

FIRST AMENDMENT TO MASTER DEED
AND
DECLARATION
OF
CONDOMINIUM PROPERTY REGIME OF
SURREY PLACE CONDOMINIUMS

THE LOUIS PARTNERSHIP, INC., a corporation organized and existing under the laws of the Commonwealth of Kentucky, (hereinafter called "the Developer"), does this 16th day of October, 1985, file this First Amendment to the Master Deed and Declaration of Condominium Property Regime of Surrey Place Condominiums, said Master Deed being dated July 7, 1982, and recorded in Deed Book 5298, Page 21, and as shown on the plans of same recorded in Apartment Ownership Book 29, Pages 10-11, inclusive, in the Office of the Clerk of the County Court of Jefferson County, Kentucky. This Amendment is filed pursuant to the reservations of the Developer as contained within Article II of the aforesaid Master Deed and Declaration. Excepting such amendments as set forth herein, the aforesaid Master Deed and Declaration of Condominium Property Regime of Surrey Place Condominiums is ratified, restated, and reaffirmed as if set forth herein verbatim.

1. Paragraph 1.8 of Article I of said Master Deed and Declaration of Condominium Property Regime of Surrey Place Condominiums is hereby amended to reflect the recording of a revised site plan and revised floor plan for the inclusion within the regime of Unit 6 as described herein, said revised plans being dated October 4, 1985, and of record in Apartment Ownership Book 34, Page 25, in the office of the Clerk of the County Court of Jefferson County, Kentucky.

2. Paragraph 2.1 of Article II of said Master Deed and Declaration of Condominium Property Regime of Surrey Place Condominiums is amended to read as follows:

2.1 The regime shall consist of five townhouse units in Building A, one townhouse unit in Building B, referred to on the aforesaid site plan as Unit #6, and followed by no more than five additional units in one or more other buildings which will be created, added and subjected

to the regime by addendum upon the filing of its plans together with common elements appurtenant thereto. Developer reserves the right from time to time to amend the Master Deed to the extent of adding such additional units and common elements, and once added, the additional units shall have the same rights and privileges as appear herein.

The total floor area within the regime including basements shall not exceed 40,400 square feet. The aggregate floor area including basements of Units 1-5 is 16,879 square feet, and the aggregate floor area including basement of Unit #6 is 3,180.67 square feet, so that 20,340.33 square feet is the maximum contemplated unbuilt floor area of the regime as of the date of this amendment.

3. Paragraph 3.1 of Article III of said Master Deed and Declaration of Condominium Property Regime of Surrey Place Condominiums is amended to read as follows:

3.1 Units. Eleven separately designated townhouse or apartment dwelling units each capable of individual utilization and ownership in fee simple by having their own respective exits to a thoroughfare or to a given common space leading to a thoroughfare which is designated on the floor plans. Units 1-6 shall include the space within and bounded by the unfinished surfaces of the interior load bearing perimeter walls; the floor of the basement; the ceiling of the second floor; and shall include all walls and partitions (whether or not load bearing) within said space, together with the floors and ceilings separating the basement from the first floor and the first floor from the second floor.

Units 1-5 shall also include the bay window protrusion on the South side of each unit. Unit 6 shall include the bay window protrusion on the West side of said unit, as well as the protrusion on the East side of said unit as reflected by the aforesaid revised site plan and floor plans applicable to said unit.

Units 1-6 shall also include the stairway and garage area within the boundaries of each unit; and all built-in household kitchen appliances, hot water heaters, heating and air conditioning equipment and elevators (if appropriate) located therein.

4. Paragraph 3.3 of Article III of said Master Deed and Declaration of Condominium Property Regime of Surrey Place Condominiums is amended to include, by way of addition and not substitution, paragraph 3.3(f), which shall read as follows:

(f) That area immediately adjacent to Unit #6 as reflected by the boundary of Limited Common Elements of Unit #6 as shown on Revision Number 1 to Surrey Place Horizontal Property Regime, being the amended site plan referred to in paragraph 1 of this amendment, and including the brick walls, fence or other partitions separating said Unit #6 from the other units or common elements of the regime. The maintenance of this Limited Common Element or repair of damage to same shall be the responsibility of the owner of Unit #6, and it shall include any and all structures or additions hereafter constructed on said Limited Common Element adjacent to Unit #6 by the unit owner with the approval of the counsel as hereinafter required, as well as the attic area above said Unit #6 and the skylight above said Unit #6. The owners of said Unit #6 are specifically authorized to construct and use, presently or in the future, at their sole cost and expense, a swimming pool within the area designated as the Limited Common Element appurtenant to Unit #6 as reflected on the aforementioned site plan.

5. Paragraph 4.1 of Article IV of said Master Deed is amended to read as follows:

4.1 Ownership of units 1-6 is hereby declared to have appurtenant unto each, an undivided interest in that portion of the Common Elements shown on the site plan and amendments or revisions thereto in the percentage set forth opposite each said unit:

<u>UNIT</u>	<u>PERCENTAGE</u>
Unit 1	16.83%
Unit 2	16.83%
Unit 3	16.83%
Unit 4	16.83%
Unit 5	16.83%
Unit 6	<u>15.85%</u>

PERCENTAGE TOTAL: 100%

6. Paragraph 9.1 of Article IX of said Master Deed and Declaration of Condominium Property Regime of Surrey Place Condominiums is amended by the addition of the following language.

The provisions of this paragraph shall not impair or inhibit the rights of the owners of Unit #6 to construct and use, now or in the future, a swimming pool within the Limited Common Element appurtenant to said Unit #6.

IN WITNESS WHEREOF, the Developer has executed this First Amendment to Master Deed and Declaration of Condominium Property Regime of Surrey Place Condominiums by its duly authorized officer the day and year first above written.

"DEVELOPER"

LOUIS PARTNERSHIP, INC.

BY:

Frederick R. Louis, Jr.
FREDERICK R. LOUIS, JR.
Secretary-Treasurer

STATE OF KENTUCKY

COUNTY OF JEFFERSON

The foregoing First Amendment to Master Deed and Declaration of Condominium Property Regime of Surrey Place Condominiums was acknowledged before me by FREDERICK R. LOUIS, JR., as Secretary-Treasurer of THE LOUIS PARTNERSHIP, INC., a Kentucky corporation, Developer therein, as the free act and deed of the corporation, this 10th day of October, 1985.

My commission expires: 4-10-86

Connie DeGudd Barnett
NOTARY PUBLIC
STATE AT LARGE, KENTUCKY

THIS INSTRUMENT PREPARED BY:

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