

**TWENTIETH AMENDMENT
TO DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS AND RESERVATION OF EASEMENTS
AND DECLARATION FOR HOMEOWNERS ASSOCIATION
FOR
PLANTATION POINTE**

THIS TWENTIETH AMENDMENT to Declaration of Covenants, Conditions and Restrictions and Reservation of Easements and Declaration for Homeowners Association for Plantation Pointe (the "Amendment"), is made effective as of November 15, 2001, by A & K Enterprise, Inc., a Kentucky corporation ("Declarant"), and ERPS, Inc., a Kentucky corporation ("ERPS").

WITNESSETH:

WHEREAS, Declarant recorded in Miscellaneous Book 521, page 57 of the Boone County, Kentucky recorder's office at Burlington, Kentucky, the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements and Declaration for Homeowners Association (the "Declaration") of Plantation Pointe (the "Project"); and

WHEREAS, ERPS is the fee simple title holder of that certain parcel of real estate described in Exhibit A attached hereto and made a part hereof, consisting of approximately 16.46 acres of real estate (the "Real Estate"); and

WHEREAS, Declarant and ERPS both desire to subject the Real Estate to the Association as said term is defined in the Declaration, to be used as Common Area as provided in Article II, Section 4 of the Declaration.

NOW, THEREFORE, for the purposes and pursuant to the procedures set forth in the Declaration, Declarant hereby amends the Declaration as follows:

1. Pursuant to Article II, Section 4 of the Declaration, Declarant and ERPS hereby subject the Real Estate to the Common Area provisions of the Declaration in favor of the Association such that all subsequent owners thereof shall acquire any interest therein subject to said Common Area provisions.

Except as expressly modified by this Amendment or as may be necessary to effect the terms of this Amendment, the Declaration remains unchanged and is in full force and effect.

IN WITNESS WHEREOF, the Declarant, A & K Enterprise, Inc., a Kentucky corporation, has caused its name to be hereunto subscribed by its President, Thomas W. Erpenbeck, effective as of the first date written above and ERPS, Inc., a Kentucky corporation, owner in fee simple of the Real Estate, has caused its name to be hereunto subscribed by its Vice President, Raymond Erpenbeck, effective as of the date first written above.

RETURN TO:

**RAYMOND ERPENBECK
CONSULTING ENGINEERS
4208 DIXIE HIGHWAY
ELSMERE, KY 41018**

BOONE COUNTY
MC881 PG 109

EXHIBIT "A"

Raymond Erpenbeck Consulting Engineers

ENGINEERS • SURVEYORS • PLANNERS

4205 DIXIE HWY • ELSMERE, KY 41018 • (606) 727-4200 FAX (606) 342-5862

June 15, 2000
Revised June 13, 2001

LEGAL DESCRIPTION
16.46 Acres
Columbo Kentucky I, Ltd.
Area 3
Plantation Pointe

Being a parcel of land located along the west side of Wetherington Boulevard in the City of Florence, Boone County, Kentucky and being more particularly described as follows:

Beginning at an existing iron pin and cap at the common corner of ERPS, Inc., (DB 432, pg. 210, Tract V) and Lot 117, Section 11, Union Village (Plat 456A) also being in the line with Arlinghaus Builders, Inc. (DB 730, pg. 299) thence with ERPS, Inc., and Union Village N 10° 51' 34" W, 490.00 feet to a set iron pin and cap; thence leaving the line with Union Village and a new division line of ERPS, Inc., N 87° 09' 07" E, 1431.95 feet to a set iron pin and cap on the west right-of-way line of Wetherington Boulevard; thence with Wetherington Boulevard S 26° 45' 27" E, 325.01 feet to a set iron pin and cap; thence leaving Wetherington Boulevard and with a new division line of ERPS, Inc. for sixteen calls, S 63° 14' 33" W, 88.48 feet to a set iron pin and cap; thence N 89° 31' 32" W, 186.47 feet to a set iron pin and cap; thence N 76° 26' 17" W, 25.60 feet to a set iron pin and cap; thence N 62° 00' 19" W, 58.44 feet to a set iron pin and cap; thence N 36° 38' 15" W, 35.73 feet to a set iron pin and cap; thence N 83° 34' 06" W, 41.09 feet to a set iron pin and cap; thence N 59° 14' 32" W, 121.98 feet to a set iron pin and cap; thence N 27° 18' 52" W, 48.59 feet to a set iron pin and cap; thence N 67° 28' 46" W, 36.24 feet to a set iron pin and cap; thence S 54° 17' 48" W, 97.16 feet to a set iron pin and cap; thence S 46° 23' 44" E, 325.00 feet to a set iron pin and cap; thence S 11° 11' 45" E, 54.24 feet to a set iron pin and cap; thence S 62° 07' 08" E, 32.20 feet to a set iron pin and cap; thence S 87° 25' 20" E, 63.27 feet to a set iron pin and cap; thence S 66° 35' 18" E, 80.00 feet to a set iron pin and cap; thence S 2° 33' 23" W, 79.99 feet to an existing iron pin and cap a corner to Lot 14, Section One, Arbor Springs at Plantation Pointe (Cub 4, Slide 111); thence with said lot and its projection S 73° 16' 01" W, 109.54 feet to an existing iron pin and cap a corner to a corner with Arlinghaus Builders, Inc. (DB 730, pg. 299) thence with Arlinghaus N 85° 44' 20" W, 1146.22 feet to the point of beginning and containing 16.46 acres as surveyed by Raymond Erpenbeck Consulting Engineers in June, 2001.

