

Prepared By: JACKSON WELCH JR.
BREWWOOD TN

1:07

	Cindy L Briley, Register	
	Sumner County Tennessee	
Rec #:	898744	Instrument #: 1176433
Rec'd:	20.00	Recorded
State:	0.00	11/22/2016 at 1:07 PM
Clerk:	0.00	in Record Book
Other:	2.00	4429
Total:	22.00	Pgs 331-334

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR RAY ESTATES

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (the "Amendment") is made as of the day at date set forth below by **CMB Investments, LLC**, a limited liability company ("Declarant").

WITNESSETH:

WHEREAS, on or about the 3rd day of March, 2015, the Declarant approved and executed the Declaration of Covenants, Conditions and Restrictions for Ray Estates (the "DCCR"), which is of record in Record Book 4075, page 1, Register's Office for Sumner County, Tennessee; and,

WHEREAS, Article XII, Section 4 of the DCCR reserves unto the Declarant the right to unilaterally amend the DCCR, without the joinder of any Owner so long as it still owns property described in Exhibit "A" to the DCCR for development as part of the Properties, and so long as the amendment has no material adverse effect upon any right of any Owner; and,

WHEREAS, Declarant now desires to amend the DCCR in order to comply with certain requirements of the local authorities having jurisdiction over the Properties.

NOW, THEREFORE, Declarant hereby amends the DCCR as follows:

1. Article XI, Use Restrictions, Section 23, Fences, is hereby amended by deleting said Section 23 in its entirety and replacing it with the following:

"Section 23. Fences.

"(a) No fence or wall of any kind, specifically including the use of a hedge or other growing plants as a fence, and for any purpose, excepting a retaining wall, shall be erected, placed or suffered to remain upon (i) any landscape easement, (ii) open-space easement, (iii) greenbelt easement, or (iv) upon any Lot nearer to any street than the front building line of the residence located on the Lot. Fences shall be limited to a decorative fence of black aluminum or black wrought iron and all such fences shall be four feet (4') in height. Brick or stone fence posts may be permitted. No chain-link, wood, plastic, or other material shall be permitted for use in fence construction, and no fence shall be a privacy fence, it being the intent that all fences be of an open design. Brick or stone fence posts may be permitted. On a corner Lot, in addition to the restrictions set forth above, no fence or portion thereof shall be erected or placed or suffered to remain upon said corner Lot, closer to the side street than the building set back line for such residence. In order to comply with all applicable laws, fences shall be required around swimming pools and must be constructed in accordance with the specifications set forth herein, or

Ret: Christian Blockman

the laws, statutes, ordinances, rules and regulations of the authority having jurisdiction, whichever shall be more restrictive.

No fence shall be constructed, erected, installed, or placed upon any Lot without the prior, express approval by the Association, or its Architectural Review Committee, as the case may be, in its sole and absolute discretion, in accordance with the provisions of Article X and other applicable articles of the DCCR. Any submission to the Association or the ARC, as the case may be, related to obtaining approval for the construction, erection, installation, placement, or reconstruction of any fence shall include a detailed picture or drawing of the fence proposed which shall include a detailed description of the materials proposed to be used, location of the fence on the Lot, and dimensions of the fence panels and posts, in addition to any other information required by the Association or the ARC. No fence shall encroach upon any common area or other Lot

“(b) Fence as used herein shall be liberally construed as to accomplish the purpose of these restrictions, and shall specifically include, but not be limited to, contrived barriers of any type including those of shrubs, hedges or walls. Side street as used herein, shall refer to any street contiguous to any Lot which does not face the front door of the residence.

“(c) This Section shall not apply to: (i) underground invisible dog-type fences; or (ii) decorative fences or retaining walls installed by a Declarant or a Builder in connection with the development of the Property or original construction of a Living Unit.”

2. The DCCR is not amended in any other respect.
3. The DCCR as herein amended is hereby ratified, affirmed and re-published.
4. All capitalized words not defined herein shall have the same meaning as they do in the DCCR.

(This space intentionally left blank. Signature contained on the following page.)

IN WITNESS WHEREOF, the undersigned Declarant has executed this Amendment on this 22nd day of Nov, 2016.

DECLARANT:


CMB INVESTMENTS, LLC,
a Tennessee limited liability company


By: Christian M. Blackman
Its: President

**STATE OF TENNESSEE
COUNTY OF SUMNER**

Before me, the undersigned, a Notary Public in and for this county and state, personally appeared Christian M. Blackman, 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 President of CMB Investments, LLC, the within named bargainor, a limited liability company, and that he, as such President, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as President.

Witness my hand, at Gallatin, Tennessee, this 22nd day of
Nov, 2016.


Notary Public
My Commission Expires: 8-17-2020

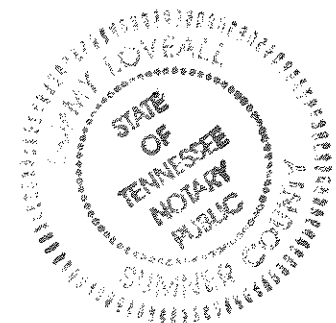


EXHIBIT A

Legal Description

Land situated in Sumner County, Tennessee, within the corporate limits of the City of Gallatin, and being all of the property shown on the Final Plat of Ray Estates, Section II, of record in Plat Book 28, page 168, Register's Office for Sumner County, Tennessee, to which Plat reference is hereby made for a more complete and accurate description thereof.

Being the same property conveyed to CMB Investments, LLC by Quitclaim Deed from Cristan K. Blackman of record in Record Book 3898, page 18, Register's Office for Sumner County, Tennessee. And being the same property conveyed to Cristan K. Blackman by Warranty Deed from Randall R. Jones and Barbara C. Jones, husband and wife, of record in Record Book 3860, page 626, Register's Office for Sumner County, Tennessee.