



# Bobbie Holsclaw

## Jefferson County Clerk's Office

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Jefferson County Clerk's Office.



**INST # 2021196779**

**BATCH # 321997**

**JEFFERSON CO, KY FEE \$131.00**

PRESENTED ON: 08-06-2021 1 03:03:49 PM

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RECORDED: 08-06-2021 03:03:49 PM

BOBBIE HOLSCLOW  
CLERK

BY: LEE MESIA EDWARDS  
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38

FOURTH AMENDMENT

TO

MASTER DEED AND DECLARATION  
OF CONDOMINIUM PROPERTY REGIME

Establishing

THE BELKNAP

THIS FOURTH AMENDMENT TO MASTER DEED AND DECLARATION OF CONDOMINIUM PROPERTY REGIME ESTABLISHING THE BELKNAP (the "Amendment") is made and entered into on June 30, 2021, 2021, by MILNER FAMILY HOLDINGS, L.L.P., successor in interest to GATO MILNER, LLC (A/K/A GATO/MILNER, LLC), a Georgia limited liability company (the "Declarant") and THE BELKNAP CONDOMINIUM ASSOCIATION, INC. (the "Association").

RECITALS

**WHEREAS**, the Declarant submitted certain property located in Louisville, Jefferson County, Kentucky, to the condominium form of ownership and use by Master Deed and Declaration of Condominium Property Regime Establishing The Belknap dated January 25, 2006, of record in Deed Book 8772, Page 575, in the office of the Clerk of Jefferson County, Kentucky (the "Master Deed");

**WHEREAS**, the Master Deed has been amended by instruments of record, as follows:

1. First Amendment to Master Deed and Declaration of Condominium Property Regime Establishing The Belknap, recorded May 19, 2013, of record in Deed Book 10056, Page 151 in the office of the Clerk aforesaid;
2. Second Amendment to Master Deed and Declaration of Condominium Property Regime Establishing The Belknap, recorded November 12, 2015, of record in Deed Book 10496 page 773 in the office of the Clerk aforesaid;
3. Third Amendment to Master Deed and Declaration of Condominium Property Regime Establishing The Belknap, (typographical error naming the document Second Amendment) recorded on April 10, 2017, of record in Deed Book 10863, page 915, with a correction of same filed on April 14, 2017, of record in Deed Book 10873, page 965 in the office of the Clerk aforesaid.

**WHEREAS**, pursuant to Article XIII of the Master Deed, the Master Deed may be amended by the vote of Unit Owners holding greater than 50% interest in the Common Elements at a properly called meeting to discuss the amendment, which amendment is to be recorded in the

office of the Clerk aforesaid; and

**WHEREAS**, the Association and Declarant now desire to amend the Master Deed to reflect that the Plans, as that term is defined in the Master Deed, have been amended to correct an error of the listed square footage of two units (203 and 303) and to reflect a change in the legal description of the Land as set forth in the Master Deed;

**WHEREAS**, the original Plans were put to record in Apartment Ownership Book 112, pages 35 through 38, amended in November, 2015 and put to record in Apartment Ownership Book 133, pages 75 through 78, and amended to add the garage units in apartment Ownership Book 135, Pages 58 through 59 in the office of the Clerk aforesaid.

**NOW, THEREFORE**, pursuant to the rights and powers of the Association and the Declarant to amend the Master Deed under Article XIII of that document, the Association, Unit Owners and the Declarant hereby amend the Master Deed as follows:

**1. Amendment to Section A(12) of Article I Relating to the Definition of Plans.**  
Section A(12) of Article I of the Master Deed is hereby amended to read as follows:

12. "Plans" shall mean the plans and specifications for the condominium project, including the plans found of record associated with the Master Deed and the amendments to the Master Deed and those prepared by Bailey Associates Architects, PLLC, showing the layout, location, Unit numbers and dimensions of the Units, and recorded in Condominium and Apartment Ownership Book 112, Pages 35 through 38 and any other lawful amendments to such plans and specifications recorded in the office of the Clerk aforesaid.

