DEED OF RESTRICTION

This deed is made this <u>lat</u> day of May, 2001 by PHP Development, a Kentucky General Partnership, 1520 Parker Hollow Drive, Louisville, Kentucky 40223 (hereinafter "PHP").

WHEREAS, PHP is the owner of the property hereinafter described and desires to impose the following restriction on a portion of said property in order to comply with the requirements of the Louisville and Jefferson County Planning Commission in Docket No. 9-109-85;

NOW, THEREFORE, in consideration of the premises aforesaid, PHP does hereby impose the following restriction on a portion of its property for the creation and continuation of a Woodland Protection Area:

The Woodland Protection Area designated on the plat attached hereto shall be permanently preserved in a natural state except for selective removal of trees and under story brush. No clearing, grading, or other land disturbing activity shall occur in the Woodland Protection Area except supplemental landscape planting, pruning to improve the general health of trees, removing dead or declining trees that pose a public health and safety threat, and clearing of under story brush to remove a public health and safety threat.

Any tree or shrub removed in violation of this Deed of Restriction shall be replaced by the person or entity removing the tree or shrub within thirty (30) days. Trees planted to replace a tree that is improperly removed shall equal the diameter of the removed tree, and shrubs and under story vegetation shall be replaced using native species.

This restriction may be amended or released only with the prior approval of the Louisville and Jefferson County Planning Commission.

The property upon which this restriction is imposed is described as follows:

TRACTS 2 and 3 as shown on Minor Subdivision Plat #41-92, approved by the Louisville and Jefferson County Planning Commission, and attached to deed of record in Deed Book 6157, Page 869, in the office of the Clerk of Jefferson County, Kentucky.

BEING the same property conveyed to PHP Development by deed dated June 1, 1995 and recorded in Deed Book 6597, Page 759 in the office of the Clerk aforesaid.

IN TESTIMONY WHEREOF, witness the signature of PHP Development by its general

partner.	
	PHP Development:
	By: MB Henry
	Title: Prular
STATE OF KENTUCKY)	
COUNTY OF JEFFERSON)	
Subscribed and sworn to before me by <u>JEFF</u> B. <u>HARDIN</u> as the general partner of PHP Development, a Kentucky General Partnership, on behalf of the partnership.	
My commission expires: Queula 23, 2004	

THIS INSTRUMENT PREPARED BY:

John G. Carroll

Ackerson, Mosley & Yann, P.S.C.

1200 One Riverfront Plaza

Louisville, Kentucky 40202

(502) 583-7400

Document No.: DN2001069057

Lodged By: CARROLL Recorded On: 05/03/2001

02:11:03

Total Fees:

12.00

Transfer Tax:

County Clerk: Bobbie Holsclaw-JEFF CO KY Deputy Clerk: KELMAL

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