

AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS,
CONDITIONS & RESTRICTIONS
SOMMERSBY

This Amendment to Declaration of Protective Covenants, Conditions & Restrictions for Sommersby is executed by, Sommersby LLC, MainStreet Homes, LLC and Blue Sky Construction, Inc. ("Declarant), this 24th day of June, 2008.

WITNESSETH

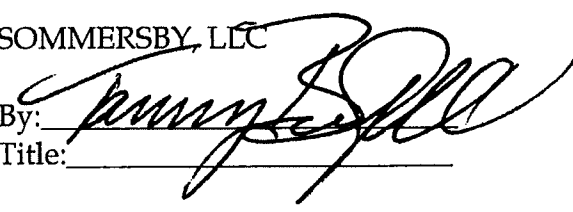
WHEREAS, by instrument dated August 3, 2007, SOMMERSBY, LLC, a Tennessee Limited Liability Company (hereinafter referred to as "Declarant") executed that certain Declaration of Protective Covenants, Conditions, and Restrictions for Sommersby of record in Record Book 772, Page 3199, as Amended in Record Book 796, page 3771, and Record Book 842, page 2802, in the Register's Office for Rutherford County, Tennessee; and

WHEREAS Declaration references the execution and consent by MainStreet Homes, LLC and Blue Sky Construction, Inc., but, in error, the Declaration was recorded without the execution of MainStreet Homes, LLC and Blue Sky Construction, Inc..

NOW, THEREFORE, the Declarant hereby amends the Declaration of Protective Covenants, Conditions & Restrictions recorded on May 12, 2008 in Record Book 842, page 2802 of the Register's Office of Rutherford County, Tennessee to add the execution of MainStreet Homes, LLC and Blue Sky Construction, Inc. to consent to said Declaration's applicability to all lots owned by MainStreet Homes, LLC and/or Blue Sky Construction, Inc..

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be executed this 24th day of June, 2008.

SOMMERSBY, LLC

By: 

Title: _____

By: [Signature]
Title: _____

BLUE SKY CONSTRUCTION,
INC.

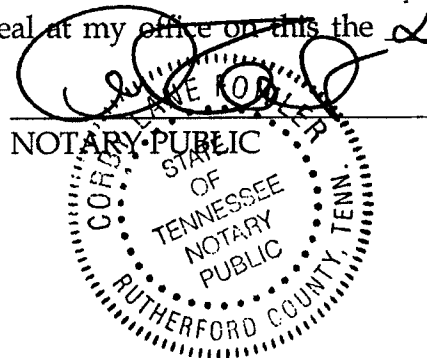
By: [Signature]
Title: President

STATE OF TENNESSEE)
COUNTY OF RUTHERFORD)

Before me, the undersigned, a notary public within and for the State and county aforesaid, personally appeared Tammy Benefield with whom I am personally acquainted and who upon her oath acknowledged her self to be the Chief Manager of Sommersby, LLC the within named bargainer, a Tennessee limited liability company, and that Tammy Benefield as such Chief Manager, being authorized to do so, execute the foregoing instrument for the purpose therein named by signing the name of the limited liability company as such Chief Manager.

WITNESS MY HAND and official seal at my office on this the 24th
day of June, 2008.

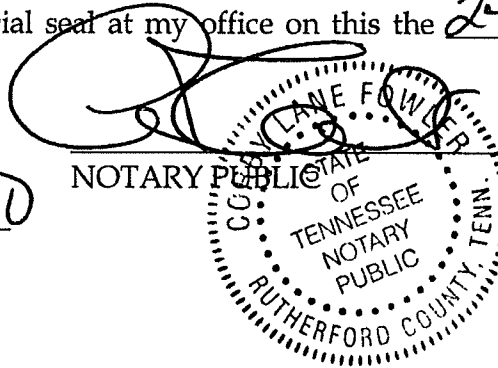
My commission expires: 02/22/10



Before me, the undersigned, a notary public within and for the State and county aforesaid, personally appeared Timmy Bonetel with whom I am personally acquainted and who upon her oath acknowledged her self to be the _____ of MainStreet Homes, LLC the within named bargainor, a Tennessee limited liability company, and that Timmy Bonetel as such _____, being authorized to do so, execute the foregoing instrument for the purpose therein named by signing the name of the limited liability company as such _____.

WITNESS MY HAND and official seal at my office on this the 24th day of June, 2008.

My commission expires: 02/22/10



STATE OF TENNESSEE)
COUNTY OF RUTHERFORD)

Before me, the undersigned, a notary public within and for the State and county aforesaid, personally appeared Howard Wilson with whom I am personally acquainted and who upon his oath acknowledged himself to be the President of Blue Sky Construction, Inc., the within named bargainor, a Tennessee limited liability company, and that Howard Wilson as such President, being authorized to do so, execute the foregoing instrument for the purpose therein named by signing the name of the limited liability company as such President.

WITNESS MY HAND and official seal at my office on this the 24 day of June, 2008.

My commission expires: 11/14/09

Rachael M. Trent
NOTARY PUBLIC

