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Group 2047, 4873, 4874

**THIRTY-THIRD AMENDMENT AND SUPPLEMENT
TO DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS AND RESERVATION OF EASEMENTS
AND DECLARATION FOR HOMEOWNERS ASSOCIATION
FOR
PLANTATION POINTE**

THIS THIRTY-THIRD AMENDMENT AND SUPPLEMENT 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~~ October, 2006, by A & K Enterprise, Inc., a Kentucky corporation ("Declarant"), and Patricia Devore Erpenbeck Augur and Linda E. Hart, Trustees Under The Patricia Devore Erpenbeck Revocable Trust; and Lawrence A. Erpenbeck and Barbara Sue Erpenbeck, Husband And Wife; and Raymond H. Erpenbeck and Carole K. Erpenbeck, Husband And Wife (collectively "Owners").

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, Declarant and Owners are the fee simple title holder of those certain parcels of real estate described in Exhibit A attached hereto and made a part hereof (the "Real Estate"); and

WHEREAS, Declarant and Owners both desire to subject the Real Estate to the Association as said term is defined in the Declaration as provided in Article II, Section 3 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 3 of the Declaration, Declarant and Owners hereby annex to the Project as Additional Property, the Real Estate as described in Exhibit A attached hereto and made a part hereof so as to fully and completely subject said Additional Property to the terms and provisions of the Declaration.

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 Owners have caused their names to be hereunto subscribed, effective as of the date first written above.

Return to: Ray Erpenbeck
Hwy 221, P.O. Box 41018
Bloomington, IN 47410

Declarant:

A & K ENTERPRISE, INC.,
a Kentucky corporation

By: Raymond H. Erpenbeck

Raymond H. Erpenbeck, Vice President

Owners:

PATRICIA DEVORE ERPENBECK
REVOCABLE TRUST

Lawrence A. Erpenbeck
Lawrence A. Erpenbeck

By: Patricia Devore Erpenbeck Augur, Trustee
Patricia Devore Erpenbeck Augur, Trustee

Barbara Sue Erpenbeck
Barbara Sue Erpenbeck

By: Linda E. Hart, Trustee
Linda E. Hart, Trustee

Raymond H. Erpenbeck
Raymond H. Erpenbeck

Carol K. Erpenbeck
Carol K. Erpenbeck

COMMONWEALTH OF KENTUCKY)
COUNTY OF KENTON) SS

The foregoing instrument was acknowledged and sworn to before me this 2 day of ~~October~~ ^{November}, 2006
by Patricia Devore Erpenbeck Augur, Trustee under the Patricia Devore Erpenbeck Revocable
Trust, to be hers and its free and voluntary act and deed.

Robert T. Whittington
Notary Public

My Commission Expires: 2/16/07

COMMONWEALTH OF KENTUCKY)
COUNTY OF KENTON) SS

The foregoing instrument was acknowledged and sworn to before me this 9 day of ~~October~~ ^{November}, 2006
by Linda E. Hart, Trustee under the Patricia Devore Erpenbeck Revocable Trust, to be hers and its
free and voluntary act and deed.

Robert T. Whittington
Notary Public

My Commission Expires: 2/16/07

COMMONWEALTH OF KENTUCKY)
COUNTY OF KENTON) SS

The foregoing instrument was acknowledged and sworn to before me this 9 day of ~~October~~ ^{November}, 2006, by Lawrence A. Erpenbeck and Barbara Sue Erpenbeck, husband and wife, to be their free and voluntary act and deed.

Ruth T. Whiting
Notary Public
My Commission Expires: 3/10/07

COMMONWEALTH OF KENTUCKY)
COUNTY OF KENTON) SS

The foregoing instrument was acknowledged and sworn to before me this 9 day of ~~October~~ ^{November}, 2006, by, Raymond H. Erpenbeck and Carole K. Erpenbeck, husband and wife, to be their free and voluntary act and deed.

Ruth T. Whiting
Notary Public
My Commission Expires: 3/10/07

COMMONWEALTH OF KENTUCKY)
COUNTY OF KENTON) SS

~~November~~ The foregoing instrument was acknowledged and sworn before me this 9 day of ~~September~~, 2006, by Raymond H. Erpenbeck, Vice President of A & K Enterprise, Inc., a Kentucky corporation, as its and his free and voluntary act and deed.

Ruth T. Whiting
Notary Public
My Commission Expires: 3/10/07

This instrument was prepared by:

Timothy B. Theissen by STE
Timothy B. Theissen, Esq.
Strauss & Troy
50 East RiverCenter Blvd.
Suite 1400
Covington, Kentucky 41011
(513) 621-8900

Exhibit "A"

All of lots 71, 72, 73, 74, 75, 76, 90, 91, 92, 93, 94 and 96 ; Section Seven, Antebellum at Plantation Pointe Subdivision Plat Cabinet 5 sheet 358 ; Group No. 4873;

and

All of lots 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 95, 97, 98, 99, 100, 101, 102, 103 and 104; Section Eight; Antebellum at Plantation Pointe; Plat Cabinet 5 sheet 358 Group No. 4874

All references are to the records of the Boone County Clerk, at Burlington, Kentucky.

BOONE COUNTY
MC1064 PG 826

thirty-third Amendment to Declaration of Covenants for Plantation Pointe

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COUNTY: BOONE COUNTY CLERK
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