

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

THIS Fifth Amendment to the Amended Master Deed and Declaration of Horizontal Property Regime of Campus Downs Condominiums (hereinafter referred to as "AMENDMENT"), made and entered into this 20th day of August, 1996, by CJB LEXINGTON, L.L.C., a Kentucky limited liability company, formerly known as CJB Enterprises (hereinafter referred to as "DEVELOPER").

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.

*Mail to
Preparer*

On the 23rd day of February, 1996, Janet Fauber, President, and Lucille J. Diamond, Secretary, of Campus Downs Condominium Association, Inc., a Kentucky corporation ("Association") on behalf of the Association executed an Amendment to the Master Deed which amended Article XVII 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, of record in Deed Book 187, Page 149 and Condominium Deed Book 34, Page 49 in the aforesaid Clerk's office; and

Where pursuant to the aforementioned Amendments and Article XVII of the Master Deed, Developer has the option and the right to expand the Condominium Property by submitting Phase III or portions thereof, together with the buildings, structures and improvements thereon, all restrictions, easements, right and appurtenances belonging thereto or to which it is subject, and all articles of personal property existing for the common use of the Unit Owners, to the provisions of this Declaration and the Bylaws, and the Act, and to amend the Master Deed as provided in Article XV thereof,

NOW THEREFORE, Developer does hereby expand the Condominium Property to include Phase III and amends the Master Deed to submit Phase III, the legal description of which is attached hereto and marked "Exhibit B", to the Master Deed.

The Unit designations, the dimensions, architectural style, approximate area, the location and layout of each Unit, and the immediate Common Area and Facility of L.C.A. to which each Unit of Phase III has access are shown on the set of Drawings attached

hereto as Exhibit "C" and are incorporated by reference into the Master Deed. The layout, location, designation and dimensions of the Common Areas and Facilities and the L.C.A.'s are also shown on the Drawings.

This Amendment provides that the Unit Owners in Phase III shall have an interest in the Common Areas and Facilities of the Condominium Property. Section 6.02(c) of Article VI of the Master Deed is amended to designate the par value or percentage of interest in the Common Areas and Facilities of the Condominium Property, the par values or percentages of interest of each Unit being set forth in Exhibit "D" hereto.

In compliance with Article XV of the Master Deed, Developer also hereby attaches the affidavit of the President of Campus Downs Condominium Association, Inc. certifying that all bonafide mortgagees have been notified of this Amendment.

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, Developer has hereunto set his hand on his own behalf and behalf of each Unit Owner as his or her Attorney-in-fact coupled with an interest, as provided in the Master Deed at Section 15.01 and Section 17.02.

CJB LEXINGTON, L.L.C.
("Developer")



Charles J. Burnworth

Its: Managing Member

UNIT 101A

Claude P. Meers
Bonnie J. Meers

UNIT 102A

John David Pickard
Almeda Brookes Pickard

UNIT 103A

William S. Hayden
Deborah G. Hayden
Anthony A. Hayden

UNIT 104A

Marvin Dale Rogers
Lou Ann Rogers

UNIT 105A & 214B

John E. Soltau
Teresita A. Soltau

UNIT 106A

Sandra S. Cook

UNIT 107A

Vilma Witten

UNIT 108A

Jaime Bon Tiu
Eva Coe Tiu
Amy Coe Tiu

UNIT 201A

Ryan Smith

UNIT 202A

Alfred J. Mader
Peggy Lee Mader
Kyle J. Mader

UNIT 203A

Danny J. Diamond
Lucille J. Diamond
Tracie R. Diamond

UNIT 204A

Richard A. Sweeney
Brian D. Sweeney

UNIT 205A

John A. Samich, Jr.
Catherine A. Samich

UNIT 206A

John B. Radjunas
Brenda B. Radjunas
Holly Ann Radjunas

UNIT 207A

Michael R. Reed
Gail G. Reed

UNIT 208A

Steven A. Vidra
Susan C. Vidra

UNIT 301A

James F. Jett
Barbara J. Jett
James F. Jett, Jr.

