be liable for any common expenses accruing after the sale of his Unit and the recording of a deed to the purchaser. The purchaser of a Unit subject to any lien arising under this Master Deed prior to the date of purchase and the recording of the deed shall take title to the Unit subject to the lien; provided, however, that, at the request of any Unit owner or a prospective purchaser of the Unit, the Board of Directors shall provide a statement disclosing whether the Unit owner is then in default under any of the obligations hereunder and whether and in what amounts a lien exists against the Unit owned by the Unit owner under the section hereof entitled “Lien for Assessment,” which statement shall be conclusive as to the facts stated therein as against the Council and the other Unit owners and may be relied upon by a prospective purchaser or mortgagee or assignee of any mortgagee upon the unit of such owner. An Assessment, due immediately, arises against a Unit upon any transfer of record of the Unit from a Unit Owner to any subsequent Unit Owner (“Reserve Contribution Assessment”) with the exception of a current Hunsinger Gardens owner that purchases another unit within the association or any direct family members that inherit a property from a deceased owner. The Reserve Contribution Assessment shall be in the amount of the sum of three (3) months of the full monthly Regular Assessment. It shall be collected at closing and paid to the Council for deposit into the Council Reserve Funds. This Reserve Contribution Assessment is in addition to the Regular Assessment.

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