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**INST # 2022160391**

**BATCH # 400181**

**JEFFERSON CO, KY FEE \$46.00**

PRESENTED ON: 07-14-2022 2 10:03:01 AM

LODGED BY: BARDENWERPER TALBOTT & ROBERTS PLLC

RECORDED: 07-14-2022 10:03:01 AM

BOBBIE HOLSCLOW  
CLERK

BY: TERESA WELCH  
RECORDING CLERK

**BK: D 12404**

**PG: 985-989**

**DECLARATION OF ANNEXATION****TWIN LAKES AT FLOYD'S FORK CONSERVATION SUBDIVISION, SECTION 3  
JEFFERSON COUNTY, KENTUCKY**

**THIS DECLARATION OF ANNEXATION FOR TWIN LAKES AT FLOYD'S FORK CONSERVATION SUBDIVISION, SECTION 3** ("Declaration of Annexation") is made, imposed and declared as of this 7<sup>th</sup> day of JULY, 2022, by **CLAYTON PROPERTIES GROUP, INC.**, a Tennessee corporation, with an address of 16218 Shelbyville Road, Louisville, Kentucky 40245 ("Declarant").

**WITNESSETH:**

**WHEREAS**, Stapleton Development, LLC ("Original Declarant") was the original Declarant pursuant to that certain Declaration of Covenants, Conditions and Restrictions for Twin Lakes at Floyd's Fork Conservation Subdivision, Section 1, dated March 22, 2019, of record in Deed Book 11380, Page 624 in the Office of the Clerk of Jefferson County, Kentucky; ("Declaration"), as shown on plat of same of record in Plat and Subdivision Book 58, Pages 71 through 73, ("Section 1 Record Plat"), in the Office aforesaid (the "Subdivision");

**WHEREAS**, pursuant to that certain Assignment and Assumption of Declarant Rights dated October 31, 2019, of record in Deed Book 11543, Page 590 ("Assignment") in the Office of the Clerk of Jefferson County, Kentucky, Original Declarant assigned all rights in the Declaration and Subdivision to Declarant;

**WHEREAS**, pursuant to that certain Declaration of Annexation for Twin Lakes at Floyd's Fork Conservation Subdivision, Section 2, Declarant annexed certain additional real property known as Section 2 into the Subdivision, of record in Deed Book 11848, Page 389 ("Section 2 Declaration"), as shown on plat of same of record in Plat and Subdivision Book 60, Pages 68 through 70, ("Section 2 Record Plat"), all in the Office aforesaid;

**WHEREAS**, Declarant desires to annex certain additional real property known as Section 3 as more particularly described below ("Section 3" or the "Annexed Property") into the Subdivision and subdivision regime and to subject Section 3 to the Declaration as amended herein pursuant to the provisions of Article I, Section 1.02 of the Declaration;

**WHEREAS**, Declarant desires to amend Article I, Section 1.01 of the Declaration and add Section 3.12 to Article III of the Declaration, as referenced herein, to clarify the obligations of the Association (as defined in the Declaration) to maintain the stormwater quality management improvements, pursuant to the provisions of Article V, Section 5.03 of the Declaration; and

WHEREAS, the Declarant desires to exempt Lots 142B, 151, and 156B, which lots are Open Space lots, from certain restrictions concerning use, maintenance fees, and building size.

NOW, THEREFORE, in accordance with the foregoing preambles, which are hereby incorporated herein, Declarant hereby declares as follows:

1. The Annexed Property consists of the lots numbered 34 through 61, and the open space lots 142B, 151, and 156B, as shown on Record Plat of **TWIN LAKES AT FLOYD'S FORK CONSERVATION SUBDIVISION - SECTION 3**, filed simultaneously with the recording of this Declaration of Annexation, of record in Plat and Subdivision Book 62, Pages 63 & 64 in the Office of the Clerk aforesaid.