UNIT 302A

Bartha C. Deans
Rosemary R. Deans

UNIT 303A

Paul David Brock
Grace Brock

UNIT 304A

Richard L. Fauber
Janet Fauber

UNIT 305A

Thomas M. Pendergrass
Nora M. Pendergrass

UNIT 306A

Hasmukh P. Patel
Sharda H. Patel
Nimesh H. Patel
Nihar H. Patel

UNIT 307A

William S. Bate
Sue E. Bate

UNIT 308A

Stephen P. Clements
Meryl A. Clements

UNIT 109B, 212B, & 313B

Feri Phalsaphie

UNIT 110B

Orville G. Stone
Mona R. Stone

UNIT 111B

William D. Grigsby
Joyce A. Grigsby

UNIT 112B

Daniel E. Riegler
Karen L. Riegler

UNIT 113B

James C. Jenkins
Judith A. Jenkins

UNIT 114B

Armando C. Sandoval
Holivia H. Sandoval

UNIT 115B

John L. Price
Linda M. Price

UNIT 116B

Cynthia A. Gary

UNIT 209B

Ramon H. Gonzalez
Edna R. Gonzalez

UNIT 210B

Steven D. Vice
Lois H. Vice

UNIT 211B

Michael L. Ammon
Judy A. Ammon

UNIT 213B

Raymond O. Littlefield, Sr.
Loretta M. Littlefield

UNIT 215B

Mark T. Gritton
Wanda S. Gritton

UNIT 216B

John B. Schweri
Donna M. Schweri
Laura K. Schweri

UNIT 309B

Phillip Maroudis

UNIT 310B

Thomas L. Isaac
Elizabeth W. Isaac

UNIT 311B

David K. L. Tan
Gloria S. Tan

UNIT 312B

Dana O. Ladd
Sandra S. Ladd

UNIT 314B

Hasmukh P. Patel
Sharda H. Patel

UNIT 315B

Jere A. Krieg
Linda Annette Krieg

UNIT 316B

Dale Hettinger
Norma Hettinger

BANC ONE MORTGAGE CORPORATION,
mortgagee of Units 101A,
102A, 103A, 104A, 105A,
106A, 108A, 203A, 204A, 206A,
301A, 302A, 303A, 305A, 307A,
110B, 111B, 209B, 210B, 211B,
213B, 214B, 310B, 312B & 315B

PRUDENTIAL HOME MORTGAGE
COMPANY, INC., assignee of
mortgagee of Units 112B, 113B,
115B, 209B, 309B, 311B & 316B

FARMERS BANK OF HENDERSON,
KENTUCKY, mortgagee of Units
109, 212 & 313

NORWEST MORTGAGE, INC.,
assignee of Units 202A & 205A


FIFTH THIRD BANK, mortgagee of
Unit 304A

ANDERSON NATIONAL BANK,
mortgagee of Unit 308A

COUNTRYWIDE FUNDING CORPORATION,
assignee of Units 114B & 215B

NATIONAL CITY BANK, mortgagee of
Unit 216B

BY: CJB LEXINGTON, L.L.C.



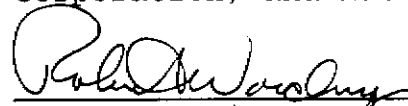

Charles J. Burnworth

Its: Managing Member

as Attorney-in-fact coupled
with an interest, as provided
in the Master Deed, Section
15.01 and Section 17.02

STATE OF INDIANA)
COUNTY OF DELAWARE)

