

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
AFFORDABLE HOUSING FUND
DECLARATION OF COVENANTS AND RESTRICTIONS**

This **DECLARATION OF COVENANTS AND RESTRICTIONS** ("Declaration") is made this 3 day of February 2016, by **LEXINGTON HOUSING FOR THE HANDICAPPED, INC. D/B/A THE BOB BROWN HOUSE**, a Kentucky non-profit corporation, whose address is 507 Rogers Road, Lexington, KY 40505 (herein "Recipient"). Recipient is the fee simple owner of the property in Fayette County, Kentucky, described on Exhibit A attached hereto and made a part hereof (the "Property") upon which Recipient is to rehabilitate The Bob Brown House (the "Project"). To facilitate the rehabilitation of the Project, Recipient has been awarded funds in the amount of **TWO HUNDRED TWENTY-SEVEN THOUSAND AND 00/100 DOLLARS (\$227,000.00)** from the Lexington-Fayette Urban County Government Affordable Housing Fund (the "AHF Program").

1. **OCCUPANCY BY LOW-INCOME PERSONS OR FAMILIES.** In consideration of Lexington-Fayette Urban County Government ("LFUCG") making funds available to Recipient for the rehabilitation and renovation of the Property, Recipient covenants that the dwelling units rehabilitated or renovated on the Property described herein shall be maintained as housing for low-income persons or families, which shall be defined as individuals/families with annual gross incomes at or below eighty percent (80%) of the area median income, adjusted for size, as defined by the U.S. Department of Housing and Urban Development ("HUD") Section 8 Income Guidelines.

2. **RENT REQUIREMENTS.** Recipient further covenants that the rents charged for any of the dwelling units subject to this restriction rehabilitated or renovated on the property described herein will comply with the limits on rents chargeable to tenants pursuant to the rent restrictions of the AHF Program as determined by the LFUCG Office of Affordable Housing.

3. **ENFORCEMENT.** The covenants set forth in this Deed shall run with the land described above and, to the fullest extent permitted by law and equity, shall be binding for the benefit and in favor of and enforceable by LFUCG and Recipient, their successors and assigns.

LFUCG or Recipient shall be entitled to (a) institute legal action to enforce performance and observance of these covenants, (b) enjoin any acts which are violative of these covenants, and (c) exercise any other legal or equitable right or remedy with respect to these covenants.

This covenant shall continue in effect until fifteen (15) years from February 3, 2016. Only LFUCG, or its successors and assigns, has the right to release this Declaration prior to its expiration date.

EXHIBIT A
(Property Description)

ALL that tract or parcel of land situated on the northeast side of Rogers Road between Paris Pike and Nancy Lane in Lexington, Fayette County, Kentucky, and more fully described and bounded as follows, to wit:

BEGINNING at a point in the northeast property line of Rogers Road, said point being in the line of Tract 4, Block "A" of Parkway Plaza as shown by plat of record in Plat Book 25 at Page 50 in the Fayette County Court Clerk's Office; thence with the line of said Tract 4, N 62° 15' W 378.79 feet to the aforesaid northeast property line of Rogers Road; thence with the northeast property line of Rogers Road S 30° 31' E 230.00 feet to the beginning, and CONTAINING 2.0 acres; and

BEING the remainder of a parcel of land conveyed to Don K. Poole, et al, from Parkway Plaza, Inc., a Kentucky corporation, by Deed dated December 6, 1973, and of record in Deed Book 1096 at Page 949, and Corrected Deed recorded in Deed Book 1097 at Page 823, Fayette County Clerk's Office.

BEING the same property conveyed to Lexington Housing for the Handicapped, Inc., a Kentucky corporation, by deed dated December 31, 1973, of record in Deed Book 1102 at Page 199, Fayette County Clerk's Office.

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: PATTY DAVIS ,dc

201605030214

May 3, 2016

12:58:41 PM

Fees	\$13.00	Tax	\$.00
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Total Paid	\$13.00
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