



# Bobbie Holsclaw

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**INST # 2020157219**

**BATCH # 242488**

JEFFERSON CO, KY FEE \$52.00

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LODGED BY: STEVEN BURCH

RECORDED: 08-07-2020 08:21:20 AM

BOBBIE HOLSCRAW

CLERK

BY: TERESA HIGGS

RECORDING CLERK

**BK: D 11755**

**PG: 914-921**

**SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**  
**LITTLE SPRING FARM – SECTION 4C**  
**PLAT AND SUBDIVISION BOOK 60, PAGES 24+25**

**Little Spring Farm Subdivision**  
**Jefferson County, Kentucky**

THIS SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (the “Supplemental Declaration”) for Little Spring Farm Subdivision is made as of \_\_\_\_\_, 2020, by **CLAYTON PROPERTIES GROUP, INC.**, a Tennessee corporation, 16218 Shelbyville Road, Louisville, Kentucky 40245 (“Second Successor Developer”).

**WHEREAS**, Developer is the owner of certain real property in Jefferson County, Kentucky to be developed as part of a residential subdivision;

**WHEREAS**, pursuant to a Declaration of Covenants, Conditions and Restrictions recorded in Deed Book 8094, Page 238 in the office of the Clerk of Jefferson County, Kentucky (the “Original Declaration”), Brown Noltemeyer & Mattingly, LLC, as “Developer” (and in this Supplemental Declaration referred to as “Original Developer”) declared certain property commonly known as Little Spring Farm Subdivision to be subject to certain easements, restrictions, covenants and conditions for the purpose of protecting the value and desirability of said real property;

**WHEREAS**, Original Developer subjected additional real property to the easements, restrictions, covenants and conditions set forth in the Original Declaration by a Supplemental Declaration of Covenants, Conditions and Restrictions dated July 31, 2003, of record in Deed Book 8206, Page 218 (the “First Supplemental Declaration”), by a Supplemental Declaration of Covenants, Conditions and Restrictions dated December 16, 2003, of record in Deed Book 8321, Page 539 (the “Second Supplemental Declaration”), by a Supplemental Declaration of Covenants, Conditions and Restrictions dated September 17, 2004, of record in Deed Book 8505, Page 414 (the “Third Supplemental Declaration”), by a Supplemental Declaration of Covenants, Conditions and Restrictions dated September 17, 2004, of record in Deed Book 8607, Page 554 (the “Fourth Supplemental Declaration”), by a Supplemental Declaration of Covenants, Conditions and Restrictions dated June 15, 2005, of record in Deed Book 8670, Page 523 (the “Fifth Supplemental Declaration”), by a Supplemental Declaration of Covenants, Conditions and

Restrictions dated December 28, 2005, of record in Deed Book 8756, Page 83 (the "Sixth Supplemental Declaration"), and by a Supplemental Declaration of Covenants, Conditions and Restrictions recorded October 18, 2006, of record in Deed Book 8922, Page 506 (the "Seventh Supplemental Declaration"), all recorded in the office of the Clerk of Jefferson County, Kentucky;

**WHEREAS**, Original Developer amended the Original Declaration pursuant to that First Amendment to Declaration of Covenants, Conditions and Restrictions dated March 2, 2004, of record in Deed Book 8368, Page 66 (the "First Amendment"), and further amended the Original Declaration pursuant to that certain Second Amendment to Declaration of Covenants, Conditions and Restrictions dated May 6, 2004, of record in Deed Book 8414, Page 461, in the office aforesaid (the "Second Amendment"), and further amended the Original Declaration pursuant to that certain Third Amendment to Declaration of Covenants, Conditions and Restrictions dated May 23, 2013, recorded in Deed Book 10073, Page 862 (the "Third Amendment"), and further amended the Original Declaration pursuant to that certain Fourth Amendment to Declaration of Covenants, Conditions and Restrictions dated November 14, 2014, of record in Deed Book 10327, Page 972 (the "Fourth Amendment"), all recorded in the office of the Clerk of Jefferson County, Kentucky;

**WHEREAS**, Original Developer (as "Master Developer") and Little Spring Farm Partners, LLC (as "Sub-Developer") subjected additional real property to the easements, restrictions, covenants and conditions set forth in the Original Declaration by a Supplemental Declaration of Covenants, Conditions and Restrictions dated October 30, 2014, of record in Deed Book 10332, Page 480, in the office of the Clerk of Jefferson County, Kentucky (the "Eighth Supplemental Declaration");