Being part Tract IV and part of Tract V of the same property conveyed to the Grantor and recorded in D.B. 432, pg. 210 of the Boone County Clerks Office, Burlington, Kentucky.

The bearings shown hereon are based on the State Plane Coordinate System, Kentucky North Zone. The set iron pin and caps are 5/8" rebar, 18 inches long with a plastic cap stamped "LPS 2930 LSP 2931", set June, 2001.

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SURVEYOR'S STATEMENT

- I hereby state to ERPS, Inc. that this plot depicts a survey made by me or under my direct supervision, and:
1. Complies with the Boone County Zoning and Subdivision Regulations.
 2. Meets the Standards of Practice for Professional Surveyors in Kentucky.
 3. Meets the Requirements of a Class A Survey with an undisturbed closure of at least 1:10000. The Bearings and Distances have been adjusted for closure.
 4. The Bearings are based on State Plane (NAD83) Coordinate System, Kentucky North Zone.

ROBERT T. WESTERMEYER
LICENSED PROFESSIONAL LAND SURVEYOR
No. 2501, Expiration 12/31/2010

This plot of land in and of itself does not meet the current zoning regulations for use and is being transferred for non-building purposes. Except in accordance with approved Site Plan.

This plot shall be void if not filed with the Boone County Clerk for recording purposes within two (2) years of Planning Commission approval.

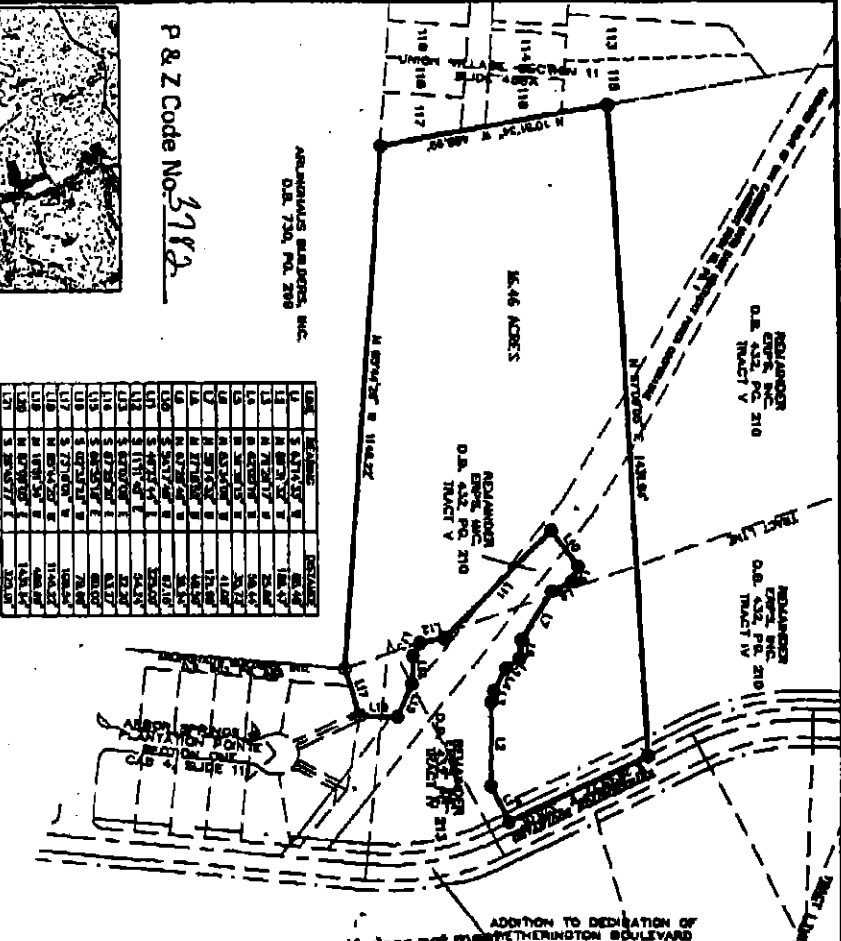
BACK REFERENCE D.B. 432, pg. 210
GROUP NUMBER 2047

