

**THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS, RESERVATIONS AND EASEMENTS FOR
SERENITY EQUINE ESTATES**

This THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS AND EASEMENTS FOR SERENITY EQUINE ESTATES (the "*Amendment*") is made effective as of the 13th day of March, 2020.

WITNESSETH

WHEREAS, Article XI, Section 2(b) sets forth certain set backs for the Lots, and an inadvertent error provides that Lot 5 is subject to two different front yard setbacks and Lot 6 is not addressed;

WHEREAS, Article XIII, Section 2 of the Declaration of Covenants, Conditions, Restrictions, Reservations and Easements for Serenity Equine Estates (the "*Declaration*"), filed in Deed Book 785, Page 293 in the Jessamine County Clerk's Office, states that Turner Estates, LLC (the "*Declarant*") may unilaterally amend the Declarations so long as it owns any part of the Property for development as part of the Properties (as those terms are defined in the Declarations) and so long as the amendment has no material adverse effect upon any right of any Owner; and

WHEREAS, as of the date hereof, the Declarant owns part of the Properties for development and the amendment is for the purposes of modifying the rear yard set back for Lots 6 and 7 as set forth herein.

NOW THEREFORE, pursuant to Article XIII, Section 2 of the Declaration, the Declaration is hereby amended as follows:

1. Article XI, Section 2(b) of the Declaration is hereby deleted in its entirety and replaced as follows:

(b) Setbacks. No structure shall be located on any Lot nearer to the front lot line, the side street line or other side lot lines, or to rear lot lines, as follows:

Lots Nos.	Front Yard Set Back	Rear Yard Set Back	Side Yard Set Back
1-5, and 8-20	150 feet minimum	150 feet minimum	100 feet minimum
6 and 7	125 feet minimum	60 feet minimum	100 feet minimum

**The existing residence on Lot 1 is grandfathered in to these requirements, and any addition(s) to the existing residence shall be constructed on the rear and sides of the residence only.

Reasonable (as determined by ACC) bay windows, chimneys, roof overhangs and steps may project into said areas, and open porches may project into said areas not more than six (6) feet, if permitted by applicable law and as shall be acceptable to the ACC. The ACC may, from time to time, vary the established building setback lines, and/or grant variances therefrom, in its sole discretion, where not in conflict with applicable zoning regulations or other applicable law.

The location of all structures upon any Lot shall be approved by the ACC. There shall be no modular or mobile homes built or located upon any Lot.

2. Capitalized terms not defined herein shall have the meaning given to them in the Declarations.
3. Except as expressly amended by this Amendment, the Declaration shall not be amended and shall remain in full force and effect in accordance with its terms.

*** **

IN WITNESS WHEREOF, the undersigned have executed this written consent as of the date first written above.

[signatures appear on following page]


DECLARANT:

Turner Estates, LLC, a Kentucky limited liability company

By: 
Troy Turner, Member

COMMONWEALTH OF KENTUCKY)
COUNTY OF FAYETTE)

The foregoing was subscribed, sworn to, and acknowledged before me this ¹³ day of ~~March~~ ^{April}, 2020 by Troy Turner, authorized Member of Turner Estates, LLC, a Kentucky limited liability company, who did personally appear before me.


NOTARY PUBLIC
STATE AT LARGE, KENTUCKY


Print Name: John N. Billings

My Commission Expires: 12/14/20

Notary Number: 568152

MAIL TO:

THIS INSTRUMENT PREPARED BY:


John N. Billings, Esq.
Billings Law Firm, PLLC
145 Constitution Street
Lexington, KY 40507
RETURN TO PREPARER

JESSAMINE COUNTY
D807 PG139

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