

THIS INSTRUMENT PREPARED BY:

Brittany Griffin Smith, Esq.
Lexington-Fayette Urban County Government
200 East Main Street
Lexington, KY 40507
859-258-3500

RETURN TO:

*Division of Grants and Special Programs
Lexington-Fayette Urban County Government
200 East Main Street, 6th Floor
Lexington, KY 40507*

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
DIVISION OF GRANTS AND SPECIAL PROGRAMS
RELEASE OF DECLARATION OF RESTRICTIVE COVENANTS**

THIS RELEASE OF DECLARATION OF RESTRICTIVE COVENANTS is made this _____ day of June, by and between **WOODLAND CC LLC**, a Kentucky limited liability company, whose principal address is 1390 Olivia Lane, Ste. 100, Lexington, KY 40511 ("Declarant"); **WOODLAND CHRISTIAN CHURCH, INC.**, a Kentucky nonprofit corporation, whose address is 530 East High Street, Lexington, Kentucky 40502 ("Owner"); 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").

W I T N E S S E T H:

WHEREAS, Declarant was awarded **SIX HUNDRED THOUSAND DOLLARS AND 00/100 CENTS (\$600,000.00)** ("AHF Funds") in funding under the Government's Affordable Housing Fund Program under a Loan Agreement ("Agreement") dated December 18, 2024, for the development of thirty eight (38) units, known as The Flats at Woodland Apartments at 530 East High Street, Lexington, Kentucky 40502 ("Property"), which is described in **Exhibit A**, attached to this Release;

WHEREAS, Declarant and Government executed a Declaration of Restrictive Covenants ("Declaration") on December 18, 2024, recorded in Deed Book 4110, Page 205-215, in the Office of the Fayette County Clerk, providing for rental of the 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 thirty (30) years;

NOW, THEREFORE, the Government hereby releases Declarant, the Declarant's heirs and assigns, and all future owners of the Property from the conditions, restrictions and reservations

EXHIBIT A

530 East High Street, Lexington, Kentucky 40502

TRACT NO. 1

All that tract or parcel of land beginning at a point at the corner of Kentucky Avenue and High Street and running thence in a southerly direction along the line of said Kentucky Avenue a distance of two hundred and ninety-three (293) feet, thence in an easterly direction a distance of ninety-one (91) feet, corner to lot now owned by Annie W. Maurer, running thence along the line of said Maurer a distance of two hundred and sixty-one (261) feet to the line of High Street, thence in a westerly direction and along the line of High Street one hundred and twenty-five (125) feet to the point of beginning.

There is excepted from the foregoing property however all of that real property conveyed by the Trustees of the Woodland Christian Church, by deeds dated June 17, 1912, and October, 1912, and of record in Deed Book 166, Page 637, and Deed Book 168, Page 447, respectively, in the Fayette County Clerk's Office.

TRACT NO. 2

All that tract or parcel of land situated on the Southwest corner of Oldham Avenue and East High Street in the City of Lexington, Fayette County, Kentucky, and more fully described and bounded as follows, to-wit:

Beginning at a point where the West property line of Oldham Avenue intersects the South line of East High Street, said point being eight (8) feet Southerly from the face of the curb of East High Street; thence in a Southerly direction with said Oldham Avenue 117.85 feet to the line of A. E. Paritz; thence at right angles and in a westerly direction with Paritz's line 90 feet, more or less, to the line of Leona G. Prather; thence in a Northerly direction with Prather's line One Hundred Forty (140) feet, more or less, to a point eight (8) feet from the face of the curb of East High Street; thence in an Easterly direction with East High Street, 52 feet to the beginning and being a part of Lots 1 and 2 of the Chautauqua Woods Addition to the City of Lexington, of record in Plat Cabinet E, Slides 78-79 (formerly Plat Book 1, Pages 78-79) in the Fayette County Clerk's Office.

TRACT NO. 3

Parcel No. 1

Beginning at a point in the west side of Kentucky Avenue 100 feet south of what would be the north line of Maxwell Street if extended (which has now been actually extended) and at a corner to (formerly) R. Merriman, running thence westwardly with the southern line of R. Merriman 130 feet, more or less, to Beard's line; thence southwardly and parallel with Kentucky Avenue 50 feet; thence eastwardly 130 feet, more or less, to the western line of Kentucky Avenue; thence northwardly with the western line of Kentucky Avenue 50 feet to the point of beginning.

Provided there is excepted from the foregoing description the rear portion of said lot which has heretofore been previously conveyed by deed of record in Deed Book 388, Page 106, in the Fayette County Court Clerk's Office.

Parcel No. 2

Located and being on the westerly side of Kentucky Avenue between Maxwell Street extended (which has now been actually extended) and Euclid Avenue, fronting 50 feet on said Avenue, and beginning 50 feet from the north line of Maxwell Street extended, and at the south corner of the lot formerly owned by Melissa Veal; thence southwardly along the line of Kentucky Avenue 50 feet to a stake; thence at right angles with Kentucky Avenue westwardly 130 feet, more or less, to the lot occupied by the Lexington Fire Department; thence with the line of said lot in a northwardly direction 50 feet to the line of Melissa Veal; thence eastwardly 130 feet, more or less, to the point of beginning, the improvements on said property being known as 205 Kentucky Avenue.

