FAYETTE CO, KY FEE $158.00
SUSAN LAMB
COUNTY CLERK
PRESENTED/LODGED: 09/30/2026 02:30:27 PM
EMILY GENTRY, DEPUTY CLERK
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FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HARPER WOODS, LLC

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HARPER WOODS, LLC (this "First Amendment") is made effective as of August 21, 2026, by and between (i) HARPER WOODS, LLC, a Kentucky limited liability company (the "Declarant"), with an address of c/o John G. Atchison, III, 3349 Tates Creek Road, Suite 209, Lexington, Kentucky 40502; and (ii) not less than the majority of the owners of the Lots in the Harper Woods Subdivision, whose names are set forth on Exhibit A, attached hereto and incorporated herein by reference (referred to herein individually as "Owner" or collectively as the "Owners").

W I T N E S S E T H:

WHEREAS, the Subdivision includes the real property and improvements known as the Harper Woods Subdivision, comprised of Lots 1 through 41, as well as open space, common areas being identified as Lots 42 through 46 (Lots 1-41 and Lots 42-46 each being a "Lot" or collectively referred to as the "Lots"), as more particularly described in (i) **FINAL RECORD PLAT, HARPER WOODS, UNIT 1-A, SECTION 1, of record in Plat Cabinet S, Slide 29,** in the Fayette County Clerk's Office; (ii) **FINAL RECORD PLAT, HARPER WOODS, UNIT 1-B, SECTION 1, of record in Plat Cabinet S, Slide 30,** in the Fayette County Clerk's Office; (iii) **EASEMENT MINOR AMENDED AND CONSOLIDATION MINOR SUBDIVISION PLAT, HARPER WOODS, UNIT 1-A, SECTION 1, LOTS 1-5, of record in Plat Cabinet S, Slide 109,** in the Fayette County Clerk's Office; (iv) **CONSOLIDATION MINOR SUBDIVISION PLAT, HARPER WOODS, UNIT 1-A, SECTION 1, LOT 22, of record in Plat Cabinet S, Slide 217,** in the Fayette County Clerk's Office; (v) **NON-BUILDING MINOR AMENDED SUDIVISION PLAT, HARPER WOODS, of record in Plat Cabinet S, Slide 254,** in the Fayette County Clerk's Office; (vi) **EASEMENT MINOR AMENDED AND CONSOLIDATION MINOR SUBDIVISION PLAT, HARPER WOODS, UNIT 1-A, SECTION 1, LOTS 1 & 2, of record in Plat Cabinet S, Slide 259,** in the Fayette County Clerk's Office; (vii) **FINAL RECORD PLAT, HARPER WOODS, UNIT 1-C (TOWNHOMES), of record in Plat Cabinet S, Slide 316,** in the Fayette County Clerk's Office; (viii) **FINAL RECORD PLAT, HARPER WOODS, UNIT 1-B, SECTION 2, of record in Plat Cabinet S, Slide 425,** in the Fayette County Clerk's Office; and (ix) **FINAL RECORD PLAT, HARPER WOODS, UNIT 1-A, SECTION 2, of record in Plat Cabinet S, Slide 426,** in the Fayette County Clerk's Office, all of said plats being attached hereto collectively as Exhibit B and being incorporated herein by reference.

WHEREAS, Declarant previously made, declared and established the Declaration of Covenants, Conditions and Restrictions for Harper Woods, LLC, dated April 20, 2021, and recorded on May 3, 2021, in Deed Book 3839, Page 443, in the Fayette County Clerk's Office (the "Declaration");

1

RETURN TO:

McBRAYER PLLC
201 EAST MAIN ST., STE 900
LEXINGTON, KY 40507

WHEREAS, Declarant is still the owner of certain lots in said subdivision being known and designated as the Harper Woods Subdivision (the "Subdivision");

WHEREAS, in accordance with Section 10 of the Declaration, the Declarant has the right to adjust the number of lots in the Subdivision.

WHEREAS, in accordance with Section 11 of the Declaration, the Owners of the Lots in the Subdivision may amend the terms and conditions of the Declaration by written instrument signed by a majority of the then owners of the said Lots;

WHEREAS, as indicated by the signatures of the Owners hereto, a majority of the current owners of Lots in the Subdivision have agreed to amend the Declaration as provided herein;

WHEREAS, the Declarant and Owners hereby desire to amend the aforesaid Declaration in order to (i) establish that neither the Harper Woods Homeowners Association, Inc. (the "Association"), nor the Declarant shall have any responsibility or liability for roofing replacement in the Subdivision with respect to the homes or townhomes constructed therein; (ii) to specify the replacement shingles to be utilized by the owners of the Lots in the event of roofing component replacement; (iii) to make a minor change to the maximum fence height and to clarify the maintenance obligations for fences; (iv) to establish the minimum duration for the leasing/rental of Lots and/or the improvements located thereon; (v) to eliminate the maximum number of pets allowed; (vi) establish and clarify that the maintenance of the exterior of all structures and/or improvements on a Lot is the sole responsibility of the Lot owner; (vii) establish the insurance coverage requirements of each Lot owner; (viii) clarify the landscaping permitted on each Lot and the Lot owner's obligations for maintenance of landscaping; and (ix) to clarify, add, include and more specifically describe the lots subject to the Declaration;

WHEREAS, the Declaration correctly identifies and includes Lots 1 through 41 as being subject to the Declaration, and the Declaration specifically provides that said Lots shall be subject to the restrictive covenants, terms and conditions contained therein; however, while the Declaration references several plats of record which more particularly describe the afore-mentioned Lots, it erroneously omits reference to certain plats of record which more particularly describe several of the Lots made subject to and/or to be made subject to the Declaration, and the parties hereto desire to correct said error and make clear that all Lots are subject to the Declaration;

WHEREAS, while Lot 21 is specifically referenced and made subject to the Declaration, the Declaration erroneously omits reference to Final Record Plat, Harper Woods, Unit 1-B, Section 2, of record in Plat Cabinet S, Slide 425 (hereinafter "Plat S/425"), in the Fayette County Clerk's Office, which more particularly describes said lot;

WHEREAS, the Declarant is the owner of Lot 21, as identified on Plat S/425, and hereby consents

to said lot, as more particularly described thereon, being subject to the terms and conditions set forth in the Declaration and this Amendment;

WHEREAS, while Lots 26, 27, 28 and 29 are specifically referenced and made subject to the Declaration, the Declaration erroneously omits reference to Final Record Plat, Harper Woods, Unit 1-A, Section 2, of record in Plat Cabinet S, Slide 426 (hereinafter "Plat S/426"), in the Fayette County Clerk's Office, which more particularly describes said lots;

WHEREAS, as evidenced by that certain deed dated October 27, 2025, and recorded in Deed Book 4160, Page 185 in the Fayette County Clerk's Office, Greg Maleska and Elvisa Muratovic, husband and wife ("Maleska and Muratovic") are the owners of Lot 26, as identified on Plat S/426, and hereby consent to said lot, as more particularly described thereon, being subject to the terms and conditions set forth in the Declaration and this Amendment;

WHEREAS, as evidenced by that certain deed dated April 17, 2026, and recorded in Deed Book 4187, Page 745 in the Fayette County Clerk's Office, James Grant Cotner and Laura Lynn Cotner, husband and wife ("Cotners"), are the owners of Lot 27, as identified on Plat S/426, and hereby consent to said lot, as more particularly described thereon, being subject to the terms and conditions set forth in the Declaration and this Amendment;

WHEREAS, the Declarant is the owner of Lot 28, as identified on Plat S/426, and hereby consents to said lot, as more particularly described thereon, being subject to the terms and conditions set forth in the Declaration and this Amendment;

WHEREAS, as evidenced by that certain deed dated May 1, 2025, and recorded in Deed Book 4130, Page 124 in the Fayette County Clerk's Office, Steven Roggenkamp and Karen Roggenkamp, husband and wife ("Roggenkamps"), are the owners of Lot 29, as identified on Plat S/426, and hereby consent to said lot, as more particularly described thereon, being subject to the terms and conditions set forth in the Declaration and this Amendment;

WHEREAS, while Lots 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41 are specifically referenced and made subject to the Declaration, the Declaration erroneously omits reference to Final Record Plat, Harper Woods, Unit 1-C (Townhomes), of record in Plat Cabinet S, Slide 316 (hereinafter "Plat S/316"), in the Fayette County Clerk's Office, which more particularly describes said lots;

WHEREAS, as evidenced by that certain deed dated May 26, 2022, and recorded in Deed Book 3945, Page 650 in the Fayette County Clerk's Office, Happy Home KY, LLC, a Kentucky limited liability company, is the owner of Lots 32 and 38, as identified on Plat S/316, and hereby consents to said lots, as more particularly described thereon, being subject to the terms and conditions set forth in the Declaration and this Amendment;

WHEREAS, as evidenced by that certain deed dated July 28, 2022, and recorded in Deed Book 3959, Page 592 in the Fayette County Clerk's Office, Bandit Holdings, LLC, a Kentucky limited liability company, is the owner of Lots 33, 34 and 35, as identified on Plat S/316, and hereby consents to said lots, as more particularly described thereon, being subject to the terms and conditions set forth in the Declaration and this Amendment;

WHEREAS, as evidenced by that certain deed dated July 28, 2022, and recorded in Deed Book 3959, Page 600 in the Fayette County Clerk's Office, CACE Properties, LLC, a Kentucky limited liability company, is the owner of Lot 36, as identified on Plat S/316, and hereby consents to said lot, as more particularly described thereon, being subject to the terms and conditions set forth in the Declaration and this Amendment;

WHEREAS, as evidenced by that certain deed dated July 28, 2022, and recorded in Deed Book 3959, Page 596 in the Fayette County Clerk's Office, Underwood Investment Properties, LLC, a Kentucky limited liability company, is the owner of Lot 37, as identified on Plat S/316, and hereby consents to said lot, as more particularly described thereon, being subject to the terms and conditions set forth in the Declaration and this Amendment;

WHEREAS, as evidenced by that certain deed dated November 28, 2023, and recorded in Deed Book 4048, Page 310 in the Fayette County Clerk's Office, Bandit Holdings, LLC, a Kentucky limited liability company, is the owner of Lot 39, as identified on Plat S/316, and hereby consents to said lot, as more particularly described thereon, being subject to the terms and conditions set forth in the Declaration and this Amendment;

WHEREAS, as evidenced by that certain deed dated September 29, 2023, and recorded in Deed Book 4040, Page 748 in the Fayette County Clerk's Office, Next Century Homes & Restoration, LLC, a Kentucky limited liability company, is the owner of Lot 40, as identified on Plat S/316, and hereby consents to said lot, as more particularly described thereon, being subject to the terms and conditions set forth in the Declaration and this Amendment;

WHEREAS, as evidenced by that certain deed dated November 28, 2023, and recorded in Deed Book 4048, Page 312 in the Fayette County Clerk's Office, Bandit Holdings, LLC, a Kentucky limited liability company, is the owner of Lot 41, as identified on Plat S/316, and hereby consents to said lot, as more particularly described thereon, being subject to the terms and conditions set forth in the Declaration and this Amendment;

WHEREAS, while Lots 42 and 43 are not specifically referenced in the Declaration, they are identified and more particularly described on the Final Record Plat, Harper Woods, Unit 1-A, Section 1, of record in Plat Cabinet S, Slide 29 (hereinafter "Plat S/29"), in the Fayette County Clerk's Office, said Plat S/29 having been included and made subject to the Declaration;

WHEREAS, the Declarant is the owner of Lots 42 and 43, as identified on Plat S/29, and hereby consents to said lots, as more particularly described thereon, being subject to the terms and conditions set forth in the Declaration and this Amendment;

WHEREAS, the Declaration erroneously omits reference to Lot 44 and to the Non-Building Minor Amended Subdivision Plat, Harper Woods, of record in Plat Cabinet S, Slide 254 (hereinafter "Plat S/254"), in the Fayette County Clerk's Office, which more particularly describes said lot;

WHEREAS, the Declarant is the owner of Lot 44, as identified on Plat S/254, and hereby consents to Lot 44, as more particularly described thereon, being subject to the terms and conditions set forth in the Declaration and this Amendment;

WHEREAS, while Lot 45 is not specifically referenced in the Declaration, it is identified and more particularly described on the Final Record Plat, Harper Woods, Unit 1-B, Section 1, of record in Plat Cabinet S, Slide 30 (hereinafter "Plat S/30"), in the Fayette County Clerk's Office, said Plat S/30 having been included and made subject to the Declaration;

WHEREAS, the Declarant is the owner of Lot 45, as identified on Plat S/30, and hereby consents to Lot 45, as more particularly described thereon, being subject to the terms and conditions set forth in the Declaration and this Amendment;

WHEREAS, the Declaration erroneously omits reference to Lot 46 and to Plat S/316, which more particularly describes said lot;

WHEREAS, as evidenced by that certain deed dated May 26, 2022, and recorded in Deed Book 3945, Page 650 in the Fayette County Clerk's Office, Happy Home KY, LLC, a Kentucky limited liability company, is the owner of Lot 46, as identified on Plat S/316, and hereby consents to said lot, as more particularly described thereon, being subject to the terms and conditions set forth in the Declaration and this Amendment;

WHEREAS, the Declarant and not less than a majority of the owners of the Lots, hereby join in this Amendment for purposes of approval and consent to the amendments to the terms and conditions of the Declaration as set forth herein, and to include and make the additional Lots and plats referenced herein subject to the Declaration and this Amendment.

NOW, THEREFORE, in accordance with the foregoing preambles, which are hereby incorporated herein, the Declarant, and the owners of the Lots executing this Amendment, hereby amend the Declaration as follows:

1. The real estate that is submitted and subjected to the Declaration and this Amendment

the Declaration as follows:

1. The real estate that is submitted and subjected to the Declaration and this Amendment includes all of Lots 1 through 41, as well as Lots 42 through 46, as more particularly described on the plats of record attached hereto as Exhibit B, including Plat Cabinet S, Slide 29 (as amended), Plat Cabinet S, Slide 30 (as amended), Plat Cabinet S, Slide 109 (as amended), Plat Cabinet S, Slide 217 (as amended), Plat Cabinet S, Slide 254 (as amended), Plat Cabinet S, Slide 259 (as amended), Plat Cabinet S, Slide 316 (as amended), Plat Cabinet S, Slide 425 (as amended), and Plat Cabinet S, Slide 426 (as amended).

2. Section 1(d) shall be added to the Declaration as follows: Leasing/Rental of Lots. All Lots in the Subdivision, including the Single-Family Lots and the Townhome Lots and all improvements thereon, shall be used exclusively for single-family residential purposes. No commercial, industrial or transient business activity of any kind may be conducted on any Lot. No Lot and/or any improvements thereon may be leased, rented or operated for transient, vacation or short-term rental purposes. Any lease agreement must be in writing in a form approved by the Association and must be for a minimum continuous duration of not less than twelve (12) months, unless specifically approved in writing by the HOA manager for a special circumstance. The rental or lease of any Lot and/or the improvements thereon for a period of less than twelve (12) consecutive months, or any operation of a Lot and/or any improvements thereon as a transient vacation rental or short-term accommodation shall be deemed a commercial business use and is expressly prohibited. All lease agreements shall require, and all tenants shall agree to be bound by and abide by the terms of the Declaration and this Amendment, as well as all by-laws, rules and regulations adopted and/or implemented by the Association. All Lot owners must register any tenants and their vehicles with the Association for gate access, and all tenants are required to park their vehicles in the garage and/or driveway located on the Lot and not in the street. Community parking is for guests only.