**2. Amendment to Exhibit B.** Exhibit B to the Master Deed is hereby deleted in its entirety and replaced with the Exhibit B attached hereto and incorporated herein.

**3. Amendment to Section A of Article II Relating to the Description of Units:**  
Section A of Article II of the Master Deed is hereby deleted in its entirety and replaced with the following:

A. Number, Location, Designation and Plans for Units: The Condominium Project has one (1) three (3)-story Building with twenty-two (22) Units, and one (1) single-story Building with seven (7) Garage Units. Each Unit Owner shall have a common right to share with the other Unit Owners in the Common Elements of the Condominium Project in accordance with each Unit's percentage of common interest, representing the square footage of the Unit in relation to the square footage of all Units of the Condominium Project. The Plans and any amendments thereto are incorporated herein by this reference.

**4. Amendment to Article XIV Relating to Future Development.** The first paragraph only of Article XIV of the Master Deed is hereby deleted in its entirety and replaced with the following:

The Condominium Project which is now completed, consists of twenty-nine (29) Units, twenty-two (22) of which are traditional residential Units and seven (7) of which are Garage Units. These buildings and the units therein together with the Common Elements appurtenant thereto will be subject to and part of the condominium regime by the recorded Master Deed, as amended, and the filing of the respective floor plans.

The remaining paragraphs of Article XIV remain in full force and effect, unmodified and unrevoked by this Amendment.

**5. Redefinition of Condominium Property.** The legal description for the Land shown on Exhibit A of the Master Deed shall be replaced by the legal description attached hereto. The Unit Owners understand and agree that any property that was formerly part of the Land that is not included in the description attached hereto shall be released from the condominium regime, and no unit owner shall have any right, title or interest therein. All Unit Owners have, by their signatures below, agreed to the termination of any right, title and interest in the severed land and improvements.

**6. Reaffirmation of Other Terms and Provisions.** Except as expressly modified by this Amendment, all other terms and provisions of the Master Deed shall remain in full force and effect, unmodified and unrevoked, and the same are hereby reaffirmed and ratified by the Declarant, Unit Owners and Association as if fully set forth herein.

**7. Miscellaneous**

A. From and after the date of this Amendment, each reference to the Master Deed shall mean and shall be a reference to the Master Deed as modified by this Amendment.

B. This Amendment shall be binding upon, and shall inure to the benefit of, the heirs, successors and assigns of the Declarant and the Unit Owners.

C. In case any provision of this Amendment shall be held invalid, such invalidity shall not render invalid any other provision hereof which can be given effect.

D. Where the context of this Amendment requires, masculine, feminine and/or neuter terminology shall include the neuter, feminine, and/or masculine.

E. This Amendment may be signed in any number of counterparts, each of which will be deemed to be an original, but all of which together will constitute one and the same agreement.

IN TESTIMONY WHEREOF, this Amendment has been executed by the Declarant, all Unit Owners and the Association as of the date first written above.

**DECLARANT:**

MILNER FAMILY HOLDINGS, L.L.L.P., a  
Georgia limited liability partnership

By: Gene W. Milner, Jr.  
Gene W. Milner, Jr., Managing  
General Partner

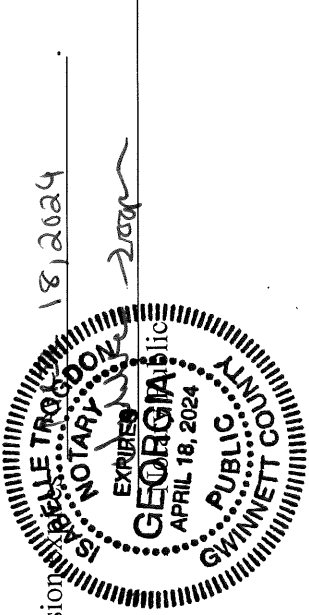
STATE OF GEORGIA )

) SS

COUNTY OF GWINNETT )

The foregoing instrument was sworn to, subscribed, and acknowledged before me on  
APRIL 21, 2021, by Gene W. Milner, Jr., Managing General Partner of Milner Family  
Holdings, L.L.L.P., a Georgia limited liability partnership, on behalf of said partnership.

