

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

This Fourth 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 (the "Master Deed"); and

**WHEREAS**, this Amendment is necessary and desirable to amend certain wording in the Master Deed Establishing Eastpoint Park Office Condominiums pursuant to Section 19 of the Master Deed.

WHEREAS, this Amendment is necessary and desirable to add building #8 containing three (3) 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 (22) units in seven (7) 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 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 126, Pages 73 through 74 in the office of the County Clerk of Jefferson County, Kentucky.

2. Section 4. "**Description of Common Elements**" the parenthetic statement in the 7th line of the paragraph shall be amended to read as follows:

"(or first floor or basement ceiling trusses in the event of a separate first floor or basement unit)"

3. Section 5 "**Definition and Description of Limited Common Elements**" the sentence starting in the 5<sup>th</sup> line of the paragraph shall be amended to read as follows:

"The limited common elements of the Condominium Project may include storage areas that may be designated as being intended for the exclusive use of a unit or units pursuant to the floor plans aforesaid."

4. 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 Fourth Amendment to the Declaration of Horizontal Property Regime and Master Deed Establishing Eastpoint Park Office Condominiums to be executed on this 9<sup>th</sup> day of February, 2009.

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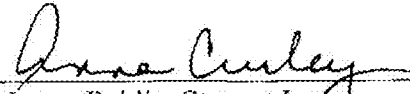
**PINNACLE PROPERTIES OF LOUISVILLE, LLC**  
a Kentucky limited liability company

By:   
John J. Miranda, Member/Manager

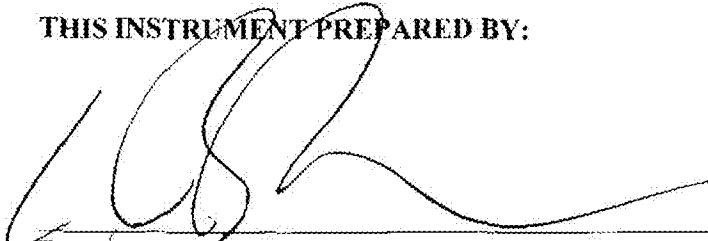
COMMONWEALTH OF KENTUCKY  
COUNTY OF JEFFERSON

I, a Notary public in and for the State and County aforesaid, do hereby certify that on this 9th day of February, 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

EXCLIENT\FOLDER\Pinnacle\Eastpoint\Condo Docs\Eastpoint-Am4 020909.doc  
AMC Rev. 2/9/2009 at 11:29 AM

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	4.79%	2608	2608
1	101	2625	4.82%	2625	2625
1	201	1303	2.39%	1303	1303
1	202	1309	2.40%	1309	1309
2	001	6013	11.03%	6013	6013
2	101	6074	11.15%	6074	6074
4	001	2636	4.84%	2636	2636
4	101	2487	4.56%	2487	2487
4	201	1237	2.27%	1237	1237
4	202	1231	2.26%	1231	1231
5	001	3960	7.27%	3960	3960
5	101	1780	3.27%	1780	1780
5	102	1626	2.98%	1626	1626
5	201	4022	7.38%	4022	4022
8	101	1249	2.29%	1249	1249
8	102	1252	2.30%	1252	1252
8	201	2517	4.62%	2517	2517
9	101	1305	2.39%	1305	1305
9	102	1307	2.40%	1307	1307
9	201	2716	4.98%	2716	2716
12	101	2616	4.80%	2616	2616
12	201	2621	4.81%	2621	2621
		54494.00	100.00%	47898.00	6596

**Recorded In Condo Book**  
 No. 126 Page 73-74  
 Part No. 2704

Document No.: DN2009018356  
 Lodged By: bardenwerper  
 Recorded On: 02/13/2009 12:57:19  
 Total Fees: 19.88  
 Transfer Tax: .88  
 County Clerk: ROBBIE HOLSCLOW-JEFF CO KY  
 Deputy Clerk: AMASHO

**END OF DOCUMENT**