The foregoing document was acknowledged before me on this the 20 day of August, 1996, by Charles J. Burnworth, Managing Member of CJB Lexington, L.L.C., a Kentucky limited liability company, on behalf of the limited liability company itself and on behalf of the limited liability company as attorney-in-fact coupled with an interest for Claude P. Meers, Bonnie J. Meers, John David Pickard, Almeda Brookes Pickard, William S. Hayden, Deborah G. Hayden, Anthony A. Hayden, Marvin Dale Rogers, Lou Ann Rogers, John E. Soltau, Teresita A. Soltau, Sandra Cook, Billy J. Hatton, Vilma Witten, Jaime Bon Tiu, Eva Coo Tiu, Amy Coo Tiu, Ryan Smith, Alfred J. Mader, Peggy Lee Mader, Kyle J. Mader, Danny J. Diamond, Lucille J. Diamond, Tracie R. Diamond, Richard A. Sweeney, Brian D. Sweeney, John A. Samich, Jr., Catherine A. Samich, John B. Radjunas, Brenda B. Radjunas, Holly Ann Radjunas, Michael R. Reed, Gail G. Reed, Steven A. Vidra, Susan C. Vidra, James F. Jett, Barbara J. Jett, James F. Jett, Jr., Bartha C. Deans, Rosemary R. Deans, Paul David Brock, Grace Brock, Richard L. Fauber, Janet Fauber, Thomas M. Pendergrass, Nora M. Pendergrass, Has Mukh P. Patel, Sharda H. Patel, Nimesh H. Patel, Nihar H. Patel, William S. Bate, Sue E. Bate, Stephen P. Clements, Meryl A. Clements, Feri Phalsaphie, Orville G. Stone, Mona R. Stone, William D. Grigsby, Joyce A. Grigsby, Daniel E. Riegler, Karen K. Riegler, James C. Jenkins, Judith A. Jenkins, Armando C. Sandoval, Holivia H. Sandoval, John L. Price, Linda M. Price, Cynthia A. Gary, Ramon H. Gonzalez, Edna R. Gonzalez, Steven D. Vice, Lois H. Vice, Michael L. Ammon, Judy A. Ammon, Raymond O. Littlefield, Sr., Loretta M. Littlefield, Mark T. Gritton, Wanda S. Gritton, John B. Schweri, Donna M. Schweri, Laura K. Schweri, Phillip Maroudis, Thomas L. Isaac, Elizabeth W. Isaac, David K. L. Tan, Gloria S. Tan, Dana O. Ladd, Sandra S. Ladd, Jere A. Krieg, Linda Annette Krieg, Dale R. Hettinger, Norma L. Hettinger, Banc One Mortgage Corporation, Prudential Home Mortgage Company, Inc., Farmers Bank of Henderson, Kentucky, Norwest Mortgage, Inc., Fifth Third Bank, Anderson National Bank, Countrywide Funding Corporation, and National City Bank.


Notary Public
Robert Wordinger, Notary Public
My Commission Expires: 12/8/98
County of Residence: Delaware


THIS INSTRUMENT PREPARED BY:
MARTIN, OCKERMAN & BRABANT
200 North Upper Street
Lexington, Kentucky 40507
606/254-4401


Madeleine Taylor Baugh

EXHIBIT "A"

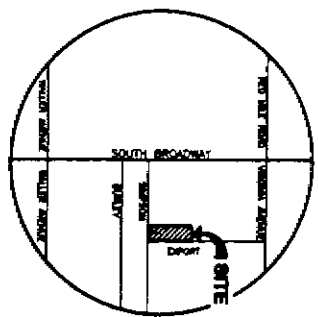
Being all of Lots 4 and 5 of the Final Subdivision Plat of South Broadway Place (Geary-Wright Property), of record in Plat Cabinet J, Slide 951, in the Fayette County Court Clerk's office and being known as 261 Simpson Avenue and 251 Simpson Avenue, respectively, Lexington, Kentucky.

EXHIBIT "B"

Being all of Lot 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 251 Simpson Avenue, Lexington, Kentucky.

Exhibit "C"

[Drawings]



VICINITY MAP

LEGAL DESCRIPTION PHASE 'C'
 A TRACT OF LAND SITUATED IN LEXINGTON, FAYETTE COUNTY, KENTUCKY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 LOT 5, SOUTH BROADWAY PLACE PHASE IV
 PLAT C-8, SLIDE 951
 Fayette County Clerk's Office

ENGINEER'S CERTIFICATION

I do hereby certify that this plan, when taken with the supplemental plans filed herewith, fully and accurately depict the layout, location, unit numbers and dimensions of the units as built.

