

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

HERITAGE HILL SUBDIVISION

BULLITT COUNTY, KENTUCKY

APRIL 28, 2005

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OFFICE OF THE CLERK OF BULLITT COUNTY, KENTUCKY

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DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

HERITAGE HILL SUBDIVISION

80157

BULLITT COUNTY, KENTUCKY

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HERITAGE HILL SUBDIVISION ("Declaration") is made, imposed and declared this 28th day of April, 2005, by HERITAGE HILL PROPERTIES, LLC, a Kentucky limited liability company with principal office and place of business at 1040 Valley View Drive, Shepherdsville, Kentucky 40165 ("Declarant").

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property located in Bullitt County, Kentucky, which Declarant desires to develop as the Heritage Hill Subdivision ("Heritage Hill" or "Subdivision"), subject to the provisions of this Declaration; and

WHEREAS, it is the desire and intention of Declarant to develop the real property herein or hereafter made subject to this Declaration in sections, all in accordance with the provisions of this Declaration, and to subject and impose upon such real property certain rights, privileges, covenants, conditions and restrictions, and to reserve and/or dedicate certain easements, and to impose certain assessments, charges and liens, under a general and common plan and scheme of subdivision, development and improvement for the benefit of such real property, and for the benefit of Declarant, its successors and assigns, and purchasers of portions of such real property, and it is further intended that said rights, privileges, covenants, conditions, restrictions, easements, assessments, charges and liens, as applicable and the other provisions of this Declaration, bind and benefit not only said persons and entities but also their respective heirs, personal representatives, successors and assigns, as applicable and that all of such real property should be owned, held used, leased, sold, conveyed and occupied subject to the covenants, conditions, restrictions, easements, assessments, charges and liens set forth in, and the other provisions of, this Declaration; and

WHEREAS, pursuant to such general and common plan and scheme of subdivision, development and improvement, Declarant desires to ensure the best use and improvement of each section of the real property subject hereto and each residential lot developed thereon in an attempt to guard against erection of poorly designed structures, to provide continued maintenance of various improvements and areas, and generally to enhance and protect the value, desirability and attractiveness of the real property made subject hereto and all portions thereof conveyed to others to their mutual benefit by subjecting such real property to the rights, privileges, covenants, conditions, restrictions, easements, assessments, charges and liens set forth in, and the other provisions of, this Declaration;

NOW, THEREFORE, in accordance with the foregoing preambles, which are hereby incorporated herein subject to the following terms hereof, Declarant hereby declares that the real property as hereafter described, and such additional real property as may hereafter be made subject to this Declaration pursuant to Article I below, shall be owned, held, used, leased, sold, conveyed and occupied subject to the rights, privileges, covenants, conditions, restrictions, easements, assessments, charges and liens set forth herein. Additionally, all other provisions of this Declaration are declared and agreed to be in furtherance of Declarant's common plan and scheme for Heritage Hill, and the

development, sale and improvement of the real property made subject hereto, and are for the purpose of protecting the value, desirability and attractiveness of such real property and portions thereof hereafter conveyed to others. The rights, privileges, covenants, conditions, restrictions, easements, assessments, charges and liens set forth in, and other provisions of, this Declaration shall run with the real property made subject hereto, and be binding upon and inure to the benefit of all parties having any right, title or interest therein, their respective heirs, personal representatives, successors and assigns.

**ARTICLE I – PROPERTY SUBJECT TO THIS
DECLARATION; ADDITIONS**

Section 1.1 Subject Properties. For purposes of this Declaration, the term “**Property**” shall initially mean and be a reference to that certain real property owned by Declarant that will be developed as Heritage Hill in numbered and/or lettered sections (collectively, the “**Sections**” and individually, a “**Section**”) as determined by Declarant, which Sections shall either contain one or more ‘lots’ denominated as such or otherwise identified by similar nomenclature (collectively, the “**Lots**” and individually a “**Lot**”), or be made subject to a residential condominium regime (a “**Condominium**”) establishing such condominium units (“**Units**”) as shall be acceptable to Declarant, and shall also include such other areas as provided on an appropriate subdivision plat for each such Section placed of public record in the Office of the Clerk of Bullitt County, Kentucky (any such subdivision plat as filed in the aforesaid Clerk’s Office being hereinafter referred to as a “**Plat**”). Upon the recordation of each such Plat in the aforesaid Clerk’s Office, the Lots and/or other portions of the Property evidenced thereby and denominated thereon shall be hereinafter set forth in, and the other provisions of, this Declaration. The Plat for the initial Sections of the Property have been recorded contemporaneously herewith and are subject hereto (the “**Section 1A and 1B Plats**”), which Sections are more particularly described as follows:

Section 1A:

BEING LOTS 1 through 33, inclusive, as shown on the plat of Heritage Hill, Section 1A, of record in Plat and Subdivision ^{Cabinet 3,} Book 3, ^{slide} Page 8 in the Office of the Clerk of Bullitt County, Kentucky.

Section 1B:

BEING LOTS 34 through 66, inclusive, as shown on the plat of Heritage Hill, Section 1B, of record in Plat and Subdivision ^{Cabinet} Book 3, Page ^{slide} 9-10 in the aforesaid Clerk’s Office.

BEING the same property acquired by Declarant by Deed dated April 1, 2005, of record in Deed Book 637, Page 549, in the aforesaid Clerk’s Office.

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