

DEED OF RESTRICTIONS

for

RABBIT RUN SUBDIVISION

UNIT 1

BOOK 1494 PAGE 310

WHEREAS, C. B. MCEACHIN, Trustee of the Davis Family Children's Irrevocable Trust, (hereinafter referred to as "Owner"), is the owner and subdivider of Unit 1 of the Rabbit Run Subdivision, to the City of Lexington, Kentucky;

WHEREAS, the Developer desires to maintain uniformity as to the use and occupancy of all lots in said units of said subdivision by the creation of certain restrictions as to the use and occupancy of the lots in said units.

NOW THEREFORE, the Owner does hereby establish the following covenants, conditions, and restrictions as to the use and occupancy of all the lots in said Unit 1 of said Rabbit Run Subdivision, as shown by Plat of record in the Fayette County Court clerk's Office in Plat Cabinet H, Slide 385, as follows:

1. ALL property in said Unit shall be used for single family residential purposes only.
2. ALL driveways and approaches shall be constructed of Portland Cement Concrete or asphalt.
3. NO buildings with identical front elevations and identical roof lines shall be constructed on adjacent lots.
4. NO commercial vehicle or truck over 3/4 ton shall be regularly parked on any lot or street in the Subdivision other than for delivery or construction purposes unless housed within a garage; and no person shall engage in major car repairs for others at any time.

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HOLD-RSS

5. THESE covenants and restrictions are to run with the land and shall be binding on all parties and all persons claiming under them for a period of thirty (30) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of one (1) year unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

6. ANY lot owner at any time may enforce the restrictions and covenants herein contained by appropriate legal procedure. Invalidation of any of these covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

7. SHOULD the owner of any lot fail to maintain the lawn, the Owner, or its assigns, may enter such lot to cut grass and/or weeds and remove any debris necessary and collect its costs of labor and material plus 25% from the owner of said lot.

8. NO recreational vehicle, trailer or boat shall be parked in any front yard or on any street in the Subdivision for a period in excess of twenty-four (24) consecutive hours or in any manner that may be construed as an intentional attempt to circumvent this restriction.

9. NO noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or a nuisance to the neighborhood.

10. ANYONE cutting into or tunneling under or damaging in any manner, the street, sidewalk or road serving said lots must repair and restore the street, sidewalk or road to its original conditions, all at such person's own risk and expense. This shall not be construed as any permission or consent by the Developer and shall not create any liability on the Developer of the Rabbit Run Subdivision, express or implied.

11. NO building or structure of a temporary character, including but not limited to, trailers, basements, tents, shacks, garages, barns or other buildings other than residence buildings, shall be used upon any lot in said unit at any time as a residence, either temporarily or permanently, nor shall any trailer, tent, shack, barn or unmovable vehicle be used and/or maintained upon any lot in said subdivision at any time, whether temporarily or permanently.

12. NO animals, livestock and/or poultry of any kind shall be raised, bred or kept upon any lot in said unit of said subdivision; provided, however, dogs, cats and/or other household pets may be kept and maintained upon said lots if they are not kept, bred or maintained for any commercial reason or purpose.

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13. ANY fences erected on property shall be approved by Developer and no fence, wall or hedge of any nature may be extended toward the front or side of the property line beyond the building set-back line as shown on the recorded plat in the Fayette County Clerk's Office and may not extend toward the front of the house past the rear corner. Any fence used must conform with the character of the subdivision and shall be in accordance with appropriate governmental regulations.

14. NO signs shall be permitted on property, house number and name plates excepted, except those which the Developer may deem fit.

15. NO city or municipality shall be formed during the development and initial sale of this subdivision unless approved by the Developer.

16. NO additional subdivision of a lot shall be made to reduce the size of the lot without permission of the Developer and appropriate governmental bodies.

17. MINIMUM size of living area for a primary construction shall be as follows, based on the house type.

- | | |
|----------------------------|---------------|
| - One-floor plan | 2,000 Sq. Ft. |
| - 1-1/2 Story (Main Floor) | 2,600 Sq. Ft. |
| - Split Foyer (Main Floor) | 1,800 Sq. Ft. |
| - Split Level | 2,400 Sq. Ft. |
| - Two-Story | 2,600 Sq. Ft. |

Garages and basements are not considered living areas for the purpose of these restrictions.

18. ALL houses must be a two-car attached or basement garage.

19. THE plans and specifications of any and all residences shall be approved by the Owner or his duly authorized representative, before the erection of any improvement is begun. A plot plan must be submitted to show the diagram of the residence and any outbuilding as the same shall be located upon the lot when completed. Any additional building or alteration of the original buildings shall be approved by the Owner or his duly authorized representative, before construction is commenced.