**WHEREAS**, the Original Declaration, as supplemented by the First Supplemental Declaration, the Second Supplemental Declaration, the Third Supplemental Declaration, the Fourth Supplemental Declaration, the Fifth Supplemental Declaration, the Sixth Supplemental Declaration, the Seventh Supplemental Declaration, the Eighth Supplemental Declaration, the Ninth Supplemental Declaration, the Tenth Supplemental Declaration, and the Eleventh Supplemental Declaration (defined below), and as modified by the First Amendment, Second Amendment, the Third Amendment and Fourth Amendment are sometimes collectively referred to herein as the "Declaration"; and

**WHEREAS**, Original Developer conveyed to Little Spring Farm Builders, LLC ("First Successor Developer"), and First Successor Developer acquired from Original Developer, real property that was owned by Original Developer and that may be (but is not required to be) included as other sections of Little Spring Farm Subdivision, pursuant to a Deed dated October 7, 2015, of record in Deed Book 10477, Page 822, in the office of the Clerk of Jefferson County, Kentucky, and Original Developer no longer owns any real property that may be included as future sections of Little Spring Farm Subdivision;

**WHEREAS**, in connection with the conveyance and acquisition of real property recited in the previous paragraph, Original Developer assigned to First Successor Developer all of Original Developer's rights as "Developer" under and pursuant to the Declaration and designated

First Successor Developer as the “Developer” under the Declaration, all pursuant to an Assignment of Developer Rights dated October 7, 2015, of record in Deed Book 10478, Page 522, in the office of the Clerk of Jefferson County, Kentucky;

**WHEREAS**, First Successor Developer then subjected additional real property to the Declaration by a Supplemental Declaration of Covenants, Conditions and Restrictions recorded June 30, 2016, of record in Deed Book 10652, Page 218 (the “Ninth Supplemental Declaration”); and

**WHEREAS**, First Successor Developer then subjected additional real property to the Declaration by a Supplemental Declaration of Covenants, Conditions and Restrictions recorded July 24, 2017, of record in Deed Book 10939, Page 131 (the “Tenth Supplemental Declaration”); and

**WHEREAS**, First Successor Developer then subjected additional real property to the Declaration by a Supplemental Declaration of Covenants, Conditions and Restrictions recorded December 22, 2017, of record in Deed Book 11054, Page 74 (the “Eleventh Supplemental Declaration”), which related to common areas only; and

**WHEREAS**, First Successor Developer then subjected additional real property to the Declaration by a Supplemental Declaration of Covenants, Conditions and Restrictions recorded August 10, 2018, of record in Deed Book 11217, Page 507, as amended by a Corrective Amendment of record in Deed Book 11365, Page 545 (collectively, the “Twelfth Supplemental Declaration”); and

**WHEREAS**, First Successor Developer then subjected additional real property to the Declaration by a Supplemental Declaration of Covenants, Conditions and Restrictions recorded July 26, 2019, of record in Deed Book 11464, Page 127 (the “Thirteenth Supplemental Declaration”); and

**WHEREAS**, First Successor Developer conveyed to Second Successor Developer, and Second Successor Developer acquired from First Successor Developer, real property that was owned by First Successor Developer and that may be (but is not required to be) included as other sections of Little Spring Farm Subdivision, pursuant to a Special Warranty Deed dated February 28, 2020, of record in Deed Book 11633, Page 431, in the office of the Clerk of Jefferson County, Kentucky, and First Successor Developer no longer owns any real property that may be included as future sections of Little Spring Farm Subdivision; and

**WHEREAS**, in anticipation of the conveyance and acquisition of real property recited in the previous paragraph, First Successor Developer assigned to Second Successor Developer all of First Successor Developer’s rights as “Developer” under and pursuant to the Declaration and designated Second Successor Developer as the “Developer” under the Declaration, all pursuant to an Assignment and Assumption of Developer Rights dated October 31, 2019, of record in Deed Book 11543, Page 574, in the office of the Clerk of Jefferson County, Kentucky

**WHEREAS**, pursuant to Section 2 of the Original Declaration, additional land may become subject to the Declaration, and Second Successor Developer desires to subject additional real property in Jefferson County, Kentucky to the easements, restrictions, covenants and conditions set forth in the Declaration.

