

**THIRD AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
TOP FLIGHT LANDING SUBDIVISION
SPENCER COUNTY, KENTUCKY**

WHEREAS, Top Flight Landing Subdivision, located in Spencer County, Kentucky and more particularly described in the Record Plat, on file in the Office of the Clerk of Spencer County, Kentucky, Plat Book Cabinet 3, Slides 385 & 386; is subject to certain Declaration of Covenants, Conditions and Restrictions in the same Office Deed Book 189, Page 485, with one Amendment thereto, of record in Deed Book 202, Page 543, and with a second Amendment thereto, of record in Deed Book 271, Page 795;

AND WHEREAS, the Developer and “Declarant” referred to in said Plat and Declaration of Restrictions, The Spencer Co. Group, LLC, was administratively dissolved in 2010 and the un-built lots and vacant land in Top Flight Subdivision was sold in 2015 by the Declarant’s lender (PBI Bank, Inc.) to Top Flight Development, LLC, 6130 Elk Creek Road, Taylorsville, Kentucky 40071 and Bart and Angela Stark, 644 Lakeside Drive, Taylorsville, Kentucky 40071; and whereby Bart and Angela Stark, husband and wife, quit claimed their property interest to RED 1 PROPERTIES, LLC, a Kentucky Limited Liability Company by deed dated September 11, 2017 of record in Deed Book 284, Page 62 in the Office of the Clerk of Spencer County, Kentucky, (herein after referred to as “Purchasers”);

AND WHEREAS, RED 1 PROPERTIES, LLC, a Kentucky Limited Liability Company, the owner of one hundred percent (100%) of the lots numbered 15 through 70 of Top Flight Subdivision through written approval of more than 75% of the lot owners,

in accordance with Article VII, Section 7.3 (of the original Declaration filed in Deed Book 189, Page 485), do hereby amend the Declaration of Conditions, Covenants and Restrictions of Top Flight Landing Subdivision, Deed Book 189, Page 485 and Deed Book 202, Page 543 and Deed Book 271, Page 795, effective November 17, 2017, as follows:

ARTICLE 1. MINIMUM FLOOR AREAS

1.1 All single family residences erected on the lots enumerated herein shall contain the following minimum square feet of living space, when measured on outside walls and all plans shall be approved or disapproved by the Community Association, not only on the basis of technical compliance but also aesthetic grounds to be an attractive addition to the neighborhood.

A. Lots 15 through 70 shall contain 1,500 square feet for a ranch, 1,750 square feet for a story and a half, and 2,000 square feet for a 2-story residence.

All other previously recorded Declarations and Amendments shall remain in full force and effect.

HAVE SEEN AND AGREED:

RED 1 PROPERTIES, LLC

By: Bart A. Stark, Member

STATE OF KENTUCKY)
) ss
COUNTY OF SPENCER)

I, the undersigned Notary Public, in and for the County and State aforesaid, do hereby certify that on this ____ day of November, 2017, the foregoing instrument was acknowledged and sworn to before me by Bart A. Stark as Managing Member of Red 1 Properties, LLC, a Kentucky Limited Company, to be his free act and deed and the free act and deed of said Company, and that he further swears and acknowledges that Red 1 Properties, LLC is the owner of 100% of lots 15 through 70 in Top Flight Landing Subdivision.

My commission expires: _____

NOTARY PUBLIC KY STATE AT LARGE
No. 588165

THIS INSTRUMENT PREPARED BY:

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