



BROOKS OF HICKORY HOLLOW

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
HICKORY HOLLOW SUBDIVISION, SECTION 2B
JEFFERSON COUNTY, KENTUCKY
MARCH 15, 1995**

H.H.II JOINT VENTURE

**Post Office Box 24321
Louisville, Kentucky 40224**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BROOKS OF HICKORY HOLLOW SUBDIVISION, SECTION 2C (“First Amendment”) is made, imposed and declared as of this 15th day of March, 1995, by HH II, a Joint Venture, with an address at P.O. Box 24321, Louisville, Kentucky 40224 (“Declarant”)

W I T N E S E T H:

WHEREAS, pursuant to that Declaration of Covenants, Conditions and Restrictions for Brooks of Hickory Hollow Subdivision, Section 2B, dated as of August 26, 1993, of record in Deed Book 6365, Page 637, in the Office of the Clerk of Jefferson County, Kentucky (the “Declaration”), Declarant imposed certain covenants, conditions and restrictions upon certain real property defined in the Declaration, being a part of the property set forth in Plat and Subdivision Book 40, Page 30, in the Office of the Clerk of Jefferson County, Kentucky; and

WHEREAS, Developer has developed or will develop additional property located within the Subdivision, said additional development known as Brooks of Hickory Hollow Subdivision, Section 2C, as shown on Plat of record in Plat and Subdivision Book 41, Page 74, in the Office aforesaid (“Section 2C”); and

WHEREAS, pursuant to the terms of the Declaration, Developer desires to specifically subject Section 2C to the terms and conditions thereof, and to make certain other amendments thereto;

NOW, THEREFORE, in consideration of the foregoing preambles and for other consideration, the receipt and sufficiency of which is hereby acknowledged, Declarant hereby amends the Declaration as follows;

1. Section 1.1 of the Declaration, entitled Subject Property, is hereby amended to include the following described property, in addition to the property currently subject to and described in the Declaration:

BEING LOTS 54 through 94, inclusive, and Lots 106 and 107 (collectively, the “2C Lots”), all as shown on the Plat of Hickory Hollow Section 2C, of record in Plat and Subdivision Book 41, Page 74, in the Office of the Clerk of Jefferson County, Kentucky.

Being a part of the same property acquired by Declarant by Deed dated June 29, 1989, of record in Deed Book 5876, Page 59, in the aforesaid Clerk’s Office.

The term “Property,” as used in the Declaration, shall be deemed to include the property described above and being added to the Declaration pursuant to the First Amendment.

2. The first line of Subsection (b) of Section 2.5 of the Declaration, entitled Fences and Walls, is hereby amended to add the following language at the end of the first sentence of Subsection (b), Section 2.5: “provided that wooden privacy fences under sixty inches (60”) in height, that are in compliance with the remainder of this paragraph, will be allowed without Declarant’s written approval.”

3. Subsection (b), Section 3.1 entitled Landscape Plans shall be modified to allow a period of one year from occupancy of the Lot to install the tree required in the second sentence of Section 3.1(b). All other provisions of Section 3.1 shall remain unmodified.

4. All capitalized terms not defined herein shall have the same meaning as those set forth in the Declaration.

5. Other than as modified here in, the Declaration shall remain in full force and effect unchanged.

IN WITNESS WHEREOF, the undersigned have duly executed this First Amendment as of the day, month and year first above written.

BROOKS OF HICKORY HOLLOW COMMUNITY ASSOCIATION, INC., a Kentucky non-profit corporation

H.H. II JOINT VENTURE, a joint venture formed and existing under the laws of the State of Texas

By: Lee Beam_____

Title: President

By Wood Development, Inc.,
Managing Venturer

By: Lee Beam

Title: President

COMMONWEALTH OF KENTUCKY)
) SS:
COUNTY OF JEFFERSON)

The foregoing instrument was acknowledged before me on March 15, 1995, by Lee Beam, of H.H. II, a Texas joint venture, by Wood Development, Inc., a Texas corporation, managing joint venturer, by her, as President of such corporation, on behalf of said joint venture.

My commission expires: Notary Public, State at Large, KY
My commission expires Nov. 11, 1996

Lucille M. Lockett
NOTARY PUBLIC

COMMONWEALTH OF KENTUCKY)
) SS:
COUNTY OF JEFFERSON)

The foregoing instrument was acknowledged before me on March 15, 1995, by Lee Beam, President of Brooks of Hickory Hollow Community Association, Inc., a Kentucky non-profit corporation, on behalf on said corporation.

My commission expires: Notary Public, State at Large, KY
My commission expires Nov. 11, 1996

Lucille M. Lockett
NOTARY PUBLIC

The forgoing instrument was
Prepared by:

Jeffrey A. McKenzie

Jeffrey A. McKenzie
GREENEBAUM DOLL & McDONALD
3300 First National Tower
Louisville, Kentucky 40202
(502) 589-4200

Recorded in Plat Book

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