

SEP-19-1994 12:39

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EV 6178 P.001/003

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**AMENDMENT TO PROTECTIVE COVENANTS
FOR
FINAL PLAN PHASE XXV, SECTION "E"
VILLAGES OF BENNINGTON
VILLAGES OF BENNINGTON FOREST
PLAT BOOK 143 PAGE 4**

THIS AMENDMENT made and executed this 15th day of September, 1994, by LANDMARK BUILDERS, INC. and SOUTHEAST INVESTMENTS, INC. (hereinafter referred to as "Developer").

WHEREAS, Developer has heretofore caused to be recorded in the Register's Office of Shelby County, Tennessee in Plat Book 143, Page 4, in said Register's Office, a final plan for Phase XXV, Section "E", Villages of Bennington, Villages of Bennington Forest (hereinafter referred to as "Final Plan"); and

WHEREAS, said Final Plan includes Protective Covenants which Developer reserved the right to amend without the approval of the owners of any of the lots within the subdivision; and

WHEREAS, Developer, by this amendment, desires to amend said Protective Covenants.

NOW, THEREFORE, in consideration of the premises, Developer hereby amends paragraph 7 of the Protective Covenants of said Final Plan by adding at the end of said section the following:

Provided, however, that the building upon Lot 551 in said subdivision shall be allowed to encroach into the required side yard as shown on the survey of A. Fattah Al-Chokhachi dated August 15, 1994, attached hereto as Exhibit "A".

IN WITNESS WHEREOF, the Developer has caused this Amendment to be executed on the day and year first above written.

LANDMARK BUILDERS, INC.

BY: *Ray J. Jovency*
TITLE: *President*

SOUTHEAST INVESTMENTS, INC.

BY: *Wynn D. Wolf*
TITLE: *Partner*

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P.002/003

EV 6178

STATE OF TENNESSEE)
)SS
COUNTY OF SHELBY)

Before me, the undersigned Notary Public, of the State and County aforesaid, personally appeared _____, 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 _____ of LANDMARK BUILDERS, INC., the within named bargainer, a corporation, and that he as such _____, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as such _____ of LANDMARK BUILDERS, INC.

WITNESS my hand and seal at office this _____ day of _____, 1994.

Robert C. McCarr
NOTARY PUBLIC
AT LARGE
SHELBY COUNTY, TN
EXP. 10-6-97

My Commission Expires:

STATE OF TENNESSEE)
)SS
COUNTY OF SHELBY)

Before me, the undersigned Notary Public, of the State and County aforesaid, personally appeared _____, 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 _____ of SOUTHEAST INVESTMENTS, INC., the within named bargainer, a corporation, and that he as such _____, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as such _____ of SOUTHEAST INVESTMENTS, INC.

WITNESS my hand and seal at office this _____ day of _____, 1994.

Robert C. McCarr
NOTARY PUBLIC
AT LARGE
SHELBY COUNTY, TN
EXP. 10-6-97

My Commission Expires:

EV 6178	
No.	
D/C	2 DR 8
Pys.	Item
Vol.	
STATE TAX	
REGISTER'S FEE	8.00
REG. CHG. FEE	
WT <input type="checkbox"/> MISC FEE	
TOTAL	
STATE OF TENNESSEE SHELBY COUNTY GUY D. BATES REGISTER	

EV6178

SHELBY COUNTY REGISTER OF DEEDS

94 DEC 19 PM 4:00