My commission expires 18, 2024.



**ASSOCIATION:**

**THE BELKNAP CONDOMINIUM  
ASSOCIATION, INC.**

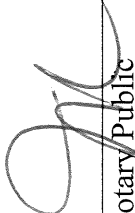
a Kentucky not for profit corporation

By:   
Name: ALANE GOLDSTEIN  
Title: PRESIDENT


STATE OF KENTUCKY )  
) SS  
COUNTY OF JEFFERSON )

The foregoing instrument was subscribed, sworn to and acknowledged before me on this 30 day of June, 2021, by Alane Goldstein as President of The Belknap Condominium Association, Inc., a Kentucky not for profit corporation, on behalf of said corporation, the Association herein.

[AFFIX SEAL]

  
Notary Public  
My Commission Expires: 09-14-2023  
My notary registration number is: 630376

**THIS INSTRUMENT PREPARED BY:**

  
Clifford H. Ashburner  
DINSMORE & SHOHL LLP  
101 South Fifth Street, Suite 2500  
Louisville, Kentucky 40202-3175  
Tel: (502) 540-2300  
Fax: (502) 585-2207  
clifford.ashburner@dinsmore.com

## EXHIBIT A

### Legal Description of Condominium Property

Being all of Tract #2 as shown on the attached minor subdivision plat prepared by Richard Matheny PLS 3173 of Cardinal Surveying on July 19, 2021 and approved by the Louisville Metro Planning Commission on July 29, 2021.

Being a part of the property conveyed to GATO MILNER, LLC by Deed dated September 16, 2005, of record in Deed Book 8697, Page 703, in the Office of the Clerk of Jefferson County, Kentucky

APPROVED THIS 24<sup>th</sup> DAY OF July 2021

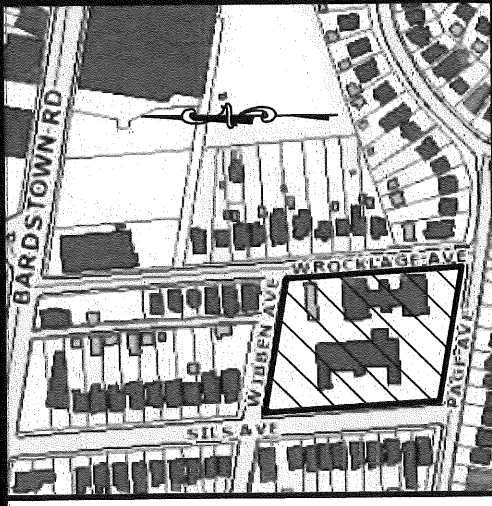
INVALID IF NOT RECORDED BEFORE THIS DATE: 7/22/21 BY: [Signature]

LOUISVILLE METRO PLANNING COMMISSION APPROVAL SUBJECT TO ATTACHED CERTIFICATES.

SPECIAL REQUIREMENT(S): 20-MPLAT-0085 DOCKET NUMBER:

NOTES

- 1. This plat is subject to all legal easements, right of ways, defects, liens, adverse claims, encumbrances, covenants and restrictions, which a title search may reveal, whether shown on this plat or not.
2. This site lies within the Karst terrain area. Any subsequent development on site is subject to the requirements of Chapter 4 section 9 of the Land Development Code.
3. This plat amends Sils Addition No. 3, Plat Book 3, Page 76.
4. This site lies within the Traditional Neighborhood Zoning District. Any subsequent development on site is subject to the requirements of section 2.7.4 & Appendix 2B of the Land Development Code.
5. This survey was retraced using Historical field notes and surveys from the archives of Stonestreet & Ford Surveyors along with recorded deeds and plats.
6. This site is subject to binding elements/conditions of approval of Docket 9-17-83, B-92-05 & 15DEVPLAN1193 on file in the office of the Louisville Metro Planning Commission.
7. Access and/or Shared parking provided per crossover access agreement to be recorded with this plat.



