

**AMENDMENT TO
DEED AND DECLARATION OF RESTRICTIVE COVENANTS**

THIS AMENDMENT TO DEED AND DECLARATION OF RESTRICTIVE COVENANTS is made this 15th day of July, 2016, by and between **LEXINGTON HOME OWNERSHIP COMMISSION II, INC.**, a Kentucky nonprofit corporation, having a mailing address of 300 West New Circle Road, Lexington ("Declarant/Owner"), owner of certain real property in Lexington, Fayette County and the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government of the Commonwealth of Kentucky pursuant to Chapter 67A of the Kentucky Revised Statutes, 200 East Main Street, Lexington, Fayette County, Kentucky 40507 ("Government").

WITNESSETH:

WHEREAS, Faith Community Housing Foundation, Inc. was awarded federal funding in the amount of \$80,000 under the HOME Investment Partnerships Program of the United States Department of Housing and Urban Development by the Government on April 23, 2003 for new construction of three rental housing units on properties located at 442 Smith Street, 537 Smith Street, and 551 Smith Street, Lexington, Kentucky and for rehabilitation of one rental unit on property located at 325 Wilgus Avenue, Lexington, Kentucky;

WHEREAS, Faith Community Housing Foundation, Inc. and Government executed Deed and Declaration of Restrictive Covenants on October 8, 2003, recorded in Deed Book 2412, Page 316 in the Office of the Fayette County Court Clerk, providing for rental of all four units to low- and very-low income households at maximum rents established by the U.S. Department of Housing and Urban Development for an affordability period of twenty years;

WHEREAS, Faith Community Housing Foundation, Inc. executed a deed, thereby granting the four herein described Properties to Declarant/Owner on July 1, 2010 and recorded in Deed Book 2956, Page 664 in the Office of the Fayette County Court Clerk.

WHEREAS, Declarant/Owner assumed and agreed to pay and abide by all restrictions, covenants, easements and stipulations of record affecting the Properties;

WHEREAS, the Declarant/Owner has requested the release of 325 Wilgus Avenue from its twenty-year affordability period restricting rents;

WHEREAS, the Government has determined that the HOME-assisted rehabilitated property at 325 Wilgus Avenue, Lexington, Kentucky was only required to meet a ten (10) year minimum affordability period, as required by federal regulation at 24 CFR 92.252. Declarant/Owner met the minimum affordability period of ten years, as of December 23, 2015,

NOW, THEREFORE, the Government hereby releases Declarant/Owner from the conditions, restrictions and reservations on the property located at 325 Wilgus Avenue, Lexington, Kentucky;

The covenants and restrictions established on October 8, 2003, recorded in Deed Book 2412, Page 316 in the Office of the Fayette County Court Clerk on the properties located at 442 Smith Street, 537 Smith Street, and 551 Smith Street, Lexington, Kentucky, shall remain effective for a period of twenty (20) years and shall be binding upon the Declarant/Owner, its assigns,

subsequent purchasers, lessees and successors in interest and all parties and persons claiming under them during the term hereof.

IN WITNESS WHEREOF, Declarant/Owner, and Government have executed this Amendment to Deed and Declaration of Restrictive Covenants effective as of the day and year first above written.

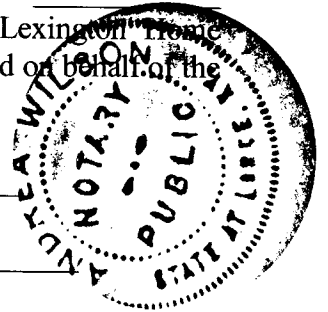
LEXINGTON HOME OWNERSHIP COMMISSION II, INC.

BY: Austin J. Simms
ITS: President

State of Kentucky)
)SCT
County of Fayette)

The foregoing instrument was subscribed, sworn to, and acknowledged before me this the 8th day of August, 2016, by Austin J. Simms, as President of Lexington Home Ownership Commission II, Inc., a Kentucky Private Nonprofit Corporation, by and on behalf of the Company.

My Commission Expires: 1-8-2017
Andrea Wilson
NOTARY PUBLIC, STATE AT LARGE, KENTUCKY



LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

BY: Jim Gray
JIM GRAY, MAYOR

State of Kentucky)
)SCT
County of Fayette)

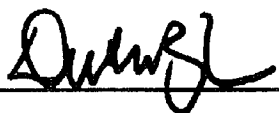
The foregoing instrument was subscribed, sworn to, and acknowledged before me this the 16th day of AUGUST, 2016, by Jim Gray, as Mayor of the Lexington-Fayette Urban County Government.

My Commission Expires: September 29, 2017
Cynthia Bell ID #497119
NOTARY PUBLIC, STATE AT LARGE, KENTUCKY

Prepared by:

Melissa M. Murphy
Melissa M. Murphy,
Corporate Counsel
Lexington-Fayette Urban County Government Department of Law
200 East Main Street
11th Floor
Lexington, Kentucky 40507

I, Donald W Blevins Jr, County Court Clerk
of Fayette County, Kentucky, hereby
certify that the foregoing instrument
has been duly recorded in my office.



By: EMILY GENTRY ,dc

201608170100

August 17, 2016 9:16:15 AM

Fees	\$13.00	Tax	\$0.00
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Total Paid	\$13.00
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3 Pages

699 - 701