20. AS construction on each lot is completed, sod shall be placed from the edge of the paved street to the building line of the main structure and across the entire width of the lot, and six feet (6') around the side and back of the structure, with the exception of sidewalks and

1494 REC 313

21. AS construction of the improvements are completed, each lot shall be landscaped with at least two (2) shade trees in the front yard. This is in addition to the required street trees. Property owner shall be required to replace any street trees damaged by his actions. Street tree shall match in specie, quality and size the tree that was destroyed at the time it was destroyed.

22. NO building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines shown on the recorded plat. In any event, no building shall be located on any lot nearer than thirty feet (30') to the front lot line, or nearer than thirty feet (30') to any side street line. In any event, all buildings shall be located upon any lot in such manner as to conform to the applicable regulations of the Lexington-Fayette County Planning and Zoning Commission.

23. NO earthen material of any type shall be placed in the 100-year flood plan as indicated on the Final Record Plat.

24. NO satellite dishes of any kind shall be located in any front yards, side yards or elevated above ground on poles or towers, or mounted on roof tops. Any satellite dishes located in rear yards shall be screened with living plant material and shall be approved by Developer.

IN WITNESS WHEREOF, the Owner has hereunto set his hand this the 25 day of October, 1988.

C. B. McEachin
C. B. McEACHIN, Trustee of the
Davis Family Children's
Irrevocable Trust

STATE OF KENTUCKY

COUNTY OF FAYETTE

The foregoing instrument was acknowledged before me this the 25 day of October, 1988, by C. B. McEachin, Trustee of the Davis Family Children's Irrevocable Trust, on behalf of said trust.

My commission expires: 3-29-91

PREPARED BY:
ROBERT S. STROTHER, PSC
J-H, Bank One Plaza
Lexington, Kentucky 40507

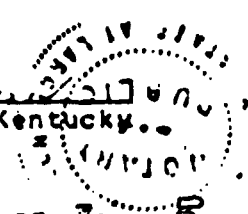
BY: Robert S Strother

Robert S Strother
Notary Public, State at Large, Kentucky.

STATE OF KENTUCKY
COUNTY OF FAYETTE SGT.

I, DONALD W. BLEVINS, CLERK OF SAID COUNTY COURT HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT HAS BEEN ONLY RECORDED IN DEED BOOK 1494 PAGE 313 IN MY SAID OFFICE

DONALD W. BLEVINS, CLERK
BY Donald W. Blevins D.C.



Oct 27 11 56 AM '88

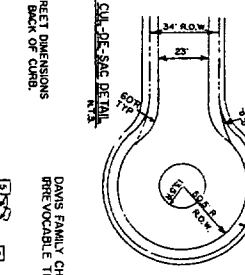
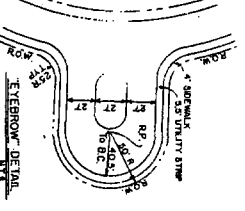
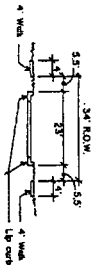
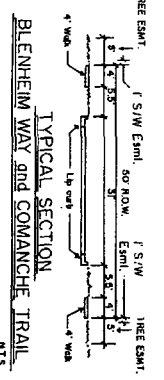
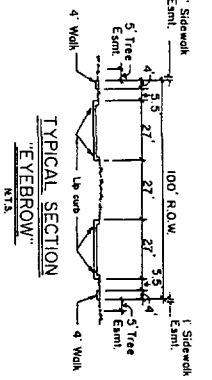
1200

COMMISSIONER'S CERTIFICATION
 I DO HEREBY CERTIFY THAT THIS RECORD PLAT HAS MET THE REQUIREMENTS OF THE URBAN COUNTY PLANNING COMMISSION, AND IS NOW ELIGIBLE FOR RECORDING.
 SIGNED: *Wayne A. Doller*
 DATE: 4/16/72

LAND SURVEYOR'S CERTIFICATION
 I DO HEREBY CERTIFY THAT THIS RECORD PLAT WAS PREPARED UNDER MY DIRECTION AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE BOUNDARIES OF THE PROPERTY BEING TRANSPARENT ARE TRUE AND ACCURATE.
 WAYNE A. DOLLER, LS
 RLS #2504
 DATE: 4/16/72