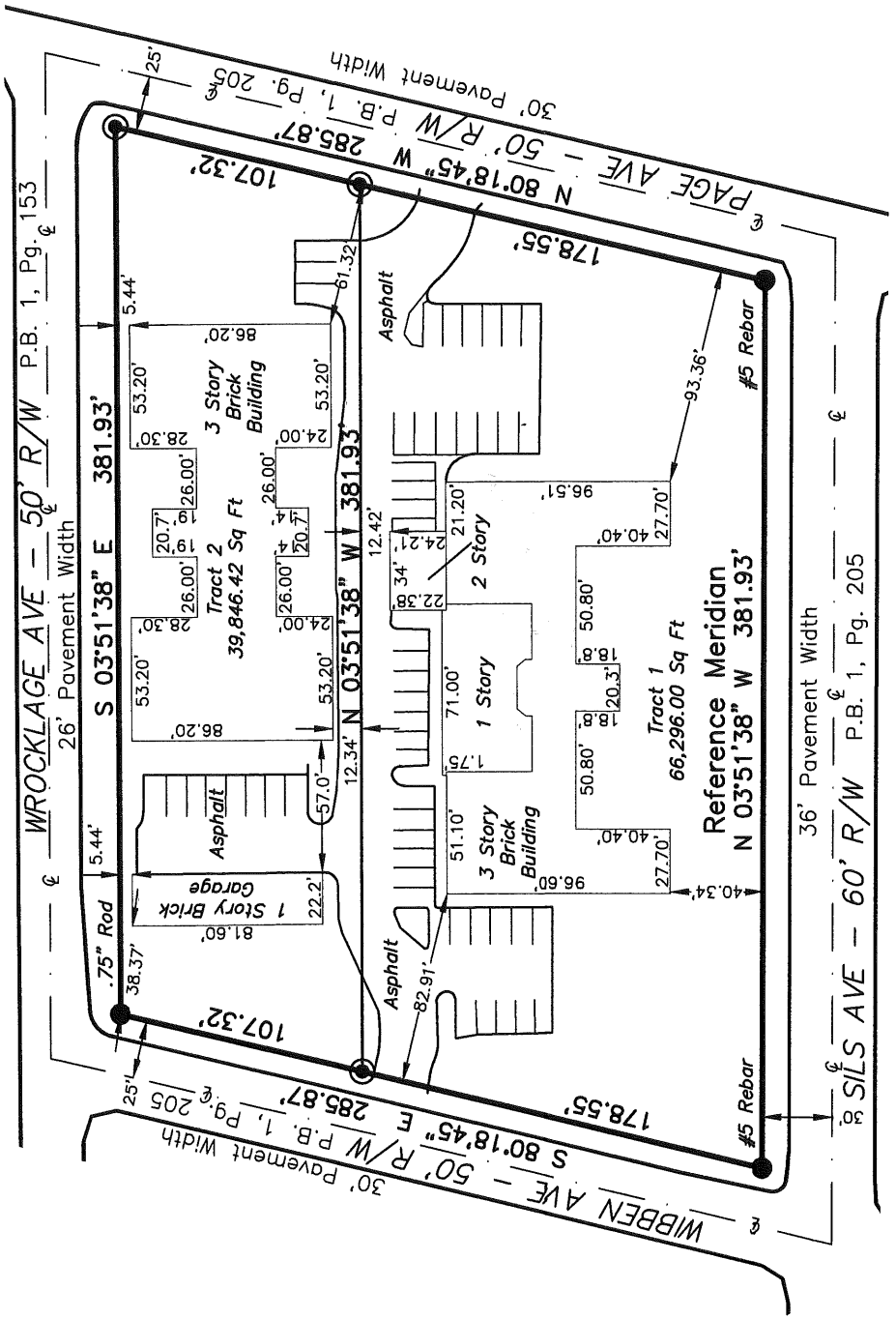
Location Map No Scale

BEARING DATUM

The horizontal datum for this plat, bearing N 03°51'38" W is based on Sils Ave, of record in Sils Addition No. 3, Plat Book 3, Page 76, in the Office of the clerk of the County Court of Jefferson County, Kentucky

