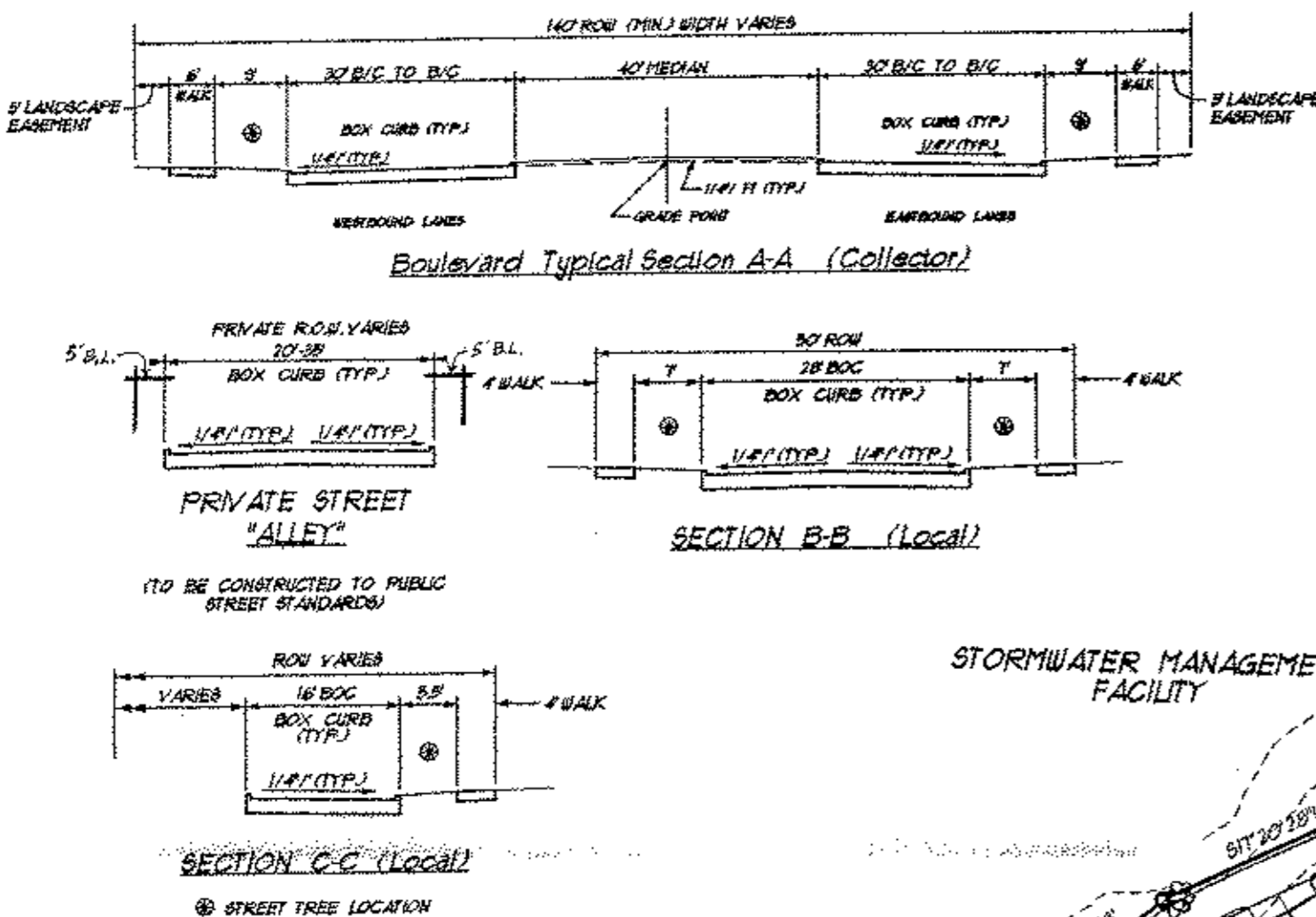


VICINITY MAP  
N.T.S.

