

## Summary of Restrictions for Kentucky Acres Section 1

1. All tracts as shown on the plat of Kentucky Acres Section One, shall be used for residential purpose only, with no more than (1) one dwelling house designed for occupancy for a single family to be erected on any (1) one lot. No trailer, mobile home, tent or shack, garage or outbuilding, or temporary structure shall be used as a residence or for residential purposes on said tract, and no structure shall be moved onto any parcel, unless it shall conform to the RESTRICTIONS herein set out. No Trailer Court or Trailer Park may be allowed or established. (Provided that Lot 88 may be divided into (2) two lots and (1) one dwelling house designed for occupancy for a single family may be erected on each of the (2) two lots into which it is divided.)
2. Residences erected on said lots shall contain the following minimum square feet of floor space:
  - 1) Full (2) two story residence, 1000 square feet on the main floor, not including garage, breezeway and porches.
  - 2) One floor plan residence, 1400 square feet on the main floor, not including garage, breezeway and porches.
  - 3) Bi-level floor plan residence, 1200 square feet on the main floor, not including garage, breezeway and porches.
  - 4) Tri-level floor plan residence, 1750 square feet, combined total of (3) three levels, not including garage, breezeway and porches.
  - 5) (1 1/2 ) One and one-half story floor plan residence, 1200 square feet on the main floor, not including garage, breezeway and porches.
  - 6) A-frame floor plan residence, 1200 square feet on the main floor, not including garage, breezeway and porches.
  - 7) The (Construction Committee) developer reserves the right to approve or disapprove any type of residence not covered under the above floor plans.

All houses must be completed within (1) one year from the date construction begins.

3. None of said lots shall be divided or diminished in size unless the same shall be used with an adjacent lot for the purpose of constructing (1) one dwelling hereon. With the exception of Lot 88 as stated above, none of said lots shall be divided or diminished in size unless the same shall be used with an adjacent lot for the purpose of constructing (1) dwelling thereon.
4. If garages, barns or other outbuilding are constructed of concrete block, they must be veneered with brick, stone, wood, or any combination thereof, or materials approved by the developers (or Construction Committee).
5. Residences erected shall have exterior walls of brick, brick veneer, stone, stone veneer, stucco, clapboard, aluminum siding, approved plywood, log, wood siding or any combination thereof. Other materials shall meet the approval of the developers or their assigns.
6. The front walls of all residences, including bays and porches, shall be at least (50) fifty feet from the front lot line. All side walls of all residences, garage, breezeways and porches must be (20) twenty feet from the side property line. Lot (1) One shall have entrance from Commonwealth Drive only.
7. All driveways must be properly constructed of crushed stone, concrete or blacktop and must be kept in good repair; culverts must be constructed where necessary to prevent improper flow.
8. There is hereby established a Construction Committee to review plans, location, grading, slopping and elevation of any new construction and alteration of any building. Plans must be approved by the Construction Committee, which shall be established by the Kentucky Acres Homeowners Association, Inc. Written approval or denial must be given within (5) five working days after the committee has received said plans. The Construction Committee reserves the right to approve or disapprove the architectural plans or location of any new construction and/or alteration or any building. Plans shall be submitted for written approval prior to the commencement of construction.
9. Any fencing shall be of hedge or wood. Board fences are permitted. None of the fences are to be over (4 1/2) four and one half feet in height except post, and must be of open construction. No chain link fencing are permitted. No fencing shall extend nearer to the front line of the lot than the front wall of the residence except where approved by the Construction Committee set up by the Kentucky Acres Homeowners Association, Inc. Privacy fencing and wire fencing can be approved by the Construction Committee where suitable for the surroundings. All fences must be approved.
10. No noxious or offensive conditions or activities shall be permitted or carried on upon any property, nor shall anything be done thereon which may be of become an annoyance or nuisance to the neighborhood, nor shall any inoperative car, truck, tractor or any other inoperative vehicle be allowed on said premises.
11. No commercial activity or advertising shall be allowed.

