

**FIFTH AMENDMENT TO HORIZONTAL PROPERTY REGIME AND
MASTER DEED FOR
EASTPOINT PARK OFFICE CONDOMINIUMS**

This Fifth Amendment to Horizontal Property Regime and Master Deed for Eastpoint Park Office Condominiums ("Amendment") is made at the direction of and caused to be recorded by PINNACLE PROPERTIES OF LOUISVILLE, LLC (hereinafter referred to as the "Declarant"), A Kentucky limited liability company, having an office at PO Box 43957, Louisville, KY 40253, as a supplement to the Master Deed establishing Eastpoint Park Office Condominiums dated August 31, 2006.

WITNESSETH:

WHEREAS, Declarant has made and declared a Declaration of Horizontal Property Regime and Master Deed Establishing Eastpoint Park Office Condominiums dated August 31, 2006, which is recorded in Deed Book 8952, Page 812, in the Office of the County Clerk of Jefferson County, Kentucky; as amended by First Amendment to Master Deed Establishing Eastpoint Park Office Condominiums dated August 22, 2007, which is recorded in Deed Book 9095, Page 192, in the Office aforesaid; as amended by Second Amendment to Master Deed Establishing Eastpoint Park Office Condominiums dated December 18, 2007, which is recorded in Deed Book 9153, Page 601, in the Office aforesaid, as amended by Third Amendment to Master Deed Establishing Eastpoint Park Office Condominiums dated February 4, 2008, which is recorded in Deed Book 9175, Page 816, in the Office aforesaid; as amended by the Fourth Amendment to Master Deed Establishing Eastpoint Park Office Condominiums dated February 9, 2009, which is recorded in Deed Book 9349, Page 775, in the Office aforesaid (the "Master Deed"); and

WHEREAS, this Amendment is necessary and desirable to add building #11 containing

two (2) additional units to Eastpoint Park Office Condominiums pursuant to Section 2 of the Master Deed.

NOW, THEREFORE, in accordance with the foregoing preambles, which are hereby incorporated herein, Declarant hereby declares that the real property ("Property"), more fully described on the Master Deed, shall be owned, held, used, leased, conveyed and occupied subject to the conditions and restrictions set forth in this Amendment as if these conditions and restrictions were included in and made a part of the Master Deed.

1. Section 2. shall be amended to read as follows:

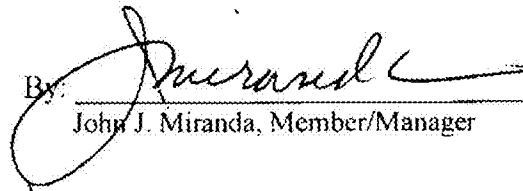
2. Description of Buildings; Additional Buildings; Units and Commons Area; Reallocations of Percentages of Ownership; Amendments to Declaration and Master Deed.

The Master Deed and Declaration as built covers twenty-two (24) units in seven (8) building as situated on said real estate as fully described on plans and specifications for the condominium project dated November 29, 2006, prepared by Mindel Scott & Associates, Inc. showing the layout, location, unit numbers and dimensions of the units, and recorded in Condominium and Apartment Ownership Book 118, Pages 22 & 23, in the Office of the County Clerk of Jefferson County, Kentucky; as amended by plans and specifications for the condominium project dated August 9, 2007, showing the layout, location, unit numbers and dimensions of the units, and recorded in Condominium and Apartment Ownership Book 121, Pages 62 through 64, in the Office aforesaid; as amended by plans and specifications for the condominium project dated December 12, 2007, and recorded in Condominium and Apartment Ownership Book 122 Pages 100 through 102, in the Office aforesaid; as amended by plans and specifications for the condominium project dated January 24, 2008, and recorded in Condominium and Apartment Ownership Book 123, Pages 40 and 41, in the Office aforesaid; as amended by plans and specifications for the condominium project dated February 5, 2009, and recorded in Condominium and Apartment Ownership Book 126, Pages 73 and 74, in the Office aforesaid; as amended by plans and specifications for the condominium project dated July 2, 2009 and filed simultaneously with the recording hereof pursuant to KRS 381.835 and, by reference thereto, made a part of this Declaration and Master Deed. Those plans are of record in Condominium and Apartment Ownership Book 127, Pages 22 through 24 in the office of the County Clerk of Jefferson County, Kentucky.

