

MODIFICATION OF RESTRICTIVE COVENANTS
FOR
CANNEY FORK ESTATES

WHEREAS, by instrument dated August 4, 1969, owners of the subdivision known as Caney Fork Estates, at Plat Book 3, p. 3, Register's Office, Cumberland County, Tennessee, recorded a set of Restrictive Covenants, said instrument being of record at Deed Book 93, p. 373, et seq., said Register's Office, to which instrument is specifically referred to as if copied verbatim; and,

WHEREAS, said instrument provides that the restrictions shall be binding for a period of four years from the date signed, after which time said restrictions shall be automatically extended for successive periods of four years unless an instrument signed by a majority of the then owners of said lots has been recorded agreeing to change said covenants in whole or in part; and,

WHEREAS, a complete list of lot owners along with derivation of title is attached hereto as Exhibit "A"; and,

WHEREAS, the undersigned, being a majority of the present owners of said lots in Caney Fork Estates, desire to modify said restrictive covenants in part.

NOW, THEREFORE, for and in consideration of the sum of One (\$1.00) Dollar, and the mutual covenants herein exchanged and other good and valuable consideration not herein mentioned, the receipt and sufficiency of which is hereby acknowledged, the undersigned owners of the lots in Caney Fork Estates as shown by plat of record in Plat Book 3, p. 3, Register's Office, Cumberland County, Tennessee agree to modify the restrictive covenants at Deed Book 93, p. 373 as follows:

Restrictive covenants Nos. 1, 3, 4, 5, 7, & 8 shall be deleted in their entirety, leaving Nos. 2 and 6 as the applicable restrictive covenants. Remaining restrictions are as follows:

*Pete
New*

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- (2) That no temporary building shall be maintained on said land, this to expressly include mobile homes and other types of movable homes.
- (6) No outdoor toilets shall be allowed on said lots. No waste shall be permitted to enter into any open drainage or creeks and all sanitary arrangements must be inspected and approved by local or state health officers before any septic tanks are installed or before other waste disposal systems shall be constructed. Individual well systems must be state approved.

The undersigned covenant that they are lawfully seized and possessed of said individual tracts or lots; that they have a good and lawful right to modify said restrictive covenants; that they will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever; and they bind their heirs, assigns and representatives by the above covenants.

EXECUTED this 17th day of October, 1994.

| | |
|--|---|
| Lot 1 <u>Debbie Flynn</u> | Lot 22 <u>Myra B. Anderson</u> |
| Lot 2 <u>Adelaida Tanner</u> | Lot 23 <u>Nancy J. Presley</u> |
| Lot 3 <u>Gloria Sawyer</u> | Lot 24 <u>Wendy J. Latham</u> |
| Lot 3 <u>David Sawyer</u> | Lots 25, 26, 27 <u>Richard L. Presley</u> |
| Lot 4 _____ | Lots 28, 29, 30, 31 <u>Jeffrey R. Presley</u> |
| Lots 5, 6 <u>Carlene Perkins</u> | 32, 33, 34, 35 <u>Bartholomew L. Sawyer</u> |
| _____ <u>George Perkins</u> | _____ |
| Lots 7, 8, 9, 10, 11 <u>Bonnie Newen</u> | _____ |
| Lot 12 <u>Jacqueline Smek</u> | _____ |
| Lot 13 _____ | _____ |
| Lot 14 _____ | _____ |
| Lot 15 <u>Leslie Lema</u> | _____ |
| _____ <u>David Lema</u> | _____ |
| Lots 16, 17, 18 <u>Shirley Oryor</u> | _____ |
| _____ <u>Harrison Oryor</u> | _____ |
| Lot 18 <u>Bonnie Davis</u> | _____ |
| (PTOF) <u>Patricia S. Davis</u> | _____ |
| Lot 19, 20 <u>Tommy B. Wellman</u> | _____ |
| _____ <u>Carolyn Wellman</u> | _____ |
| Lot 21 _____ | _____ |

"EXHIBIT "A"