3. Section 2(e) of the Declaration shall be amended as follows: Fences. Excepting any ground boundaries or perimeter fences previously approved by Declarant on border lot lines with adjoining subdivisions, no above ground boundary or perimeter fences of any kind will be permitted. Underground "invisible" fencing will be permitted with prior Declarant approval only. Four feet tall aluminum fences are allowed in rear yards not to extend beyond rear residence corners. An approved uniform prototype is available from Declarant. Any fence(s) approved by Declarant shall be erected and maintained by the Owner of the Lot at their sole cost and expense.

4. Section 2(t) shall be added to the Declaration as follows: Roofing. Replacement of roofing, shingles or other roofing components shall be the sole responsibility of the owner of each Lot. Upon replacement of roofing, shingles or other roofing components, the following replacement shingles shall be utilized by owner of the Lot and installed at the owner's sole expense: Owens Corning, TruDefinition shingles or a suitable equivalent approved by the Declarant.

6. Section 2(v) shall be added to the Declaration as follows: Insurance. The owner of each Lot shall, at their sole expense, obtain and continuously maintain casualty and property insurance covering the full replacement value of all structures and improvements on their Lot. In the event of damage or destruction, the owner of said Lot shall diligently pursue repair and reconstruction of the structure to its original condition, to be completed within six (6) months of the casualty event. The owner of each Lot shall provide the Association with a certificate or binder of insurance upon request and annually upon renewal. If the owner of a Lot fails to maintain such insurance, the Association may, but is not obligated to, purchase such insurance and assess the cost directly to the Lot owner.

7. Section 3(b) of the Declaration shall be amended as follows: No tree, hedge or shrub shall be planted on any Lot unless its placement and planting are approved in writing by the Declarant.

8. Section 3(d) of the Declaration shall be amended as follows: No artificial vegetation, sculptures, flagpoles or lawn ornaments of any kind will be permitted on the exterior of any portion of the lots unless previously approved in writing by the Declarant. If approved, the owner of the Lot shall, at their sole expense, be responsible for installation and maintenance.

9. Section 4(b)(v) of the Declaration shall be deleted in its entirety.

10. Section 9 of the Declaration shall be amended as follows: ANIMALS. No pets, other than the traditional domestic animals in this geographic area (i.e., dogs, cats, birds)) shall be housed or kept on any Lot. No pets, including traditional domestic animals, shall be kept for any commercial or breeding purposes. Pets shall always be under the control of the owner and adhere to the ordinances set forth by the Lexington-Fayette Urban County Government. No pets shall be allowed in any landscaped common areas.

11. Capitalized terms used but not otherwise defined herein shall have the same meanings herein as are given to them in the Declaration.

12. All of the remaining terms, conditions, covenants and other matters contained in the Declaration not specifically modified herein shall remain unchanged and in full force and effect.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the Declarant has executed this First Amendment effective as of the day and year first above.

HARPER WOODS, LLC,
A Kentucky limited liability company

By: John D. Atchison III
John G. Atchison, III, Manager/Member

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing instrument was subscribed, sworn to and acknowledged before me this 21 day of August 2026, by John G. Atchison, III, as Manager/Member of Harper Woods, LLC, a Kentucky limited liability company, for and on behalf of said company.

Brandy Coleman
NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: Brandy Coleman
My Commission Expires: 03/26/28
Notary ID: KYNP86718

THIS INSTRUMENT PREPARED BY:

~~JON A. WOODALL, ESQ.~~ Brendan R. Yates
MCBRAYER PLLC
201 E. Main Street, Suite 900
Lexington, KY 40507
(859) 231-8780

EXHIBIT A

Not less than the majority of the owners of the Lots in the Harper Woods Subdivision, being:

- Harper Woods, LLC, a Kentucky limited liability company
- ~~Charles White~~ and Kellie White
- ~~Richard J. Donworth~~
- Jason Conrad Landon and Karolyn Hamilton Landon
- David A. Waronker Revocable Trust Dated June 18, 2024, ~~David A. Waronker, Trustee, and Ruth A. Waronker Revocable Trust Dated June 18, 2024, Ruth A. Waronker, Trustee~~
- ~~FGR Properties, LLC, a Kentucky limited liability company~~
- Stacy Taylor and Timothy Taylor
- Joseph A. Lamb and Susan A. Lamb
- William B. Schroeder and Jennifer E. Justice
- Judith Cummins
- John B. Langston
- Greg Maleska and Elvisa Muratovic
- James Grant Cotner and Laura Lynn Cotner
- Steven Roggenkamp and Karen Roggenkamp
- ~~David James Eggers~~
- Mark Canupp and Kathy Canupp
- ~~Bandit Holdings, LLC, a Kentucky limited liability company~~
- CACE Properties, LLC, a Kentucky limited liability company
- ~~Underwood Investment Properties, LLC, a Kentucky limited liability company~~
- ~~Happy Home KY, LLC, a Kentucky limited liability company~~
- ~~Next Century Homes & Restoration, LLC, a Kentucky limited liability company~~

IN WITNESS WHEREOF, the signatory Owners have executed this First Amendment effective as of the day and year first above.

HARPER WOODS, LLC,
A Kentucky limited liability company

By: John S. Atchison III
John G. Atchison, III, Manager/Member

Owner of Lots: 5, 8-21, 28, and 42-45
Addresses: 3540 Harper Woods Lane, Lexington KY
3552 Harper Woods Lane, Lexington KY
3556 Harper Woods Lane, Lexington KY
3560 Harper Woods Lane, Lexington KY
3564 Harper Woods Lane, Lexington KY
3568 Harper Woods Lane, Lexington KY
3572 Harper Woods Lane, Lexington KY
3576 Harper Woods Lane, Lexington KY
3588 Harper Woods Lane, Lexington KY
3584 Harper Woods Lane, Lexington KY
3580 Harper Woods Lane, Lexington KY
3577 Harper Woods Lane, Lexington KY
3573 Harper Woods Lane, Lexington KY
3569 Harper Woods Lane, Lexington KY
3553 Harper Woods Lane, Lexington KY
3521 Harper Woods Lane, Lexington KY
Lots 42-45 are open space, common areas

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing instrument was subscribed, sworn to and acknowledged before me this 21 day of August 2026, by John G. Atchison, III, as Manager/Member of Harper Woods, LLC, a Kentucky limited liability company, for and on behalf of said company.

Brandy Coleman
NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: Brandy Coleman
My Commission Expires: 03/26/28
Notary ID: KYNP86718

CHARLES WHITE

Kelli White

KELLI WHITE

Owners of Lot 1
Address: 3524 Harper Woods Lane, Lexington KY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing instrument was subscribed, sworn to and acknowledged before me this 22 day of Sept 2026, by Charles White, an unmarried man, and Kelli White, an unmarried woman.

Brandy Coleman
NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: Brandy Coleman
My Commission Expires: 03/26/28
Notary ID: KYNP86718

RICHARD J. DONWORTH

Owner of Lot 2
Address: 3528 Harper Woods Lane, Lexington KY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing instrument was subscribed, sworn to and acknowledged before me this 27 day of August 2026, by Richard J. Donworth, a single person.

Brandy Coleman
NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: Brandy Coleman
My Commission Expires: March 26, 2028
Notary ID: KYNP86718

JASON CONRAD LANDON

KAROLYN HAMILTON LANDON

Owners of Lot 3
Address: 3532 Harper Woods Lane, Lexington KY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing instrument was subscribed, sworn to and acknowledged before me this 22 day of Sept 2026, by Jason Conrad Landon and Karolyn Hamilton Landon, husband and wife.

NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: Brandy Coleman
My Commission Expires: 03/26/2028
Notary ID: KYNP86718

DAVID A. WARONKER REVOCABLE TRUST
DATED JUNE 18, 2024, and any amendments thereto

By: _____
David A. Waronker, Trustee

RUTH A. WARONKER REVOCABLE TRUST
DATED JUNE 18, 2024, and any amendments thereto

By: _____
Ruth A. Waronker, Trustee

Owners of Lot 4
Address: 3536 Harper Woods Lane, Lexington KY

~~COMMONWEALTH~~ State Florida OF ~~KENTUCKY~~)
) ss:
COUNTY OF ~~FAYETTE~~ OSceola)

The forgoing instrument was subscribed, sworn to and acknowledged before me this 27th day of August 2026, by David A. Waronker, as Trustee of the David A. Waronker Revocable Trust Dated June 18, 2024, and any amendments thereto, by and on behalf of said trust, and by Ruth A. Waronker, as Trustee of the Ruth A. Waronker Revocable Trust Dated June 18, 2024, and any amendments thereto, by and on behalf of said trust.

_____
NOTARY PUBLIC, STATE AT LARGE, ~~KY~~ Florida
Printed Name: Naresh Balkaran
My Commission Expires: 01.22.2026
Notary ID: HH 447120

NARESH BALKARAN
MY COMMISSION # HH 447120
EXPIRES: January 22, 2028

FGR PROPERTIES, LLC,
A Kentucky limited liability company

By: _____
Name: Adam Bowden
Title: Member

Owner of Lot 6
Address: 3548 Harper Woods Lane, Lexington KY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing instrument was subscribed, sworn to and acknowledged before me this 27 day of AUGUST 2026, by _____, as Member of FGR Properties, LLC, a Kentucky limited liability company, by and on behalf of said company.

Brandy Coleman
NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: Brandy Coleman
My Commission Expires: 03/26/28
Notary ID: KYNP86718

STACY TAYLOR

TIMOTHY TAYLOR

Owners of Lot 7
Address: 3544 Harper Woods Lane, Lexington KY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing instrument was subscribed, sworn to and acknowledged before me this 22 day of Sept 2026, by Stacy Taylor and Timothy Taylor, wife and husband.

Brandy Coleman
NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: Brandy Coleman
My Commission Expires: 03/26/28
Notary ID: KYNP 86718

JOSEPH A. LAMB

SUSAN A. LAMB

Owners of Lot 22
Address: 3549 Harper Woods Lane, Lexington KY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing instrument was subscribed, sworn to and acknowledged before me this 22 day of Sept 2026, by Joseph A. Lamb and Susan A. Lamb, husband and wife.

NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: Brandy Coleman
My Commission Expires: 03/26/2028
Notary ID: KYNP86718

WILLIAM B. SCHROEDER

JENNIFER E. JUSTICE

Owners of Lot 23
Address: 3545 Harper Woods Lane, Lexington KY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing instrument was subscribed, sworn to and acknowledged before me this 22 day of Sept 2026, by William B. Schroeder and Jennifer E. Justice, husband and wife.

Brandy Coleman
NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: Brandy Coleman
My Commission Expires: 03/26/2028
Notary ID: KYNP80718

JUDITH CUMMINS

Owner of Lot 24
Address: 3541 Harper Woods Lane, Lexington KY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The foregoing instrument was subscribed, sworn to and acknowledged before me this 9th day of 9/15 2026, by Judith Cummins, a single person.

NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: Brandy Coleman
My Commission Expires: 03/26/28
Notary ID: KYNP 80718

JOHN B. LANGSTON

Owner of Lot 25
Address: 3537 Harper Woods Lane, Lexington KY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing instrument was subscribed, sworn to and acknowledged before me this 22 day of Sept 2026, by John B. Langston, unmarried.

Brandy Coleman
NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: Brandy Coleman
My Commission Expires: 03/26/2029
Notary ID: KYNP86718

GREG MALESKA

ELVISA MURATOVIC

Owners of Lot 26
Address: 3529 Harper Woods Lane, Lexington KY

STATE OF MN)
)
COUNTY OF HENNEPIN)

The forgoing instrument was subscribed, sworn to and acknowledged before me this 27th day of September 2026, by Greg Maleska and Elvisa Muratovic, husband and wife.

NOTARY PUBLIC, STATE AT LARGE
Printed Name: Ivory D Smith
My Commission Expires: 1-31-27
Notary ID: 13451036 60063

AFFIX NOTARY STAMP

Ivory Dean Smith
Notary Public
Minnesota
My Commission Expires January 31, 2027

James Grant Cotner
JAMES GRANT COTNER

Laura Lynn Cotner
LAURA LYNN COTNER

Owners of Lot 27
Address: 3525 Harper Woods Lane, Lexington KY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing instrument was subscribed, sworn to and acknowledged before me this 4 day of Sept 2026, by James Grant Cotner and Laura Lynn Cotner, husband and wife.

Brandy Coleman
NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: Brandy Coleman
My Commission Expires: 03/26/2029
Notary ID: KYNP86718

STEVEN ROGGENKAMP

KAREN ROGGENKAMP

Owners of Lot 29
Address: 3517 Harper Woods Lane, Lexington KY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing Instrument was subscribed, sworn to and acknowledged before me this 5TH day of SEPTEMBER 2026, by Steven Roggenkamp and Karen Roggenkamp, husband and wife.

NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: JAMES C. McDONALD
My Commission Expires: 4-10-27
Notary ID: KYNP70100

JAMES CLAIBORNE MCDONALD
Notary Public-State at Large
KENTUCKY - Notary ID # KYNP70100
My Commission Expires 04-10-2027

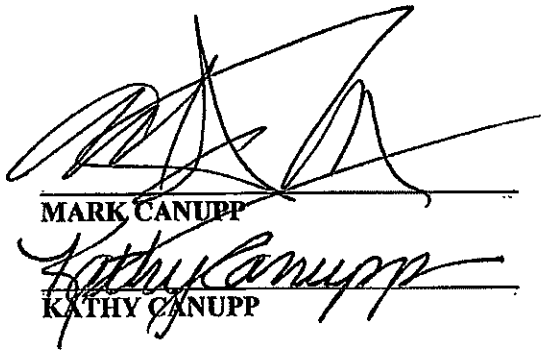
DAVID JAMES EGGERS

Owner of Lot 30
Address: 3513 Harper Woods Lane, Lexington KY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing instrument was subscribed, sworn to and acknowledged before me this_____ day of _____ 2026, by David James Eggers, a single person.

NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: _____
My Commission Expires: _____
Notary ID: _____



MARK CANUPP

KATHY CANUPP

Owners of Lot 31
Address: 3509 Harper Woods Lane, Lexington KY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing instrument was subscribed, sworn to and acknowledged before me this 22 day of Sept 2026, by Mark Canupp and Kathy Canupp, husband and wife.

Brandy Coleman
NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: Brandy Coleman
My Commission Expires: 03/26/2028
Notary ID: KYNP86718

BANDIT HOLDINGS, LLC,
A Kentucky limited liability company

By: _____
Name: _____
Title: _____

Owner of Lots 33, 34, 35, 39 and 41
Addresses: 3589 Harper Woods Lane, Lexington KY
3591 Harper Woods Lane, Lexington KY
3593 Harper Woods Lane, Lexington KY
3596 Harper Woods Lane, Lexington KY
3592 Harper Woods Lane, Lexington KY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing instrument was subscribed, sworn to and acknowledged before me this_____ day of _____ 2026, by _____, as _____ of Bandit Holdings, LLC, a Kentucky limited liability company, by and on behalf of said company.

_____
NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: _____
My Commission Expires: _____
Notary ID: _____

CACE PROPERTIES, LLC,
A Kentucky limited liability company

By: _____
Name: Christopher B. Boston
Title: Member, CACE Properties, LLC

Owner of Lot 36
Address: 3595 Harper Woods Lane, Lexington KY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing instrument was subscribed, sworn to and acknowledged before me this 25th day of August 2026, by Christopher B. Boston as Member of CACE Properties, LLC, a Kentucky limited liability company, by and on behalf of said company.