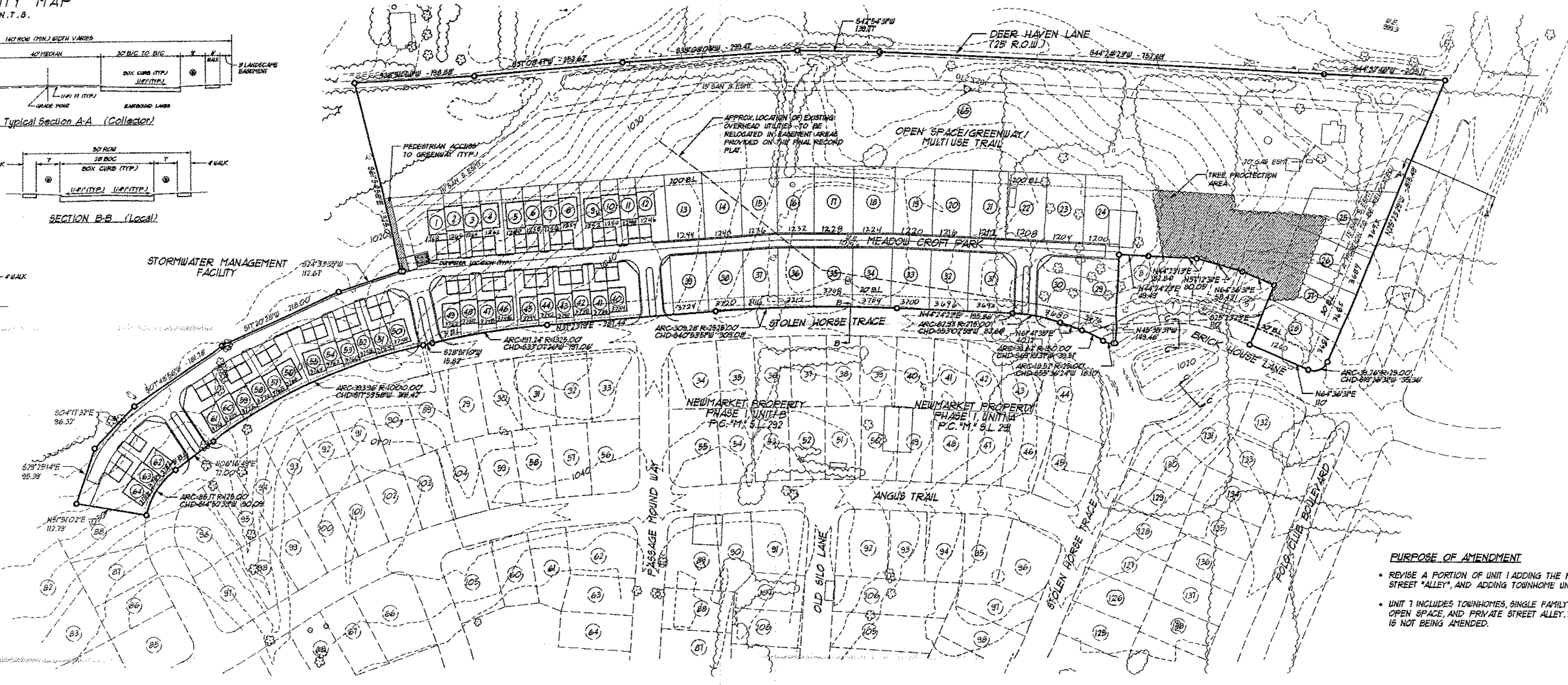


- NOTES**
- THIS PLAN SHALL NOT BE USED AS A BASIS FOR SALE OF THIS PROPERTY. ANY SALE OF LAND SHALL BE BASED UPON A RECORDED SUBDIVISION PLAN.
  - THIS PLAN MAY BE AMENDED WITH THE APPROVAL OF THE URBAN COUNTY PLANNING COMMISSION.
  - ACCESS SHALL BE LIMITED TO THE POINTS INDICATED ON THIS PLAN.
  - ENTRANCE DETAILS ARE SUBJECT TO THE APPROVAL OF THE URBAN COUNTY TRAFFIC ENGINEER.
  - DRAINAGE, STORM SEWERS AND SANITARY SEWERS SHALL MEET THE SPECIFICATIONS OF THE L.F.U.C.G. ENGINEERING MANUALS.
  - PAVEMENT DESIGN PER THE DESIGN MANUALS AND THE LAND SUBDIVISION REGULATIONS.
  - NO GRADING, STRIPPING, EXCAVATION, FILLING, OR OTHER DISTURBANCE OF THE NATURAL GROUND COVER SHALL TAKE PLACE PRIOR TO APPROVAL OF AN EROSION CONTROL PLAN. SUCH PLAN MUST BE SUBMITTED IN ACCORDANCE WITH ARTICLE 20 OF THE ZONING ORDINANCE RESOLUTION.
  - ALL AREAS THAT HAVE BEEN DISTURBED BY GRADING SHALL HAVE TEMPORARY VEGETATIVE COVER PROVIDED. SUCH COVER WILL CONSIST OF ANNUAL GRASSES OR SMALL GRAINS SLOPES EXCEEDING 4:1 WILL HAVE ADDITIONAL PROTECTION OF ADEQUATE MULCHING OR SODDING IN ORDER TO PREVENT EROSION.