Lot owners and derivations of title for 35 lots in Caney Fork
Estates, plat Book 3, p. 3, Register's Office, Cumberland Co., TN

| <u>Lot</u> | <u>Owner</u> | <u>Deed Book/Page</u> | <u>Map/Parcel</u> |
|------------|--|-------------------------------|------------------------------|
| 1 | Deborah J. Flynn | 443/456 443/341 319/691 | A-84-G/23.00 |
| 2 | Adelaide L. Tanner | 133/363 | A-84-G/22.00 |
| 3 | David C. Sawyer Glenda C. Sawyer | 390/233 335/155 | B-84-G/7.00 |
| 4 | John E. Turner Duane W. Turner | 140/449 | B-84-G/6.00 |
| 5 | George S. Perkins Norma Carlene Perkins | 430/423 332/234 | B-84-G/5.00 |
| 6 | George S. Perkins Norma Carlene Perkins | 460/431 139/114 | B-84-G/4.00 |
| 7 | Bonnie Neveu | 475/388 | B-84-G/3.00 |
| 8 | Bonnie Neveu | 475/484 | B-84-G/1.00 |
| 9 | Bonnie Neveu | 475/386 | B-84-G/2.00 |
| 10 | Bonnie Neveu | 475/386 | B-84-G/12.00 |
| 11 | Bonnie Neveu | 151/140 | B-84-G/11.00 |
| 12 | Loretta Ramsey | 319/272 | B-84-G/10.00 |
| 13 | Lee R Kirkpatrick Debra S. Kirkpatrick | 349/465 | B-84-G/9.00 |
| 14 | Marvin L. Adams Sheila M. Adams | 117/244 390/442 | B-84-G/8.00 |
| 15 | David G. Luna | 335/58 380/160 | A-84-G/21.00 |
| 16 | Harrison C. Pryor | 358/727 358/725 | A-84-G/18.01 |
| 17 | Harrison C. Pryor | 346/557 210/447 | A-84-G/18.01 |
| 18 | E. W. Dayton, Jr. | 152/35 | A-84-G/18.00 |
| (Pt of) 18 | Dennis B. Davis Rebecca S. Davis | 380/384 205/382 | A-84-G/17.02 |
| 19 | Tommy G. Wellman Carolyn Wellman | 155/218 279/60 | A-84-G/17.01 A-84-G/17.00 |
| 20 | Tommy G. Wellman Carolyn Wellman | 177/765 | A-84-G/16.00 |
| 21 | David L. Shillings | 429/749 | A-84-G/15.00 |
| 22 | Robert C. Anderson Myrvah Anderson | 139/284 | A-84-G/11.00 |
| 23 | Nancy J. Presley | 369/556 293/317 289/383 | A-84-G/14.00 |

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(Exhibit "A" continued on next page)

| <u>Lot</u> | <u>Owner</u> | <u>Deed Book/Page</u> | <u>Map/Parcel</u> |
|------------|--------------------------------------|---|-------------------|
| 24 | Wendy J. Latham | 414/614 409/661 302/500 | A-84-G/13.00 |
| 25 | Ricky L. Presley | 457/712 163/626 | A-86-G/12.00 |
| 26 | Ricky L. Presley | 422/323 385/197 227/376 | A-84-G/10.00 |
| 27 | Ricky L. Presley | 468/103 438/519 122/457 78/311 | A-84-G/9.00 |
| 28 | Kenneth R. Hayes | 467/180 407/459 122/457 78/311 | A-84-G/8.00 |
| 29 | Kenneth R. Hayes Dorothy M. Hayes | 467/180 407/459 122/457 78/311 | A-84-G/7.00 |
| 30 | Kenneth R. Hayes Dorothy M. Hayes | 467/180 407/459 122/457 78/311 | A-84-G/6.00 |
| 31 | Kenneth R. Hayes Dorothy M. Hayes | 295/825 | A-84-G/5.00 |
| 32 | Kenneth R. Hayes Dorothy M. Hayes | 290/89 | A-84-G/4.00 |
| 33 | Kenneth R. Hayes Dorothy M. Hayes | 198/441 | A-84-G/3.00 |
| 34 | Kenneth R. Hayes Dorothy M. Hayes | 198/441 | A-84-B/2.00 |
| 35 | Kenneth R. Hayes Dorothy M. Hayes | 198/443 | A-84-G/1.00 |

State of Tennessee, County of CUMBERLAND
Received for record the 21 day of
NOVEMBER 1994 at 12:45 PM. (RECH 130270)
Recorded in official records DEED
Book D478 Page 378-382
Notebook 9 Page 5
State Tax \$.00 Clerks Fee \$.00,
Recording \$ 20.00, Total \$ 20.00,
Register of Deeds JUDY GRAHAM SWALLOWS
Deputy Register PHYLLIS K. HALE

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