CONVEYANCE PLAT
CITY OF FLORENCE, BOONE COUNTY, KENTUCKY
16.46 ACRE PARCEL
PLANTATION POINTE

ERPS, INC.
4206 DIXIE HIGHWAY
ELSMERE, KENTUCKY 40118
Raymond Gynward Consulting Engineers

SCALE 1" = 300' JUNE 11, 2001 000556

"This parcel, in and of itself, does not meet the existing Boone County zoning regulations for use as a buildable site."
Date 6-20-01 Current Zoning RPD



LINE	BEARING	DISTANCE
1	S 84° 15' 00\"	186.17
2	S 84° 15' 00\"	186.17
3	S 84° 15' 00\"	186.17
4	S 84° 15' 00\"	186.17
5	S 84° 15' 00\"	186.17
6	S 84° 15' 00\"	186.17
7	S 84° 15' 00\"	186.17
8	S 84° 15' 00\"	186.17
9	S 84° 15' 00\"	186.17
10	S 84° 15' 00\"	186.17
11	S 84° 15' 00\"	186.17
12	S 84° 15' 00\"	186.17
13	S 84° 15' 00\"	186.17
14	S 84° 15' 00\"	186.17
15	S 84° 15' 00\"	186.17
16	S 84° 15' 00\"	186.17
17	S 84° 15' 00\"	186.17
18	S 84° 15' 00\"	186.17
19	S 84° 15' 00\"	186.17
20	S 84° 15' 00\"	186.17
21	S 84° 15' 00\"	186.17
22	S 84° 15' 00\"	186.17
23	S 84° 15' 00\"	186.17
24	S 84° 15' 00\"	186.17
25	S 84° 15' 00\"	186.17
26	S 84° 15' 00\"	186.17
27	S 84° 15' 00\"	186.17
28	S 84° 15' 00\"	186.17
29	S 84° 15' 00\"	186.17
30	S 84° 15' 00\"	186.17

**BOONE COUNTY PLANNING COMMISSION
APPROVAL CERTIFICATE**

Approved for the recording the transfer of property only by the Boone County Planning Commission this 20th day of June 2001.

Don Walker
Chairman



VICINITY MAP

A & K ENTERPRISE, INC.,
a Kentucky corporation

By: Thomas W Erpenbeck
Thomas W. Erpenbeck
Its: President

ERPS, INC., a Kentucky corporation

By: Raymond Erpenbeck
Printed Name: Raymond Erpenbeck
Its: Vice President

STATE OF KENTUCKY)
)
COUNTY OF KENTON)

The foregoing instrument was acknowledged before me this 15 day of November, 2001, by Thomas W. Erpenbeck, President of A & K Enterprise, Inc., a Kentucky corporation, as its and his free and voluntary act and deed.

Susan Begnoche (Futach)
Notary Public
My Commission Expires: 3-29-04

STATE OF KENTUCKY)
)
COUNTY OF KENTON)

The foregoing instrument was acknowledged before me this 15 day of November, 2001, by Raymond Erpenbeck, Vice President of ERPS, Inc., a Kentucky corporation, as its and his free and voluntary act and deed.

Susan Begnoche (Futach)
Notary Public
My Commission Expires: 3-29-04

This instrument was prepared by:

Pete A. Smith /SE
Pete A. Smith, Esq.
Strauss & Troy
50 East RiverCenter Blvd.
Suite 1400
Covington, Kentucky 41011
(513) 621-8900

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BOONE COUNTY
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DOCUMENT NO: 96889
RECORDED ON: NOVEMBER 19, 2001 02:46:38PM
TOTAL FEES: \$11.00
GROUP : 2047
COUNTY CLERK: MARILYN K ROUSE
COUNTY: BOONE
DEPUTY CLERK: BARBARA
BOOK MC881 PAGES 109 - 112