  - LANDSCAPING SHALL CONFORM TO ARTICLE 18 AND 23 OF THE ZONING ORDINANCE RESOLUTION, ARTICLE 6-10 OF THE LAND SUBDIVISION REGULATIONS AND THE TREE PRESERVATION ORDINANCE.
  - THERE SHALL BE RECIPROCAL PARKING AND ACCESS ACROSS LOTS 1-34 AND 79-84.
  - A HOME OWNERS ASSOCIATION SHALL BE ESTABLISHED FOR THE MAINTENANCE OF ALL COMMON AREAS, INCLUDING PRIVATE STREET ALLEYS.
  - UPON RECORDATION OF A FINAL SUBDIVISION PLAN CREATING INDIVIDUAL LOTS, BUILDING ADDITIONS MAY BE MADE WITHOUT FURTHER AMENDING THIS DEVELOPMENT PLAN AS LONG AS IT IS OTHERWISE IN COMPLIANCE WITH THE ZONING ORDINANCE.
  - FUTURE EASEMENTS TO BE SHOWN ON FINAL RECORD PLATS.
  - CONSTRUCTION ACCESS TO BE FROM RECORDED PORTIONS OF POLO CLUB BOULEVARD + STOLEN HORSE TRACE.
  - LOTS 1-24 SHALL FACE THE OPEN SPACE AND DEER HAVEN LANE. (Waiver approved 4-19-06)
  - LOT 65 GREENWAY TO BE MAINTAINED AND OWNED BY THE DEVELOPER OR H.O.A. UNTIL SUCH TIME THAT THE DEVELOPER OR H.O.A. AND THE L.F.U.C.G. AGREE TO TRANSFER THE OWNERSHIP AND MAINTENANCE TO THE L.F.U.C.G. IT IS THE INTENT OF THE L.F.U.C.G. TO CONSTRUCT AND MAINTAIN A MULTI-USE TRAIL THROUGH LOT 65.
  - NO BUILDING PERMITS FOR THE SINGLE FAMILY LOTS WILL BE ISSUED UNTIL A FINAL SUBDIVISION PLAN IS RECORDED.