**NOW, THEREFORE**, Second Successor Developer hereby declares that all of the property described in this Supplemental Declaration of Covenants, Conditions and Restrictions shall be held, sold, and conveyed subject to the easements, restrictions, covenants and conditions set forth in the Declaration for the purpose of protecting the value and desirability of the real property. The easements, restrictions, covenants and conditions shall run with the real property and shall be binding on all parties having any right, title or interest in it, their heirs, successors and assigns, and shall inure to the benefit of each owner of a lot subject to the Declaration. Second Successor Developer further covenants, agrees and declares as follows:

**ARTICLE I  
PROPERTY SUBJECT TO THIS SUPPLEMENTAL DECLARATION**

The real property which is subject to this Supplemental Declaration is located in Jefferson County, Kentucky, and is more particularly described as follows:

BEING Lots 485 to 491 inclusive, Lots 493 to 501 inclusive, Lots 505 to 513 inclusive; Lots 570 to 575 inclusive; and Open Space Lot 584, Open Space Lot 585, Open Space Lot 492C, and Open Space Lot 492D, all as shown on the Record Plat of Little Spring Farm, Section 4C, of record in Plat and Subdivision Book 60, Pages 24 and 25, in the office of the Clerk of Jefferson County, Kentucky.

BEING the property acquired by Clayton Properties Group, Inc., by Special Warranty Deed dated February 28, 2020, of record in Deed Book 11633, Page 431, in the office of the Clerk of Jefferson County, Kentucky.

**ARTICLE II  
INCORPORATION OF DECLARATION**

All of the terms, covenants, conditions, easements and restrictions set forth in the Declaration are incorporated herein as fully as if restated and set forth herein in their entirety. Such easements, restrictions, covenants and conditions shall run with the real property described herein and shall be binding on all parties having any right, title or interest in it, their heirs, successors and assigns, and shall inure to the benefit of each owner of a lot subject to the Declaration.

**ARTICLE III  
ADDITIONS TO EXISTING PROPERTY; COMMON AREAS**

Second Successor Developer makes this Section 4C part of a larger community known as Little Spring Farm Subdivision. The common areas covered by the Declaration and by this

Supplemental Declaration shall each inure to the benefit of the owners of all lots within Little Spring Farm Subdivision, and the common areas in any future sections of Little Spring Farm Subdivision, regardless of whether developed by Second Successor Developer, or otherwise, shall inure to the benefit of the owners of lots in this Section 4C, to the extent expressly set forth in this or subsequent declarations, each to enjoy the common areas of the others and to have and to hold such common areas as if each new lot had been developed and subjected to the Declaration simultaneously.

**ARTICLE IV  
ASSESSMENTS**

Each owner of a Lot in this Section 4C of Little Spring Farm [except the owner(s) of Lots designated "Open Space" or similar language] shall be a Class A Member of the Community Association (as defined in the Declaration), and shall be subject to and pay assessments with respect to such lot as provided in the Declaration.

**ARTICLE V  
ADDITIONAL DEVELOPER RIGHTS**

So long as Second Successor Developer owns any Lots in this or any existing or future or planned section of Little Spring Farm Subdivision, Second Successor Developer shall have the unfettered right to maintain and carry on upon portions of the common areas such activities as, in the sole opinion of Second Successor Developer, may be reasonably required, convenient or incidental to the construction, development, improvement and marketing of Little Spring Farm Subdivision, including without limitation business offices, signs and sales offices, and Second Successor Developer shall have an easement for access to such facilities. No provision of this Supplemental Declaration shall be construed to prevent or limit Second Successor Developer's right to complete the development, construction, promotion, marketing and sale of lots developed in Little Spring Farm Subdivision, including future sections of Little Spring Farm Subdivision (if any). So long as Second Successor Developer owns any lot in Little Spring Farm Subdivision, the lot owners may not and shall not take any action to amend the Declaration or this Supplemental Declaration, or any other action, to limit or restrict Second Successor Developer from completing the development and sale of Little Spring Farm Subdivision. Second Successor Developer, its successors and assigns, shall have the specific right to hold and/or sponsor home shows, such as Homearama, or other sales oriented events in Little Spring Farm Subdivision and to restrict temporarily portions of the common areas from general use for the duration of such shows or events, including temporarily closing or restricting the use of streets and roads within Little Spring Farm Subdivision. Notwithstanding that certain Lots are designated "Open Space" or similar language, such Lots may be made buildable lots if approved by the Louisville Metro Planning Commission and/or other governmental or quasi-governmental agencies with jurisdiction without the consent or approval or joinder in any supplement or amendment to the Declaration of any owner in Little Spring Farm Subdivision.

IN TESTIMONY WHEREOF, witness the signature of Second Successor Developer as of the date first set forth above but actually on the date set forth in the notarial certificate below.



This instrument prepared by  
David B. Buechler  
Stuart & Buechler, P.S.C.  
906 Lily Creek Road, Suite 202  
Louisville, Kentucky 40243



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