

(14)  
Group 2047 and 4358

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

THIS TWENTY-FIRST 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 May 24, 2002 by A & K Enterprise, Inc., a Kentucky corporation ("Declarant"), and Magnolia Trace Development, LLC, a Kentucky limited liability company ("Magnolia").

**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, Magnolia is the fee simple title holder of that certain parcel of real estate described in Exhibit A attached hereto and made a part hereof commonly referred to as Section VI of Magnolia Trace Subdivision (the "Real Estate"); and

WHEREAS, as set forth in Article II, Section 3 of the Declaration, Additional Property as defined therein may be annexed to the Declaration; and

WHEREAS, Declarant and Magnolia both desire to subject the Real Estate to the covenants, conditions, restrictions, easements, charges and liens as set forth in the Declaration as Additional Property and as provided in Article II, Section 3 thereof.

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

1. Pursuant to Article II, Section 3 of the Declaration, Declarant and Magnolia hereby annex to the Project as Additional Property the Real Estate as described in Exhibit A attached hereto 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.

**RETURN TO:**

**RAYMOND ERPENBECK  
CONSULTING ENGINEERS  
4205 DIXIE HIGHWAY  
ELSMERE, KY 41018**

**BOONE COUNTY  
MC907 PG 623**

IN WITNESS WHEREOF, the Declarant, A & K Enterprise, Inc., a Kentucky corporation has caused its name to hereunto subscribed by its president effective as of the first date written above and Magnolia Trace Development, LLC, a Kentucky limited liability company, owner in fee simple of the Real Estate has caused its name to be hereunto subscribed by its managing member effective as of the date first written above.

A & K ENTERPRISE, INC.

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

MAGNOLIA TRACE DEVELOPMENT, LLC

By: Raymond H. Erpenbeck  
Raymond H. Erpenbeck  
Its: Managing Member

STATE OF KENTUCKY )  
COUNTY OF Kenton )

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of May, 2002 by W. Thomas Erpenbeck, President of A & K Enterprise, Inc., a Kentucky corporation.

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

STATE OF KENTUCKY )  
COUNTY OF Kenton )

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of May, 2002 by Raymond H. Erpenbeck, Magnolia Trace Development, LLC, a Kentucky limited liability company.

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

This instrument was prepared by:

A handwritten signature in black ink, appearing to be "Pete A. Smith", is written over a horizontal line.

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

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**Group No.: 4358**

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

Being located in the City of Florence, Boone County, Kentucky and being described as follows:

Being all of lots 85, 86, 87, 88, 89, 90, 91, 92, 93 and 94 of Section Six, Magnolia Trace at Plantation Pointe Subdivision as recorded in Plat Cabinet 4, page 235 of the Boone County Clerks records at Burlington, Kentucky.

DOCUMENT NO: 121658  
RECORDED ON: JUNE 04, 2002 04:44:06PM  
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GROUP : 4358  
COUNTY CLERK: MARILYN K ROUSE  
COUNTY: BOONE  
DEPUTY CLERK: DONNA COLLINS  
BOOK MC907 PAGES 623 - 626