

STATEMENT OF BINDING ELEMENTS

This Statement of Binding Elements is filed pursuant to Section 3.10 and 3.11 of the Joint Zoning Ordinance of Warren County, Kentucky.

PROPERTY OWNER: Shelton Investments, LLC

PVA TAX PARCEL NUMBERS: 041C-12B-012, 013, & 014

DESCRIPTION OF AFFECTED PROPERTY & SOURCE OF TITLE:

Being lots #12, 13 and 14 of the Woodland Station Subdivision as set forth in the plat of record as recorded in Plat Book 33, page 193 and 194 in the office of the Warren County Clerk.

Source of title recorded in Deed Book 996, Page 942 in the office of the Warren County Clerk. See deed attached hereto and incorporated herein by reference (the property).

BINDING ELEMENTS

I

Lighting for parking areas and travel ways on the Property shall be shoebox-style lighting focused downward to minimize light trespass onto adjacent residential areas.

II

A ten (10) foot wide natural vegetative buffer shall be created to maintain the existing tree line along the Southern property line as shown on Exhibit "B".

III

Signs shall be monument style and not exceed twenty five (25) feet in height and one hundred and fifty (150) square feet per sign face area.

IV

There shall be no access from this tract to any adjoining residential district. Only one access to Dishman Lane Extension and one access to Raintree Drive shall be allowed. These access points shall comply with the City of Bowling Green's Traffic Access Management Manual.

V

The building height shall not exceed forty two (42) feet tall.

VI

Buildings constructed on the Property shall be constructed with at least ninety percent (90%) modern masonry material on all sides, including brick, stone, EFIS or glass. No split-faced or plain-faced block shall be used.

VII

This property shall be developed with a maximum 30,000 square feet of Gross Leasable Area.

VIII

Uses on the Property shall be limited to the following uses: community services; safety services; healthcare facility; office; retail sales and service and planned shopping centers.

IX

The following uses shall be prohibited on the Property: bar; lounge or other facility serving alcoholic beverages by the drink; bingo parlor; pawn shop; any retail sale or display of pornography; adult books or entertainment; detention facility; off premise advertising signage; commercial parking and vehicle repair or services.

X

Outside trash collection areas on the Property shall be screened on all sides with a visual barrier consisting of modern masonry materials.

XI


All utilities service lines for the Property shall be located underground.

The foregoing Binding Elements shall be binding upon the owners, their heirs, successors, personal representatives, assigns, the Planning Commission, and legislative bodies of Bowling Green and Warren County, as of the date of adoption unless otherwise amended pursuant to Sections 3.11.8 of the Warren County Zoning Ordinance.

DATE OF ADOPTION OF BINDING ELEMENTS

These Binding Elements shall be deemed to be adopted and effective as a result of the final approval of the zone change of said property.

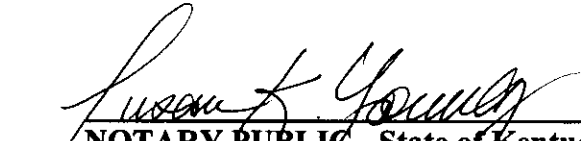
IN TESTIMONY WHEREOF, witness the hand of the property owner on this 2nd day of March, 2011.

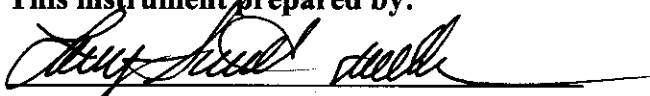

OWNER

OWNER

STATE OF KENTUCKY)
) SCT.
COUNTY OF WARREN)

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by Larry Smith, as managing partner of Shelton Investments, LLC, on this 2nd day of March, 2011.


NOTARY PUBLIC - State of Kentucky at Large
My Commission Expires: 3-26-11

This instrument prepared by:

Shelton Investments, LLC

Address: 300 East Promenade
Bowling Green, KY 42103

DENZIL AVE.
PRIVATE ONE-
WAY STREET

RAINTREE DRIVE
24' PVM'T ~ 50' R/W

316-1

317

324

325

DISHMAN LANE EXTENSION
52' PVM'T ~ 72' R/W

35' BUILDING SETBACK, UTILITY, AND DRAINAGE EASEMENT

DOCUMENT NO: 761333
RECORDED ON: APRIL 12 2011 02:10:31PM
TOTAL FEES: \$16,000
COUNTY CLERK: SANDRA GREGG
COUNTY: WARREN COUNTY
SERIAL CLERK: PERRY HUFF
BOOK 91016 PAGES 049 - 052