DARCIE C. CUNNINGHAM NOTARY PUBLIC STATE AT LARGE, KY. ID KYNP74351 MY COMMISSION EXPIRES 8/1/2027

_____
NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: Darcie C. Cunningham
My Commission Expires: 8-1-2027
Notary ID: KYNP74351

UNDERWOOD INVESTMENT PROPERTIES, LLC,
A Kentucky limited liability company

By: _____
Name: _____
Title: _____

Owner of Lot 37
Address: 3597 Harper Woods Lane, Lexington KY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing instrument was subscribed, sworn to and acknowledged before me this_____ day of _____ 2026, by _____, as _____ of Underwood Investment Properties, LLC, a Kentucky limited liability company, by and on behalf of said company.

_____
NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: _____
My Commission Expires: _____
Notary ID: _____

HAPPY HOME KY, LLC,
A Kentucky limited liability company

By: _____
Name: _____
Title: _____

Owner of Lots 32, 38 and 46
Addresses: 3587 Harper Woods Lane, Lexington KY
3598 Harper Woods Lane, Lexington KY
Lot 46 is an open space, common area

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing instrument was subscribed, sworn to and acknowledged before me this_____ day of _____ 2026, by _____, as _____ of Happy Home KY, LLC, a Kentucky limited liability company, by and on behalf of said company.

_____
NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: _____
My Commission Expires: _____
Notary ID: _____

NEXT CENTURY HOMES & RESTORATION, LLC,
A Kentucky limited liability company

By: _____
Name: _____
Title: _____

Owner of Lot 40
Address: 3594 Harper Woods Lane, Lexington KY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The forgoing instrument was subscribed, sworn to and acknowledged before me this_____ day of _____ 2026, by _____, as _____ of Next Century Homes & Restoration, LLC, a Kentucky limited liability company, by and on behalf of said company.

_____
NOTARY PUBLIC, STATE AT LARGE, KY
Printed Name: _____
My Commission Expires: _____
Notary ID: _____

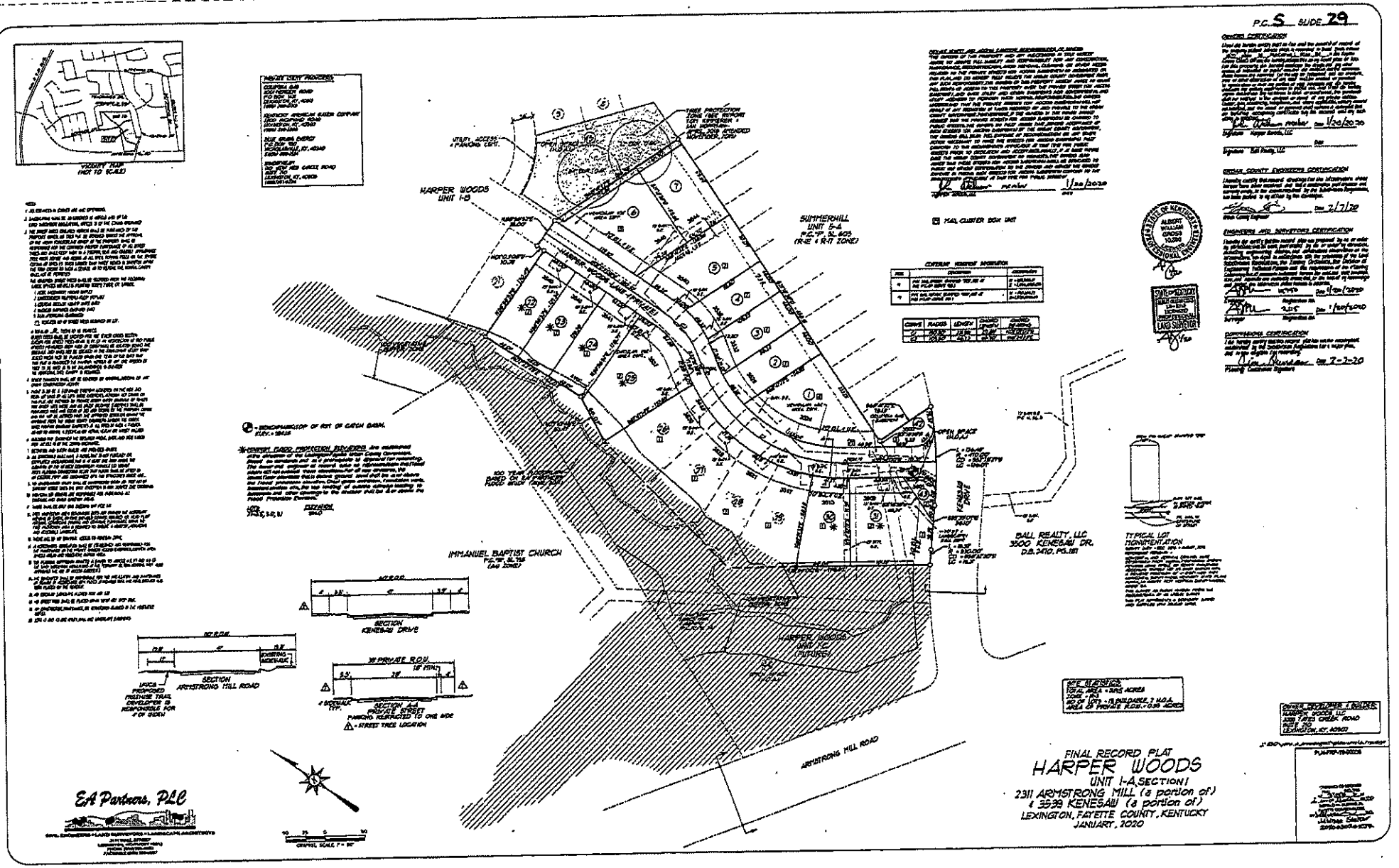
EXHIBIT B

Plats subject to the Declaration and this Amendment which comprise this Exhibit B are attached on the pages that follow.

[Remainder of page intentionally left blank]

4908-8937-4657, v. 1

P.C. 5 SLIDE 29



FINAL RECORD PLAT

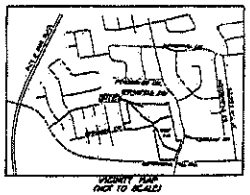
HARPER WOODS

UNIT I-A, SECTION I

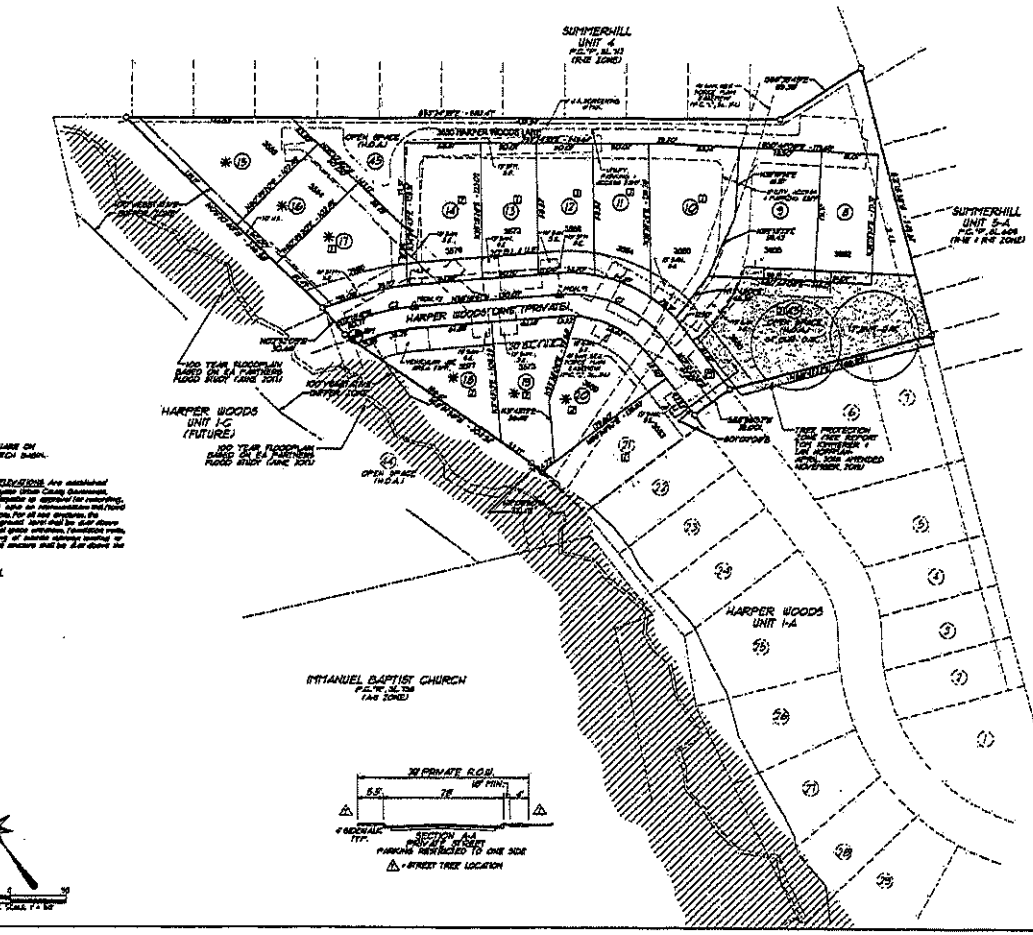
2311 ARMSTRONG MILL (a portion of)
& 3539 KENESAW (a portion of)
LEXINGTON, FAYETTE COUNTY, KENTUCKY
JANUARY, 2020

Book 4221 Page 344

P.C. S SLIDE 30



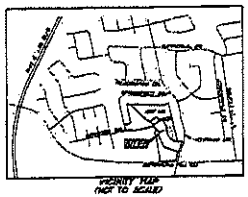
VICINITY MAP
(NOT TO SCALE)



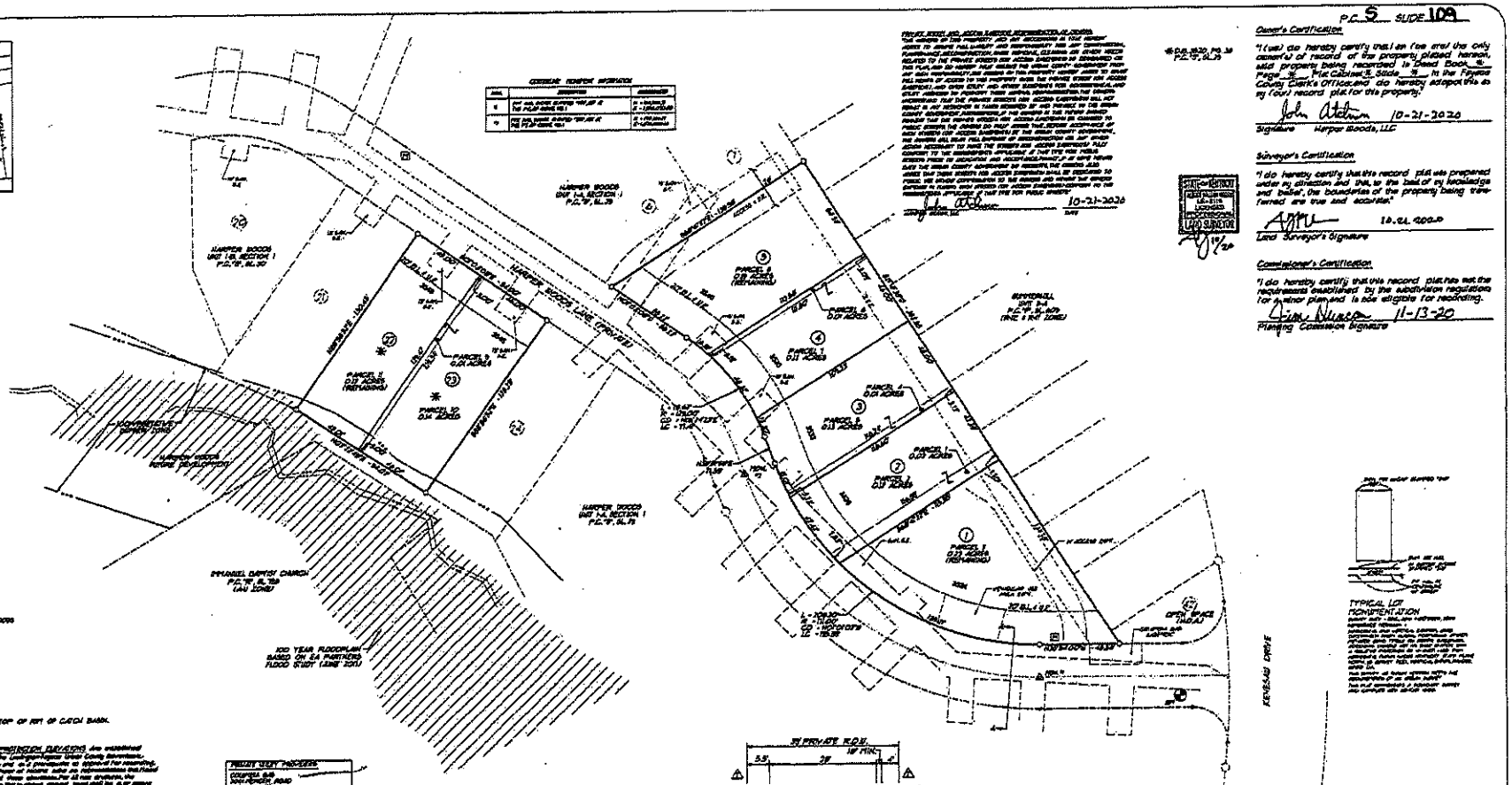
EA Partners, PLC

FINAL RECORD PLAT
HARPER WOODS
UNIT 1-B SECTION 1
2311 ARMSTRONG MILL (a portion of)
LEXINGTON, FAYETTE COUNTY, KENTUCKY
JANUARY, 2020

Book 4221 Page 345



VICINITY MAP
(NOT TO SCALE)



Owner's Certification

"I (we) do hereby certify that I am (we are) the only owner(s) of record of the property platted hereon, said property being recorded in Deed Book ___, Page ___, Fiscal Cabinet ___, Slide ___, in the Fayette County Clerk's Office and do hereby adopt this as my (our) record plat for this property."

John Atchison 10-21-2020
Signature Harper Woods, LLC

Surveyor's Certification

"I do hereby certify that this record plat was prepared under my direction and that, to the best of my knowledge and belief, the boundaries of the property being transferred are true and accurate."

10-21-2020
Land Surveyor's Signature

Commissioner's Certification

"I do hereby certify that this record plat has met the requirements established by the subdivision regulations for a minor plan and is now eligible for recording."

11-13-20
Planning Commission Signature

PURPOSE OF PLAT:

1) PARCEL 1 SHALL BE SOLD OR TRANSFERRED TO PARCEL 2 FOR CONSOLIDATION PURPOSES ONLY.;
2) PARCEL 4 SHALL BE SOLD OR TRANSFERRED TO PARCEL 5 FOR CONSOLIDATION PURPOSES ONLY;
3) PARCEL 6 SHALL BE SOLD OR TRANSFERRED TO PARCEL 7 FOR CONSOLIDATION PURPOSES ONLY;
4) PARCEL 9 SHALL BE SOLD OR TRANSFERRED TO PARCEL 10 FOR CONSOLIDATION PURPOSES ONLY;
5) TO ADD ACCESS EASEMENT OVER LOT 1-B(SOUTH) OF TO MAINTENANCE SHALL BE GOVERNED BY PRIVATE DOCUMENTS.