2. Pursuant to Section 2 (b) of the Master Deed, Declarant hereby makes certain adjustments in the percentages of ownership in the common elements as set forth on **Revised Exhibit A** to the Master Deed as attached to this Amendment.

IN WITNESS WHEREOF, the Declarant has caused this Fifth Amendment to the Declaration of Horizontal Property Regime and Master Deed Establishing Eastpoint Park Office Condominiums to be executed on this 22nd day of July, 2009.

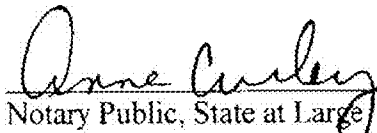
PINNACLE PROPERTIES OF LOUISVILLE, LLC
a Kentucky limited liability company

By: 
John J. Miranda, Member/Manager

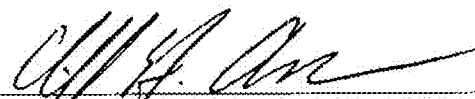
COMMONWEALTH OF KENTUCKY
COUNTY OF JEFFERSON)

I, a Notary public in and for the State and County aforesaid, do hereby certify that on this 22nd day of July, 2009, John J. Miranda, as member/manager of Pinnacle Properties of Louisville, LLC, appeared before me and before me acknowledged that he executed and delivered the foregoing instrument as his free and voluntary act and deed and as the free and voluntary act and deed of Pinnacle Properties of Louisville, LLC, a Kentucky limited liability company.

My Commission Expires: Oct 27, 2012


Notary Public, State at Large

THIS INSTRUMENT PREPARED BY:


BARDENWERPER, TALBOTT & ROBERTS, PLLC
8311 Shelbyville Road
Louisville, Kentucky 40222
(502) 426-6688

EASTPOINT PARK OFFICE CONDOMINIUMS
 PERCENTAGE INTEREST IN COMMON ELEMENTS

REVISED EXHIBIT A

Building No	Unit No	Unit Area in Sq. Ft.	Percentage Interest	Total Unit Area Fully Finished	Total Unit Area Unfinished Basement
1	001	2608	4.18%	2608	
1	101	2625	4.20%	2625	
1	201	1303	2.09%	1303	
1	202	1309	2.10%	1309	
2	001	6013	9.63%	6013	
2	101	6074	9.72%	6074	2636
4	001	2636	4.22%		
4	101	2487	3.96%	2487	
4	201	1237	1.98%	1237	
4	202	1231	1.97%	1231	
5	001	3960	6.34%		3960
5	101	1780	2.85%	1780	
5	102	1626	2.60%	1626	
5	201	4022	6.44%	4022	
8	101	1249	2.00%	1249	
8	102	1252	2.00%	1252	
8	201	2517	4.03%	2517	
9	101	1305	2.09%	1305	
9	102	1307	2.09%	1307	
9	201	2716	4.35%	2716	
11	101	3971	6.36%	3971	
11	201	3996	6.40%	3996	
12	101	2616	4.19%	2616	
12	201	2621	4.20%	2621	
		62461.00	100.00%	55865.00	6596

Recorded in Condo Book
 No. 127 Page 22-24
 Part No. 2730

Document No.: DN2009106401
 Lodged By: BARDENWERFER
 Recorded On: 07/22/2009 02:44:53
 Total Fees: 16.00
 Transfer Tax: .00
 County Clerk: ROBERTE HOLSOLOW-JEFF CO KY
 Deputy Clerk: TARRANDI