FLOOD NOTE

Flood Plain Determination is restricted to a review of the Flood Insurance Rate Maps latest revisions and shall not be construed as a confirmation or denial of flooding potential. The property shown hereon is not located within a 100 year flood zone as indicated by F.E.M.A. Map No. 21111C0043 F dated February 26, 2021.



- Indicates found monument
Indicates set 5/8" iron pin w/ cap stamped "RS Matheny PLS 3173"

LAND SURVEYOR'S CERTIFICATE

I hereby certify that this plat and survey were made under my supervision on July 19, 2021 and that the angular and linear measurements as witnessed by monuments shown hereon are true and correct to the best of my knowledge and belief. This survey was made by method of random traverse with sideshots. The unadjusted closure ratio of the traverse was 1:69,423 and was not adjusted. This survey and plat meets or exceeds the minimum standards of governing authorities for an "Urban" survey.

[Signature] 07/19/2021 DATE
RICHARD MATHENY - P.L.S. # 3173 DATE

PURPOSE OF MINOR PLAT
The purpose of this plat is to create 2 lots from 1 lot.

MINOR PLAT FOR GATO MILNER LLC
Address: Peachtree Industrial Blvd, Norcross, GA 30092
Property Address: 1810 Sils Ave. Louisville, KY 40205
D.B. 8697 Pg. 703 Parcel ID: 080A00840000
Zone: OR3 Form Dist: Traditional Neighborhood
This survey complies with 201 KAR 18:150

STATE OF KENTUCKY
RICHARD S. MATHENY
5173
LICENSED PROFESSIONAL LAND SURVEYOR


CARDINAL SURVEYING
9009 PRESTON HWY.
LOUISVILLE, KY 40219
Phone (502) 966-3446
www.cardinalsurveyingservices.com
DRAWN BY: SMS
SCALE: 1"= 80'
DATE: 07/19/2021
FIELD SURVEY
DATE: 04/24/2020
BY: AS



## Standard Certificate Form

### Certificate of Ownership and Dedication

This is to certify that the undersigned is the owner of the land shown on this plat and hereby acknowledge the same to be the plat for Gato Milner, LLC, Deed Book 8697, Page 703 and does not dedicate to public use any additional property.

  
Gene W. Milner, Jr.  
Gato Milner, LLC  
5125 Peachtree industrial Blvd  
Norcross, GA 30092

### Zoning Certificate

I hereby certify all of the lots of this minor subdivision and any existing buildings and improvements thereon and/or any buildings and improvements included in a building permit either applied for or approved thereon are in compliance with all the provisions of the Form District Regulations. With the exception of those encroachments noted on the face of the plat, any such buildings or improvements not in compliance with the Form District Regulations have been granted all necessary variances by the Board of Zoning Adjustment as described in Docket No N/A or documentation of the existence of the buildings or improvements prior to the adoption of the applicable regulations has been submitted to Planning Commission staff.

  
Gene W. Milner, Jr.  
Gato Milner, LLC  
5125 Peachtree industrial Blvd  
Norcross, GA 30092

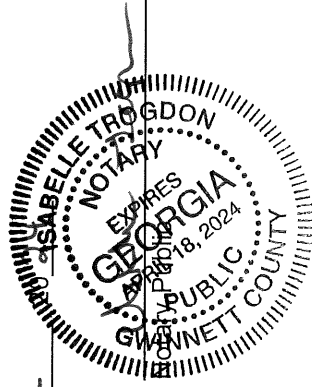
### Certification of Acknowledgment

State of Georgia  
County of CUMMINGS

I, ISABELLE TROGDON, a Notary Public in and for the County aforesaid do hereby certify that the foregoing plat was this day presented to me by Gene W. Milner, Jr of Gato Milner, LLC, Deed Book 8697, Page 703, known to me, who executed these Certificates in my presence and acknowledges it to be its free act and deed.