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12. No swine, goats or sheep shall be kept on any of the lots. No pen or kennel shall be permitted on any lot for commercial purposes. Horses are permitted not to exceed (1) one per acre. However, (3) three acre tracts and larger may have horses and cattle, not to exceed a combined total of (1) one per acre. No more than (2) two cats and (2) two dogs shall be permitted per residence. In the event that any dog or cat gives birth to pups or kittens, the number shall be reduced to comply with this restriction within a reasonable period of time.
13. A barn is permitted to properly house the animals, however the plans and location of same on the lot is to be approved by the developers, as to the architectural design, material and location. (Changed to Construction Committee; See Number. 8)
14. All lots shall be properly maintained and shall be mowed at least (2) twice a year. If an owner fails to mow the lot, the developers reserve the right to mow same and to charge the owners \$25 per mowing. The developers reserve the right to approve or disapprove the general appearance and condition of any lot.
15. The purchaser of each lot agrees that he will not permit the use of said lot, nor sell and portion thereof, for a passageway leading from the road of an adjoining property.
16. Thereby created the Kentucky Acres Homeowners Association, Inc. in order to provide for the continued maintenance and upkeep of the streets, roadways and common areas. Every owner of a lot in Kentucky Acres (Section 1) shall be a member of the Association and by acceptance of a deed or contract for deed and lot agrees to accept membership and does thereby become a member of the Association with the exception of the developers who are exempted. Such owner and member shall abide by the Association's bylaws, rules and regulations, and shall pay assessments provided for when due. It is further understood and agreed that all lot owners in Section 1 shall be assessed by the Association beginning Jan 1, 1988 in the amount not to exceed (\$100) one hundred dollars. Any increase in the assessment can be made by 51 percent of the owners. The foregoing annual charge shall constitute a lien on each lot until paid, however, this lien shall be second and inferior to any valid subsequent Mortgage or Vendor's lien against any lot. It is understood that the aforementioned assessment will continue until the maintenance of said roads is assumed by Oldham County or some other Public Authority, provided however, that any lot owner(s) owning not more than (3) three adjoining lots have a personal residence on (1) one of the lots and utilizing the lots as (1) one residential tract, shall be required to pay road maintenance dues on the improved lot only. In such event said lot owner(s) shall have only one voting right. For any lot owners owning more than (3) three adjoining lots, the normal road maintenance fees shall apply to any additional lots over (3) three.
17. All Restrictions and Provisions herein shall be deemed to the COVENANTS running with the land and binding upon the parties hereto, their heirs, assigns, and shall be in force and effect from the date of execution of same by the parties hereto, except that any changes in the RESTRICTIONS may be made by 51 percent vote of the lot owners.
18. The owners of any lot, as well as the developer, may enforce these RESTRICTIONS and COVENANTS, or any part thereof by Judgment and Order of any Court, shall not effect the other RESTRICTIONS and COVENANTS, which shall remain in full force and effect as herein provided.
19. There shall be no hunting or discharging of any firearms allowed or permitted on any developed or undeveloped lot in Kentucky Acres.
20. No sidewalks are allowed or permitted to extend to the street. No overnight or habitual parking are permitted or allowed on Kentucky Acres streets.

*(The above was copied from a document stated as current as October 1998.)*

*J. W. Rowe; Dec. 14, 2007*

*(This is a summary of the Deed of Restrictions and amendments as filed with the Oldham County Clerk;*

*Book 176 pages 10-12, Book 3 pages 182-184, Book 3 pages 615-616, Book 4 page 300, Book 4 pages 185-186, Book 4 pages 225-226, Book 685 page 12, Book 3 page 690, Book 3 page 700, Book 3 pages 695-699, Book 4 pages 325, 330-350, Book 4 page 295)*

## Restrictions Amendments for Ky Acres Section 1

*The following is a summary of the Restrictions and Amendments that I have in my records. If you have records or samples of other amendments, I would appreciate the information.*

Regards,

J. W. Rowe Sept. 17, 2007

<u>Date</u>	<u>Item</u>	<u>Book</u>	<u>Page(s)</u>	<u>Deals with Paragraph</u>	<u>Description</u>
5/4/1978	Original	3	182-184	All	Original Restrictions
5/4/1978	Original	176	10-112	All	Original Restrictions
9/13/1987	Amendment	3	615-616	16	Created H.O. Assoc.
3/1/1988	Amendment	4	300-???	16	Created H.O. Assoc.
3/1/1988	Amendment	4	185-186	16	Owners of 3 lots; 1 assessment
3/1/1988	Amendment	4	225-226	16	Owners of 3 lots; 1 assessment
3/1/1988	Amendment	3	685	12	Cats & Dogs
3/1/1988	Amendment	3	690	New	No hunting nor firearms
3/1/1988	Amendment	3	700	New	Sidewalks & Parking
7/13/1988	Amendment	3	695-699	9	Fencing
11/3/1989	Amendment	4	325, 330-353	8	Est. Const. Committee
11/17/1989	Amendment	4	295	16	Assessment of \$100/lot max
5/24/2001	Amendment	???	???	???	To add garage as a requirement

**Comments:** *There is apparently a book specifically for RESTRICTIONS and another for general information. Therefore, some items seem to appear in two different books.*