



APRIL 1995 AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
POLO FIELDS SUBDIVISION
JEFFERSON COUNTY, KENTUCKY
April 5, 1995

POLO FIELDS, INC.
17310 Polo Fields Lane
Louisville, Kentucky 40245

C

THIS APRIL 1995 AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR POLO FIELDS SUBDIVISION ("April 1995 Amendment") is made, imposed and declared as of the 5TH day of April, 1995, by POLO FIELDS, INC., a Kentucky corporation, with principal office and place of business at 17310 Polo Fields Lane, Louisville, Kentucky 40245 ("Declarant").

W I T N E S S E T H:

WHEREAS, pursuant to that certain Declaration of Covenants, Conditions and Restrictions for Polo Fields Subdivision, Phase I, dated as of January 1, 1993, of record in Deed Book 6266, Page 692, as amended by that First Amendment to Declaration of Covenants, Conditions and Restrictions for Polo Fields Subdivision, Phase I as of March 15, 1993, of record in Deed Book 6300, Page 439, by that Second Amendment to Declaration of Covenants, Conditions and

Restrictions for Polo Fields Subdivision, Phase I (To Include Section 2) as of January 26, 1994 of record in Deed Book 6412, Page 789, by that Special Amendment to Declaration of Covenants, Conditions and Restrictions Polo Fields Subdivision as of June 27, 1994 of record in Deed Book 6470, Page 596, as further amended by that September 1994 Amendment to Declaration of Covenants, Conditions and Restrictions for Polo Fields Subdivision as of September 26, 1994 of record in Deed Book 6505, Page 917, and as further amended by that November 1994 Amendment to Declaration of Covenants, Conditions and Restrictions Polo Field Subdivision as of November 8, 1994 of record in Deed Book 6528, Page 252, all in the Office of the Clerk of Jefferson County, Kentucky (as amended, the "Declaration"), Declarant imposed certain covenants, conditions and restrictions upon certain real property defined in the Declaration, being a part of the property set forth in Plats recorded in Plat and Subdivision Book 39, Page 67, Book 39, Page 68, Book 40, Page 49, and Book 41, Page 26, all in the Office of the Clerk of Jefferson County, Kentucky; and

WHEREAS, Polo Fields Community Association, Inc., a Kentucky non-profit corporation, with address of 17310 Polo Fields, Inc., Louisville, Jefferson County, Kentucky 40205 (the "Association") and GC Development Inc., a Kentucky corporation ("GC"), entered into that certain Easement Agreement dated the 17th day of January, 1995 (the "Easement") providing for the building of a playground on that certain property owned by GC.

NOW, THEREFORE, in consideration of the foregoing preambles and for other consideration, the receipt and sufficiency of which is hereby further acknowledged, Declarant hereby amends the Declaration, as follows:

1. All Polo Fields Subdivision Lots included within the term Subject Property, and all owners thereof, shall be bound by the terms and conditions of the Easement, including, without limitation, the agreement of all Lot owners and their guests to use the playground that is the subject of the Easement, at their sole risk. Declarant shall have no liability of any type with respect to the playground located on the Easement, or any equipment thereon. The Association and the Lot owners shall have all responsibility for maintenance of the playground and all equipment located thereon.

2. The last sentence of Section 2.6(a) of the Declaration is hereby amended to delete reference to the interest rate of twelve (12%) percent per annum and, in the alternative, provide that the rate of interest assessed shall be at the lower of (i) any rate which the Board may, from time to time, in its sole discretion assess or (ii) the maximum rate permitted by applicable law.

3. To the extent not otherwise provided in the Declaration, any and all assessments, dues, fees or other charges due by any Lot owner pursuant to the Declaration which are not paid when due, shall bear interest at the same rate prescribed or permitted under Section 2.6(a) of the Declaration, as amended herein.

BOOK 06597 0592

COMMONWEALTH OF KENTUCKY)
) SS:
COUNTY OF JEFFERSON)

The foregoing instrument was acknowledged before me this 5th day of April, 1995, by David S. Greenberg, President of Poio Fields Community Association, Inc., a Kentucky non-profit corporation, for and on behalf of said corporation.

My commission expires: JEFFREY A. MCKENZIE
Notary Public, State at Large, KY.
My commission expires Feb. 12, 1996

[Signature]
NOTARY PUBLIC

(SEAL)

The foregoing instrument was prepared by:

[Signature]
JEFFREY A. MCKENZIE
GREENBAUM, DOLL & McDONALD
3300 National City Tower
Louisville, KY 40202-3197
(502) 589-4200

M:\SPJAM\POLO\DEEDRES.AME

U3358

Document No: 1995063358
Lodged By: GREENBAUM DOLL
Recorded On: Jun 01, 1995 12:40:59 P.M.
Total Fees: \$11.00 14.00
County Clerk: Rebecca Jackson
Deputy Clerk: TERI

[Signature]

END OF DOCUMENT

[Signature]