Witness my hand and seal this 6 day of JULY, 2021.

My Commission expires: 18 day of APRIL



**EXHIBIT B**

Unit	Sq. Ft.	Percentage ownership
Building B, Unit 101	880	3.03%
Building B, Unit 102	954	3.29%
Building B, Unit 103	1286	4.43%
Building B, Unit 104	1169	4.03%
Building B, Unit 105	1286	4.43%
Building B, Unit 106	1282	4.42%
Building B, Unit 107	880	3.03%
Building B, Unit 108	1007	3.47%
Building B, Unit 201	880	3.03%
Building B, Unit 202	954	3.29%
Building B, Unit 203	909	3.13%
Building B, Unit 204	1169	4.03%
Building B, Unit 205	1294	4.45%
Building B, Unit 206	1282	4.42%
Building B, Unit 207	1803	6.21%
Building B, Unit 208	1007	3.47%
Building B, Unit 301	880	3.03%
Building B, Unit 302	2165	7.46%
Building B, Unit 303	909	3.13%
Building B, Unit 304	1294	4.45%
Building B, Unit 305	1803	6.21%
Building B, Unit 306	2255	7.76%
Garage Unit 1	239.8	0.83%
Garage Unit 2	245.1	0.84%
Garage Unit 3	239.8	0.83%
Garage Unit 4	229.3	0.79%
Garage Unit 5	241.2	0.83%
Garage Unit 6	237.8	0.82%
Garage Unit 7	248.3	0.86%
	29029.3	100.000%

UNIT 101

Beverly G. Myers

Printed name: Beverly G. Myers

STATE OF Kentucky )  
 ) SS  
COUNTY OF Jefferson )

The foregoing instrument was sworn to, subscribed, and acknowledged before me this  
21st day of April, 2021, by Beverly G. Myers.

[Signature]  
Notary Public

My Commission expires: 6/14/2021

UNIT 102

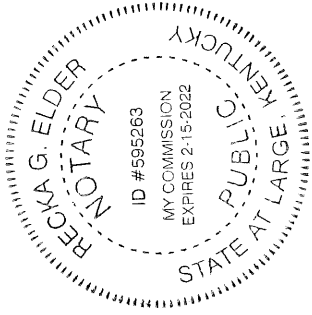
Stump Davis  
Printed name: STEWART DAVIS

STATE OF Kentucky )  
COUNTY OF Jefferson ) SS )

The foregoing instrument was sworn to, subscribed, and acknowledged before me this 12<sup>th</sup> day of May, 2021, by Stewart Davis.

Rebecca Elder  
Notary Public

My Commission expires: 2/15/2022



UNIT 103 Jacqueline Y. Fryer, Leon Trustee  
Mary Janet Wilson Irrevocable Trust

Printed name: Jacqueline Y. Fryer - Leon Trustee  
MARY JANET WILSON IRREVOCABLE TRUST

STATE OF KENTUCKY )  
 ) SS  
COUNTY OF JEFFERSON )

The foregoing instrument was sworn to, subscribed, and acknowledged before me this  
21st day of April, 2021, by Jacqueline Y. Fryer - Leon Trustee

J. Fryer  
Notary Public

My Commission expires: 6/14/2021

UNIT 104

Carol W. Roderick  
Printed name: Carol Roderick

STATE OF KENTUCKY )  
 ) SS  
COUNTY OF JEFFERSON )

The foregoing instrument was sworn to, subscribed, and acknowledged before me this  
21st day of April, 2021, by Carol Roderick.

[Signature]  
Notary Public  
My Commission expires: 6/14/2021

UNIT 105

Janet S. Skeers

Printed name: Janet S. Skeers

STATE OF Kentucky )  
 ) SS  
COUNTY OF Jefferson )

The foregoing instrument was sworn to, subscribed, and acknowledged before me this  
21st day of April, 2021, by Janet Skeers.