2. Section 3 is hereby annexed to TWIN LAKES AT FLOYD'S FORK CONSERVATION SUBDIVISION, and the scheme set forth in the Declaration shall be and hereby is extended to include the Annexed Property being more particularly described as:

**BEING Lots 34 - 61, and open space lots 142B, 151, and 156B as shown on Record Plat of Twin Lakes at Floyd's Fork Conservation Subdivision – Section 3, prepared by Mindel, Scott & Associates, Inc., dated June 24, 2022 and approved by the Louisville Metro Planning Commission on JULY 14, 2022 in Docket 21-RP-0033 the original of which is shown on the Plat of record in Plat and Subdivision Book 62, Pages 63-64 in the Office of the Clerk of Jefferson County, Kentucky.**

**Being the same property conveyed to Clayton Properties Group, Inc. by that certain Special Warranty Deed dated October 31, 2019 of record in Deed Book 11543, Page 595 in the Office aforesaid.**

3. Section 1.01 of the Declaration is hereby deleted and replaced with the following:

**Section 1.01 Existing Property. The Property which is subject to this Declaration is located in Jefferson County, Kentucky and is more particularly described on Exhibit A attached hereto and incorporated herein by reference. Declarant specifically intends to build its ‘Garden Series’ houses on Lots 34 through 61 and Lots 108 through 149 with additional restrictions to be known as the “Garden Series Homes of Twin Lakes” (the “Garden Series”), with all other lots being standard homes.**

4. The following is hereby added as Section 3.12 of the Declaration:

**Section 3.12 Stormwater Quality Management. The Declarant assigns, automatically, all its rights and responsibilities in relation to Stormwater Quality Maintenance Agreement by and between the Louisville and Jefferson County Metropolitan Sewer District (“MSD”) and Declarant (the**

“SQMA”) to the Association upon MSD bond release or that certain date wherein Class B membership terminates pursuant to Section 7.02 of the Declaration, whichever occurs earliest. The Association shall maintain same as part of the “common areas” of the Subdivision. After the date of the assignment of the aforesaid rights and responsibilities in relation to rights and obligations set forth in the SQMA, as outlined in the previous sentence, the Declarant shall have no further rights or responsibilities under the SQMA as it relates to stormwater quality management set forth therein, except to the extent those rights or responsibilities accrue prior to the date of the assignment.

5. Declarant declares that the Annexed Property shall be owned, held, used, leased, conveyed and occupied subject to the conditions and restrictions set forth herein as if these conditions and restrictions were included in and made a part of the Declaration.

[Remainder of this page intentionally left blank]

WITNESS the signature of Declarant by its duly authorized representative as of the day, month, and year first above written.

CLAYTON PROPERTIES GROUP, INC.  
a Tennessee corporation

By: [Signature]

Name: Michael Metzkes

Title: Secretary

COMMONWEALTH OF KENTUCKY )  
 ) SS:  
COUNTY OF JEFFERSON )

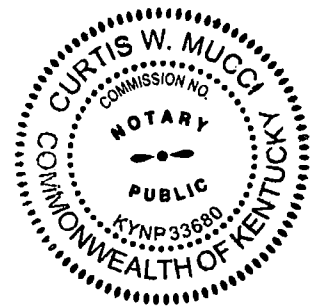
The foregoing instrument was subscribed, sworn to, and acknowledged before me this 7<sup>th</sup> day of July, 2022, by Michael Metzkes as Secretary of CLAYTON PROPERTIES GROUP, INC., a Tennessee corporation, on behalf of the corporation.

My Commission expires: 7/22/2025  
Notary ID: KYNP33680

[Signature]  
Notary Public  
State at Large, Kentucky

THIS INSTRUMENT PREPARED BY:

[Signature]  
**BARDENWERPER, TALBOTT & ROBERTS, PLLC**  
Building Industry Association of Greater Louisville Bldg.  
1000 N. Hurstbourne Parkway, 2<sup>nd</sup> Floor  
Louisville, Kentucky 40223  
(502) 426-6688



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