

**FIRST AMENDMENT TO THE THIRD AMENDMENT AND RESTATEMENT  
OF THE MASTER DECLARATION OF EASEMENTS, COVENANTS, AND  
RESTRICTIONS FOR L'ESPRIT SUBDIVISION**

This First Amendment to the Third Amendment and Restatement of the Master Declaration of Easements, Covenants, and Restrictions ("First Amendment to the Third Amendment and Restatement") of the L'Esprit Subdivision, hereinafter referred to as "L'Esprit", is entered into as of the dates set out below, by and among such of the lot owners of record of the tracts of the L'Esprit Property as set out in attached hereto who have executed this First Amendment to the Third Amendment and Restatement in the spaces provided, and the L'Esprit Property Owners Association, Inc., a Kentucky not-for-profit corporation (the "Association") (those owners who have executed this the First Amendment to the Third Amendment and Restatement and the Association being herein collectively referred to as the "Declarants").

**WITNESSETH:**

WHEREAS, the original Master Declaration of Easements, Covenants and Restrictions for the L'Esprit Subdivision, was recorded in Restriction Book 3, Page 157, in the Oldham County Clerk's Office and in Deed Book 145, Page 303 in the Henry County Clerk's Office; said which instrument has been amended by First Amendment to the L'Esprit Master Declaration of Easements, Covenants and Restrictions of record in Restriction Book 4, Page 56, in the Oldham County Clerk's Office and in Deed Book 158, Page 511 in the Henry County Clerk's Office, which instrument has been amended by Second Amendment to the L'Esprit Master Declaration of Easements, Covenants and Restrictions of record in Restriction Book 4, Page 596, in the Oldham County Clerk's Office and in Deed Book 167, Page 295 in the Henry County Clerk's Office, which

instrument has been amended by Third Amendment and Restatement to the L'Esprit Master Declaration of Easements, Covenants and Restrictions of record in Restriction Book 5, Page 720, in the Oldham County Clerk's Office and in Deed Book 185, Page 892 in the Henry County Clerk's Office (as amended the "Master Declaration"); and

WHEREAS, the Declarants own more than seventy-five (75%) percent of the acreage encompassed within the L'Esprit Property as defined in the Master Declaration and as shown by the plats thereof which are of record in plat cabinet 4, Slides 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 in the Oldham County Clerk's Office, and in Deed Book 145, Pages 294, 295, 296, 297, 298, 299, 300, 301, and 302, in the Henry County Clerk's Office (the "Original Plats"); and

WHEREAS, the above provisions have been met, the Declarants and requisite percentage of lot owners of L'Esprit hereby adopt the following amendment, to modify and change the above Master Declaration as hereinafter set out; and

NOW THEREFORE, Article 8, Section 8.03 and 8.03(i) of the Master Declaration, is hereby amended to read as follows:

"8.03 Tract Subdivision: Subject to Section 3.03 of this Declaration, re-subdivision of any tract as constituted by the Original Plats or any subsequent amendment may be permitted subject to any approvals required of governmental authorities provided that:

- (i) No new tract created shall be less than (5) acres with a minimum of 300 feet of road frontage.

All other terms, conditions, duties, and obligations of the above referred Master Declaration for L'Esprit Subdivision, as previously amended, remain unaltered and unchanged. The effective date of this Amendment shall be the date of its recording.