Charles M. Mink
 ENGINEER
 DATE 7-11-96

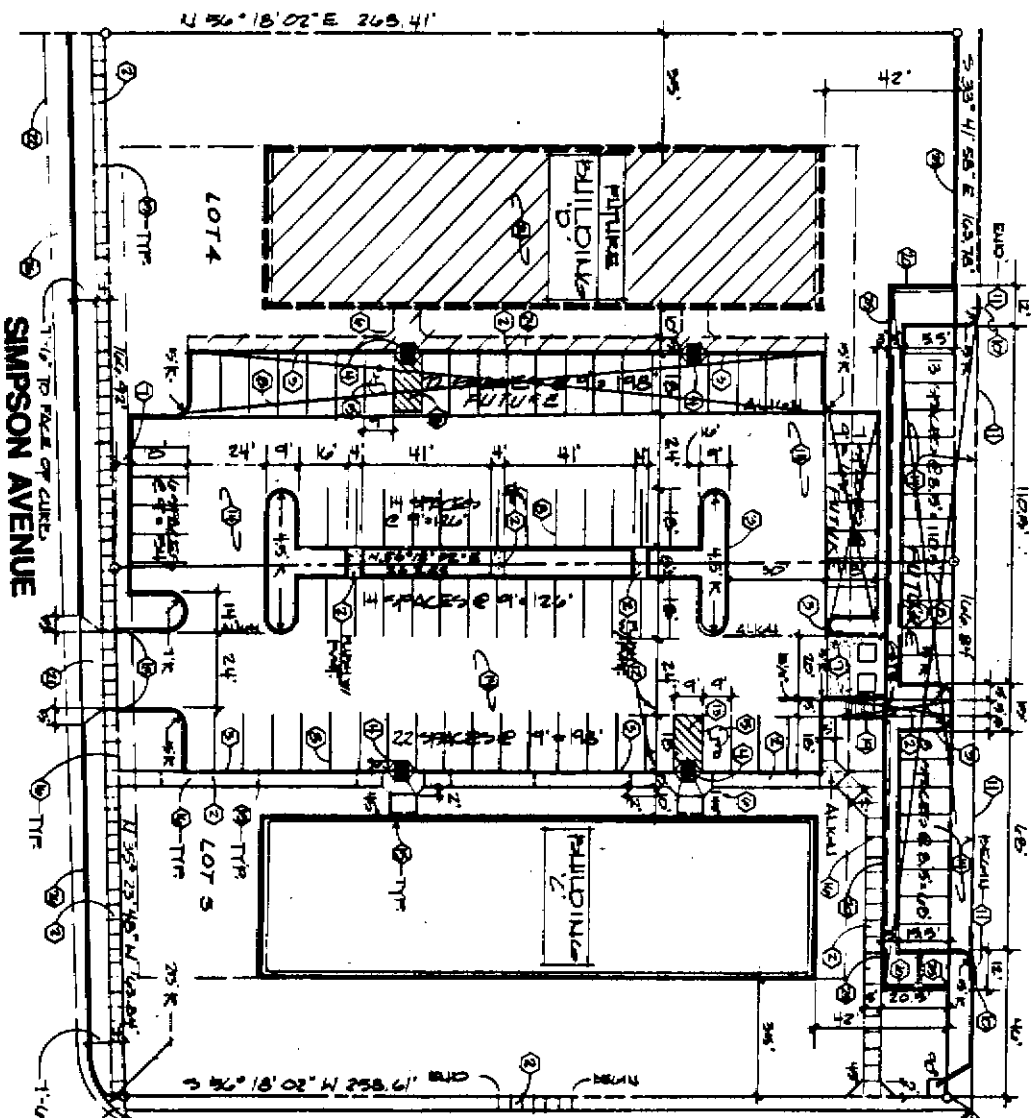
State of Kentucky, County of Fayette
 Subscribed before me by Charles M. Mink
 this 11th day of July 1996.

NOTARY PUBLIC, STATE AT LARGE
 MY COMMISSION EXPIRES

NOTES.

There is reserved a permanent, common underground horizontal easement for the collection of utility lines (i.e., General Telephone of KY, Kentucky Gas Utilities Co., American Water Co. and the Lexington-Crestline Urban County Government) and such other public or private utilities that may in the future provide service to the condominium units, which easement shall be used only for distribution and transmission lines, sanitary and stormwater facilities, only for the benefit and improvement of the condominium units shown on this plan. Other procedures shall not be used for the benefit of any other procedures of ground or easement reserved by, and at the expense of, the respective utility co. and/or governmental or private entity disturbing or disturbing same.

Based on maps prepared by the Lexington-Fayette Urban County Government, the improvements on this property are not within a flood hazard area.

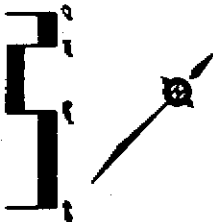


PHASE 'C' SITE PLAN

● Benchmark: Top of Catch Basin Rim
 behind When-Disc - Elevation: 926.59'

CONDOMINIUM COMMUNITY HORIZONTAL PROPERTY REGIME

CAMPUS DOWNS CONDOMINIUM PHASE 'C'
 215 SIMPSON AVENUE, LEXINGTON, KENTUCKY

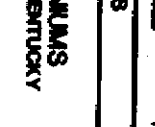
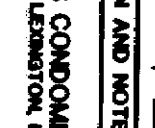
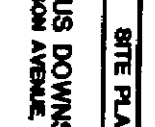
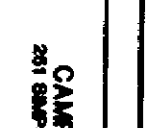
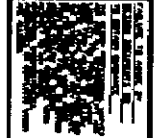