There is excepted from the foregoing description the rear portion of said lot which has heretofore been previously conveyed by deed of record in Deed Book 583, Page 28, in the Fayette County Court Clerk's Office.

EXCEPTING THEREFROM so much as conveyed to Stanford Realty, Inc. by that certain Deed, dated October 10, 2008, of record in Deed Book 2838, Page 607, in the Office aforesaid.

TRACT NO. 4

Beginning in the west line of Kentucky Avenue at a point One Hundred Eighty Seven and One Half (187-1/2) feet south of the northern line of Maxwell Street and corner to the property conveyed to MacGregor in the aforesaid deed dated June 7th, 1912, and of record in Deed Book 167, Page 141; running thence westwardly and parallel to the west line of Maxwell Street One Hundred Thirty (130) feet, more or less, to Beard's line; thence southwardly with the east line of said Beard Thirty Seven and One Half (37-1/2) feet to the line of Pilcher (formerly Oldham and Finn) thence eastwardly with the northern line of Pilcher One Hundred Thirty (130) feet, more or less, to the western line of Kentucky Avenue; thence northwardly with the western line of Kentucky Avenue Thirty Seven and One Half (37-1/2) feet to the point of beginning.

TRACT NO. 5

BEING the northerly part of a lot of land on the west side of Kentucky Avenue, south of High Street conveyed to Mrs. R. A. Gibbons by deed of Elsie Hughson and husband dated October 7, 1902; the half of said lot hereby conveyed fronts 37-1/2 feet on Kentucky Avenue and extends back between parallel lines 130 feet, and is bounded on the south by the other half of the lot conveyed to Mrs. Gibbons by the Hughsons.

TRACT NO. 6

All that tract or parcel of land located in the City of Lexington, Fayette County, Kentucky, and being more fully described as follows, to-wit:

Beginning on the western line of Kentucky Avenue at a point 150 feet south of the Northern line of Maxwell Street, if extended to Kentucky Avenue; running thence Westwardly parallel with the Northern line of Maxwell Street, if extended, 130 feet, more or less, to Beard's line; thence Southwardly with the Eastern line of Beard's property 37-1/2 feet to the property of Laura C. Arnspiger, et al; thence Eastwardly with the Northern line of Laura C. Arnspiger's lot 130 feet to the Western line of Kentucky Avenue; thence Northwardly with the Western line of Kentucky Avenue 37-1/2 feet to the place of beginning and being known and designated as 209 Kentucky Avenue.

TRACT NO. 7

All that tract or parcel of land in the City of Lexington, County of Fayette and State of Kentucky, described as follows: All that lot of land and improvements thereon located on the south side of East High Street at the junction of High and Maxwell Streets, being Lot No. 7 in the O. P. Alford's Subdivision to the City of Lexington, Kentucky, and more particularly described as follows: Beginning at a point thirty (30) feet from the middle of High Street in Houlihan's (now or formerly) line in the line of Lot No. 6 in said subdivision and running thence along High Street ninety-nine (99) feet to a point in the line of Lot No. 8 in said subdivision; thence with the line of Lot No. 8 in a southwesterly direction two hundred forty (240) feet to a point in the line of Lot No. 17; thence with the line of Lots Nos. 17 and 16 in a northwesterly direction seventy (70) feet to the corner of Lot No. 6; thence along the line of Lot No. 6 in a northerly direction two hundred fifty-five (255) feet to the point of beginning.

Being a portion of the same property acquired by Woodland Christian Church, Inc., a Kentucky non-profit corporation, by that certain Deed, dated March 30, 2001, of record in Deed Book 2199, Page 15, in the Office of the Clerk of Fayette County, Kentucky.

TRACT NO. 8

Beginning in the East line of Kentucky Avenue, at the southwest end of the Woodland Christian Church property, which distance is about two hundred ninety-three (293) feet from the southeast corner of High and Kentucky Avenue; thence in a northerly direction along the east line of Kentucky Avenue fifty (50) feet; thence back from Kentucky Avenue, in an easterly direction and along the south line of the property owned by the Woodland Christian Church and of equal width with the front, a distance of about ninety (90) feet to the property of Mrs. Charles Gilman, formerly the property of Mrs. Burrier, formerly the property of Annie Maurer, being fifty (50) feet off of the rear end of the property conveyed to Charles Bowyer, P. K. Farra and R. L. Jones, trustees of the Woodland Christian Church, by R. W. O'Neal and his wife, by Deed dated June 12, 1908, the improvements on said property being known and described as 224 Kentucky Avenue, Lexington, Kentucky, and recorded in Deed Book 154, Page 143, in the Office of the Clerk of Fayette County, Kentucky.

Being the same property acquired by A. B. Vimont, Chris Hamman, A. J. Rogers, Terry Regan, Joe M. Kemper and Wilson Cox, Trustees of the Woodland Christian Church, their successors and assigns, by that certain Deed, dated May 31, 1972, of record in Deed Book 1050, Page 588 and by

that certain Deed, dated May 1, 1972, of record in Deed Book 1050, Page 592, both in the Office of the Clerk of Fayette County, Kentucky.

