

**SUPPLEMENTARY DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS
& RESTRICTIONS OF SOMMERSBY, SECTION II**

The undersigned Sommersby, LLC, hereinafter referred to as "Developer", being the developer of the property described herein known as Sommersby, Section II of record in Plat Book 37, page 122 in the Register's Office of Rutherford County, Tennessee, desires to subject the property known as Sommersby, Section II, to the Declaration of Protective Covenants, Conditions & Restrictions, applicable to Sommersby, previously of record in the Register's Office for Rutherford County, Tennessee and subsequent amendments thereto, with the amendment set forth herein below.

NOW THEREFORE, in consideration of the foregoing and the benefits applying to the property, the following protective covenants, conditions and restrictions are adopted for Sommersby, Section II:

1. Sommersby, Section II, as shown on Plat of record in Plat Book 37, page 122 in the Register's Office of Rutherford County, Tennessee, shall be subject to the protective covenants, condition and restrictions applying to Sommersby of record in Record Book 772, Page 3199, as amended by amendments of record in Record Book 795, 1346, Record Book 796, page 3771, Record Book 842, page 2802, Record Book 857, page 1337, Record Book 954, page 3402, and Record Book 1077, page 3691 of the Register's Office of Rutherford County, Tennessee, and any and all further amendments thereto (collectively "Declaration").

2. Any and all lot owners of Sommersby, Section II shall be subject to the

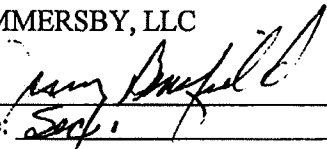
Declaration.

3. Any and all lot owners of Sommersby, Section II shall be members of the Sommersby Homeowners' Association, Inc., and be subject to, and entitled to the benefits of the Association as established in the Declaration as stated herein above.

4. Sommersby, LLC reserves the right to unilaterally amend the Declaration and this instrument in regards to Sommersby, Section II without the necessity of obtaining the consent of any other owner in Sommersby so long as Sommersby, LLC owns any lot within Sommersby, Section II, and for a period of ten years from the date on which Sommersby, LLC last owns a lot within the Sommersby development in Rutherford County, Tennessee.

IN WITNESS WHEREOF, said Sommersby, LLC has caused this instrument to be executed this the 27 day of August, 2013.

SOMMERSBY, LLC

By: 

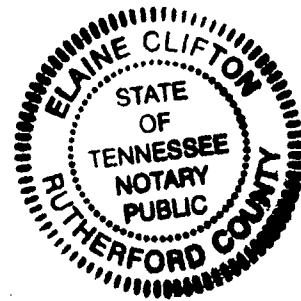
Title: Secy.

Before me, the undersigned, a Notary Public within and for the State and County aforesaid, personally appeared Terry Benefield, with whom I am personally acquainted, and who upon his oath acknowledged him self to be the Secretary of Sommersby, LLC and Terry Benefield as such Secretary, being authorized so to do, executed the foregoing instrument Supplementary Declaration of Protective Covenants for the purposes therein contained by signing the name of Terry Benefield by him self as such Secretary.

WITNESS MY HAND and official seal at my office on this the 27 day of August, 2013.

Elaine Clifton
NOTARY PUBLIC

My commission expires: 5-20-17



Heather Dawbarn, Register
Rutherford County Tennessee
Rec #: 755743
Rec'd: 15.00 Instrument #: 1863239
State: 0.00
Clerk: 0.00 Recorded
Other: 2.00 8/28/2013 at 9:30 AM
Total: 17.00 in
Record Book 1245 Pgs 1311-1313