

**TENTH AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
CHERRYWOOD, PHASE II
OLDHAM COUNTY, KENTUCKY**

This Tenth Amendment to Declaration of Covenants, Conditions and Restrictions for Cherrywood, Phase II ("Amendment") is entered into and effective as of April 1, 2014, by Dominion Homes of Kentucky, Ltd., a Kentucky limited partnership with its principal offices and place of business at 10035 Forest Green Boulevard, Louisville, Kentucky 40223 ("Developer").

RECITALS

A. Developer has previously executed and caused to be recorded that certain Declaration of Cherrywood Phase II (the "Subdivision"), dated September 29, 2003, of record in Restriction Book 8, Page 319 as amended by an Amendment dated as of October 23, 2003, of record in Restriction Book 8, Page 345, as amended by a Second Amendment dated April 6, 2004, of record in Restriction Book 8, Page 447, as amended by a Third Amendment dated July 30, 2004, of record in Restriction Book 8, Page 507, as amended by a Fourth Amendment dated April 11, 2005, of record in Restriction Book 9, Page 61, as amended by a Fifth Amendment dated as of September 27, 2005, of record in Restriction Book 9, Page 172, as amended by a Sixth Amendment dated as of October 16, 2007, of record in Restriction Book 10, Page 93, as amended by an Eighth Amendment dated as of October 7, 2010, of record in Restriction Book 10, Page 600, and as amended by a Ninth Amendment date as of March 23, 2011, of record in Restriction Book 11, Page 13, all in the Oldham County Clerk's office. The Original Declaration, as previously amended, is referred to herein as the "Declaration".

B. Section 12.3 of the Declaration provides that, until the Turnover Date the Developer may unilaterally amend the Declaration at any time without the consent of any owner(s) of lots in the real estate described in the Declaration.

C. Developer desires to amend the Declaration to clarify and amend the terms thereof relating to fences, fencing standards and permitted fence materials within the Subdivision

AMENDMENT

NOW, THEREFORE, for valuable consideration the receipt and sufficiency of which are hereby acknowledged, Developer hereby declares as follows:

1. Unless otherwise clearly stated herein to the contrary, all capitalized terms used herein have the same meanings ascribed thereto in the Declaration.
2. The provisions of the Declaration regulating fencing are hereby ratified, provided however that wrought iron style fencing, whether made of iron or of aluminum, vinyl or other material deemed by the Association's Board to be of an acceptable

quality, may be approved subject to such terms and conditions as the Association's Design Review Board may, from time to time, deem appropriate.

3. Except as specifically modified herein, the Declaration is hereby ratified in its entirety.

IN WITNESS WHEREOF, Developer has caused this Eleventh Amendment to be executed as of the date first recited above.

Dominion Homes of Kentucky, Ltd.
a Kentucky limited partnership

DOMINION HOMES OF KENTUCKY, LTD.

BY: Dominion Homes of Kentucky, GP, LLC
Its General Partner

BY: 

ACKNOWLEDGEMENT

COMMONWEALTH OF KENTUCKY :
: ss
COUNTY OF JEFFERSON :

The foregoing instrument was acknowledged before me this 28 day of April, 2014, by MIKE ARCHER, as SVP/KY Division Manager of Dominion Homes of Kentucky, GP, LLC, a Kentucky limited liability company and General Partner of Dominion Homes of Kentucky, Ltd., a Kentucky Limited Partnership, on behalf of the Partnership.

seal

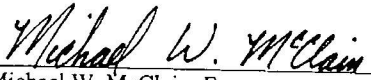
SHAMNEE OLEA
NOTARY PUBLIC
Kentucky, State At Large
My Commission Expires 11/20/2016


NOTARY PUBLIC

My commission expires: 11/20/2016

This Instrument Prepared By:

OLDHAM COUNTY
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