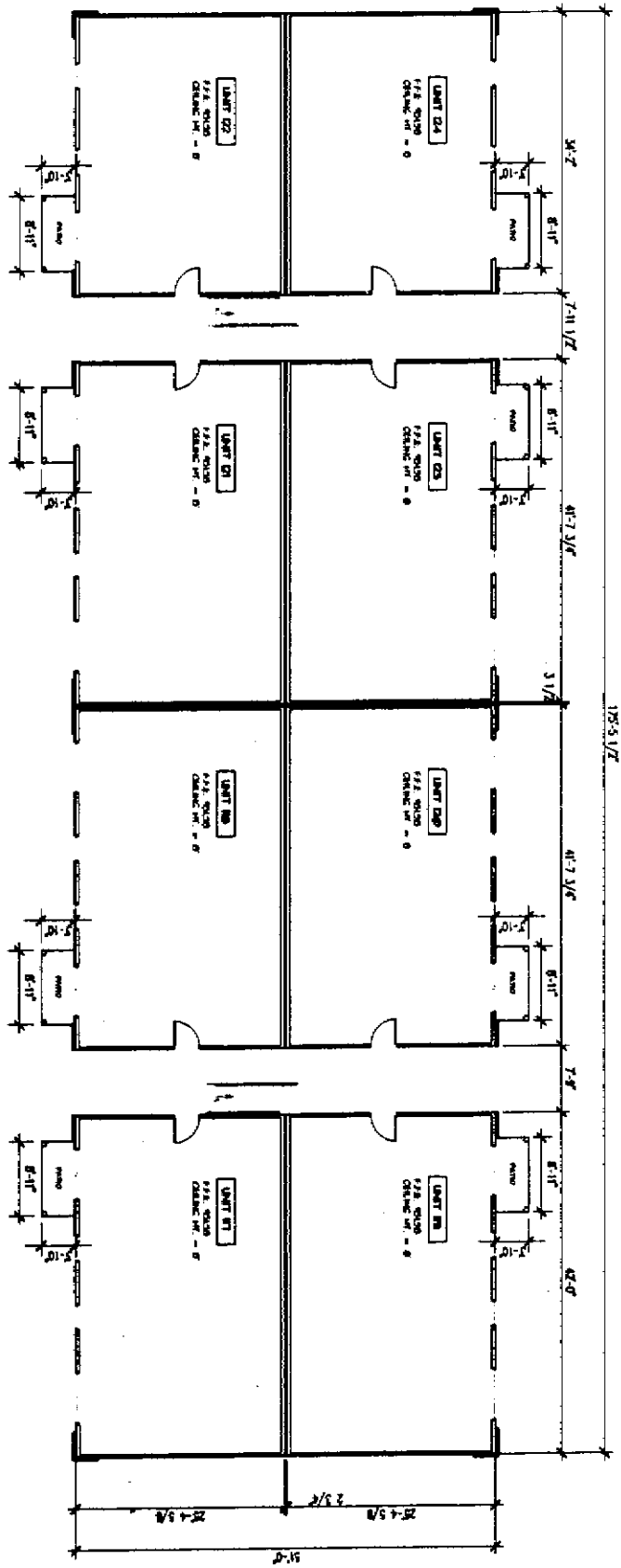
SHEET INDEX

- 1 SITE PLAN AND NOTES
- 2 FIRST FLOOR PLAN
- 3 SECOND FLOOR PLAN
- 4 THIRD FLOOR PLAN

SITE PLAN AND NOTES

CAMPUS DOWNS CONDOMINIUMS
 281 SIMPSON AVENUE, LEXINGTON, KENTUCKY





GROUND FLOOR PLAN

1/8" = 1' - 0"



EXHIBIT 'B'

CONDOMINIUM COMMUNITY HORIZONTAL PROPERTY REGIME
 CAMPUS DOWNS CONDOMINIUMS PHASE C
 261 SAMPSON AVENUE
 WINCHESTER, KENTUCKY

