

Type: RESTRICTIONS
Kind: REST AMEND
Recorded: 3/6/2023 9:25:28 AM
Fee Amt: \$50.00 Page 1 of 3
Receipt#: 20230002229
Hardin County Clerk
Brian D. Smith Clerk

BK 1548 PG 1490 - 1492

FIRST AMENDMENT TO DECLARATION OF RESTRICTIONS
OF
BRIARWOOD FORREST SECTION 4 a/k/a BRIARWOOD RESERVE

THIS FIRST AMENDMENT TO DECLARATION OF RESTRICTIONS OF BRIARWOOD FORREST SECTION 4 a/k/a BRIARWOOD RESERVE (this "First Amendment") which shall be effective as of the 3rd day of March, 2023, is made by MTH Family Holdings, LLC, a Kentucky limited liability company, of 513 W. Dixie Ave., Elizabethtown, Kentucky 42701 (hereinafter "Majority Owner").

WITNESSETH:

WHEREAS, the Majority Owner is the owner of the majority of lots in BRIARWOOD FORREST SECTION 4 a/k/a BRIARWOOD RESERVE (lots 81-115) per the plat of record in Plat Cabinet I, Sheet 6521 in the Hardin County Clerk's Office (the "Subdivision");

WHEREAS, the Majority Owner owns the following lots in the Subdivision:

PVA #: 185-00-02-081(Lt 81), 185-00-02-082 (Lt 82), 185-00-02-085 (Lt 85), 185-00-02-087 (Lt 87), 185-00-02-088 (Lt 88), 185-00-02-089 (Lt 89), 185-00-02-090 (Lt 90), 185-00-02-091 (Lt 91), 185-00-02-092 (Lt 91), 185-00-02-093 (Lt 93), 185-00-02-096 (Lt 96), 185-00-02-097 (Lt 97), 185-00-02-099 (Lt 99), 185-00-02-101 (Lt 101), 185-00-02-102 (Lt 102), 185-00-02-103 (Lt 103), 185-00-02-104 (Lt 104), 185-00-02-105 (Lt 105), 185-00-02-106 (Lt 106), 185-00-02-109 (Lt 109), 185-00-02-111 (Lt 111), 185-00-02-112 (Lt 112), 185-00-02-113 (Lt 113), 185-00-02-114 (Lt 114) and 185-00-02-115 (Lt 115).

PROPERTY ADDRESS: 800 & 804 Timber Lane, Elizabethtown, KY 42701
100, 104, 200, 201, 204, 205, 209, 213, 301, 304, 305 & 312 Reelfoot Dr., Elizabethtown, KY 42701
101, 104, 108, 112, 113 & 116 Turtle Creek Dr., Elizabethtown, KY 42701
101, 105, 109, 112, 113, 116 & 117 Barkley Ct., Elizabethtown, KY 42701

LEGAL DESCRIPTION: Lots 81, 82, 85, 86, 87, 88, 89, 90, 91, 92, 93, 96, 97, 99, 101, 102, 103, 104, 105, 106, 109, 110, 111, 112, 113, 114 & 115 Briarwood Forest, Section 4

Being the same property acquired by the Majority Owner in a deed from Mark Harris and Teresa Harris dated February 28, 2023 and of record in Deed Book 1548, Page 1422 in the Hardin County Clerk's Office.

WHEREAS, the Declaration of Restrictions for the Subdivision is dated July 23, 2020 and of record in in Deed Book 1494, Page 186 in the Hardin County Clerk's Office and apply to Lots 81-115 (the "Declaration");

WHEREAS, Paragraph 29 of the Declaration provides that the owner of a majority of lots in the Subdivision can change the covenants of the Declaration in whole or in part;

WHEREAS, in light of the foregoing recitals, the Majority Owner does hereby amend the Declaration as set forth herein;

NOW, THEREFORE, for and in consideration of the covenants contained herein, the Majority Owner does hereby amend the Declaration, as follows:

1. **Paragraph 17. Sidewalks.** The following sentence shall be added to Paragraph 17 of the Declaration: This Paragraph shall not apply to the Majority Owner.
2. **Paragraph 28. HOA fees.** The following sentence shall be added to Paragraph 28 of the Declaration: Notwithstanding anything to the contrary stated herein, the Homeowner's Association fee of \$200 shall not be assessed to the owner of any lot that has not been improved (i.e. residence constructed upon).
3. All of the remaining terms, conditions, covenants and other matters contained in the Declaration, not specifically modified herein, shall remain in full force and effect.

IN TESTIMONY WHEREOF, witness the signatures of the Majority Owner.

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[Signature Pages to Follow]

MTH Family Holdings, LLC

By: [Signature]
Mark Harris, Manager

By: [Signature]
Teresa Harris, Manager

STATE OF KENTUCKY

COUNTY OF HARDIN

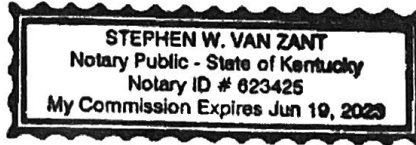
The forgoing instrument was signed, sworn to and acknowledged before me this the 3rd day of March, 2023 by Mark Harris and Teresa Harris, Managers of MTH Family Holdings, LLC, for and on behalf of the company.

My Commission Expires: _____

[Signature]
NOTARY PUBLIC, STATE AT LARGE, KY

Printed Name of Notary

Notary ID#



This instrument prepared by:

[Signature]
Stephen Van Zant
BELL, HESS & VAN ZANT, PLC
2819 Ring Road; Suite 101
Elizabethtown, Kentucky 42701
Phone: (270) 765-4196

I, Brian D. Smith, County Clerk of Hardin County, Kentucky, hereby certify that the foregoing instrument has been duly recorded in my office.

[Signature]
By: PAM ELSWICK, dc