NOTE: ALL NOTES AND RESTRICTIONS ON THE PREVIOUS PLAT(S) SHALL ALSO APPLY TO THIS PLAT WHERE APPLICABLE.

PARENT PLAT: P.C. "F", SL. 75

100 YEAR FLOODPLAIN BASED ON EA PARTNERS FLOOD STUDY (JUNE 2020)

EMANUEL BAPTIST CHURCH P.C. "F", SL. 759 (AN 2018)

HARPER WOODS UNIT 1-A, SECTION 1 P.C. "F", SL. 75

HARPER WOODS UNIT 1-B, SECTION 1 P.C. "F", SL. 30

HARPER WOODS FUTURE DEVELOPMENT

HARPER WOODS LANE (PRIVATE)

SUTHERLAND UNIT 3-A P.C. "F", SL. 609 (RIC & RAT ZONE)

KENSAU DRIVE

SECTION A-A
HARPER WOODS LANE
PARKING RESTRICTED TO ONE SIDE

SITE STATISTICS:
TOTAL AREA = 1.01 ACRES
ZONE = RA-1
NO. OF LOTS = 7
NO. OF PARCELS = 11
STREET FRONTAGE = 307

PROJECT TEAM CONTACTS:
OWNER/DEVELOPER
HARPER WOODS LLC
3301 PLEASANT RUN ROAD
SUITE 100
LEXINGTON, KY 40517
(859) 269-2244

DESIGN
EA PARTNERS, PLLC
201 WEST SHORT STREET
LEXINGTON, KENTUCKY 40507
(859) 255-1555

SURVEYOR
[illegible]

OWNER/DEVELOPER / BUILDER:
HARPER WOODS LLC
3301 PLEASANT RUN ROAD
SUITE 100
LEXINGTON, KY 40517

EA Partners, PLLC
CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
201 WEST SHORT STREET
LEXINGTON, KENTUCKY
PHONE (859) 255-1555

EASEMENT MINOR AMENDED AND CONSOLIDATION MINOR SUBDIVISION PLAT

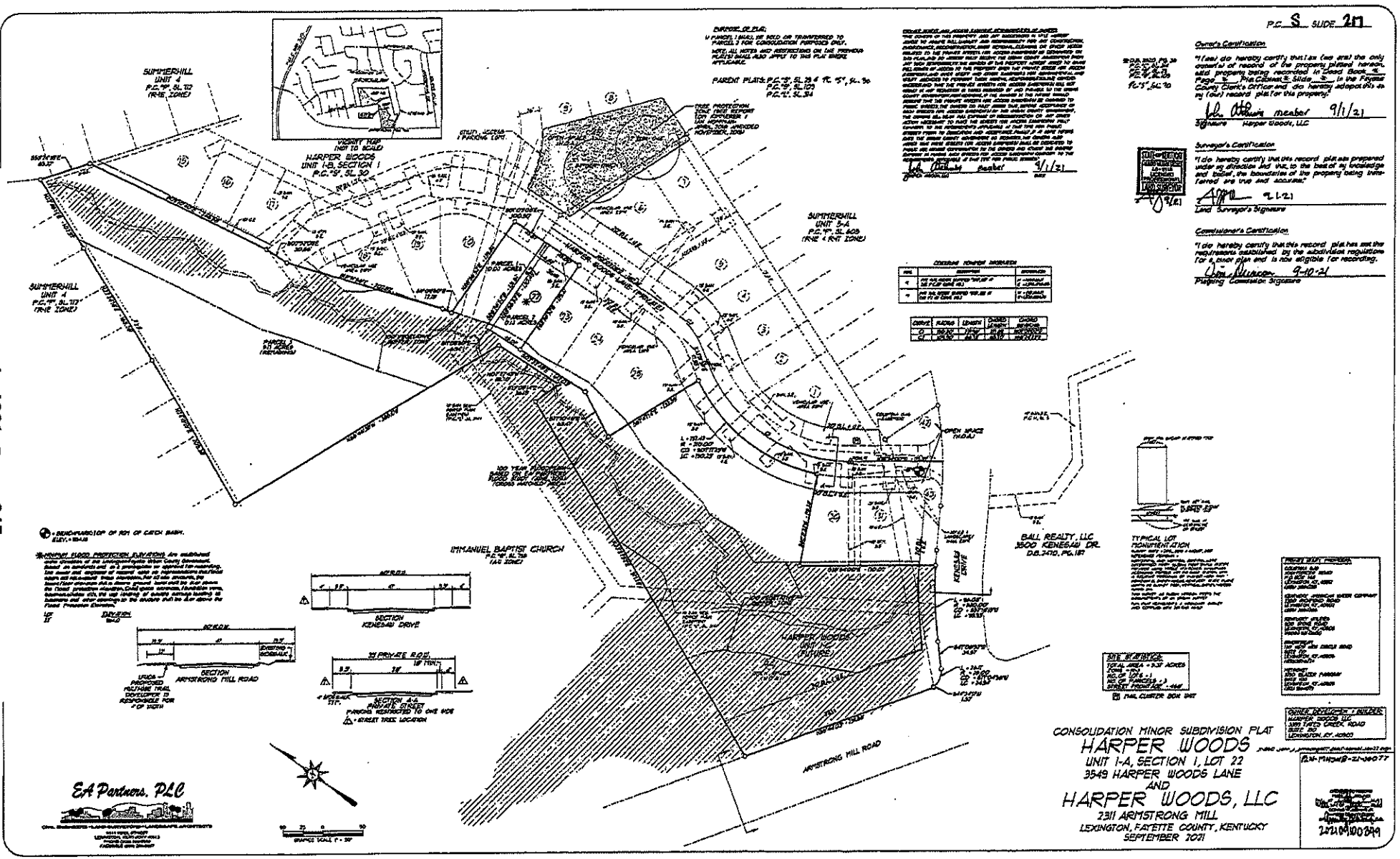
HARPER WOODS

UNIT 1-A, SECTION 1, LOTS 1-5
AND LOTS 22 & 23
3524, 3528, 3532, 3536, 3540, 3545 & 3549
HARPER WOODS LANE
LEXINGTON, FAYETTE COUNTY, KENTUCKY
OCTOBER, 2020

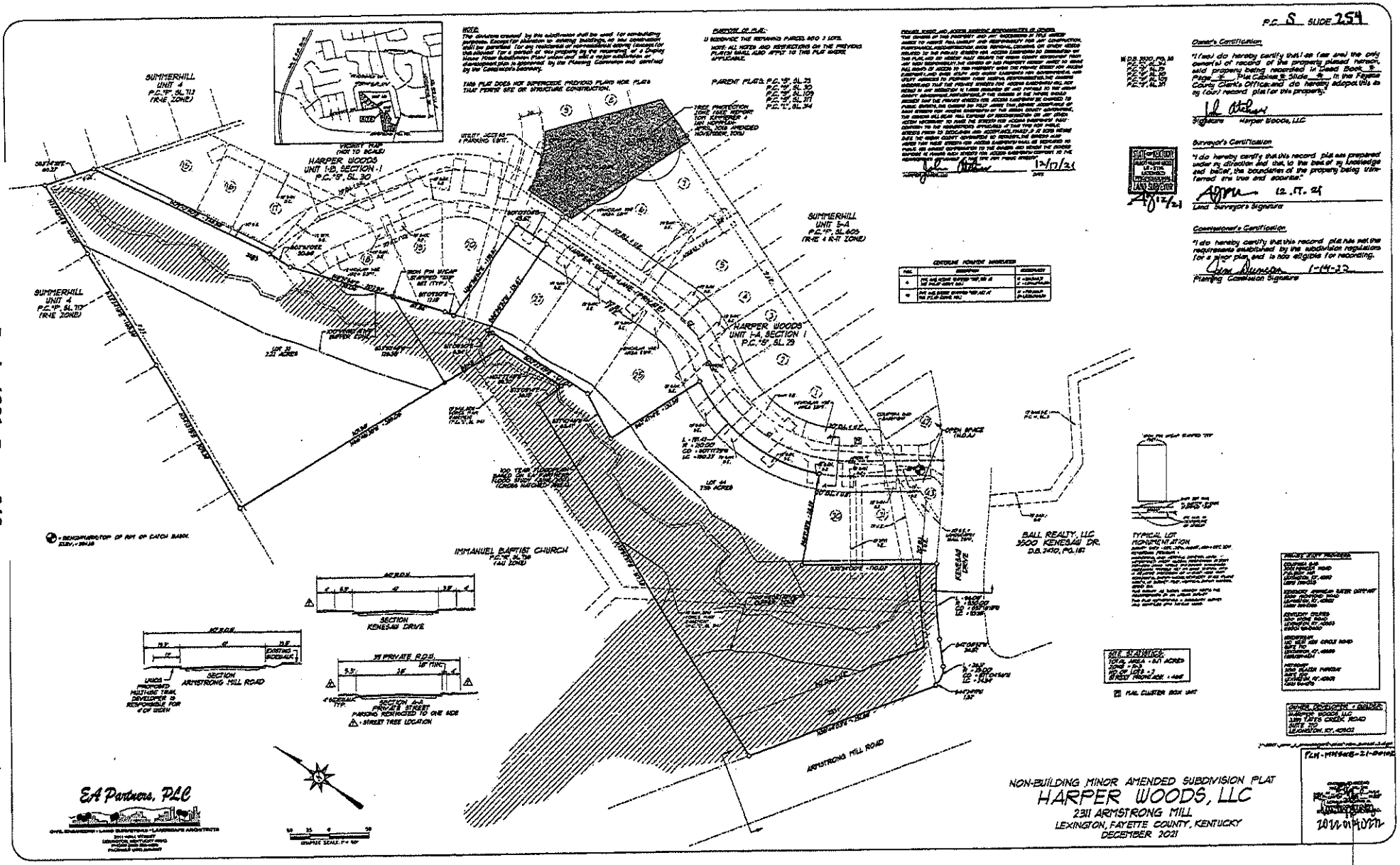
MINOR20-00000

20201130210

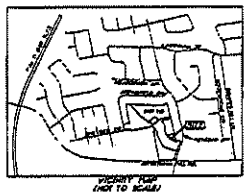
Book 4221 Page 346



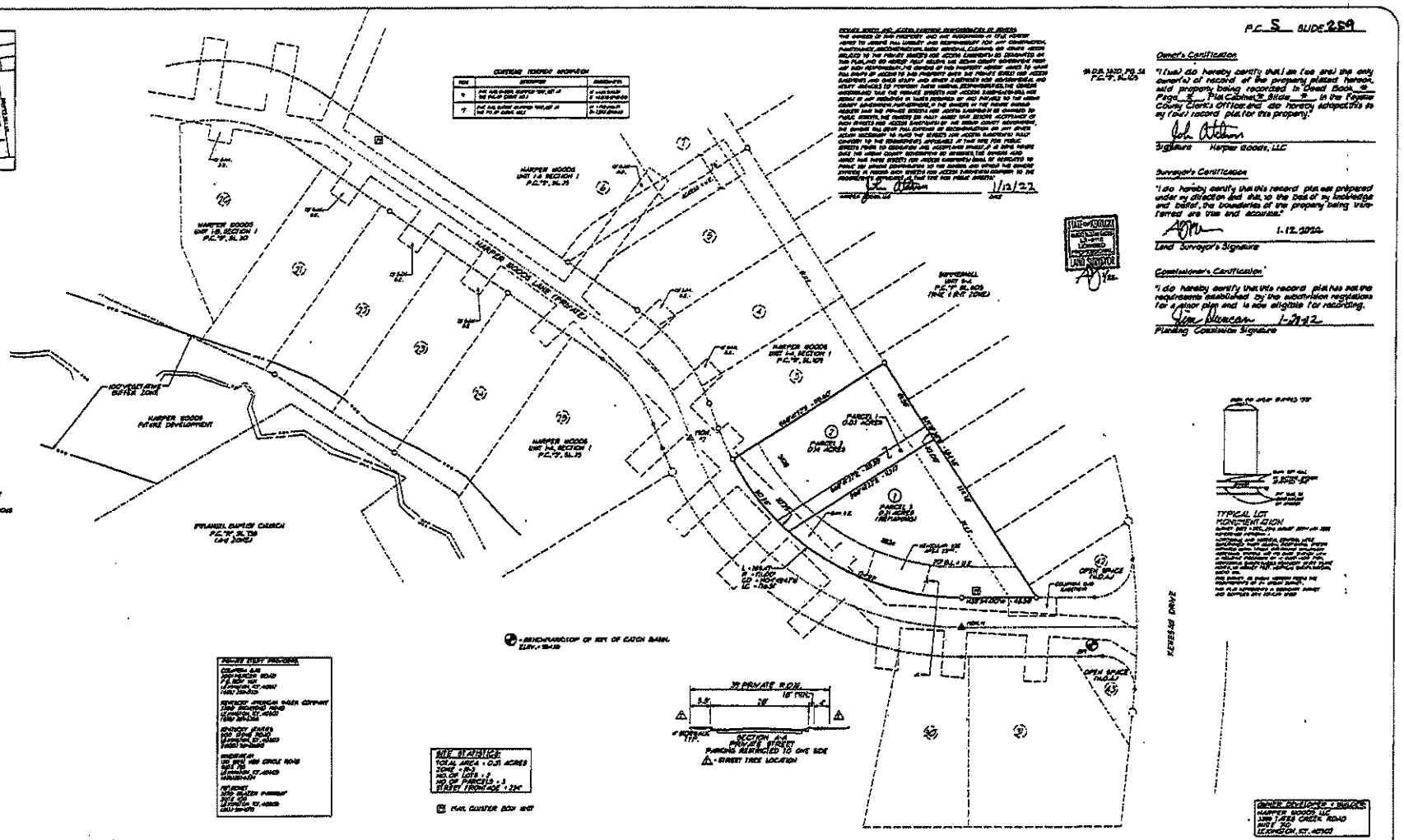
Book 4221 Page 347



Book 4221 Page 348



VICINITY MAP
(NOT TO SCALE)



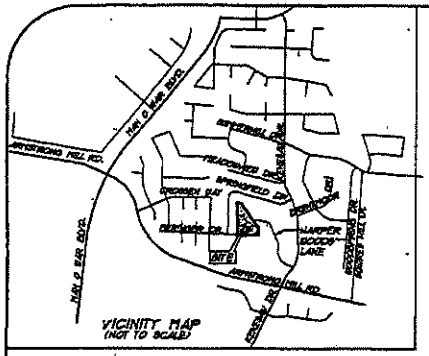
CONTROL POINTS DESCRIPTION

POINT	DESCRIPTION	ELEVATION
1	CUT ACROSS BOTTOM TOP OF 4" SQ. POST (DAM 20')	4" CAP FOUND 0.2' BELOW GRADE
2	CUT ACROSS BOTTOM TOP OF 4" SQ. POST (DAM 20')	4" CAP FOUND 0.2' BELOW GRADE

OWNER'S DEDICATION OF STREETS

"THE OWNER OF THE PROPERTY SHOWN AND NOT ASSIGNED IN THIS PLAT HEREBY ADOPTS THIS PLAN WITH HIS FREE CONSENT AND DEDICATES TO PUBLIC USE FOREVER ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER PUBLIC PROPERTY SHOWN ON THIS PLAN AND NOT HERETOFORE DEDICATED. THE OWNER HEREBY GRANTS AND CONVEYS TO THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, ITS SUCCESSORS AND ASSIGNS, THE PERPETUAL RIGHT, PRIVILEGE AND EASEMENT OF INGRESS AND EGRESS OVER AND ACROSS THE PRIVATE STREETS AND ACCESS EASEMENTS SHOWN ON THIS PLAT FOR THE PURPOSE OF PROVIDING EMERGENCY AND GOVERNMENTAL SERVICES, INCLUDING BUT NOT LIMITED TO, POLICE, FIRE AND EMERGENCY MEDICAL SERVICES. THE OWNER HEREBY GRANTS AND CONVEYS TO THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, ITS SUCCESSORS AND ASSIGNS, THE PERPETUAL RIGHT, PRIVILEGE AND EASEMENT OF INGRESS AND EGRESS OVER AND ACROSS THE PRIVATE STREETS AND ACCESS EASEMENTS SHOWN ON THIS PLAT FOR THE PURPOSE OF PROVIDING SERVICES TO THE PROPERTIES AFFECTED BY THE PRIVATE STREETS AND ACCESS EASEMENTS SHOWN ON THIS PLAT, INCLUDING BUT NOT LIMITED TO, THE REMOVAL OF SOLID WASTE AND RECYCLABL

PLAT CABINET S SLIDE 316



LOT #	LOT AREA	10% REQUIRED OPEN SPACE
31	5,046 SF	505 SF.
33	3,281 SF.	328 SF.
34	3,226 SF.	323 SF.
35	3,215 SF.	322 SF.
36	3,204 SF.	320 SF.
37	4,636 SF.	464 SF.
38	3,327 SF.	333 SF.
39	3,283 SF.	328 SF.
40	3,244 SF.	325 SF.
41	9,219 SF.	922 SF.