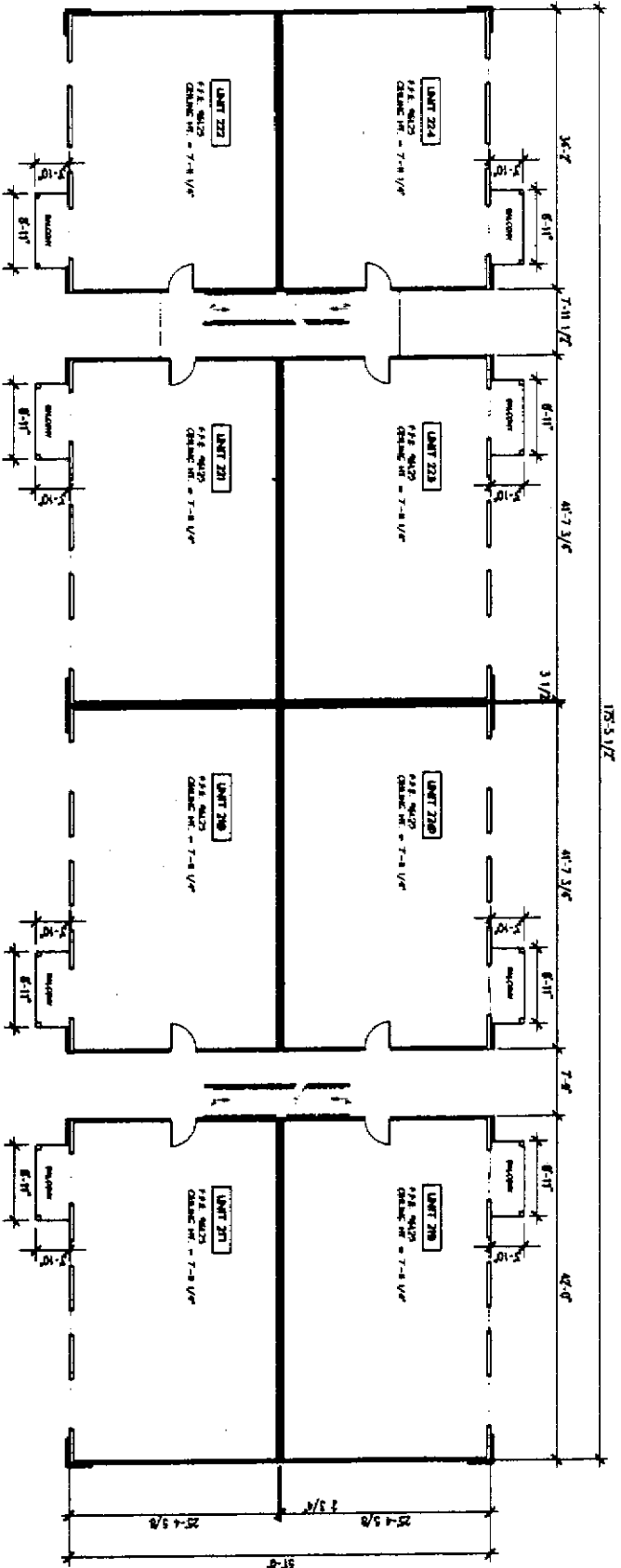
PROPOSED CAMPUS DOWNS CONDOMINIUMS DEVELOPMENT
 261 SAMPSON AVENUE, LEAKINGTON, KENTUCKY

GROUND FLOOR PLAN

FOR C.J.B. ENTERPRISES
 WINCHESTER, KENTUCKY

DATE: 10/15/11
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NUMBER: [Number]

