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DEED OF RESTRICTIONS

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This Deed of Restrictions made this 2nd day of August, 1971, by and between R. C. Tway Company, a Kentucky corporation, Robert C. Tway, Jr. (also known as R. C. Tway, Jr.) and Martine C. Tway, his wife, William T. Tway and Mary V. Tway, his wife, Helen T. Robertson, unmarried, Estelle B. Tway, unmarried, R. C. Tway, Jr., Trustee under Will of R. C. Tway, Deceased (hereinafter collectively referred to as "Grantors"), and Louisville & Jefferson County Planning Commission, Fiscal Court Building, Louisville, Kentucky (hereinafter referred to as "Grantee").

WITNESSETH:

WHEREAS, Grantors each own or have interests in portions of certain real property located in Jefferson County, Kentucky, known as Plainview Farms; and

WHEREAS, Grantors are the only persons having ownership interests in Plainview Farms; and

WHEREAS, Grantors desire to impose certain restrictions on certain parts of Plainview Farms, as hereinafter described, to aid in the harmonious and well-planned development of Plainview Farms for commercial and residential purposes.

NOW THEREFORE, in consideration of the premises, Grantors, insofar as each has a right to do so, do hereby restrict the use of the hereinafter described Tracts 1., 2. and 3. as follows:

Tract 1.

Tract 1. is a part of Plainview Farms located in Jefferson County, Kentucky, and is more particularly described as follows:

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BEGINNING at a point at the intersection of the East right-of-way line of Hurstbourne Lane with the North right-of-way line of Interstate Route I-64; thence with said East right-of-way line North 17° 11' 23" East 230' to a point; thence leaving said East right-of-way line South 79° 30' East 175' to a point; thence North 18° 15' East 160' to a point; thence North 79° 30' West 165' to a point in the aforesaid East right-of-way line; thence with said East right-of-way line North 10° 28' 32" East 810' and North 5° 52' 51" East 230' to a point; thence leaving said East right-of-way line South 84° 30' East 485' to a point; thence South 16° 26' East 225' to a point; thence South 27° 26' East 790' to a point; thence South 40° 35' East 315' to a point; thence South 40° 24' West 895' to a point in the North right-of-way line of Interstate Route I-64; thence with said North right-of-way line North 71° 27' 23" West 255.13' to a point; thence North 56° 52' 03" West 384.79' to a point; thence North 50° 47' 41" West 296.28' to the point of beginning and containing 35.30 acres, more or less.

Grantors, insofar as each has the right to do, do hereby restrict the use of the above described Tract 1. to residential use and to the following listed commercial uses:

- Wholesale stores or businesses
- Automobile accessory stores
- Automobile repair garages
- Automobile sales agencies
- Automobile service stations
- Automobile washing stations
- Banks
- Bowling alleys
- Building materials storage and sales
- Cleaning, pressing and dyeing establishments
- Equipment rental
- Funeral homes
- Government buildings
- Government buildings, including:
  - armories, storage, maintenance and repair facilities

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- Motels and Hotels
- Laundries
- Nurseries, retail
- Offices, business, professional and governmental
- Package liquor stores
- Plumbing and heating shops
- Printing, lithographing or publishing establishments
- Public utility buildings and facilities
- Restaurants
- Skating rinks
- Taverns, bars and saloons
- Telephone exchanges
- Used car sales areas

Tract 2.

Tract 2. is a part of Plainview Farms located in Jefferson County, Kentucky, and is more particularly described as follows:

BEGINNING at a point in the North right-of-way line of Interstate Route I-64, said point being South 50° 57' 41" East 296.28', South 56° 52' 03" East 384.79' and South 71° 27' 23" East 255.13' from the intersection of the North right-of-way line of Interstate Route I-64 with the East right-of-way line of Hurstborune Lane; thence North 40° 24' East 895' to a point; thence North 40° 35' West 315' to a point; thence North 27° 26' West 790' to a point; thence North 16° 26' West 255' to a point; thence North 72° 40' East 515' to a point; thence South 17° 36' East 400' to a point; thence South 42° 20' East 615' to a point; thence South 52° 05' East 545' to a point; thence North 82° 39' East 1035' to a point; thence South 66° 11' East 440' to a point; thence North 80° 30' East 830' to a point; thence North 48° 00' East 260' to a point; thence South 41° 29' 42" East 400' to a point; thence South 55° 37' 30" West 1602.21' to a point; in the North right-of-way line of Interstate Route I-64; thence with said North right-of-way line South 87° 16' 41" West 839.65' to a point; thence North 89° 21' 48" West 692.15' to a point; thence North