MONUMENT INFORMATION

MON.	DESCRIPTION	COORDINATES
1	IRON PIN SET WITH "EA" CAP SET AT THE NORTHERN TERMINUS OF SUTTERHILL UNIT 4	N = 170,880.21 E = 1,317,769.34
2	IRON PIN SET WITH "EA" CAP SET AT THE NORTHERN TERMINUS OF BERINGER DRIVE	N = 170,233.35 E = 1,317,693.98

PRIVATE STREET (OR ACCESS EASEMENT) RESPONSIBILITIES OF OWNERS:

"THE OWNERS OF THIS PROPERTY AND ANY SUCCESSORS IN TITLE HEREBY AGREE TO ASSUME FULL LIABILITY AND RESPONSIBILITY FOR ANY CONSTRUCTION, MAINTENANCE, RECONSTRUCTION, SNOW REMOVAL, CLEANING OR OTHER NEEDS RELATED TO THE PRIVATE STREET (OR ACCESS EASEMENTS) SO DESIGNATED ON THIS PLAN, AND DO HEREBY FULLY RELIEVE THE URBAN COUNTY GOVERNMENT FROM ANY SUCH RESPONSIBILITY. THE OWNERS OF THIS PROPERTY HEREBY AGREE TO GRANT FULL RIGHTS OF ACCESS TO THIS PROPERTY OVER THIS PRIVATE STREET (OR ACCESS EASEMENT), AND OVER UTILITY AND OTHER EASEMENTS FOR GOVERNMENTAL AND UTILITY PERSONNEL TO PERFORM THEIR NORMAL RESPONSIBILITIES. THE OWNERS UNDERSTAND AND THAT THE PRIVATE STREET (OR ACCESS EASEMENTS) WILL NOT RESULT IN ANY REDUCTION IN TAXES REQUIRED BY AND PAYABLE TO THE URBAN COUNTY GOVERNMENT. FURTHERMORE, IF THE OWNERS IN THE FUTURE SHOULD REQUEST THAT THE PRIVATE STREETS (OR ACCESS EASEMENTS) BE CHANGED TO PUBLIC STREETS, THE OWNERS DO FULLY AGREE THAT, BEFORE ACCEPTANCE OF SUCH STREETS (OR ACCESS EASEMENTS) BY THE URBAN COUNTY GOVERNMENT, THE OWNERS WILL BEAR FULL EXPENSE OF RECONSTRUCTION OR ANY OTHER ACTION NECESSARY TO MAKE THE STREETS (OR ACCESS EASEMENTS) FULLY CONFORM TO THE REQUIREMENTS APPLICABLE AT THAT TIME FOR PUBLIC STREETS PRIOR TO DEDICATION AND ACCEPTANCE. FINALLY, IF AT SOME FUTURE DATE THE URBAN COUNTY GOVERNMENT SO REQUESTS, THE OWNERS ALSO AGREE THAT THESE STREETS (OR ACCESS EASEMENTS) SHALL BE DEDICATED TO PUBLIC USE WITHOUT COMPENSATION TO THE OWNERS AND WITHOUT THE OWNERS EXPENSE IN MAKING SUCH STREETS (OR ACCESS EASEMENTS) CONFORM TO THE REQUIREMENTS APPLICABLE AT THAT TIME FOR PUBLIC STREET."

OWNER

6.27.22
DATE

OWNERS CERTIFICATION

I (WE) DO HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF RECORD OF THE PROPERTY PLATTED HEREON WHICH IS RECORDED IN DEED BOOK VOLUME 1845, PAGE 440, IN THE FAYETTE COUNTY CLERK'S OFFICE; DO HEREBY ADOPT THIS AS ITS (OUR) PLAN OF LOTS FOR THIS PROPERTY; DO HEREBY DEDICATE THE STREETS AND ANY OTHER SPACES SO INDICATED TO PUBLIC USE; AND DO ESTABLISH THAT THE EASEMENTS SHOWN HEREON ARE RESERVED FOR THE USE SO INDICATED AND NO STRUCTURE, TREE OR OTHER OBSTRUCTION OF ANY KIND SHALL BE ERECTED OR PERMITTED TO REMAIN UPON OR OVER ANY PORTION OF SAID EASEMENTS AND DO HEREBY DEDICATE THE SANITARY SEWER SYSTEM TO PUBLIC USE. ALSO I (WE) DO HEREBY AGREE THAT BEFORE ANY LOT HEREIN IS SOLD OR TRANSFERRED, THE PURCHASER SHALL BE NOTIFIED IN THE CONTRACT OR DEED OF ANY PRIVATE UTILITIES (WATER, GAS, ELECTRICITY, TELEPHONE, AND WHERE APPLICABLE, SANITARY SEWERS) NOT INSTALLED, AND THE DEED OR CONTRACT SHALL CONTAIN A STATEMENT THAT NO BUILDING OCCUPANCY CERTIFICATE MAY BE SECURED UNTIL ANY SUCH UTILITY IS INSTALLED.

SIGNATURE

DATE 6.27.22

URBAN COUNTY ENGINEERS CERTIFICATION

I HEREBY CERTIFY THAT RECORD DRAWINGS FOR THE INFRASTRUCTURE SHOWN HEREON HAVE BEEN RECEIVED AND THAT A CORRELATION PERFORMANCE AND WARRANTY SURETY IN THE AMOUNT REQUIRED BY THE LAND SUBDIVISION REGULATIONS HAS BEEN POSTED IN MY OFFICE BY THE DEVELOPER.

URBAN COUNTY ENGINEER

DATE 7/11/22

ENGINEERS AND SURVEYORS CERTIFICATION

I HEREBY DO CERTIFY THAT THIS RECORD PLAN WAS PREPARED BY ME OR UNDER MY DIRECTION; THAT ALL WORK PERFORMED BY ME OR UNDER MY DIRECTION, INCLUDING ENGINEERING DESIGN, AND CONSTRUCTION OBSERVATION OF THE INFRASTRUCTURE, WAS DONE IN ACCORDANCE WITH THE PROVISIONS OF THE LAND SUBDIVISION REGULATIONS, THE ZONING ORDINANCE, THE DIVISION OF ENGINEERING TECHNICAL MANUALS AND THE REQUIREMENTS OF THE PLANNING COMMISSION; THAT ALL MONUMENTS INDICATED HEREON DO EXIST AND THEIR LOCATIONS, SIZE, AND MATERIALS ARE CORRECTLY SHOWN; THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION SHOWN HEREON IS ACCURATE.

ENGINEER — REGISTRATION NO. 18,350 — DATE 6.27.22

SURVEYOR — REGISTRATION NO. 2,115 — DATE 6.27.22

COMMISSIONS CERTIFICATION

I DO HEREBY CERTIFY THAT THIS RECORD PLAT WAS APPROVED BY THE URBAN COUNTY PLANNING COMMISSION AT ITS MEETING AND IS NOW ELIGIBLE FOR RECORDING.

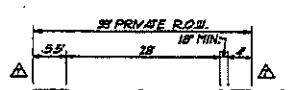
PLANNING COMMISSION SIGNATURE — DATE 7-25-22 — TRC APPROVED

OWNER/DEVELOPER:
HAPPY HOME KY, LLC
110 CENTRAL AVENUE
LEXINGTON, KY. 40502

SITE STATISTICS:
ZONE = R-3
AREA = 2.23 ACRES
NO. OF LOTS = 10 BUILDABLE, 1 H.O.A.
DENSITY = 4.50 LOTS/ACRE
LENGTH OF STREET = NONE
AREA OF R.O.W. = NONE

NOTES:

1. ALL DISTANCES IN CURVES ARE ARC DISTANCES.
2. LANDSCAPING SHALL BE AS REQUIRED IN ARTICLE 6-6 OF THE LAND SUBDIVISION REGULATIONS, ARTICLE 18 OF THE ZONING ORDINANCE.
3. SEWER MANHOLES SHALL NOT BE COVERED BY GRADING, SODDING OR ANY OTHER CONSTRUCTION ACTIVITY.
4. DETENTION AND WATER QUALITY ARE PROVIDED ON-SITE.
5. ALL STRUCTURES SHALL HAVE A FLOOR, THAT IS NOT PARTIALLY OR COMPLETELY UNDERGROUND, THAT IS AT LEAST ONE FOOT ABOVE THE ELEVATION OF THE NEAREST DOWNSTREAM MANHOLE LID. SEWAGE FROM PLUMBING CONNECTIONS BELOW THAT FLOOR SHALL BE LIFTED BY AN EJECTOR PUMP AND DISCHARGED INTO THE STRUCTURES SEWER LINE.
6. NO UNDERGROUNDING UTILITY SHALL BE CONSTRUCTED WITHIN BOX (48) OF SANITARY SEWER LINES, THE ONLY EXCEPTION IS FOR LINE CROSSINGS.
7. INDIVIDUAL LOT OWNERS ARE RESPONSIBLE FOR MAINTAINING ALL DRAINAGE AND OTHER EASEMENT AREAS.
8. THERE SHALL BE ONLY ONE UNIT PER LOT.
9. TREE PROTECTION AREA DESIGNATION DOES NOT PROHIBIT THE NECESSARY REMOVAL OF EXOTIC, INVASIVE, DAMAGED, DOOMED, DISEASED OR DEAD PLANT MATERIAL. CORRECTIVE PRUNING AND CONTINUAL MAINTENANCE WITHIN THE TREE PROTECTION AREA IS REQUIRED TO ENSURE A HEALTHY, ATTRACTIVE AND ACCESSIBLE LANDSCAPE.
10. A HOMEOWNERS ASSOCIATION SHALL BE ESTABLISHED AND RESPONSIBLE FOR THE MAINTENANCE OF THE PRIVATE STREETS, ACCESS EASEMENTS, COMMON OPEN SPACE AREAS AND VEGETATIVE BUFFER AREA.
11. THE PLANNING COMMISSION GRANTED A WAIVER TO ARTICLE 6-3, 6-7 AND 6-8 OF THE LAND SUBDIVISION REGULATIONS AT THE FEBRUARY 23, 2006 HEARING. THEY ALSO APPROVED THE USE OF ACCESS EASEMENTS.
12. THIS PROPERTY SHALL BE DEVELOPED IN ACCORDANCE WITH THE FINAL DEVELOPMENT PLAN.
13. IN ACCORDANCE WITH PLANS APPROVED BY THE LFUCG, 2 LARGE TREES PER LOT (OR EQUIVALENT AREA WITH SMALLER SPECIES TREES) IN ADDITION TO STREET TREES IS REQUIRED TO BE PLANTED ON THIS PROPERTY PER THE APPROVED TREE PROTECTION PLAN. CANOPY REQUIREMENTS TO BE MET WITH THE H.O.A. LOT.
14. UTILITY COMPANIES SHALL HAVE ACCESS TO ALL OPEN SPACE AREAS FOR THE PROVISION AND MAINTENANCE OF SERVICE.



UTILITY OWNERS:

KENTUCKY-AMERICAN WATER COMPANY
2300 RICHMOND ROAD
LEXINGTON, KENTUCKY 40502
PHONE: 859-335-5473

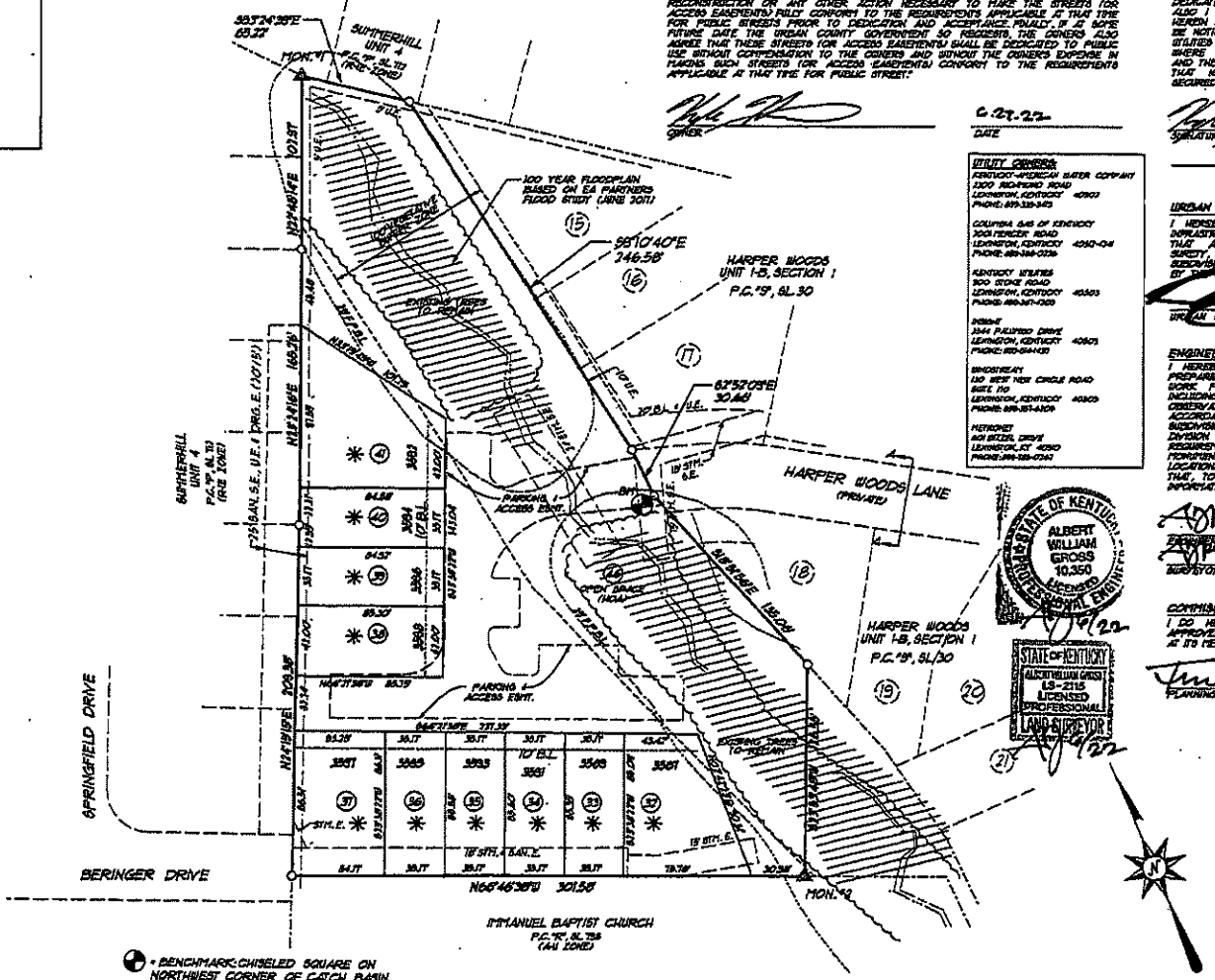
COLUMBIA GAS OF KENTUCKY
3001 MERCER ROAD
LEXINGTON, KENTUCKY 40511-1264
PHONE: 859-288-0236