**PLANNING COMMISSION CERTIFICATION**  
I do hereby certify that this plan was approved by the Urban County Planning Commission at its meeting held on April 19, 2006.  
*Christina D. Day* Secretary

**OWNERS CERTIFICATION**  
I (we) do hereby certify that as (the sole owner/s) of record of the property shown hereon, do fully agree to all graphic and textual representations shown hereon, and do hereby accept this as my (our) plan for this property.  
**MARION C. CLARK** DEER HAVEN PROPERTIES, LLC  
Name: *Marion C. Clark* 2062 N. CLEVELAND RD.  
Signature: Address:

- CONDITIONAL ZONING RESTRICTIONS**
- NO STRUCTURE BUILDING OR OTHER DEVELOPMENT SHALL BE ALLOWED WITHIN 50' OF THE GREENWAY DESIGNATED ON THE PRELIMINARY DEVELOPMENT PLAN EXCEPT THAT PEDESTRIAN AND/OR BIKE PATHWAYS OR STRUCTURES DEFINED RECOMMENDED OR CONSISTENT WITH THE NORTH-COMING 1991 C.I.J. STORMWATER MANAGEMENT STUDY STANDARDS FOR STORM WATER MANAGEMENT SHALL BE PERMITTED.
  - NO STRUCTURE BUILDING OR OTHER DEVELOPMENT SHALL BE ALLOWED IN ANY AREA DESIGNATED IN THE 75' EAPM NATURAL RESOURCES MAP AS A FLOOD PLAIN WATER COURSE OR SINKHOLE, EXCEPT THAT PEDESTRIAN AND/OR BIKE PATHS, THE BOULEVARD, AND STORMWATER CONTROL STRUCTURES AS DEFINED RECOMMENDED OR CONSISTENT WITH THE C.I.J. STORMWATER MANAGEMENT STUDY STANDARDS SHALL BE PERMITTED.
  - THERE SHALL BE NO STRUCTURE OTHER THAN TRANSPARENT OR STONE FENCES WITHIN THE 20' FOOT LANDSCAPE BUFFER YARD ON THE WEST SIDE OF WALNUT HILL-CHILESBURG ROAD BETWEEN THE INTERSECTION OF THE PROPOSED BOULEVARD NORTH TO EXPANSION AREA 7A.
  - NO OFF-PREMISES ADVERTISEMENTS SIGNS (BILLBOARDS) OR OTHER COMMERCIAL SIGNS SHALL BE PERMITTED ON THE PROPERTY ALONG I-76 OR WALNUT HILL-CHILESBURG ROAD.
  - LANDSCAPE AND BUFFERING ALONG INTERSTATE 76 SHALL BE IN CONFORMANCE WITH SECTION 23A-210.3 OF THE ZONING ORDINANCE EXCEPT THAT WHERE A TREE LINE CURRENTLY EXISTS ALONG THE EXISTING TREE LINE AS INDICATED IN GREEN ON THE ATTACHED COPY OF THE PRELIMINARY DEVELOPMENT PLAN FOR UP TO 100' SHALL BE PRESERVED, MAINTAINED AND REPLANTED AS NECESSARY TO BUFFER THIS PROJECT FROM THE INTERSTATE.
  - THE EXISTING TREE LINE ALONG WALNUT HILL-CHILESBURG ROAD, THE ABANDONED RAILROAD RIGHT-OF-WAY, AND SIGNIFICANT TREE STANDS AS DEPICTED IN GREEN ON THE ATTACHED COPY OF THE PRELIMINARY DEVELOPMENT PLAN SHALL BE PRESERVED, MAINTAINED AND REPLANTED AS NECESSARY AND ADJUSTED TO PERPETUATE THE EXISTING TREE AREAS ALONG WALNUT HILL-CHILESBURG ROAD WHERE NO TREES CURRENTLY EXIST ONE TREE OF A SPECIES SIMILAR TO THE INNER BUFFER AREAS SHALL BE PLANTED, MAINTAINED AND REPLANTED AS NECESSARY FOR EVERY TWO FEET OF LINEAR DISTANCE WITHIN THE 20' BUFFER AREA EXCEPTED FROM THIS CONDITION IS MINIMUM CUT, FILL REQUIRED FOR THE BOULEVARD AND NECESSARY PUBLIC UTILITIES.



**PURPOSE OF AMENDMENT**

- REVISE A PORTION OF UNIT 1 ADDING THE PRIVATE STREET "ALLEY", AND ADDING TOWNHOME UNITS
- UNIT 1 INCLUDES TOWNHOMES, SINGLE FAMILY LOTS, OPEN SPACE, AND PRIVATE STREET ALLEY. THIS UNIT IS NOT BEING AMENDED.

