

Heather Dawbarn, Register
Rutherford County Tennessee
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State: 0.00
Clerk: 0.00 Recorded
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Total: 12.00 in
Record Book 1375 Pgs 1500-1501

This Instrument Prepared By:
J.D. Kiou, Attorney
KIOUS, RODGERS, BARGER,
HOLDER & KIOUS, PLLC
503 North Maple Street
Murfreesboro, Tennessee 37130

**AMENDMENT TO THE RESTRICTIVE COVENANTS AND CONDITITONS
APPLYING TO THE SUBDIVISION NAMED LEWIS DOWNS, SECTION I, PHASE I**

THIS AMENDMENT is made by the Declarant, D & M EXCAVATING, LLC, pursuant to Article Ten, Paragraph C of the RESTRICTIVE COVENANTS AND CONDITIONS APPLYING TO THE SUBDIVISION NAMED LEWIS DOWNS, SECTION I, PHASE I (the "Declaration") of record in Record Book 766, page 2879, of the Register's Office of Rutherford County, Tennessee.

WHEREAS, the undersigned now intends to amend certain portions of the Declaration.

NOW, THEREFORE, for valuable consideration and in compliance with the Amendment requirements of the Declaration, the undersigned Declarants do hereby amend the Declaration as follows:

1. **ARTICLE EIGHT, PARAGRAPH 19. A.** shall be amended and restated as follows:

19. A. The only fences which shall be permitted on lots shall be erected only with the written approval of the Architectural Committee, which is charged to ensure that said fences conform with the general character and atmosphere of the neighborhood. No wood fences shall be permitted on lots. Privacy fences shall be 5' or 6' white or tan vinyl. All picket fences shall be black wrought iron or black aluminum. All fences must be maintained in good repair, and owners agree to abide by reasonable requests for repairs and maintenance as may be made by the Architectural Committee. The style, height, and appearance of all fences must be approved by the Architectural Review Committee.

2. **ARTICLE EIGHT, PARAGRAPH 22.** shall be amended and restated as follows:

22. No lot owner may construct or place any outbuilding, clothesline, satellite dish, solar panels, fence or any other structure, pen or enclosure, (specifically excluding basketball goals as long as the goal is placed in the backyard only), on the lot owner's property without the prior written approval of the Architectural Committee. Above-ground propane tanks shall be permitted provided that the propane tank is positioned to side or rear of the house and

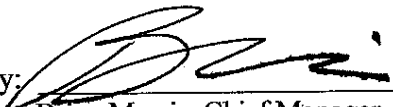
does not exceed 100 lbs. Propane tanks shall be screened by either landscaping or fence and placement must be approved by the Architectural Review Committee.

Except as expressly amended hereby, the terms and provisions of the Declaration shall continue in full force and effect.

WITNESS its signature this 30th day of April, 2015.

"Declarant"

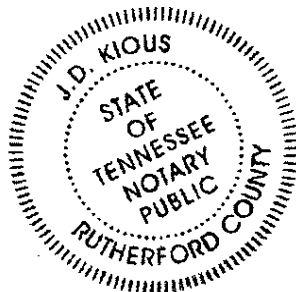
D & M EXCAVATING, LLC

By: 
Brian Morris, Chief Manager

State of Tennessee)
)
County of Rutherford)

Personally appeared before me, a notary public in and for the state and county aforementioned, Brian Morris, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who, upon oath, acknowledged himself to be the Chief Manager of D & M Excavating, LLC and that he as such Chief Manager executed the foregoing instrument for the purposes therein contained, by signing the name of the company by himself as Chief Manager.

30th WITNESS MY HAND and official seal at office in Murfreesboro, Tennessee, on this the 30th day of April, 2015.




Notary Public
My commission expires: 2/20/18