KENTUCKY UTILITIES
100 STONE ROAD
LEXINGTON, KENTUCKY 40503
PHONE: 859-367-1220

INSIGHT
1044 PALOMO DRIVE
LEXINGTON, KENTUCKY 40503
PHONE: 859-594-1431

WINDSTREAM
120 WEST NEW CIRCLE ROAD
SUITE 110
LEXINGTON, KENTUCKY 40505
PHONE: 859-357-4109

METRONET
401 BIDEL DRIVE
LEXINGTON, KY 40510
PHONE: 844-328-0740


S83°24'38"E
65.27'
SUTTERHILL UNIT 4
P.C. "P", SL. 113
(R=12', 10NE)
MON. #1
100 YEAR FLOODPLAIN BASED ON EA PARTNERS FLOOD STUDY (JUNE 2011)
S81°10'40"E
246.58'
HARPER WOODS UNIT 1-B, SECTION 1
P.C. "P", SL. 30
S7°52'05"E
30.48'
HARPER WOODS LANE
(PRIVATE)
SPRINGFIELD DRIVE
BERINGER DRIVE
N66°46'38"W
301.58'
MON. #2
EMMANUEL BAPTIST CHURCH
P.C. "P", SL. 756
(A-1 ZONE)
PARKING & ACCESS EASEMENT
OPEN SPACE (HOA)
EXISTING TREES TO REMAIN
SUTTERHILL UNIT 4
P.C. "P", SL. 113
(R=12', 10NE)
S73°24'38"E
209.36'
N73°24'38"W
209.36'
S16°35'22"W
209.36'
N16°35'22"E
209.36'
BACK LOT LINE
S73°24'38"E 217.39'
18' BSTH. & SAN. E.
10' B.L.
18' BSTH. & U.E.
15' BSTH. & U.E.
7.5' U.E.
20' U.E.
41.00'
40.44'
101.51'
91.18'
33.11'
33.11'
33.11

NOTES:

1. ALL DISTANCES IN CURVES ARE ARC DISTANCES.

2. LANDSCAPING SHALL BE AS REQUIRED BY ARTICLE 6-6(I) OF THE LAND SUBDIVISION REGULATIONS, ARTICLE 18 OF THE ZONING ORDINANCE.

3. SEWER MANHOLES SHALL NOT BE COVERED BY GRADING, SODDING OR ANY OTHER CONSTRUCTION ACTIVITY.

4. BUILDINGS MAY ENCROACH THE REQUIRED FRONT, BACK AND SIDE YARDS PER ARTICLE 15 OF THE ZONING ORDINANCE.

5. DETENTION AND WATER QUALITY ARE PROVIDED ON-SITE.

6. ALL STRUCTURES SHALL HAVE A FLOOR, THAT IS NOT PARTIALLY OR COMPLETELY UNDERGROUND, THAT IS AT LEAST ONE FOOT ABOVE THE ELEVATION OF THE NEAREST DOWNSTREAM MANHOLE I.D. SEWAGE FROM PLUMBING CONNECTIONS BELOW THAT FLOOR SHALL BE LIFTED BY AN EJECTOR PUMP AND DISCHARGED INTO THE STRUCTURES SEWER LINE.

7. NO UNDERGROUND UTILITY SHALL BE CONSTRUCTED WITHIN SIX (6') OF SANITARY SEWER LINES. THE ONLY EXCEPTION IS FOR LINE CROSSINGS.

8. INDIVIDUAL LOT OWNERS ARE RESPONSIBLE FOR MAINTAINING ALL DRAINAGE AND OTHER EASEMENT AREAS.

9. THERE SHALL BE ONLY ONE DWELLING UNIT PER LOT.

10. TREE PROTECTION AREA DESIGNATION DOES NOT PROHIBIT THE NECESSARY REMOVAL OF EXOTIC, INVASIVE, DAMAGED, DOOMED, DISEASED OR DEAD PLANT MATERIAL. CORRECTIVE PRUNING AND CONTINUAL MAINTENANCE WITHIN THE TREE PROTECTION AREA IS REQUIRED TO ENSURE A HEALTHY, ATTRACTIVE AND ACCESSIBLE LANDSCAPE.

11. A HOMEOWNERS ASSOCIATION SHALL BE ESTABLISHED AND RESPONSIBLE FOR THE MAINTENANCE OF THE PRIVATE STREETS, ACCESS EASEMENTS, COMMON OPEN SPACE AREAS AND VEGETATIVE BUFFER AREAS.

12. THE PLANNING COMMISSION GRANTED A WAIVER TO ARTICLE 6-3, 6-4 AND 6-5 OF THE LAND SUBDIVISION REGULATIONS AT THE FEBRUARY 23, 2006 HEARING THAT ALSO APPROVED THE USE OF ACCESS EASEMENTS.

13. THE STREET TREES REQUIRED HEREON SHALL BE MAINTAINED BY THE PROPERTY OWNER. NO TREE MAY BE REMOVED WITHOUT THE APPROVAL OF THE URBAN FORESTER. THE OWNER OF THE PROPERTY SHALL BE RESPONSIBLE FOR THE CONTINUED PROPER MAINTENANCE OF ALL STREET TREES AND SHALL KEEP THEM IN A HEALTHY, NEAT AND ORDERLY APPEARANCE FREE FROM REFUSE AND DEBRIS AT ALL TIMES. TOPPING TREES OR THE SEVERE CUTTING OF LIMBS TO STUBS LARGER THAN THREE INCHES IN DIAMETER WITHIN THE TREE CROWN TO SUCH EXTENT AS TO REMOVE THE NORMAL CANOPY SHALL NOT BE PERMITTED.

LARGE SPECIES (40' O.C.) IN PLANTING STRIPS 7' WIDE OR LARGER:

1. ACER SACCHARUM (SUGAR MAPLE)
2. LIRIODENDRON TULIPIFERA (TULIP POPULAR)
3. QUERCUS BICOLOR (SWAMP WHITE OAK)
4. QUERCUS ALBA (WHITE OAK)

[3] INDICATES NO. OF STREET TREES REQUIRED ON LOT.

A TOTAL OF 1 TREE TO BE PLANTED.

STREET TREES SHALL BE AS INDICATED ON THE CROSS SECTIONS EXCEPT FOR STREET TREES WITHIN 75 FT. OF AN INTERSECTION OF TWO PUBLIC STREETS MEASURED FROM FACE OF CURB. SHALL BE LOCATED BEHIND THE SIDEWALK AND SHALL NOT BE LOCATED IN THE JOINT-OF-USE UTILITY STRIP. THE MAXIMUM SPACING OF ANY ONE SPECIES OF TREE TO BE USED IS 35 OR 25%, WHICHEVER IS GREATER.

14. THERE IS TO BE A 5' DRAINAGE EASEMENT CENTERED ON THE SIDE AND REAR LOT LINES OR ALL LOTS. THESE EASEMENTS, ALTHOUGH NOT SHOWN ON THIS PLAT, ARE INTENDED TO CONVEY STORM WATER DRAINAGE BY SHEET FLOW FOR OTHER LOTS. THESE AND ALL OTHER DRAINAGE EASEMENTS SHALL BE MAINTAINED FREE AND CLEAR OF BRUSH AND DEBRIS BY THE PROPERTY OWNER AND MAY NOT BE ALTERED FROM THE APPROVED CONDITION WITHOUT THE APPROVAL FROM THE URBAN COUNTY ENGINEER'S OFFICE. THE OWNER SHALL MAINTAINED DRAINAGE EASEMENTS OF ALL TYPES IN SUCH A FASHION AS NOT TO CREATE IF POTENTIAL OR ACTUAL HEALTH OR SAFETY HAZARD.

15. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF SIGNAGE IN ACCORDANCE WITH MUTCD STANDARDS UNTIL THE FINAL SURFACE HAS BEEN PLACED ON THE ROADWAY.

16. NO CIRCULAR DRIVEWAYS ALLOWED FOR ANY LOT.

17. NO STREET TREE SHALL BE PLACED WITHIN 30' OF ANY STOP SIGN.

18. NO CONSTRUCTION, MAINTENANCE, OR STRUCTURES ALLOWED IN THE VEGETATIVE BUFFER.



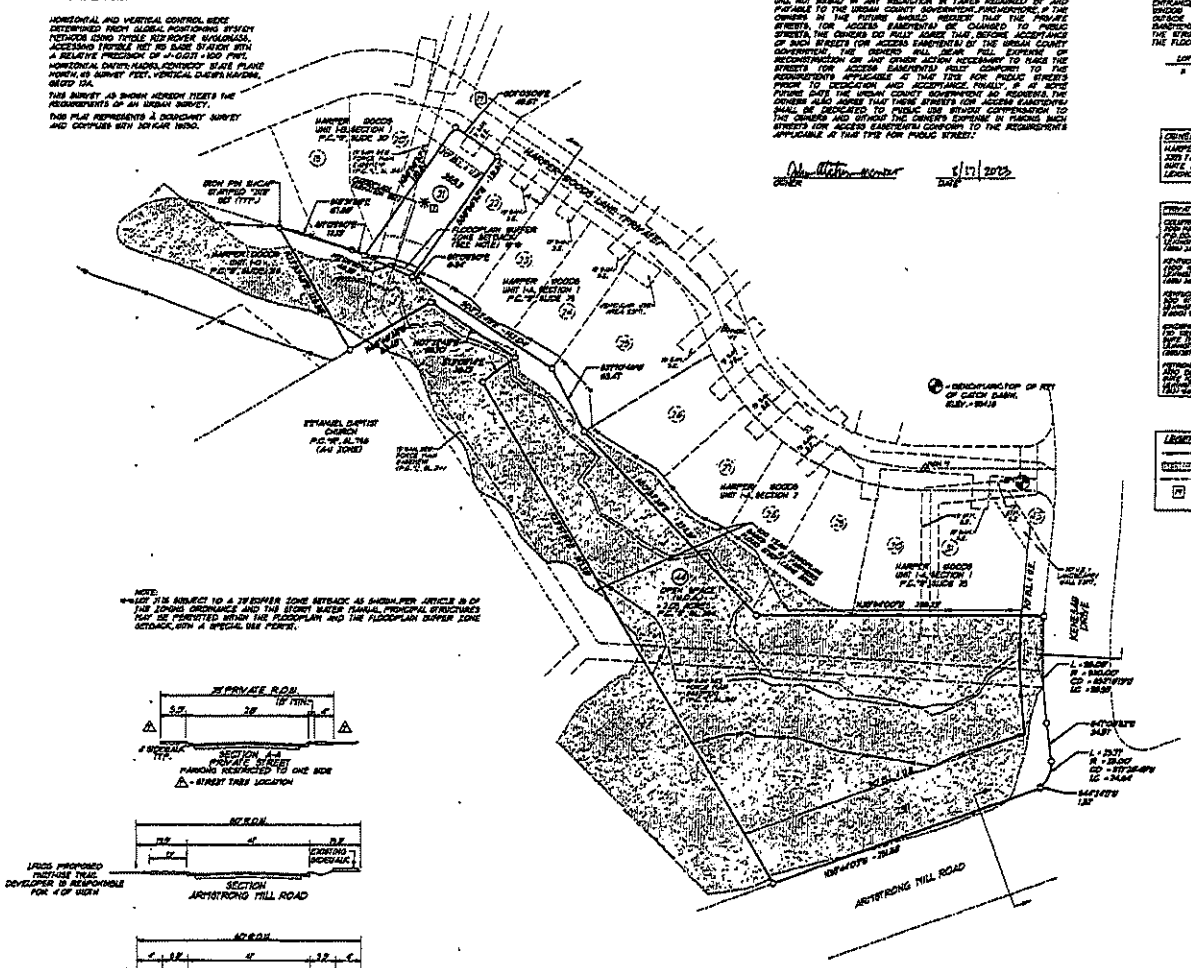
CONTROL MONUMENTS

NO.	DESCRIPTION	COORDINATES
1	1/2" REBAR W/ CAP STAMPED "EA PARTNERS PLLC" SET IN TOP OF CURB & GUTTER	N = 198,000.00' E = 1,000,000.00'
2	1/2" REBAR W/ CAP STAMPED "EA PARTNERS PLLC" SET IN TOP OF CURB & GUTTER	N = 197,000.00' E = 1,000,000.00'

HORIZONTAL AND VERTICAL CONTROL WERE DETERMINED FROM GLOBAL POSITIONING SYSTEM METHODS USING TRIMBLE R8 ROVER W/GLONASS, ACCESSING TRIMBLE VRS NETWORK. ACCURACY IS TO BE A RELATIVE PRECISION OF +/- 0.01ft + 1:00 PPM. HORIZONTAL DATUM: NAD83, KENTUCKY STATE PLANE NORTH, US SURVEY FEET. VERTICAL DATUM: NAVD88, GEOID 12A.

THIS SURVEY AS SHOWN HEREON MEETS THE REQUIREMENTS OF AN URBAN SURVEY.

THIS PLAT REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 18:150.



NOTE:
*LOT 11 IS SUBJECT TO A 75' BUFFER ZONE SETBACK AS SHOWN PER ARTICLE 18-D OF THE ZONING ORDINANCE AND THE STORY WATER MANAGEMENT STRUCTURE'S "A" MAY BE PERMITTED WITHIN THE FLOODPLAIN AND THE FLOODPLAIN BUFFER ZONE SETBACK WITH A SPECIAL USE PERMIT.

