

**AMENDMENT TO THE RESTRICTIVE COVENANTS, CONDITIONS AND EASEMENTS FOR TREETOPS ESTATES SUBDIVISION**

The Restrictive Covenants, Conditions and Easements of the Treetops Estates Subdivision in Hebron, Boone County, Kentucky were adopted on December 28, 2005 by the developer, Arlinghaus I LLC, and were recorded in the Boone County Clerk's Office in Burlington, Kentucky, in Miscellaneous Book 1041, page 510. Pursuant to Paragraph 14 of those covenants, the developer has the power to amend the restrictions as long as it still owns lots in the development. Arlinghaus I LLC still owns lots in this development and desires to amend the restrictive covenants in order to complete the development and sell lots and homes. Specifically the developer amends Paragraph 8 as it relates to fences on corner lots, as follows:

No fence shall be built on any part of a lot between the rear of the home constructed thereon and the street in the front of the building. Fences built on the lot shall not be in excess of four (4) feet in height and shall be of rustic rail, decorative wood, split rail, ornamental iron, decorative metal, hedge or other similar material. However, all fences must be at least 50% open. Non-reflective metal or vinyl fence may be installed as an integral part of the above permitted fence types in order to provide secure enclosure. Barbed wire, chain link, and similar fences are not permitted. On a corner lot, the section or sections of fence, hedge, etc. running with the side street shall not extend closer to said side street at any point than 32.5 feet from the curb. Also the owners of lots which adjoin other property which is not part of this subdivision as shown on the preliminary plat, can apply in writing to the developer to construct buffer fences on the part of their lot which adjoins that other property, of different height and material than otherwise required under these Restrictions and limited only by City and/or County restrictions on fencing. Developer can review that proposed buffer fencing and then can either approve or disapprove it. If disapproved, then the buffer fence shall not be built. Disapprovals can be appealed to Court and shall be overturned only if the Court deems the disapproval to be arbitrary and unreasonable.

The other terms of the Declaration remain as originally written and adopted.

IN WITNESS WHEREOF, the developer Arlinghaus I LLC by its authorized Officer and pursuant to resolution, signs below to indicate its approval of this amendment.

ARLINGHAUS I LLC

By: Robert Schroder VP.  
Vice-President

STATE OF KENTUCKY  
COUNTY OF BOONE

The above Amendment to Restrictive Covenants was signed, sworn to and acknowledged before me this 30 day of January, 2012, by the Vice-President of Arlinghaus I LLC, for and on behalf of the company.

Rita Stecht  
Notary Public Kentucky State at Large  
My Commission Expires: 2/1/12

This instrument prepared by:  
Robert Schroder  
Robert Schroder Attorney  
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