OWNER'S CERTIFICATION
 I DO HEREBY CERTIFY THAT I AM THE ONLY OWNER OF RECORD OF THE PROPERTY PLATTED HEREON, WHICH IS RECORDED IN PLAT CABINET "H", SLIDE 383 IN THE FAYETTE COUNTY CLERK'S OFFICE, AND DO HEREBY ACKNOWLEDGE THE RECORD PLAT FOR THIS PROPERTY.
 MR. MARK PERARRANT
 805 TURTLE CIRCLE
 LEXINGTON, KY.
 DATE: 4/16/72
 WITNESS: *Mark Perarrant*
 DATE: 4-16-72

805 TURTLE CIRCLE
 521 WEST SHORT STREET
 LEXINGTON, KY.
 DATE: 4-16-72

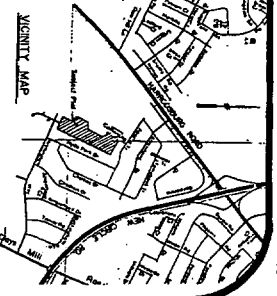
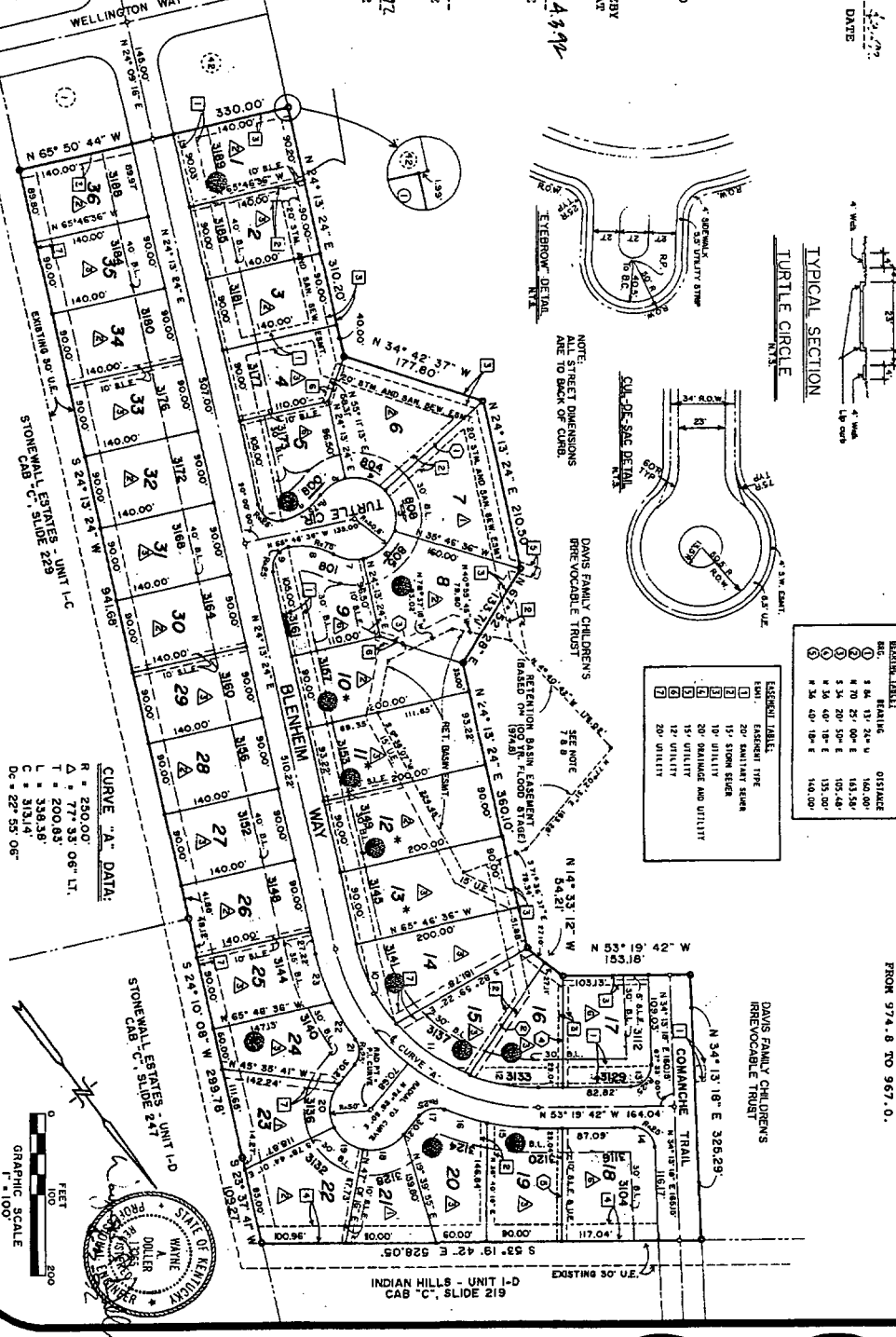