PRIVATE STREETS FOR ACCESS EASEMENT(S)
RESPONSIBILITY OF OWNERS

THE OWNERS OF THIS PROPERTY AND ANY SUCCESSORS IN TITLE HEREBY AGREE TO ASSUME FULL LIABILITY AND RESPONSIBILITY FOR ANY CONSTRUCTION, MAINTENANCE, RECONSTRUCTION, SNOW REMOVAL, CLEANING OR OTHER NEEDS RELATED TO THE PRIVATE STREET FOR ACCESS EASEMENT(S) SO DESIGNATED ON THIS PLAN, AND DO HEREBY FULLY RELIEVE THE URBAN COUNTY GOVERNMENT FROM ANY AND ALL RESPONSIBILITY. THE OWNERS OF THIS PROPERTY HEREBY AGREE TO GRANT FULL RIGHTS OF ACCESS TO THIS PROPERTY OVER THE PRIVATE STREET FOR ACCESS EASEMENT, AND OVER UTILITY AND OTHER EASEMENTS FOR GOVERNMENTAL AND UTILITY AGENCIES TO PERFORM THEIR NORMAL RESPONSIBILITIES. THE OWNERS UNDERSTAND THAT THE PRIVATE STREET FOR ACCESS EASEMENT(S) WILL NOT QUALIFY IN ANY RESPECT IN LANES REQUIRED BY AND PAYABLE TO THE URBAN COUNTY GOVERNMENT. FURTHERMORE, IF THE OWNERS IN THE FUTURE SHOULD REQUEST THAT THE PRIVATE STREETS FOR ACCESS EASEMENT(S) BE CHANGED TO PUBLIC STREETS, THE OWNERS DO FULLY AGREE THAT BEFORE ACCEPTANCE OF SUCH STREETS FOR ACCESS EASEMENT(S) BY THE URBAN COUNTY GOVERNMENT, THE OWNERS WILL CLEAR, FILL, EXPAND OR RECONSTRUCTION OR ANY OTHER ACTION NECESSARY TO MAKE THE STREETS FOR ACCESS EASEMENT(S) FULLY COMPLY TO THE REQUIREMENTS APPLICABLE AT THE TIME FOR PUBLIC STREETS FROM DEDICATION AND ACCEPTANCE. FINALLY, IF AT ANY FUTURE DATE THE URBAN COUNTY GOVERNMENT SO REQUIRES, THE OWNERS ALSO AGREE THAT THESE STREETS FOR ACCESS EASEMENT(S) SHALL BE DEDICATED TO PUBLIC USE WITHOUT COMPENSATION TO THE OWNERS AND WITHOUT THE URBAN COUNTY EXPENSE, IF SAID STREETS FOR ACCESS EASEMENT(S) CONFORM TO THE REQUIREMENTS APPLICABLE AT THAT TIME FOR PUBLIC STREET.

Owner 5/1/2023
Date

100-YEAR FLOOD PROTECTION ELEVATIONS

100-YEAR FLOOD PROTECTION ELEVATIONS ARE ESTABLISHED AT THE DIRECTION OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT. BASED ON ENGINEERED AND APPROVED FLOOD STUDIES. IT IS UNDERSTOOD AND AGREED, BY RECORDING THE OWNER AND CHANGES OF RECORD THAT NO REPRESENTATION THAT FLOOD WATERS WILL NOT EXCEED THESE ELEVATIONS. FOR ALL NEW STRUCTURES, THE LOWEST FLOOR ELEVATION THAT IS ABOVE GROUND LEVEL SHALL BE AT OR ABOVE THE FLOOD PROTECTION ELEVATION. GARAGE, BASEMENT ENTRANCES, FOUNDATION VENTS, DUCTWORK WORK, AND THE TOP LACING OR SETBACK FLANGES OF LOWER FLOOR FLOOD PROTECTION ELEVATION.

LOT	ELEVATION
2	1065

OWNER, DEVELOPER & BUILDER:
HARPER WOODS, LLC
3251 TATES CREEK ROAD
SUITE 210
LEXINGTON, KY 40502

UTILITY PROVIDERS:
COLUMBIA GAS
2001 MERCER ROAD
LEXINGTON, KY 40512
(859) 288-0211

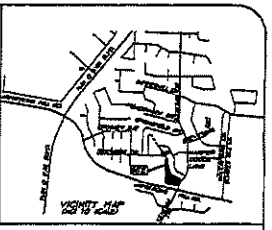
KENTUCKY AMERICAN WATER COMPANY
2300 RICHMOND ROAD
LEXINGTON, KY 40502
(859) 268-6300

KENTUCKY UTILITIES
ATTN: DEVELOPER SERVICES
220 WEST MAIN STREET
LOUISVILLE, KY 40202
(502) 627-2000

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
ATTN: DIVISION OF ENGINEERING
200 EAST MAIN STREET
LEXINGTON, KY 40507
(859) 258-3160

WINDSTREAM
ATTN: OUTSIDE PLANT
2365 HARRODSBURG ROAD
LEXINGTON, KY 40504
(859) 223-1000

LEGEND
- VEGETATIVE BUFFER
- FLOODPLAIN
- CREEK
- FIRE CLOSURE BOX (FCB)



OWNERS CERTIFICATION

I (WE) DO HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF RECORD OF THE PROPERTY PLATTED HEREON WHICH IS RECORDED IN DEED BOOK 4221, PAGE 344 IN THE FAYETTE COUNTY CLERK'S OFFICE. I (WE) DO HEREBY CONSENT TO THIS PLAT. I (WE) DO HEREBY DEDICATE THE STREETS AND ANY OTHER SPACES SO INDICATED TO PUBLIC USE, AND DO CERTIFY THAT THE EASEMENTS SHOWN HEREON ARE RESERVED FOR THE USES INDICATED AND NO STRUCTURES, TREE OR OTHER OBSTRUCTION OF ANY KIND SHALL BE ERECTED OR PERMITTED TO REMAIN UPON OR OVER ANY PORTION OF LAND EASEMENTS AND DO HEREBY DEDICATE THE SANITARY SEWER SYSTEM TO PUBLIC USE. I ALSO (WE) DO HEREBY CERTIFY THAT BEFORE ANY LOT SHOWN IS SOLD OR TRANSFERRED, THE PURCHASER SHALL BE NOTIFIED IN THE CONTRACT OR DEED OF ANY PRIVATE UTILITIES (GAS, ELECTRICITY, TELEPHONE, CABLE, WHERE APPLICABLE, SANITARY SEWERS) NOT INSTALLED, AND THE DEED OR CONTRACT SHALL CONTAIN A STATEMENT OF BUILDER OR PURCHASER CERTIFICATE THAT BE SECURED UNTIL ARE SUCH UTILITY IS INSTALLED.

Owner 5/1/2023
Date

P.B.D. 34/90, PG. 28, P.C. 19, SL. 134

URBAN COUNTY ENGINEERS CERTIFICATION

I HEREBY CERTIFY THAT RECORD DRAWINGS FOR THE INFRASTRUCTURE SHOWN HEREON HAVE BEEN RECEIVED AND THAT CONSTRUCTION PERFORMANCE AND QUALITY ASSURANCE, IN THE AMOUNT REQUIRED BY THE LAND SUBDIVISION REGULATIONS, HAS BEEN POSTED IN THE OFFICE OF THE DEVELOPER.

Urban County Engineer
Date 8/17/23

ENGINEERS AND SURVEYORS CERTIFICATION

I HEREBY DO CERTIFY THAT THIS RECORD PLAT WAS PREPARED BY ME OR UNDER MY DIRECTION; THAT ALL WORK PERFORMED BY ME OR UNDER MY DIRECTION INCLUDING ENGINEERING DESIGN, AND CONSTRUCTION OBSERVATION OF THE INFRASTRUCTURE, WAS DONE IN ACCORDANCE WITH THE PROVISIONS OF THE LAND SUBDIVISION REGULATIONS, THE ZONING ORDINANCE, THE DIVISION OF ENGINEERING TECHNICAL MANUALS, THE REQUIREMENTS OF THE PLANNING COMMISSION THAT ALL MONUMENTS INDICATED HEREON DO EXIST AND THEIR LOCATIONS, SIZE, AND MATERIALS ARE CORRECTLY SHOWN; THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION SHOWN HEREON IS ACCURATE.

Engineer — Registration No. 19456 — Date 8.17.23
Surveyor — Registration No. 4315 — Date 8.17.23

COMMISSIONS CERTIFICATION

I DO HEREBY CERTIFY THAT THIS RECORD PLAT WAS APPROVED BY THE URBAN COUNTY PLANNING COMMISSION AT ITS MEETING AND IS NOW ELIGIBLE FOR RECORDING.

Planning Commission Signature
Date 8-10-23

SITE STATISTICS:
ZONE = R-1
AREA = 1.23 ACRES
NO. OF LOTS = 1 BUILDABLE AND 1 H.O.A.
LENGTH OF STREET = NONE
AREA OF ROW = NONE

PURPOSE OF PLAT
TO CREATE BUILDABLE LOT 2.

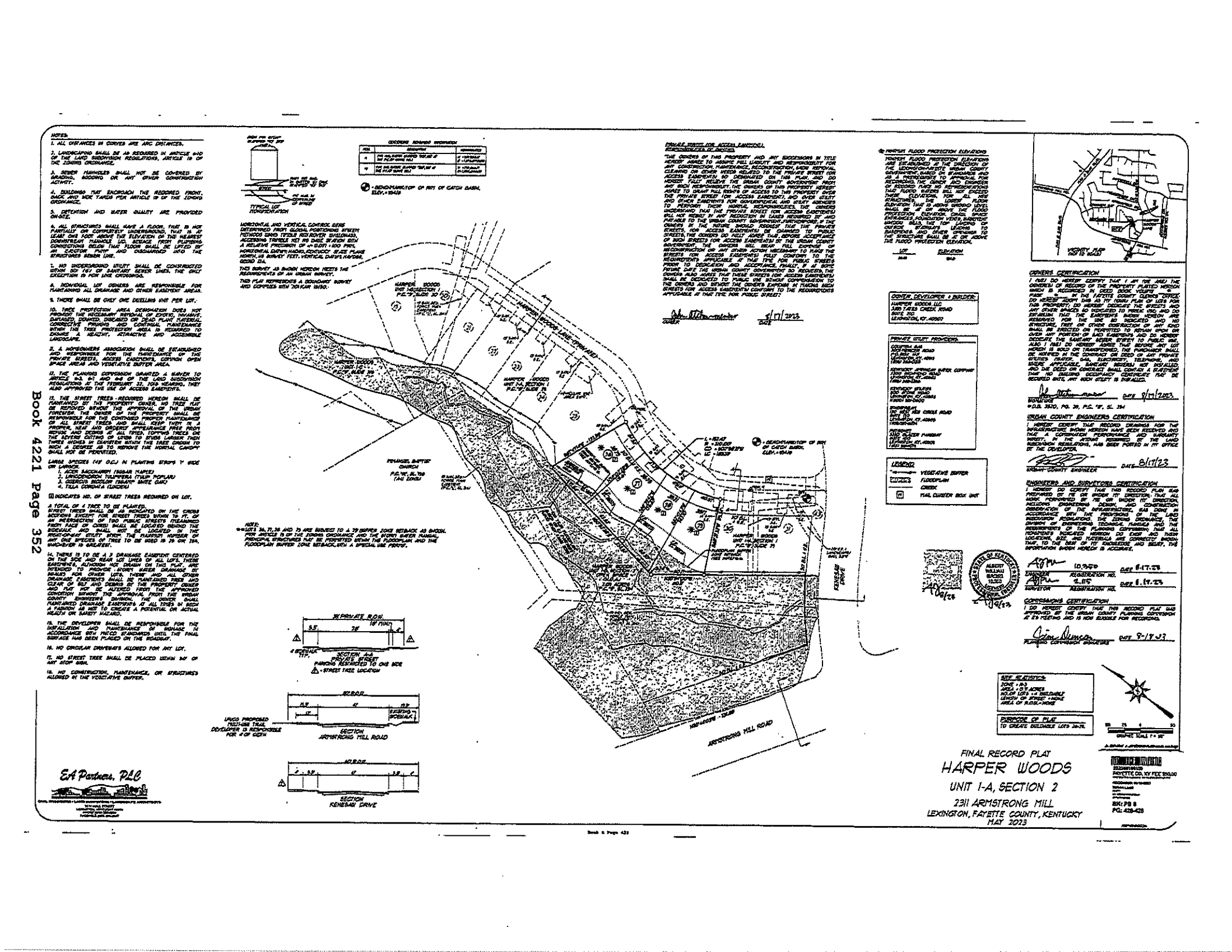


FINAL RECORD PLAT
HARPER WOODS
UNIT 1-B, SECTION 2
2311 ARMSTRONG MILL (PORTION OF)
LEXINGTON, FAYETTE COUNTY, KENTUCKY
MAY 2023