Janet Skeers  
Notary Public  
My Commission expires: 6/14/2021

UNIT 106

Susan Collier Trustee  
Printed name: Susan Collier  
Trustee for Costich Trust  
Molly's Trust for  
Under Costich Family

STATE OF Kentucky  
COUNTY OF JEFFERSON

)  
) SS  
)

The foregoing instrument was sworn to, subscribed, and acknowledged before me this  
21st day of April, 2021, by Susan Collier, Trustee.

[Signature]  
Notary Public

My Commission expires: 6/14/2027

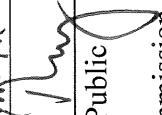


UNIT 107

*Kenneth L. Bobzien*  
Printed name: Kenneth L. Bobzien

STATE OF KENTUCKY )  
 ) SS  
COUNTY OF JEFFERSON )

The foregoing instrument was sworn to, subscribed, and acknowledged before me this  
21st day of April, 2021, by Kenneth L. Bobzien

  
\_\_\_\_\_  
Notary Public  
My Commission expires: 6/14/2021

UNIT 108

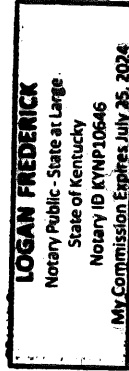
Patricia Stoman  
Printed name: Patricia Stoman

STATE OF Ky )  
COUNTY OF Jefferson ) SS )


20<sup>th</sup> day of April, 2021, by Patricia Stoman:

Logan Friederick  
Notary Public

My Commission expires: 7/25/2024




UNIT 201

  
Printed name: ALANE R. GOLDS TEIN

STATE OF KENTUCKY )  
  ) SS  
COUNTY OF JEFFERSON )

The foregoing instrument was sworn to, subscribed, and acknowledged before me this 21st day of April, 2021, by Alane R. Goldstein.

  
Notary Public  
My Commission expires: 6/17/2021

UNIT ~~2019~~ 2021

Sarah J. Van Roo  
Printed name: Sarah J. Van Roo

STATE OF Kentucky )  
COUNTY OF Jefferson ) SS )

The foregoing instrument was sworn to, subscribed, and acknowledged before me this 21 day of April, 2021, by Sarah J. Van Roo.

[Signature]  
Notary Public

My Commission expires: 6/14/2021

UNIT 203

Paul Schneider

Paul D. Schneider, MD, Trustee

Printed name: \_\_\_\_\_

Thomas M. Schneider Trust

STATE OF KENTUCKY )

) SS

COUNTY OF JEFFERSON )

The foregoing instrument was sworn to, subscribed, and acknowledged before me this 21st day of April, 2021, by Paul D. Schneider MD Trustee.

Paul D. Schneider

Notary Public

My Commission expires: 6/14/2021

UNIT 204



Printed name: Kathleen B Hausman

STATE OF Kentucky )  
 ) SS  
COUNTY OF Jefferson )

17<sup>th</sup> day of May, 2021, by Kathleen B. Hausman.



Notary Public

My Commission expires: 09/14/21



UNIT 205

Wendy R  
Printed name: William M. Frein

STATE OF KENTUCKY )  
 ) SS  
COUNTY OF JEFFERSON )

The foregoing instrument was sworn to, subscribed, and acknowledged before me this  
21st day of April, 2021, by William M. Frein.

