

Fourth Amendment to the Amended Master Deed and Declaration
of
Horizontal Property Regime
of
Campus Downs Condominiums

THIS Fourth Amendment to the Amended Master Deed and Declaration of Horizontal Property Regime of Campus Downs Condominium ("Amendment"), made and entered into this 23rd day of February, 1996, by Janet Fauber, President, and Lucille J. Diamond, Secretary, of Campus Downs Condominium Association, Inc., a Kentucky corporation ("Association") on behalf of the Association.

W I T N E S S E T H

On September 27, 1994, Developer executed the Amended Master Deed and Declaration of Horizontal Property Regime of Campus Downs Condominium ("MASTER DEED"), which is now of record in Deed Book 1753, Page 149 and Condominium Deed Book 30, Page 472, in the Fayette County Clerk's office.

On August 21, 1995 and September 8, 1995, Developer executed Amendments to the Master Deed, on his behalf and on behalf of the Unit Owners and Mortgagees as provided in Article XVII of the Master Deed, submitting Phase II to the Master Deed, of record in the Deed Book 1804, Page 540 and Condominium Deed Book 32, Page 173 and Deed Book 1808, Page 348 and Condominium Deed Book 32, Page 243 in the aforesaid Clerk's office.

Now the Association with the consent of Unit Owners as

*Mail to
Preparer*

provided in Article XV of the Master Deed desires to amend the Master Deed to allow Developer to add certain property to the Master Deed,

THEREFORE, the Association amends Article XVII of the Master Deed to allow Developer the option and right to expand the Condominium Property by submitting Phase III and Phase IV, a legal description thereof being attached hereto as Exhibit "A", or portions thereof to the terms of the Master Deed as provided in Article XVII of the Master Deed.

As required by Article XV of the Master Deed, affidavits by the President and Secretary of the Association regarding written consents of the Unit Owners and the approvals of the Eligible Holders of first mortgages and are attached hereto as Exhibit "B".

All other matters contained in the Master Deed are ratified hereby in their entirety and shall remain in full force and effect.

IN WITNESS WHEREOF, the Association has hereunto caused its name to be subscribed by the President and Secretary of said Association as provided in Article XV of the Master Deed.

CAMPUS DOWNS CONDOMINIUM
ASSOCIATION, INC.

By: Janet Fauber
Janet Fauber

Its: President

By: Lucille J. Diamond
Lucille J. Diamond

Its: Secretary

STATE OF KENTUCKY)
COUNTY OF FAYETTE)

The foregoing instrument was acknowledged before me by Janet Fauber, President of Campus Downs Condominium Association, Inc., on behalf of said corporation, this the 23rd day of February, 1996.


NOTARY PUBLIC, STATE AT LARGE

My commission expires: 4/5/99

STATE OF KENTUCKY)
COUNTY OF Boyd)

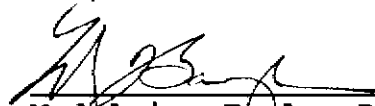
The foregoing instrument was acknowledged before me by Lucille J. Diamond, Secretary of Campus Downs Condominium Association, Inc., on behalf of said corporation, this the 12th day of February, 1996.


NOTARY PUBLIC, STATE AT LARGE

My commission expires: 12/24/99

THIS INSTRUMENT PREPARED BY:

MARTIN, OCKERMAN & BRABANT
200 North Upper Street
Lexington, Kentucky 40507
606/254-4401


Madeleine Taylor Baugh

mtb5.ejband3

EXHIBIT "A"

Being all of Lots 4 and 5 of the Final Subdivision Plat of South Broadway Place (Geary-Wright Property), of record in Plat Cabinet J, Slide 951, in the Fayette County Court Clerk's office and being known as 261 Simpson Avenue and 251 Simpson Avenue, respectively, Lexington, Kentucky.

EXHIBIT B

AFFIDAVIT


Comes the affiant, Janet Fauber, after first being duly sworn, and states as follows:

1. I, the affiant named above, am the President of Campus Downs Condominium Association, Inc. and over the age of eighteen years.

2. The Amendment to the Amended Master Deed and Declaration of Horizontal Property Regime of Campus Downs Condominium, dated February 23, 1996, to which this affidavit is appended, was submitted to and consented to in writing by the Unit Owners of Units to which at least sixty-seven percent (67%) of the votes in the Association are allocated and by Eligible Holders of first mortgages on Units to which at least fifty-one percent (51%) of the votes of Units subject to a mortgage appertain.

3. A copy of this amendment has been mailed by certified mail to all mortgagees having bona fide liens of record against any Ownership Interest.

Further, Affiant saith naught.



Janet Fauber

STATE OF KENTUCKY)
)
COUNTY OF FAYETTE)

The foregoing instrument was subscribed and sworn to before me by Janet Fauber on this the 23rd day of February 23, 1996.


NOTARY PUBLIC, STATE AT LARGE

My commission expires: 4/5/99

AFFIDAVIT

Comes the affiant, Lucille J. Diamond, after first being duly sworn, and states as follows:

1. I, the affiant named above, am the Secretary of Campus Downs Condominium Association, Inc. and over the age of eighteen years.

2. The Amendment to the Amended Master Deed and Declaration of Horizontal Property Regime of Campus Downs Condominium, dated February 23, 1996, to which this affidavit is appended, was submitted to and consented to in writing by the Unit Owners of Units to which at least sixty-seven percent (67%) of the votes in the Association are allocated and by Eligible Holders of first mortgages on Units to which at least fifty-one percent (51%) of the votes of Units subject to a mortgage appertain.

3. The following are the names of the Eligible Holders of first mortgages which consented to the amendment:

- a. Bank One Mortgage Corporation
- b. One Valley Bank, Huntington, West Virginia
- c. Farmers Bank of Henderson, Ky
- d. The Prudential Home Mortgage Company, Inc.

4. The following are the names of the Eligible Holders of first mortgages which did not consent to the amendment:

NONE

Further, affiant saith naught.


Lucille J. Diamond

STATE OF KENTUCKY)

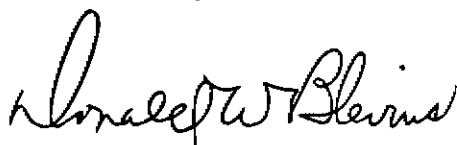
COUNTY OF Boyd)

The foregoing instrument was subscribed and sworn to before me by Lucille J. Diamond on this the 12th day of February, 1996.

Kim Lynch
NOTARY PUBLIC, STATE AT LARGE

My commission expires: 12/24/99

I, Donald W Blevins, County Court Clerk
of Fayette County, Kentucky, hereby
certify that the foregoing instrument
has been duly recorded in my office.



By: Doug BRADLEY, dc

199609120137

September 12, 1996

14:50:12 PM

Fees \$20.00

Tax \$0.00

Total Paid \$20.00

THIS IS THE LAST PAGE OF THE DOCUMENT

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