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This Instrument prepared by:
Judy S. Wells, Attorney
7101 Executive Center Drive, Suite 151
Brentwood, TN 37027

State of Tennessee, County of WILLIAMSON
Received for record the 05 day of
APRIL 2002 at 12:59 PM. (REC# 468768)
Recorded in official records
Book 2426 pages 938- 939
Notebook 69 Page 49
State Tax \$.00 Clerks Fee \$.00,
Deeds \$ 12.00, Total \$ 12.00,
Register of Deeds SADIE WADE
Register NICOLE BONDIANZA

**THIRD SUPPLEMENTARY DECLARATION TO THE
SUPPLEMENTAL DECLARATION OF PROTECTIVE
COVENANTS AND OWNERS SUBASSOCIATION FOR THE
SINGLE FAMILY RESIDENTIAL DEVELOPMENT AT MCKAY'S MILL**

This Supplementary Declaration made this 4th day of April, 2002 by Jones Land Company, LLC, a Tennessee limited liability company (hereinafter referred to as "Declarant") and McKay's Mill Single Family Subassociation, Inc. (hereinafter referred to as "Association").

WITNESSETH

WHEREAS, Jones Land Company, LLC was designated as Declarant under the Supplemental Declaration of Protective Covenants and Owners Subassociation for the Single-Family Residential Development at McKay's Mill as of record in Book 1649, page 389, and amended in Book 1833, page 507 and Book 2293, page 292, Register's Office for Williamson County, Tennessee (the "Declaration"); and

WHEREAS, pursuant to Article XV of the Declaration, Declarant has the unilateral right to amend the Declaration, if necessary, for compliance purposes; and

WHEREAS, Declarant desires to correct certain language in the Declaration and to add language which is required by the Federal Housing Authority.

NOW THEREFORE, for and in consideration of the premises and pursuant to the terms of the Declaration, Declarant hereby amends and corrects as follows:

1. Declarant hereby declares that any and all references in the Declaration to "the office of the Clerk of the Superior Court of the county in which the property to be annexed is located" shall be deleted and shall be replaced by "the office of the Register of Deeds for Williamson County, Tennessee".

2. Declarant declares that Article XI, Section 1, subsection (a) is hereby deleted and the following paragraph shall be substituted:

"(a) As the owner thereof or, if not the owner, with the consent of the owner thereof, Declarant shall have the right, privilege and option from time to time at any time until seven (7) years after the recording of this Supplemental Declaration to subject all or any portion of the real property described in Exhibit "B", attached hereto and by reference made a part hereof to the provisions of this Supplemental Declaration and the jurisdiction of the Single-Family Subassociation by filing for record in the office of the Register of Deeds for Williamson County, Tennessee an Amended Supplemental Declaration with respect to the property being annexed. Notwithstanding the previous,

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as long as there is a Class B Membership, the following actions will require the approval of the Federal Housing Administration or the Veterans Administration: Annexation of additional properties; dedication of Common Areas and amendment of this Declaration.

3. Declarant hereby adds the following to Article XII, Section 2:

“(f) Annex additional property or amend this Supplemental Declaration while the Class B Membership is in existence.”

4. The Declarant hereby deletes the following from Article III, Section 2:

“Notwithstanding any provision of this Supplemental Declaration to the contrary, until such time as Declarant owns less than ten (10) Sites in the Single-Family Subassociation Area, the number of Directors shall be three and the Declarant shall have the right to appoint all three of such Directors.”

The Declarant hereby adds the following to Article III, Section 2:

“Declarant’s weighted vote ceases and converts to membership rights and votes as described in Article III, Section 3 of the Declaration upon the earlier of the following to occur:

- A. 75% of the units are deeded to homeowners; or
- B. On April 3, 2008.”

IN WITNESS WHEREOF, this Supplemental Declaration has been executed by Declarant and the Association as of the day and year first written above.

Jones Land Company, LLC

By: *Daniel E. Crunk*
Daniel E. Crunk, Director of Land Development

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Before me, the undersigned, a Notary Public within and for the State and County aforesaid, personally appeared Daniel E. Crunk, with whom I am personally acquainted and who upon his/her oath(s) acknowledged himself to be the Director of Land Development for Jones Land Company, LLC, a Tennessee limited liability company, and that he as such Director of Land Development, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the limited liability company by the said Daniel E. Crunk, as such Director of Land Development.

4th Witness my hand and official seal at office at Franklin, Tennessee, on this the 4th day of April, 2002.

My commission expires: 7/25/2005 *Ann M. LeDet*
Notary Public