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88° 52' 04" West 785.02' to a point; thence North 79° 10' 49" West 248.51' to a point; thence North 73° 42' 46" West 176.64' to a point; thence North 71° 27' 23" West 100' to the point of beginning and containing 90.76 acres, more or less;

Grantors, insofar as each has the right to do so, do hereby impose upon the above described Tract 2. the following building restrictions:

1. Minimum Yard Requirements
  - a. Front and rear yards . . . . . 30 feet
  - b. Side yards
    - i. Total for both . . . . . 20 feet
    - ii. Minimum . . . . . 10 feet
2. Maximum Ground Coverage Limitations: Any building or structure erected on the above described property shall not cover more than 30% of the area of the lot on which it is situated.
3. Landscaping: Any part of a lot not used for buildings or other structures, off-street parking, loading and maneuvering areas, drives and pedestrian walks, shall be landscaped with trees and shrubs and either lawns or other planted ground cover, all of which shall be properly maintained at all times by the current owner or owners of such property.

Tract 3.

Tract 3. is a part of Plainview Farms located in Jefferson County, Kentucky, and is more particularly described as follows:

BEGINNING at a point in the East right-of-way line of Hurstbourne Lane, said point being North 17° 11' 23" East 244.74', North 10° 28' 32" East 960' and North 5° 52' 51" East 230' from the intersection of the East right-of-way line of Hurstbourne Lane with the North right-of-way line of Interstate Route I-64; thence with said East line of Hurstbourne Lane North 5° 52' 51" East 250' to a point; thence South 84° 30' East 200' to a point; thence South 5° 52' 51" West 250' to a point; thence North 84° 30' West 200' to the point of beginning and containing 1.15 acres, more or less;

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Grantors, insofar as each has the right to do so, do hereby impose upon the above described Tract 3, the restriction that there shall be no vehicular access from said property directly on to Hurstbourne Lane where it abuts the said property. Nothing herein is intended, however, to restrict vehicular access from said Tract 3, to Hurstbourne Lane by way of any dedicated street or road.

The foregoing restrictions are covenants running with the land and shall be binding upon Grantors, their heirs, legatees, devisees, personal representatives, successors and assigns, and shall only run in favor of Grantee, Louisville & Jefferson County Planning Commission, its successors and assigns, provided however, the foregoing restrictions may be removed, or amended so as to be less restrictive, in whole or in part, at the sole discretion of and by the Grantee, its successors and assigns.

Tracts 1., 2. and 3. constitute parts of the property acquired by Grantors (1) by Deed dated September 21, 1962, to R. C. Tway Company recorded in Deed Book 3778, Page 329, in the office of the County Court Clerk of Jefferson County, Kentucky, (2) by Deed dated November 26, 1968, to Robert C. Tway, Jr., William T. Tway and Helen T. Robertson, recorded in Deed Book 4242, Page 96, in the office of the Clerk aforesaid, (3) by Deed dated December 20, 1924, to Estelle B. Tway, recorded in Deed Book 1121, Page 219, in the office of the Clerk aforesaid, and (4) by Deed dated February 4, 1971, to Estelle B. Tway and R. C. Tway, Jr., Trustee under the Will of R. C. Tway, Sr., Deceased, recorded in Deed Book 4401, Page 465, in the office of the Clerk aforesaid.

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In Testimony Whereof, witness the signatures of the individual Grantors, in person, and the corporate Grantor by its duly authorized officer or agent, on the day, month and year first hereinabove written.

Attest:

R. C. TWAY COMPANY

W T Tway  
Secretary

By: [Signature]  
Robert C. Tway, Jr.  
Robert C. Tway, Jr.

