

MODIFICATION OF BUILDING SET-BACK LINES

FOR

DEN AND DELL SUBDIVISION

WHEREAS, Dennis W. Tollett and wife, Elsie R. Tollett are the developers of Den and Dell Subdivision, which lies in the First Civil District of Cumberland County, Tennessee, consists of 17 lots, and is depicted on a plat of record at Plat Book 9, page 302, Slide 130-B, Register's Office, Cumberland County, Tennessee; and,

WHEREAS, Dennis W. Tollett and wife, Elsie R. Tollett own all lots in Den and Dell Subdivision, with the exception of Lots 2 and 13; and,

WHEREAS, the minimum front building set-back line shown on the plat of said subdivision is 50 feet; and,

WHEREAS, the restrictive covenants for Den and Dell Subdivision are contained in the Declaration of Restrictions dated February 16, 1995, filed for record on February 17, 1995, at 9:29 A.M. in Deed Book D482, page 482-485, Register's Office, Cumberland County, Tennessee; and,

WHEREAS, Paragraph No. 16 of the Declaration of Restrictions for Den and Dell Subdivision provides for a front building set-back line of 40 feet; and,

WHEREAS, Dennis W. Tollett and wife, Elsie R. Tollett desire to correct and make uniform the front building set-back line provision of the plat and Declaration of Restrictions for Den and Dell Subdivision, and to establish that minimum front building set-back line at 25 feet; and,

WHEREAS, Lot 2 of Den and Dell Subdivision has previously been sold and conveyed to Keith D. Jackson and wife, Shirley I. Jackson by deed dated July 22, 1991, of record at Deed Book 418, page 492; and,

WHEREAS, Lot 13 of Den and Dell Subdivision has previously been sold and conveyed to Jon M. Clark and wife, Leeann R. Clark by deed dated December 23, 1992, of record at Deed Book 442, page 534; and,

BOOK D491 PAGE 21

HF

WHEREAS, Keith D. Jackson and wife, Shirley I. Jackson and Jon M. Clark and wife, Leeann R. Clark are joining in the execution of this instrument to evidence their consent to the modification of the minimum front building set-back line, and to waive any objection which they may have to that modification.

NOW, THEREFORE, in consideration of the premises, the sum of One (\$1.00) Dollar, cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the undersigned parties agree as follows:

1. Notwithstanding the provisions regarding minimum front building set-back line contained on the plat of Den and Dell Subdivision at Plat Book 9, page 302, Slide 130-B, or the provisions of the Declaration of Restrictions for Den and Dell Subdivision dated February 16, 1995, of record at Deed Book D482, page 482-485, Register's Office, Cumberland County, Tennessee, and particularly Paragraph No. 16 of those restrictive covenants, the minimum front building set-back line on all lots in Den and Dell Subdivision is established at 25 feet.

2. Keith D. Jackson and wife, Shirley I. Jackson, as owners of Lot 2 of Den and Dell Subdivision, acquired by deed of record at Deed Book 418, page 492; and, Jon M. Clark and wife, Leeann R. Clark, as the owners of Lot 13 of Den and Dell Subdivision, acquired by deed of record at Deed Book 442, page 534, join in the execution of this instrument to evidence their consent to the modification of the minimum front building set-back line, and to waive any objection which they may have to that modification.

IN WITNESS WHEREOF, the parties hereto executed this instrument on the 10th day of July, 1995.

BOOK D491 PAGE 22

Dennis W. Tollett
DENNIS W. TOLLETT

Elsie R. Tollett
ELSIE R. TOLLETT

Keith D. Jackson
KEITH D. JACKSON

Shirley I. Jackson
SHIRLEY I. JACKSON

Jon M. Clark
JON M. CLARK

Leeann R. Clark
LEEANN R. CLARK

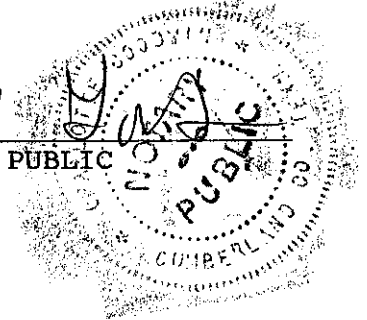
State of Tennessee)
)
County of Cumberland)

Before me, the undersigned authority, a Notary Public in and for said State and County, personally appeared Dennis W. Tollett and wife, Elsie R. Tollett, the within named bargainors with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who acknowledged the execution of the within and foregoing instrument as their free act and deed for the purposes therein contained.

WITNESS my hand and signature on this 20th day of July, 1995.

Charlotte

NOTARY PUBLIC



My commission expires: 5-4-97

State of New York)
)
County of WARREN)

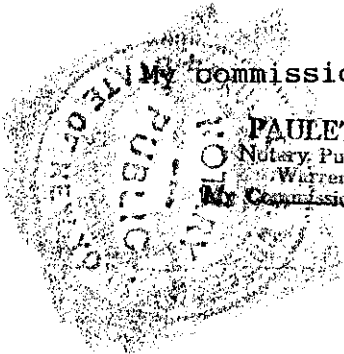
Before me, the undersigned authority, a Notary Public in and for said State and County, personally appeared Keith D. Jackson and wife, Shirley I. Jackson, the within named bargainors with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who acknowledged the execution of the within and foregoing instrument as their free act and deed for the purposes therein contained.

WITNESS my hand and signature on this 10th day of JULY, 1995.

Paulette Wheeler

NOTARY PUBLIC

My commission expires: _____



PAULETTE S. WHEELER
Notary Public, State of New York
Warren County #4930823
My Commission Expires June 20, 19 96

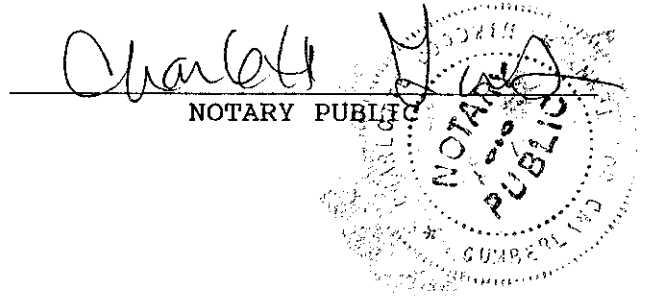
BOOK D491 PAGE 23

State of Tennessee)
County of Cumberland)

Before me, the undersigned authority, a Notary Public in and for said State and County, personally appeared Jon M. Clark and wife, Leeann R. Clark, the within named bargainors with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who acknowledged the execution of the within and foregoing instrument as their free act and deed for the purposes therein contained.

WITNESS my hand and signature on this 18th day of July, 1995.

My commission expires: 5-4-97



State of Tennessee, County of CUMBERLAND
Received for record the 21 day of
JULY 1995 at 10:01 AM. (RECH 141045)
Recorded in official records DEED
Book D491 Page 21- 24
Notebook 9 Page 244
State Tax \$.00 Clerks Fee \$.00,
Recording \$ 16.00, Total \$ 16.00,
Register of Deeds JUDY GRAHAM SWALLOWS
Deputy Register PHYLLIS K. HALE

BOOK D491 PAGE 24