

**FOURTH AMENDMENT TO THE
DECLARATIONS 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 3, Slides 385 & 386; is subject to certain Declarations of Covenants, Conditions and Restrictions in the same office in Deed Book 189, Page 485, with an Amendment thereto, of record in Deed Book 202, Page 543, a Second Amendment thereto, of record in Deed Book 271, Page 795, and a Third Amendment thereto, of record in Deed Book 285, Page 670;

AND WHEREAS, the Developer and “Declarant” referred to in said Plat and Declarations of Restrictions, The Spencer Co. Group, LLC was administratively dissolved in 2010 and the un-built lots and vacant land in Top Flight Subdivision were sold in 2015 by the Declarant’s lender (PBI Bank, Inc.) to Top Flight Development, LLC and Bart Stark and Angela Stark, his wife, and whereby Bart Stark and Angela Stark, husband and wife, quit claimed their interest in said property 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, (hereinafter referred to as “Purchasers”);

AND WHEREAS, Top Flight Development, LLC, a Kentucky Limited Liability Company, the owner of one hundred percent (100%) of the lots numbered 179 through 184 of Top Flight Landing, Phase 4, as shown by deed dated March 6, 2020 of record in Deed Book 302, Page 357, through approval of more than 75% of the lot owners and as

sole owner of said lots, in accordance with Article VII, Section 7.3 of the original Declaration filed in Deed Book 189, Page 485, does hereby amend the Declarations of Conditions, Covenants and Restrictions of Top Flight Landing Subdivision, of record in Deed Book 189, Page 485; Deed Book 202, Page 543; Deed Book 271, Page 795; and Deed Book 285, Page 670, all in the Office of the Spencer County Clerk, effective July 14, 2020, as follows:

ARTICLE 1. MINIMUM FLOOR AREAS

1. All single family residences erected on lots 179, 180, 181, 182, 183, and 184 of Top Flight Landing, Phase 4, as shown by plat of record in Plat Cabinet 6, Slide 183, in the office of the Spencer County Clerk, shall contain 1,800 square feet habitable living space on the ground floor, exclusive of the garage, porches or decks. All one and one-half story and two-story residences shall contain 1,600 square feet habitable living space on the ground floor, exclusive of the garage, porches and decks, and the residences shall contain a minimum of 2,100 finished and habitable square feet.

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

IN WITNESS WHEREOF, the Developer has hereunto set his hand on this

14 day of July, 2020.

Top Flight Development, LLC



By: Trevor Brown, Managing Member

STATE OF KENTUCKY)
)ss
COUNTY OF SPENCER)

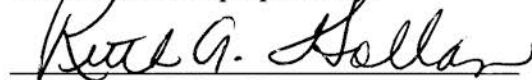
I, the undersigned Notary Public, in and for the County and State aforesaid, do hereby certify that on this 14 day of July, 2020, the foregoing instrument was acknowledged and sworn to before me by Trevor Brown, managing member of Top Flight Development, LLC, a Kentucky limited liability company, to be his free act and deed and the free act and deed of said company, and that he further swears and acknowledges that Top Flight Development, LLC is the owner of 100% of lots 179 through 184 in the Top Flight Landing Subdivision, Phase 4.

My commission expires: 10-21-2021



NOTARY PUBLIC KY STATE AT LARGE
No. 588165

This instrument prepared by:



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