

**Amended Restrictions for Record Plat of Essex Place
Hardin County, Kentucky**

This Declaration of Restrictions made and executed by Glenn S. Turner and Sandra G. Turner, herein called the owner(s) on 24 November, 2004. This document supercedes all previous restrictions.

Whereas, the owner of this property desires to protect the property and neighborhood by appropriate restrictions as to the use and improvements of said lots and to make said subdivision more desirable for residential purposes. These restrictions supercede and replace all previous restrictions.

WITNESSETH: That the owners do hereby make and impose the following covenants and restrictions on the following described property located in Hardin County, Kentucky, to-wit:

Being Record Plat of Essex Place as shown on plat of same recorded in Plat Cabinet 1 Sheet 3753 in the office of the Clerk of the Hardin County Court.

1. No structure of any kind whatsoever shall be constructed as to exceed two stories in height. There shall be no more than one residence erected per lot, no house trailers allowed, no apartments, hotels, or motels shall be built on any property and no commercial business shall be operated in any home or other building located on the property without the express written permission of the developer, his or her heir or assign.
2. No Automobile, which is inoperable, shall be habitually or repeatedly parked or kept on any lot (except in the garage) or on any street in the subdivision. No trailer, boat, truck or any other vehicle, including an automobile shall be parked on any street in the subdivision for an extended period of time.
3. No lot shall be used or maintained as dumping grounds for rubbish, trash, garbage or other waste, which shall be kept except in sanitary containers. All equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.
4. All residence must contain a minimum of 1146 square feet of living space per house. Finished basement areas, garages and open porches shall not be included in computing the total living space of any residential structure.
5. No A-frame, berm (earth sheltered) or homes built under the HUD Manufactured Housing Code (i.e. Trailer, "Double-wide" or "Mobile homes") shall be permitted for construction or erected on any lots.
6. The exterior of all residences shall be finished brick, synthetic stucco, stone or vinyl or aluminum siding. No asbestos siding, shingles, painted or stuccoed concrete blocks, tile, or brick siding shall be permitted.
7. Any residence or detached structure shall have a roof pitch of 5/12 or more.
8. A detached structure shall have the same exterior material as the house.

9. Any portion of fence erected or placed facing any street shall not exceed six (6) feet in height and shall be constructed of wood stone, brick or rock. Any chain link fences erected in rear of residence shall be vinyl coated. No fences in front of house.
10. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or out building shall be used on any lot as a residence, either temporarily or permanently.
11. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
12. No signs of any kind shall be displayed to the public view on any lot except one sign of not more than ten (10) square feet advertising the property for sale, rent or auction, or signs used by a builder to advertise the property during the construction and sales period.
13. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose. Lots larger than 2 acres shall be exempt. The owners of pets shall be responsible for seeing that their pets do not enter onto other homeowner's lots.
14. Grass shall be mowed and maintained and in no case shall be taller than eight (8) inches.
15. Vacant lots must be mowed at least one (1) time per year.
16. There will be a maximum construction period of each dwelling not to exceed one year from start to completion.
17. Easements for the installation and maintenance of utilities and for drainage are reserved as shown on the recorded subdivision plat, and no structures or plantings shall be so located as to obstruct the free and clear use of said easements for the purposes intended.
18. Enforcement shall be by proceeding at law or in equity against any person or persons violating or attempting to violate any of the covenants or restrictions herein contained either to restrain such violation or to recover damages or other proper relief for such violations.
19. All tanks used for any purpose shall be screened from the street view. Tanks larger than 250 gallons shall be buried. Propane tanks shall be allowed above ground.
20. After occupancy of a residence, the lot owner shall grade and seed and /or sod the lot within sixty (60) calendar days.
21. Invalidation of any one of these covenants or any part thereof by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.
22. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of (1) year from the date these covenants are recorded, after which time said covenants shall automatically extend for successive periods of one (1) year unless an instrument of writing by a majority of the land owners of the lots has been recorded agreeing to change said covenants in whole or part. Landowners shall have one vote for each lot owned in Record Plat of Essex Place Section 1.

IN TESTIMONY WHEREOF, witness the signatures of the owners hereon this 24th day of November 2004.

[Signature]
Glenn S. Turner

[Signature]
Sandra G. Turner

[Signature] *Hy-in-fat* Deed Book 1127
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State of KY
County of Hardin

Subscribed and sworn to before me by above names owner this day of 24th day of November 2004.

[Signature]
NOTARY PUBLIC

My Commission expires: 6-10-07

PREPARED BY: [Signature]
Glenn S. Turner
5735 N. Dixie Hwy
Elizabethtown, KY 42701

KENNETH L. TABB
HARDIN COUNTY CLERK
D.C.
2004 NOV 24 P 3:32
FEE PD. ST. CLK. [Signature]
DEED TAX AND RECORDED
LOGGED AND RECORDED
THIS

STATE OF KENTUCKY
COUNTY OF HARDIN SCT
I, KENNETH L. TABB, CLERK OF SAID
COUNTY COURT, HEREBY CERTIFY
THAT THE FOREGOING INSTRUMENT
HAS BEEN DULY RECORDED IN Deed
BOOK 1135 PAGE 731 IN MY
SAID OFFICE.
KENNETH L. TABB, CLERK
BY [Signature] D.C.