

AMENDMENT OF PROTECTIVE COVENANTS

**THIS AMENDMENT OF THE DECLARATION OF PROTECTIVE COVENANTS, which were previously made and published on the 8th day of November, 2007, by WINDS OF DALE HOLLOW SUBDIVISION, consisting of JOHN P. QUINTRELL, of the County of Cumberland, State of Kentucky, and found of record in Deed Book 142, Page 53 therein, office of the Cumberland County Clerk,**

**WITNESSETH:**

**THAT WHEREAS, the owner of the development generally known in the community as Winds of Dale Hollow Subdivision, and being a development of all those lots, tracts or parcels of land situate, lying and being in the County of Cumberland, State of Kentucky, in the Dale Hollow Community and shown on a survey and plat of the Winds of Dale Hollow Subdivision by J.A. Staton, Kentucky Registered Land Surveyor No. 2603, dated November 9, 2007, said plat being recorded in Plat Book 4, Page 40, in the Office of the Clerk of the County Court of Cumberland County, Kentucky, and**

**WHEREAS, it is to the interest, benefit and advantage of WINDS OF DALE HOLLOW SUBDIVISION, and to each and every person who shall hereafter purchase any lot in said development that certain protective covenants governing and regulating the use and occupancy of the same be established, set forth and declared to be covenants running with the land, and**

**WHEREAS, certain restrictions and covenants have been added to the original document and no property has been sold from the said subdivision between the recording of the original Protective Covenants and the date hereof;**

**NOW, THEREFORE, for and in consideration of the premises and of the benefits to be derived by WINDS OF DALE HOLLOW SUBDIVISION, and each and every subsequent owner of any of the lots in said development, said WINDS OF DALE HOLLOW SUBDIVISION, does hereby set up, establish, promulgate and declare the following protective covenants to apply to all of said lots and to all persons owning said lots, or any of them, hereafter; these protective covenants shall become effective immediately and run with the land and shall be binding on all persons claiming under and through WINDS OF DALE HOLLOW SUBDIVISION, to wit:**

1. A septic tank and proper drain field, in accordance with the standards of the Health Department of the State of Kentucky, will be used for sewage disposal for houses constructed on said subdivision lots.

2. No lot will be used for any other purpose other than residential use. No building will be erected, altered, placed or permitted on any lot other than (1) detached family dwelling. No duplexes, condominium, or multi-unit building shall be located on any of said lots. No building shall be erected on any lot that will be used as a school, church, kindergarten, or business of any type, with the exception that the houses may be rented.
3. Easements for installation and maintenance of utilities are reserved whereby a power line and water line with all essential clearing may be installed along the roads which traverse the above described lots.
4. Concrete block construction is prohibited on any lot except that concrete block may be used in the foundations and chimneys of the houses erected on said lots, and must be either stuccoed, rocked or bricked.
5. No noxious or offensive activity will be carried on upon any lot, nor shall anything be done thereof which may be or become an annoyance or nuisance to the neighborhood. No nuisance or offensive, noisy or illegal trade, calling, or transaction will be done, carried on, suffered, or permitted upon any lot, nor will any lot be used for any illegal purpose. Each lot will be kept and maintained completely free of any junk, (including old vehicles and discarded appliances), trash, and garbage.
6. No structure of any type will be placed upon those portions of the property reserved for public utility easements and or a public (traffic) roadway for ingress and egress.
7. No lot less than 2 acres in size may be subdivided.
8. The heated area of the house shall not be less than 1000 square feet.
9. There shall be only one (1) residential structure permitted on each numbered tract.
10. Single-wide mobile homes, or pre-manufactured double-wide are strictly prohibited. At no time shall a single-wide mobile home be used on a temporary or permanent basis and shall not be placed on the property at any time.
11. Modular homes shall be permitted so long as the structure is new when placed on the premises. "New" shall be defined as first placement and occupancy as a residence with utility services after manufacture. Modular homes must have a permanent block or concrete foundation. The structure must have a roof pitch of "6/12" or greater.
12. It is the responsibility of each property owner to obtain a water meter from Cumberland County Water District.

- 13. The Cumberland County Water District guarantees a minimum of 30 P. S. I. of water pressure at the meter. Each property owner is advised to obtain a pressure relief valve as the water pressure may exceed 80 P.S.I.
- 14. These restrictive covenants run with the land, and shall be enforceable by injunctive relief or other appropriate legal remedy by the sellers, or by any owner whose property constitutes a portion of the development.

This the 23<sup>rd</sup> day of April, 2008.

  
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 JOHN P. QUINTRELL

**COMMONWEALTH OF KENTUCKY**

**COUNTY OF CUMBERLAND**

**SUBSCRIBED AND SWORN TO** before me on this the 23<sup>rd</sup> day of April, 2008 by John P. Quintrell.

  
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 NOTARY PUBLIC

**DEBRA S. COOKSEY**  
**NOTARY PUBLIC**  
 State of Kentucky at Large  
 My Commission Expires  
 April 14, 2010

STATE OF KENTUCKY  
 COUNTY OF CUMBERLAND, SCT.,  
 This instrument was filed for record on the 24<sup>th</sup> day of  
April 2008 at 1:30 o'clock P M., and duly  
 Recorded in 2nd Book No. 143 Page No. 522  
 of the records in this office.

Given under my hand this the 25<sup>th</sup> day  
 of April 2008

KIM KING, CLERK  
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 Elizabeth Anderson D.C.