**NEWMARKET UNIT 1 FDP TREE PRESERVATION PLAN:**  
(PER TREE PROTECTION ORDINANCE)  
5.46 Acres Required Canopy Coverage (30%)  
-0.62 Ac. of Proposed Street Trees (36 Large Trees)  
4.84 Ac. Required Canopy (281 Large Trees)  
\*Medium or Small trees can be used as the canopy coverage credits provided in Article 23-5e.X2)  
Existing tree species consist of: Locust, Hackberry and scrub  
Existing soil types: Lovell, Maury and Newark Silty Loam

- NOTES:**
- TREE PROTECTION AREAS (TPA) SHALL BE FENCED WITH A MINIMUM 3 FEET TALL FENCING LOCATED ALONG THE OUTLINE OF THE TREE CANOPY WITH SIGNS POSTED EVERY 100 FEET THAT READ "TREE PROTECTION AREA" WRITTEN APPROVAL OF THE INSTALLED FENCING BY THE URBAN COUNTY ENGINEER SHALL BE OBTAINED PRIOR TO ISSUANCE OF L.F.U.C.G. PERMITS OR OTHER CONSTRUCTION ACTIVITY. THE FENCE SHALL MAINTAINED IN GOOD ORDER FOR THE DURATION OF THE PROJECT AND NOT BE MOVED WITHOUT PRIOR PERMISSION FROM THE U.F. NO TREE REMOVAL, GRUBBING OR CLEARING IN THE T.P.A. SHALL BE PERMITTED WITHOUT PRIOR APPROVAL OF THE U.F.
  - ALL OTHER REQUIRED TREES SHALL CONFORM WITH THE L.F.U.C.G. PLANTING MANUAL. ALL TREES SHALL BE PLANTED A MINIMUM OF 10 FEET FROM BUILDINGS. TREES TO BE LOCATED WITHIN UTILITY EASEMENTS MUST FIRST CALL KENTUCKY UNDERGROUND CALL-BEFORE-DIG: 1-800-387-6001.

**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, SHOW REMOVAL, CLEANING OR OTHER NEEDS RELATED TO THE PRIVATE STREETS (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 THE PRIVATE STREET (OR ACCESS EASEMENT), AND OVER UTILITY AND OTHER EASEMENTS FOR GOVERNMENTAL AND UTILITY AGENCIES TO PERFORM THEIR NORMAL RESPONSIBILITIES. THE OWNERS UNDERSTAND THAT THE PRIVATE STREETS (OR ACCESS EASEMENTS) WILL NOT RESULT IN ANY REDUCTION IN TAXES INCURRED BY AND PAYABLE TO THE URBAN COUNTY GOVERNMENT. FURTHERMORE, IF THE OWNERS IN THE FUTURE SHOULD DESIRE 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 TAKE 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 STREETS.  
**Marion C. Clark** 9-8-06 DATE