[Signature]  
Notary Public  
My Commission expires: 6/17/2021

UNIT 206

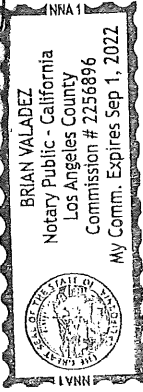
[Signature]  
Printed name: FERAN HAO

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF California )  
COUNTY OF Los Angeles ) SS

14 The foregoing instrument was sworn to, subscribed, and acknowledged before me this April, 2021, by Feran Hao

[Signature]  
Notary Public



My Commission expires: Sep 01, 2022



UNIT 207

Kris A. Bloss Alicia C. Bloss

Printed name: Kris A. Bloss

Alicia C. Bloss

STATE OF KENTUCKY )

COUNTY OF JEFFERSON ) SS

)

The foregoing instrument was sworn to, subscribed, and acknowledged before me this 21st day of April, 2021, by Kris A. Bloss and Alicia C. Bloss

[Signature]  
Notary Public

My Commission expires: 6/14/2021

UNIT 208

Printed name: Joseph Baiga

STATE OF Kentucky )  
 ) SS  
COUNTY OF Jefferson )

The foregoing instrument was sworn to, subscribed, and acknowledged before me this  
12<sup>th</sup> day of May, 2021, by

[Signature]  
Notary Public

My Commission expires: December 2, 2024

KY 17980

12-2-24

UNIT 301

Maureen Reynolds <sup>(POA)</sup> for Graham Rapp  
Printed name: Maureen Reynolds

STATE OF Kentucky )  
 ) SS  
COUNTY OF Jefferson )

The foregoing instrument was sworn to, subscribed, and acknowledged before me this 21<sup>st</sup> day of April, 2021, by Maureen Reynolds.

[Signature]  
Notary Public

My Commission expires: 09-14-24



UNIT 302 PNA GARAGE UNIT #5

[Signature]  
Printed name: HARRY O'BRYAN

STATE OF Kentucky )  
 ) SS  
COUNTY OF Jefferson )

The foregoing instrument was sworn to, subscribed, and acknowledged before me this  
28 day of April, 2021, by Larry O'Bryan  
Veronica D. Ahearn 590961  
Notary Public

My Commission expires: 11/21/2024

UNIT 303

Jennifer C. Lavery  
Printed name: Jennifer E. Lavery

STATE OF Kentucky )  
 ) SS  
COUNTY OF Jefferson )

The foregoing instrument was sworn to, subscribed, and acknowledged before me this 21st day of April, 2021, by Jennifer E. Lavery.

J. Lavery  
Notary Public

My Commission expires: 6/14/2021

UNIT 304

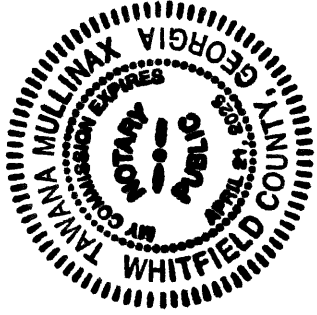
Printed name: HUSSAM SAAD - NAGUIS

STATE OF Georgia )  
 ) SS  
COUNTY OF Whitfield )

4<sup>th</sup> The foregoing instrument was sworn to, subscribed, and acknowledged before me this  
day of May, 2021, by HUSAM SAAD - NAGUIS.

Jawana Mullinax  
Notary Public

My Commission expires: April 21, 2025



UNIT 305 AND GARAGE UNIT #7

MBC Marjorie K Connor

Printed name: Jeffrey B. Connor Marjorie K Connor

STATE OF KENTUCKY )

) SS

COUNTY OF JEFFERSON )

The foregoing instrument was sworn to, subscribed, and acknowledged before me this 21st day of April, 2021, by Jeffrey B. Connor + Marjorie K Connor

[Signature]  
Notary Public

My Commission expires: 6/14/2021

UNIT 306 AND GARAGE UNITS 1,2,3,4 & 6

Gene W. Gault Jr., General Partner

Printed name: GENE MIGAEL JR

STATE OF GEORGIA )  
 ) SS  
COUNTY OF GWINNETT )

The foregoing instrument was sworn to, subscribed, and acknowledged before me this  
21 day of APRIL, 2021, by GENE MIGAEL JR.

BARBARLE TROGDO  
NOTARY  
Notary Public Expires  
**GEORGIA**  
My Commission Expires APRIL 18, 2024  
PUBLIC  
GWINNETT COUNTY