PROJECT NUMBER: [Number]
 SHEET 1 OF 1 - 00000
 2



SECOND FLOOR PLAN

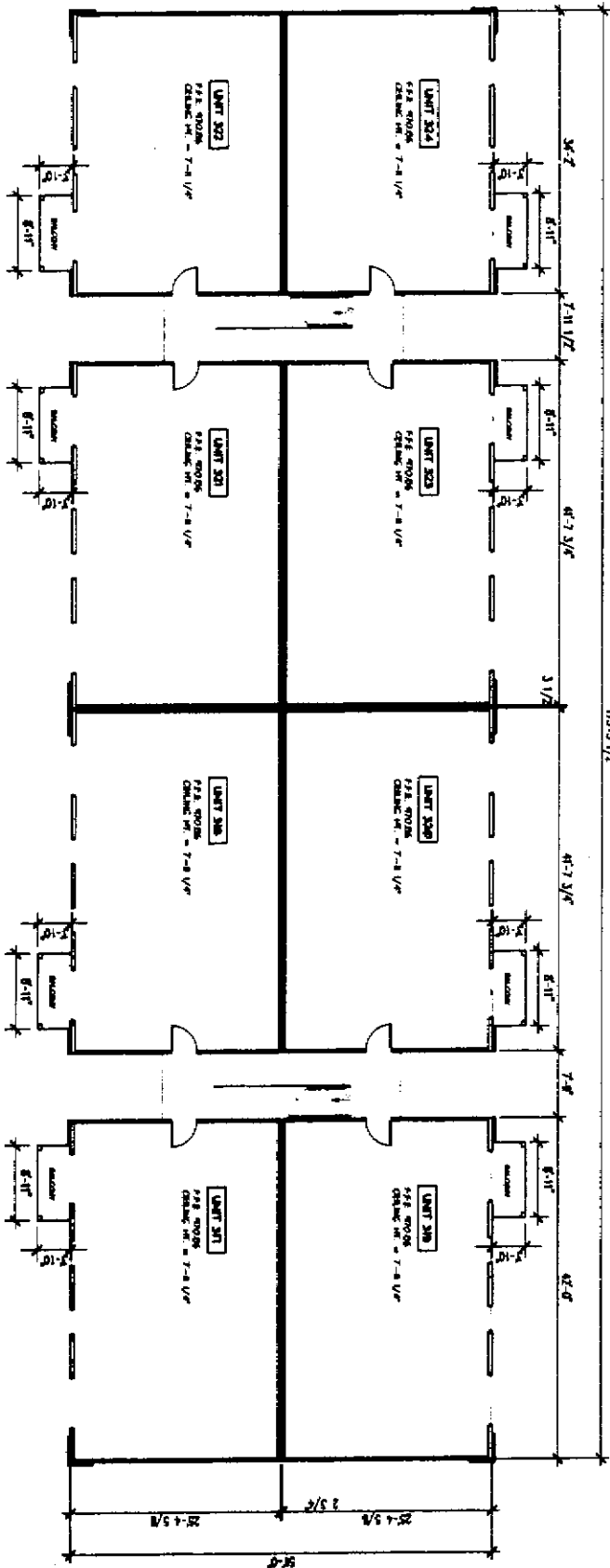


Scale: 1" = 10'

EXHIBIT 'B'

CONDOMINIUM COMMUNITY HORIZONTAL PROPERTY REGIME
 CAMPUS DOWNS CONDOMINIUMS PHASE C
 251 SARFSON AVENUE

<p>PROPOSED CAMPUS DOWNS CONDOMINIUMS DEVELOPMENT 251 SARFSON AVENUE, LEXINGTON, KENTUCKY FOR C.J.B. ENTERPRISES MANACE, BOVANA</p>				
<p>SECOND FLOOR PLAN</p>				
<p>PROJECT NUMBER 251 S. SARFSON - 12/2020</p>	<p>DATE 12/2020</p>	<p>SCALE 1/8" = 1'-0"</p>	<p>PROJECT NUMBER 251 S. SARFSON - 12/2020</p>	<p>DATE 12/2020</p>
<p>3</p>				



THIRD FLOOR PLAN

1/8" = 1' - 0"



EXHIBIT 'B'

CONDOMINIUM COMMUNITY HORIZONTAL PROPERTY REGIME
 CAMPUS DOWNS CONDOMINIUMS PHASE C
 261 SAMPSON AVENUE

CAMPUS DOWNS CONDOMINIUMS DEVELOPMENT
 261 SAMPSON AVENUE, LEXINGTON, KENTUCKY

THIRD FLOOR PLAN

FOR
 C.A.B. ENTERPRISES
 INDIANAPOLIS, INDIANA

PROJECT NUMBER: 2017-0001

DATE: 08/15/2017

SCALE: AS SHOWN

PROJECT MANAGER: [Name]

DESIGNER: [Name]

4

EXHIBIT "D"