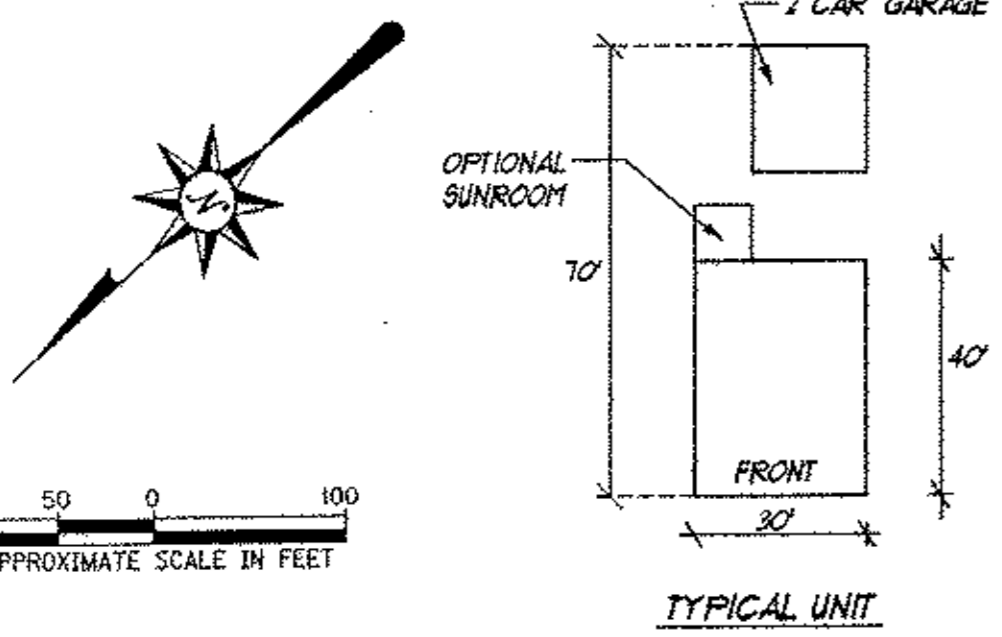
**DEVELOPMENT STANDARDS (31 TOWNHOME UNITS)**

- MINIMUM LOT FRONTAGE OF 30'
- ONE PARKING SPACE PER UNIT.
- MINIMUM LOT SIZE OF 1,000 SQ. FT.
- YARD REQUIREMENTS  
3' EACH SIDE YARD, 0' WHERE ATTACHED  
5' FRONT YARD  
0' REAR YARD
- PRIVATE ACCESS AND PARKING.
- OWNERS ASSOCIATION TO MAINTAIN COMMON GROUNDS, INCLUDING PRIVATE ACCESS EASEMENT.
- TOWNHOMES FOR RESIDENTIAL USES ONLY.

**DEVELOPMENT STANDARDS (71 SINGLE FAMILY LOTS)**

- MINIMUM LOT FRONTAGE OF 40'
- MINIMUM LOT SIZE OF 5,000 SQ. FT.
- YARD REQUIREMENTS  
3' EACH SIDE YARD,  
20' FRONT YARD  
0' REAR YARD
- PRIVATE ACCESS IS PERMITTED

**SITE STATISTICS**  
TOTAL AREA = 18.20 ACRES  
EXISTING ZONE = E46-2  
NO. OF BUILDABLE SINGLE FAMILY LOTS = 71  
TYPICAL SINGLE FAMILY LOT = 60' X 110'  
NO. OF NON-BUILDABLE LOTS = 1  
NO. OF LOTS/UNITS = 31 (Townhomes)  
TYPICAL TOWNHOME UNIT = 40' X 30'  
TOWNHOME PARKING REQUIRED = 31 SPACES (1.0 PER UNIT)  
PARKING PROVIDED = 74 SPACES (2 PER UNIT)  
OVERALL DENSITY = 3.52 UNITS PER ACRE



AMENDED FINAL DEVELOPMENT & PRELIMINARY SUBDIVISION PLAN

**NEWMARKET PROPERTY**  
A PORTION OF UNIT 1 AND UNIT 7  
LEXINGTON, FAYETTE COUNTY, KENTUCKY

**St. Partain, PLLC**  
CIVIL ENGINEERS, LAND SURVEYORS, LANDSCAPE ARCHITECTS  
3111 WALNUT STREET  
LEXINGTON, KENTUCKY 40515  
PHONE: (606) 254-4242  
FACSIMILE: (606) 254-1023

AMENDED FINAL DEVELOPMENT & PRELIMINARY SUBDIVISION PLAN  
**NEWMARKET PROPERTY**  
A PORTION OF UNIT 1 AND UNIT 7  
LEXINGTON, FAYETTE COUNTY, KENTUCKY

DRAWN: TAW  
DATE: 4/3/06  
CHECKED:  
REVISED: 5/17/06  
AUG. 2006

SHEET  
**1**  
DP 2006-37