[Signature]  
Martine C. Tway

[Signature]  
William T. Tway

[Signature]  
Mary V. Tway

[Signature]  
Helen T. Robertson

[Signature]  
Estelle B. Tway

[Signature]  
R. C. Tway, Jr., Trustee under  
the Will of R. C. Tway, Deceased

Approved by William T. Tway  
and Helen T. Robertson as  
Advisory Committee under Item  
V of the Last Will and Testament  
of R. C. Tway, Deceased

[Signature]  
William T. Tway

[Signature]  
Helen T. Robertson

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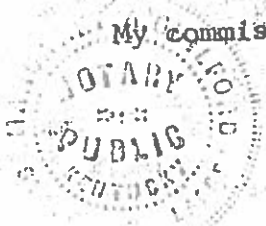
STATE OF KENTUCKY )  
                                  ) ss:  
COUNTY OF JEFFERSON )

I, a Notary Public in and for the State and County aforesaid, do hereby certify that the foregoing Deed of Restrictions was signed and acknowledged before me in said State and County by R. C. Tway, Jr. as President of R. C. Tway Company, a Kentucky corporation, to be his act and deed as such President of R. C. Tway Company, and to be the act and deed of R. C. Tway Company.

Witness my signature and seal of office this 2nd day of August, 1971.

My commission expires November 10, 1974

My commission expires: \_\_\_\_\_



Margaret A. Goodland  
Notary Public, Jefferson County,  
Kentucky

STATE OF KENTUCKY )  
                                  ) ss:  
COUNTY OF JEFFERSON )

I, a Notary Public in and for the State and County aforesaid, do hereby certify that the foregoing Deed of Restrictions was signed and acknowledged before me in said State and County by Robert C. Tway, Jr., and Martine C. Tway, his wife, William T. Tway and Mary V. Tway, his wife, Helen T. Robertson, unmarried, and Estelle B. Tway, unmarried, to be their free acts and deeds.

Witness my signature and seal of office on this 2nd day of August, 1971.

My commission expires November 10, 1974

My commission expires: \_\_\_\_\_



Margaret A. Goodland  
Notary Public, Jefferson County,  
Kentucky

STATE OF KENTUCKY )  
                                  ) ss:  
COUNTY OF JEFFERSON )

I, a Notary Public in and for the State and County aforesaid, do hereby certify that the foregoing Deed of Restrictions was signed and acknowledged before me in said State and County by R. C. Tway, Jr., Trustee of the Will of R. C. Tway, Deceased, to be his act and deed as such Trustee.

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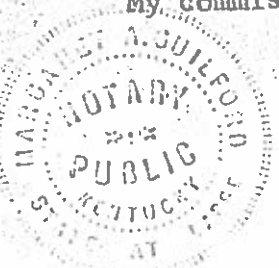
Witness my signature and seal of office on this 2nd day of August, 1971.

My commission expires November 18, 1974

My commission expires: \_\_\_\_\_

Wm. L. D'Amico  
Notary Public, Jefferson County,  
Kentucky

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This instrument prepared by:

Richard W. Iler  
TARRANT, COMBS, BLACKWELL & BULLITT  
1700 Kentucky Home Life Building  
Louisville, Kentucky 40202

Richard W. Iler

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M. L. D'Amico

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Form CD-1

THIS DEED Between MARIE Y. DUERSON and H. LYLE DUERSON, her husband, parties of the first part, and FORREST A. HEINTZMAN and MARIAN T. HEINTZMAN, his wife, parties of the second part, 535 Poppy Way, Louisville, Kentucky

of \$ 37,000.00

WITNESSETH; — That for a VALUABLE CONSIDERATION paid, the receipt of which is hereby acknowledged, the part ies of the first part hereby convey, with covenant of GENERAL WARRANTY, unto the parties of the second part, for their joint lives with remainder in fee simple to the survivor of them

the following described real estate situated in Louisville, Jefferson County, Kentucky, to-wit:

BEING Lot 134, as shown on Plan of Cherokee Gardens, recorded in Plat and Subdivision Book 5, Pages 66, and 67, in the Office of the County Court Clerk of Jefferson County, Kentucky; being the same property conveyed to Marie Y. Duerson one of the parties of the first part, by deed dated July 17, 1952, and recorded in Deed Book 2902, Page 539, in the Office of the Clerk aforesaid.

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