Page 1 of 3

PAR VALUES OF COMMON AREAS
CAMPUS DOWNS CONDOMINIUMS

PHASE I				
Unit Designation	Building Number	Unit Address	Par Value	Undivided Interests
101	A	209 Simpson	1.00	1.38
102	A	209 Simpson	1.00	1.38
103	A	209 Simpson	1.00	1.38
104	A	209 Simpson	1.00	1.38
105	A	209 Simpson	1.00	1.38
106	A	209 Simpson	1.00	1.38
107	A	209 Simpson	1.00	1.38
108	A	209 Simpson	1.00	1.38
201	A	209 Simpson	1.00	1.38
202	A	209 Simpson	1.00	1.38
203	A	209 Simpson	1.00	1.38
204	A	209 Simpson	1.00	1.38
205	A	209 Simpson	1.00	1.38
206	A	209 Simpson	1.00	1.38
207	A	209 Simpson	1.00	1.38
208	A	209 Simpson	1.00	1.38
301	A	209 Simpson	1.00	1.38
302	A	209 Simpson	1.00	1.38
303	A	209 Simpson	1.00	1.38
304	A	209 Simpson	1.00	1.38
305	A	209 Simpson	1.00	1.38
306	A	209 Simpson	1.00	1.38
307	A	209 Simpson	1.00	1.38
308	A	209 Simpson	1.00	1.38

EXHIBIT "D"

Page 2 of 3

PAR VALUES OF COMMON AREAS
CAMPUS DOWNS CONDOMINIUMS

PHASE II				
Unit Designation	Building Number	Unit Address	Par Value	Undivided Interests
109	B	209 Simpson	1.00	1.38
110	B	209 Simpson	1.00	1.38
111	B	209 Simpson	1.00	1.38
112	B	209 Simpson	1.00	1.38
113	B	209 Simpson	1.00	1.38
114	B	209 Simpson	1.00	1.38
115	B	209 Simpson	1.00	1.38
116	B	209 Simpson	1.00	1.38
209	B	209 Simpson	1.00	1.38
210	B	209 Simpson	1.00	1.38
211	B	209 Simpson	1.00	1.38
212	B	209 Simpson	1.00	1.38
213	B	209 Simpson	1.00	1.38
214	B	209 Simpson	1.00	1.38
215	B	209 Simpson	1.00	1.38
216	B	209 Simpson	1.00	1.38
309	B	209 Simpson	1.00	1.38
310	B	209 Simpson	1.00	1.38
311	B	209 Simpson	1.00	1.38
312	B	209 Simpson	1.00	1.38
313	B	209 Simpson	1.00	1.38
314	B	209 Simpson	1.00	1.38
315	B	209 Simpson	1.00	1.38
316	B	209 Simpson	1.00	1.38

EXHIBIT "D"

Page 3 of 3

PAR VALUES OF COMMON AREAS
CAMPUS DOWNS CONDOMINIUMS

PHASE III				
Unit Designation	Building Number	Unit Address	Par Value	Undivided Interests
117	C	251 Simpson	1.00	1.38
118	C	251 Simpson	1.00	1.38
119	C	251 Simpson	1.00	1.38
120	C	251 Simpson	1.00	1.38
121	C	251 Simpson	1.00	1.38
122	C	251 Simpson	1.00	1.38
123	C	251 Simpson	1.00	1.38
124	C	251 Simpson	1.00	1.38
217	C	251 Simpson	1.00	1.38
218	C	251 Simpson	1.00	1.38
219	C	251 Simpson	1.00	1.38
220	C	251 Simpson	1.00	1.38
221	C	251 Simpson	1.00	1.38
222	C	251 Simpson	1.00	1.38
223	C	251 Simpson	1.00	1.38
224	C	251 Simpson	1.00	1.38
317	C	251 Simpson	1.00	1.38
318	C	251 Simpson	1.00	1.38
319	C	251 Simpson	1.00	1.38
320	C	251 Simpson	1.00	1.38
321	C	251 Simpson	1.00	1.38
322	C	251 Simpson	1.00	1.38
323	C	251 Simpson	1.00	1.38
324	C	251 Simpson	1.00	1.38

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. I certify that a copy of the foregoing Amendment to the Amended Master Deed and Declaration of Horizontal Property Regime of Campus Downs Condominium, has been faxed or expressed to all mortgagees having bona fide liens of record against any Ownership Interest and that acknowledgment of receipt has been received.

Further, affiant saith naught.

Janet Fauber
Janet Fauber

STATE OF KENTUCKY)

COUNTY OF ~~FAYETTE~~)

Jefferson
The foregoing instrument was subscribed and sworn to before me by Janet Fauber on this the 3rd day of ~~August~~, 1996.

September
[Signature]

NOTARY PUBLIC, STATE AT LARGE

My commission expires: _____

Notary Public, State at Large, KY
My commission expires Jan. 18, 1999



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

199609120140

September 12, 1996 14:51:39 PM

Fees	\$50.00	Tax	\$0.00
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Total Paid	\$50.00
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23 Pages

57 - 79