GENERAL NOTES
 1) THIS PLAT REFLECTS A REVISION TO LOT 8 ONLY AND EFFECTS NO OTHER PART OF THIS SUBDIVISION.
 2) THIS CORRECTED AMENDED MINOR SUBDIVISION PLAT IS SUBJECT TO ALL APPLICABLE NOTES, EASEMENTS, AND RESTRICTIONS OF RECORD IN PLAT CABINET "H", SLIDE 383 AT THE FAYETTE COUNTY CLERK'S OFFICE.

NO.	CHORD BEARING	CHORD DISTANCE	NO.	CHORD BEARING	CHORD DISTANCE
1	N 89° 37' 32" W	33.26'	13	S 80° 24' 42" W	36.10'
2	N 89° 17' 32" W	34.59'	14	N 89° 33' 12" W	34.19'
3	N 89° 12' 32" W	36.90'	15	N 89° 35' 20" E	61.33'
4	N 89° 12' 32" W	36.90'	16	N 89° 35' 20" E	61.33'
5	N 89° 12' 32" W	36.90'	17	N 89° 35' 20" E	61.33'
6	N 89° 12' 32" W	36.90'	18	N 89° 35' 20" E	61.33'
7	N 89° 12' 32" W	36.90'	19	N 89° 35' 20" E	61.33'
8	N 89° 12' 32" W	36.90'	20	N 89° 35' 20" E	61.33'
9	N 89° 12' 32" W	36.90'	21	N 89° 35' 20" E	61.33'
10	N 89° 12' 32" W	36.90'	22	N 89° 35' 20" E	61.33'
11	N 89° 12' 32" W	36.90'	23	N 89° 35' 20" E	61.33'
12	N 89° 12' 32" W	36.90'	24	N 89° 35' 20" E	61.33'

NO.	BEARING	DISTANCE
1	N 89° 12' 32" W	160.00'
2	N 89° 12' 32" W	160.00'
3	N 89° 12' 32" W	160.00'
4	N 89° 12' 32" W	160.00'
5	N 89° 12' 32" W	160.00'
6	N 89° 12' 32" W	160.00'
7	N 89° 12' 32" W	160.00'
8	N 89° 12' 32" W	160.00'
9	N 89° 12' 32" W	160.00'
10	N 89° 12' 32" W	160.00'
11	N 89° 12' 32" W	160.00'
12	N 89° 12' 32" W	160.00'
13	N 89° 12' 32" W	160.00'
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16	N 89° 12' 32" W	160.00'
17	N 89° 12' 32" W	160.00'
18	N 89° 12' 32" W	160.00'
19	N 89° 12' 32" W	160.00'
20	N 89° 12' 32" W	160.00'
21	N 89° 12' 32" W	160.00'
22	N 89° 12' 32" W	160.00'
23	N 89° 12' 32" W	160.00'
24	N 89° 12' 32" W	160.00'

NO.	EASEMENT TYPE
1	20' SANITARY SEWER
2	15' STORM SEWER
3	10' UTILITY
4	20' DRAINAGE AND UTILITY
5	15' UTILITY
6	20' UTILITY



PURPOSE OF AMENDMENT
 THE PURPOSE OF THIS AMENDED PLAT IS TO REVISE THE MINIMUM HABITABLE FINISH FLOOR ELEVATION FOR LOT 8 FROM 974.6 TO 967.0.

DAVIS FAMILY CHILDREN'S IRREVOCABLE TRUST

DRAWN BY
 WAD
 CHECKED BY
 W.A. DOLLER
 DATE: APRIL, 1972
 SCALE: 1" = 100'
 PROJECT NO.
 72133

STATE OF KENTUCKY
 WAYNE A. DOLLER
 2504
 REGISTERED
 LAND SURVEYOR

PREPARED BY
DOLLER ENGINEERING, INC.
 • CIVIL ENGINEERING •
 • LAND SURVEYING •
 201 W. GENTRY STREET, LEXINGTON, KY. 40501 (606) 250-2100

CORRECTED AMENDED MINOR
 SUBDIVISION PLAT OF:
 THE J.W. DAVIS PROPERTY
 RABBIT RUN SUBDIVISION, UNIT ONE
 LOT NO. 8, 805 TURTLE CIRCLE
 LEXINGTON, FAYETTE COUNTY, KENTUCKY

H-559