EA Partners, PLLC

STEPHEN NIXON
FAYETTE CO, KY FEE $50.00
BK: PB 5
PG: 425-425

Book 4221 Page 351


NOTES:
1. ALL DISTANCES IN CURVES ARE ARC DISTANCES.
2. LANDSCAPING SHALL BE AS REQUIRED IN ARTICLE 6-10 OF THE LAND SUBDIVISION REGULATIONS, ARTICLE 18 OF THE ZONING ORDINANCE.
3. SEWER MANHOLES SHALL NOT BE COVERED BY GRADING, SODDING OR ANY OTHER CONSTRUCTION ACTIVITY.
4. BUILDING THAT ENCROACH THE REQUIRED FRONT, BACK AND SIDE YARDS PER ARTICLE 18 OF THE ZONING ORDINANCE.
5. DETENTION AND WATER QUALITY ARE PROVIDED ON-SITE.
6. ALL STRUCTURES SHALL HAVE A FLOOR, THAT IS NOT PARTIALLY OR COMPLETELY UNDERGROUND, THAT IS AT LEAST ONE FOOT ABOVE THE ELEVATION OF THE NEAREST DOWNSTREAM MANHOLE LID, SEWAGE FROM PLUMBING CONNECTIONS BELOW THAT FLOOR SHALL BE LIFTED BY AN EJECTOR PUMP AND DISCHARGED INTO THE STRUCTURES SEWER LINE.
7. NO UNDERGROUND UTILITY SHALL BE CONSTRUCTED WITHIN 50' (10' OF SANITARY SEWER LINES. THE ONLY EXCEPTION IS FOR LINE CROSSINGS.
8. INDIVIDUAL LOT OWNERS ARE RESPONSIBLE FOR MAINTAINING ALL DRAINAGE AND OTHER EASEMENT AREAS.
9. THERE SHALL BE ONLY ONE DWELLING UNIT PER LOT.
10. TREE PROTECTION AREA DESIGNATION DOES NOT PROHIBIT THE NECESSARY REMOVAL OF EXISTING, DAMAGED, DISEASED, DISEASED OR DEAD PLANT MATERIAL. CORRECTIVE PRUNING AND CONTINUAL MAINTENANCE WITHIN THE TREE PROTECTION AREA IS REQUIRED TO ENSURE A HEALTHY, ATTRACTIVE AND ACCESSIBLE LANDSCAPE.
11. A HOMEOWNERS ASSOCIATION SHALL BE ESTABLISHED AND RESPONSIBLE FOR THE MAINTENANCE OF THE PRIVATE STREETS, ACCESS EASEMENTS, COMMON OPEN SPACE AREAS AND VEGETATIVE BUFFER AREA.
12. THE PLANNING COMMISSION GRANTED A WAIVER TO ARTICLE 9-3, 9-7 AND 9-8 OF THE LAND SUBDIVISION REGULATIONS AT THE FEBRUARY 23, 2023 HEARING. THEY ALSO APPROVED THE USE OF ACCESS EASEMENTS.
13. THE STREET TREES - REQUIRED HEREON SHALL BE PLANTED BY THE PROPERTY OWNER. NO TREE MAY BE REMOVED WITHOUT THE APPROVAL OF THE URBAN FORESTER. THE OWNER OF THE PROPERTY SHALL BE RESPONSIBLE FOR THE CONTINUED PROPER MAINTENANCE OF ALL STREET TREES AND SHALL KEEP THEM IN A PROPER, NEAT AND ORDERLY APPEARANCE FREE FROM DISEASE AND INSECTS. ALL DEAD TREES SHALL BE REMOVED BY THE OWNER WITHIN THE TIME FRAME SPECIFIED BY THE ZONING ORDINANCE. TOPPING TREES OR THE SEVERE CUTTING OF LIMBS TO STUBS LARGER THAN THREE INCHES IN DIAMETER WITHIN THE TREE CROWN TO SUCH A DEGREE AS TO REMOVE THE NORMAL CANOPY SHALL NOT BE PERMITTED.
LARGE SPECIES (40' O.C.) IN PLANTING STRIPS 7' WIDE OR LARGER.
1. ACER SACCHARUM (SUGAR MAPLE)
2. LIRIODENDRON TULIPIFERA (TULIP POPLAR)
3. QUERCUS BICOLOR (SWAMP WHITE OAK)
4. TILIA CORDATA (LINDEN)
(#) INDICATES NO. OF STREET TREES REQUIRED ON LOT.
A TOTAL OF 4 TREES TO BE PLANTED.
STREET TREES SHALL BE AS INDICATED ON THE CROSS SECTIONS EXCEPT FOR STREET TREES WITHIN 75 FT. OF AN INTERSECTION OF TWO PUBLIC STREETS (MEASURED FROM FACE OF CURB) SHALL BE LOCATED BEHIND THE SIDEWALK AND SHALL NOT BE LOCATED IN THE RIGHT-OF-WAY UTILITY STRIP. THE PLANTING BUFFER OR ANY ONE SPECIES OF TREE TO BE USED IS 75 OR 25%, WHICHEVER IS GREATER.
14. THERE IS TO BE A 5' DRAINAGE EASEMENT CENTERED ON THE SIDE AND REAR LOT LINES OF ALL LOTS, THESE EASEMENTS, ALTHOUGH NOT SHOWN ON THIS PLAT, ARE INTENDED TO PROVIDE ADEQUATE WATER DRAINAGE BY SWALES FOR OTHER LOTS. THESE AND ALL OTHER DRAINAGE EASEMENTS SHALL BE PLANTED FREE OF CLEAR OF BRUSH AND DEBRIS OF THE PROPERTY OWNER AND THAT MAY BE ALTERED FROM THE APPROVED CONDITION WITHOUT THE APPROVAL FROM THE URBAN COUNTY ENGINEER'S DIVISION. THE OWNER SHALL MAINTAIN DRAINAGE EASEMENTS AT ALL TIMES IN SUCH A FASHION AS NOT TO CREATE A POTENTIAL OR ACTUAL HEALTH OR SAFETY HAZARD.
15. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF SIDEWALK IN ACCORDANCE WITH THE LFUCG STANDARDS UNTIL THE FINAL SURFACE HAS BEEN PLACED ON THE ROADWAY.
16. NO CIRCULAR DRIVEWAYS ALLOWED FOR ANY LOT.
17. NO STREET TREE SHALL BE PLACED WITHIN 50' OF ANY STOP SIGN.
18. NO CONSTRUCTION, MAINTENANCE, OR STRUCTURES ALLOWED IN THE VEGETATIVE BUFFER.
TYPICAL LOT IDENTIFICATION
CURVE DATA
CURVE | DESCRIPTION | CHORD/BEARING
C1 | 100' RAD, 89.27' ARC, 51°12'00" DELTA | C=86.36', N 64°24'00" E
C2 | 100' RAD, 89.27' ARC, 51°12'00" DELTA | C=86.36', S 64°24'00" W
= SEWER MANHOLE TOP OF RIM OF CATCH BASIN, ELEV. = 954.18
HORIZONTAL AND VERTICAL CONTROL WERE DETERMINED FROM GLOBAL POSITIONING SYSTEM METHODS USING TRIMBLE R10 ROVER SHILDHOLD, ACCESSING TRIMBLE VRS NO BASE STATION WITH A RELATIVE PRECISION OF +/- 0.01' + 100 PPM. HORIZONTAL DATUM HADRS, CONSIST OF STATE PLANE NORTH, US SURVEY FEET. VERTICAL DATUM NAVD88, GEOID 12A.
THIS SURVEY AS SHOWN HEREON MEETS THE REQUIREMENTS OF AN URBAN SURVEY.
THIS PLAT REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 18:150.
HARPER WOODS UNIT 1-A SECTION 1 P.C. 9, SLIDE 30
HARPER WOODS UNIT 1-A SECTION 1 P.C. 9, SLIDE 30
HARPER WOODS UNIT 1-A SECTION 1 P.C. 9, SLIDE 29
HARPER WOODS UNIT 1-A SECTION 1 P.C. 9, SLIDE 29
HARPER WOODS LANE (OPEN USE)
FRANKLIN BAPTIST CHURCH P.C. 97, SL. 338 (AS SURV.)
KENESAW DRIVE
ARMSTRONG MILL ROAD
NOTE:
LOTS 36, 71, 74 AND 75 ARE SUBJECT TO A 75' BUFFER, ZONE SETBACK AS SHOWN PER ARTICLE 15 OF THE ZONING ORDINANCE AND THE STORM WATER MANUAL. PRINCIPAL STRUCTURES ARE NOT PERMITTED WITHIN THE FLOODPLAIN AND THE FLOODPLAIN BUFFER ZONE SETBACK WITH A SPECIAL USE PERMIT.
30' PRIVATE R.O.W.
18' MIN.
5.5'
28'
4' SIDEWALK
SECTION A-A
DRIVE A STREET
PARKING RESTRICTED TO ONE SIDE
= STREET TREE LOCATION
80' R.O.W.
11.5'
41'
11.5'
EXISTING 10' SIDEWALK
UNDO PROPOSED MULTI-USE TRAIL DEVELOPER IS RESPONSIBLE FOR 4' OF WIDTH
SECTION
ARMSTRONG MILL ROAD
80' R.O.W.
2'
5.5'
41'
5.5'
2'
SECTION
KENESAW DRIVE
PRIVATE STREET (OR ACCESS EASEMENT) RESPONSIBILITIES OF OWNERS
THE OWNERS OF THIS PROPERTY AND ANY SUCCESSORS IN TITLE HEREBY AGREE TO ASSUME FULL LIABILITY AND RESPONSIBILITY FOR ANY CONSTRUCTION, MAINTENANCE, RECONSTRUCTION, SNOW REMOVAL, CLEARING OR OTHER WORKS RELATED TO THE PRIVATE STREET (OR ACCESS EASEMENT) NO DEDICATED ON THIS PLAT, AND DO HEREBY FULLY RELEASE THE URBAN COUNTY GOVERNMENT FROM ANY SUCH RESPONSIBILITY. THE OWNERS OF THIS PROPERTY HEREBY AGREE TO GRANT FULL RIGHTS OF ACCESS TO THIS PROPERTY OVER THE PRIVATE STREET (OR ACCESS EASEMENT), AND OVER UTILITY AND OTHER EASEMENTS FOR COMMERCIAL AND UTILITY AUTHORITIES TO PERFORM THEIR NORMAL RESPONSIBILITIES. THE OWNERS UNDERSTAND THAT THE PRIVATE STREET (OR ACCESS EASEMENT) WILL NOT RESULT IN ANY REDUCTION IN TAXES REQUIRED BY AND PAYABLE TO THE URBAN COUNTY GOVERNMENT. FURTHERMORE, IF THE OWNERS IN THE FUTURE SHOULD REQUEST THAT THE PRIVATE STREETS, (OR ACCESS EASEMENTS) BE CHANGED TO PUBLIC STREETS, THE OWNERS DO HEREBY AGREE THAT, BEFORE ACCEPTANCE OF SUCH STREETS (OR ACCESS EASEMENTS) BY THE URBAN COUNTY GOVERNMENT, THE OWNERS WILL BEAR FULL EXPENSE OF RECONSTRUCTION OF ANY OTHER ACTION NECESSARY TO PLACE THE STREETS (OR ACCESS EASEMENTS) FULLY CONFORM TO THE REQUIREMENTS APPLICABLE AT THAT TIME FOR PUBLIC STREETS PRIOR TO DEDICATION AND ACCEPTANCE. FINALLY, IF AT SUCH TIME AS THE URBAN COUNTY GOVERNMENT SO REQUESTS, THE OWNERS ALSO AGREE THAT THESE STREETS (OR ACCESS EASEMENTS) SHALL BE DEDICATED TO PUBLIC USE WITHOUT COMPENSATION TO THE OWNERS AND WITHOUT THE OWNERS EXPENSE IN TAKING SUCH STREETS (OR ACCESS EASEMENTS) CONFORM TO THE REQUIREMENTS APPLICABLE AT THAT TIME FOR PUBLIC STREETS.
OWNER
DATE 8/1/2023
HARPER FLOOD PROTECTION ELEVATIONS
HARPER FLOOD PROTECTION ELEVATIONS ARE ESTABLISHED AT THE DIRECTION OF THE URBAN-COUNTY PLANNING COMMISSION AS A PREREQUISITE TO APPROVAL FOR RECORDING. THE OWNER AND ENGINEER OF RECORD HAVE NO REPRESENTATION THAT FLOOD WATERS WILL NOT EXCEED THESE ELEVATIONS FOR ALL NEW STRUCTURES. THE LOWEST FLOOR ELEVATION THAT IS ABOVE GROUND LEVEL SHALL BE AT OR ABOVE THE FLOOD PROTECTION ELEVATION GIVEN. SPACE ENTRANCES, FOUNDATION VENTS, BASEMENT WINDOW SILLS, THE TOP LANDING OF CUT BOX, WELL-HOLES, LEADING TO BASEMENTS AND OTHER OPENINGS TO THE STRUCTURE SHALL BE AT OR ABOVE THE FLOOD PROTECTION ELEVATION.
LOT | ELEVATION
36 | 954.8
OWNER / DEVELOPER / BUILDER:
HARPER WOODS LLC
3451 TATES CREEK ROAD
SUITE 310
LEXINGTON, KY. 40502
PRIVATE UTILITY PROVISIONS:
COLUMBIA GAS
2001 MERCER ROAD
LEXINGTON, KY. 40511
(800) 344-4077
KENTUCKY AMERICAN WATER COMPANY
2300 RICHMOND ROAD
LEXINGTON, KY. 40502
(859) 268-6334
KENTUCKY UTILITIES
220 WEST MAIN STREET
P.O. BOX 32030
LOUISVILLE, KY. 40232
(800) 981-0600
TELEPHONE
AT&T
1452 RICE CREEK ROAD
LEXINGTON, KY. 40509
(859) 268-1234
CABLE TV
ATLANTIC BROADBAND
1020 GEORGETOWN ROAD
LEXINGTON, KY. 40508
(859) 254-4444
LEGEND:
VEGETATIVE BUFFER
FLOODPLAIN
CREEK
MAIL CLUSTER BOX UNIT
VICINITY MAP
NOT TO SCALE
OWNERS CERTIFICATION
I (WE) DO HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF RECORD OF THE PROPERTY PLATTED HEREON WHICH IS RECORDED IN DEED BOOK 4221, PAGE 352 IN THE FAYETTE COUNTY CLERK'S OFFICE. I (WE) AGREE THAT THIS AS MY (OUR) PLAN OF LOTS FOR THIS PROPERTY, DO HEREBY DEDICATE THE STREETS AND ANY OTHER AREA(S) AS INDICATED TO PUBLIC USE, AND DO ESTABLISH THAT THE EASEMENTS SHOWN HEREON ARE RESERVED FOR THE USE AS INDICATED AND NO STRUCTURE, TREE OR OTHER OBSTRUCTION OF ANY KIND SHALL BE ERECTED OR PERMITTED TO REMAIN UPON OR OVER ANY PORTION OF SAID EASEMENTS. I (WE) DO HEREBY DEDICATE THE SANITARY SEWER SYSTEM TO PUBLIC USE. I (WE) ALSO I (WE) DO HEREBY AGREE THAT BEFORE ANY LOT HEREIN IS SOLD OR TRANSFERRED, THE PURCHASER SHALL BE NOTIFIED IN THE CONTRACT OR DEED OF ANY PRIVATE UTILITIES (GAS, ELECTRICITY, TELEPHONE AND WATER, IF APPLICABLE, SANITARY SEWERAGE NOT AVAILABLE) AND THE DEED OR CONTRACT SHALL CONTAIN A STATEMENT THAT NO DWELLING OCCUPANCY CERTIFICATE MAY BE SECURED UNTIL ANY SUCH UTILITY IS INSTALLED.
OWNER
DATE 8/1/2023
DEED REFERENCE: D.B. 3510, PG. 39, P.C. 9, SL. 334
URBAN COUNTY ENGINEERS CERTIFICATION
I HEREBY CERTIFY THAT RECORD DRAWINGS FOR THE INFRASTRUCTURE SHOWN HEREON HAVE BEEN RECEIVED AND THAT A CORPORATION PERFORMANCE AND WARRANTY AGREEMENT, IN THE AMOUNT ASSESSED BY THE LAND SUBDIVISION REGULATIONS, HAS BEEN POSTED IN THE OFFICE OF THE DEVELOPER.
URBAN-COUNTY ENGINEER
DATE 8/17/23
ENGINEERS AND SURVEYORS CERTIFICATION
I HEREBY DO CERTIFY THAT THIS RECORD PLAN WAS PREPARED BY ME OR UNDER MY DIRECTION, THAT ALL MONUMENTS SHOWN HEREON EXIST OR WILL BE PLACED AS INDICATED UPON COMPLETION OF THE IMPROVEMENTS, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE CORRECT. I FURTHER CERTIFY THAT THE PLAT IS IN COMPLIANCE WITH THE SUBDIVISION REGULATIONS OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, EXCEPT FOR ANY DEVIATIONS EXPRESSLY NOTED AND APPROVED BY THE PLANNING COMMISSION. ALL MONUMENTS INDICATED HEREON DO EXIST OR WILL BE PLACED AS INDICATED WITHIN ONE CALENDAR YEAR OF THE DATE THAT THIS PLAT IS RECORDED. I FURTHER CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION SHOWN HEREON IS ACCURATE.
ENGINEER REGISTRATION NO. 10,959
DATE 8-17-23
SURVEYOR REGISTRATION NO. 2,815
DATE 8-17-23
COMMISSION'S CERTIFICATION
I DO HEREBY CERTIFY THAT THIS RECORD PLAT WAS APPROVED BY THE URBAN COUNTY PLANNING COMMISSION AT ITS MEETING AND IS NOW ELIGIBLE FOR RECORDING.
PLANNING COMMISSION SIGNATURE
DATE 9-17-23
SITE STATISTICS
ZONE = R-3
AREA = 57.7 ACRES
NO. OF LOTS = 41 BUILDABLE
LENGTH OF STREET = NONE
AREA OF R.O.W. = NONE
PURPOSE OF PLAT
TO CREATE BUILDABLE LOTS 36-76.
GRAPHIC SCALE 1" = 80'
EA Partners, PLLC
CIVIL ENGINEERS • LAND DEVELOPMENT CONSULTANTS • SURVEYORS
FINAL RECORD PLAT
HARPER WOODS
UNIT 1-A, SECTION 2
2311 ARMSTRONG MILL
LEXINGTON, FAYETTE COUNTY, KENTUCKY
MAY 2023
2023000018120
FAYETTE CO, KY FEE $50.00
BK: PB 9
PG: 428-429