Together with 12 foot access and utility easement as reserved in Deed Book 2838, Page 607 of the Clerk's Records of Fayette County, Kentucky.

And, all those tracts or parcels of land being located along the southeasterly and northwesterly sides of Kentucky Avenue, as it intersects with Maxwell Street and High Street in Lexington, Fayette County, Kentucky, and said tracts being more particularly described by retracement survey, to wit;

530 EAST HIGH STREET

Beginning at an iron pin found at the intersection of the southeasterly right-of-way of Kentucky Avenue and the southwesterly right-of-way of High Street, said pin being the northerly corner of the Woodland Christian Church, Inc. (Deed Book 2199, Page 15), said parcel of land known as 530 East High Street, and being further designated as parcel# 94018100 by the Fayette county Property Valuation Administrator (**PVA**), and having geographic grid coordinates of Northing:195103.90 and Easting:1507578.07; thence leaving the southeasterly right-of-way of Kentucky Avenue and running along the southwesterly right-of-way of East High Street for two calls, S 41° 33' 16" E 118.91 feet to a MAG Nail with shiner stamped "CDP #3539", and S 21° 07' 49" E 99.56 feet to an iron pin found with plastic cap stamped "PLS 3550", said pin being a common corner of Woodland Christian Church and Bower Properties 552, LLC (Deed Book 3399, Page 709); thence leaving the southwesterly right-of-way of East High Street and running with the common line of Woodland Christian Church and Bower Properties, and continuing with the line of two separate Kaufman Family, LLC properties (Deed Book 1864, Page 137; Deed Book 1865, Page 144), S 60° 53' 58" W 233.74 feet to an iron pin and cap set (iron pins set this survey are 5/8" rebar, 18-inches in length with an orange plastic cap stamped "CDP Engineers PLS #3539 Green"; thence continuing with a new common line of Woodland Christian Church and Kaufman Family, and continuing with the line of Patel Realty, LLLP, N 37° 08' 17" W 162.27 feet to an iron pin found at the common corner of Woodland Christian Church and Patel, said pin being in the southeasterly right-of-way of Kentucky Avenue, aforesaid; thence running along the southwesterly right-of-way of Kentucky Avenue, N 48° 26' 28" E 250.48 feet to the point of beginning and containing 1.089 acres (47,422 s.f.).

205 KENTUCKY AVENUE

Beginning at an iron pin set at the intersection of the northwesterly right-of-way of Kentucky Avenue and the southwesterly right-of-way of Maxwell Street, said pin being the easterly corner of the another Woodland Christian Church, Inc. property, aforesaid, said parcel of land known as 205 Kentucky Avenue, and being further designated as parcel# 94018170 by the PVA, and having geographic grid coordinates of Northing:195141.69 and Easting:1507547.09; thence leaving the line of Maxwell Street and running along the northwesterly right-of-way of Kentucky Avenue, S 48° 39' 45" W 211.94 feet to an iron pin set, said pin being the front common corner of Woodland Christian Church and RCCG 223 KY Avenue LLC (Deed Book 3561 Page 601); thence leaving the right-of-way of Kentucky Avenue and running with their common line, N 40° 42' 38" W 131.15

feet to an iron pin set at their rear common corner, said pin being in the line of Keaton and Rachel Smith (Deed Book 3232, Page 415); thence leaving the line of RCCG 223 KY, and running with the common line of Woodland Christian Church and Smith, and continuing with the line of Haibo Tang (Deed Book 3212, Page 581), and Burton Properties, LLC (Deed Book 4013, Page 290), N 49° 15' 08" E 111.38 feet to an iron pin set, said pin being a common corner of Woodland Christian Church, and David and Kathy Feinberg (Deed Book 1558, Page 237); thence running with the common line of Woodland Christian Church and Feinberg for four calls, S 41° 20' 13" E 26.00 feet to an iron pin set, N 48° 39' 47" E 48.00 feet to an iron pin set, S 41° 20' 13" E 18.00 feet to an iron pin set, and N 48° 39' 47" E 52.00 feet to an iron pin set in the southwesterly right-of-way of Maxwell Street, aforesaid; thence running along the southwesterly right-of-way of Maxwell Street, S 40° 45' 03" E 86.00 feet to the point of beginning containing 0.552 acre (24,062 s.f.).

The bearings and grid coordinates cited herein are referenced to the Kentucky State Plane Coordinate System, North Zone, in US Survey Feet.

Being the same property conveyed to Woodland Christian Church, Inc., a Kentucky non-profit corporation, by that certain Deed, dated March 30, 2001, of record in Deed Book 2199, Page 15, and that certain deed of record in Deed Book 4109, page 72, as subsequently leased to Woodland CC LLC, as evidenced by Memorandum of Ground Lease recorded December 18, 2024 in Deed Book 4109, page 272, all of the Clerk's Records of Fayette County, Kentucky.

4920-7842-7724, v. 1