COMMONWEALTH OF KENTUCKY
WAYNE CIRCUIT COURT
CIVIL ACTION NO. 23-CI-00307
ELECTRONICALLY FILED

SANDSTONE POINT PROPERTY OWNERS ASSOCIATION, INC. PLAINTIFF

VS. **ORDER**

MPD II LLC DEFENDANT

*** *** *** *** ***

Upon the Motion of the Plaintiff, Sandstone Point Property Owners Association, Inc., and the Court having reviewed the record and having heard the argument of counsel for all parties, it is hereby

ORDERED AS FOLLOWED:

(1) That the 2022 Amendment to Declaration of Easements, Covenants, Conditions and Restrictions for the Plat(s) of Sandstone Point in book 404, page numbers 537, 538 and 539 be stricken from the Wayne County Clerk's records;

(2) That the Court declare that the "Declaration of Easements, Covenants, Conditions and Restrictions for the Plat of Sandstone Point", which has been recorded in the Clerk's Office for Wayne County, Kentucky in Deed Book 310, p. 664-679 (the "2005 Declaration"), and the "Supplemental Declaration of Easements, Reservations, Covenants, Conditions and Restrictions for the Plat(s) of Sandstone Point," which has been recorded in the Clerk's Office for Wayne County, Kentucky in Deed Book 328, Page 66-68), shall apply to Sandstone Point Lot owners 1 through 139;

(3) That the Plaintiff shall submit its attorney fees and other costs to the Court for review and potential recovery under Article 15 of the 2005 "Declaration of

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Easements, Covenants, Conditions and Restrictions for the Plat of Sandstone Point";

and

(4) That Defendant's Counterclaim be dismissed.

/s/ HON. SARA BETH GREGORY
electronically signed
8/12/2024 3:07:56 PM ET

Judge Sara Beth Gregory

Tendered by:

Edwin H. Clark
Hon. Edwin H. Clark
Clark Law Office, Inc.
Attorney for the Plaintiff

CLERK'S CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing has been served on this ___ day of _____, 2024, via U.S. Mail, first class, to the following:

Hon. Edwin H. Clark
Clark Law Office, Inc.
851 Corporate Dr., Suite 300
Lexington, KY 40503

Hon. Brad Derifield
MMLK, Inc.
201 East Main Street, Suite 900
Lexington, Kentucky 40507

BY: _____
Clerk, Wayne Circuit Court

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