

THIS INSTRUMENT WAS PREPARED BY

Steven Kopp 1215 Harper Pl., Knoxville, TN 37922
NAME ADDRESS

AMENDMENT TO DECLARATION OF RESTRICTIONS
OF EAGLE GLEN SUBDIVISION - UNITS TWO, THREE, FOUR AND FIVE

THIS AMENDMENT TO DECLARATION OF RESTRICTIONS (the "Amendment") is made and entered into as of the 18th day of December, 1995 by and among Edwin T. Loy, Jr. and Winston D. Cox (jointly referred to as the "Developers") and Eagle Glen Homeowners Association, Inc., a Tennessee not-for-profit corporation (the "Homeowner's Association")

WITNESSETH:

WHEREAS, the Developers were the original owners of a tract of land situated in the Sixth Civil District of Knox County, Tennessee, being known as Eagle Glen Subdivision, Unit Two, Unit Three, Unit Four and Unit Five, as shown on maps recorded in the Register's Office of Knox County, Tennessee in Map Book 92-S, page 56 and Book 56-L, page 215, Map Book L, page 254-A and Map Book L, page 253-B (the "Subdivision"); and

WHEREAS, under Paragraph 25 of the Declarations of Restrictions, a planning committee (the "Planning Committee") was established for the Subdivision, composed of Winston D. Cox, Edwin T. Loy, Jr. and one other member appointed by Winston D. Cox and Edwin T. Loy, Jr. which Planning Committee approved various matters regarding the Subdivision; and

WHEREAS, Developers have sold substantially all of the lots in the Subdivision to various individuals; and

WHEREAS, the owners of the majority of the lots in the Subdivision have formed a Tennessee not-for-profit corporation known as Eagle Glen Homeowner's Association, Inc.; and

WHEREAS, the Developers have turned the operation, maintenance and development of the Subdivision over to the Homeowner's Association and desire to enter into this Amendment to the Declaration of Restrictions to provide for the Homeowner's Association to assume and carryout the duties of the Planning Committee prescribed by the Declaration of Restrictions;

NOW, THEREFORE, for and in consideration of Ten Dollars (\$10.00) in hand paid, and for other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, the Developers and the Homeowner's Association hereby covenant and agree as follows:

INST: 39658 WB 2198 PG:442
REC'D FOR REC 12/20/1995 09:30:11 KNOX CO. TN
RECORD FEE: \$20.00
MORTGAGE TAX: \$ 0.00 TRANSFER TAX: \$ 0.00

1. Paragraph 25 of the Declaration of Restrictions is hereby amended by deleting the existing Paragraph 25 and inserting in place thereof the following:

25. No building shall be erected, placed, altered, or permitted to remain on any building lot in the Subdivision until the building plans and specifications and the lot plan showing the location of such building or alteration has been approved in writing as to the conformity and harmony with the existing structures in the Subdivision by a committee composed of not less than three representatives of the Homeowner's Association, as designated and appointed by the Board of Directors of the Homeowner's Association, said committee to be known as the Planning Committee. The Board of Directors of the Homeowner's Association shall have the authority to remove the members of the Planning Committee, with or without cause at any time. In the event the Planning Committee fails to approve or disapprove any design or location of any building proposed to be built within the Subdivision within ten (10) days after said plans and specifications have been submitted to the Planning Committee, said plans shall be deemed disapproved. In the event said Planning Committee rejects the plans submitted for approval under this paragraph upon written request for advocacy of seventy-five percent (75%) of the parties owning lots within a 600-foot radius of the lot in question at the time said approval is requested stating that said owners of said property within the 600-foot radius desire the approval be given, the same shall be deemed approved by the Planning Committee. A complete set of plans and specifications of the house to be built shall be left with said Planning Committee during the time of construction. In no event shall the construction of any resident's structure be permitted for which the plans call for less than fifty percent (50%) of the exterior portions to be veneered with brick, stone, stucco or other material of equal quality as determined by the Planning Committee in its sole discretion.

2. Paragraph 29 of the Declaration of Restrictions is hereby amended by deleting the existing Paragraph 29 and inserting in place thereof the following:

29. The owners of the majority of the lots in the Subdivision shall have the sole right by majority vote of the lot owners (a) to amend these covenants and restrictions, but all such amendments shall conform to the general purposes and standards of the covenants and restrictions herein contained, (b) to amend these

covenants and restrictions for any purpose of curing any ambiguity and for any inconsistency between the provisions contained herein, (c) to include in any contract or deed or other instrument hereinafter made any additional covenants and restrictions applicable to said Subdivision which do not lower the standards of the covenants and restrictions herein contained and (d) to release any building lot from any part of the covenants and restrictions (including, without limitation, building restriction lines and provisions hereof relating thereto) if by a majority vote of the lot owners, in their sole judgment, determine that such release is reasonable and does not substantially affect any other building lot in an adverse manner.

3. All references in the Declaration of Restrictions to the Planning Committee shall be hereafter deemed to refer to the Planning Committee composed of three representatives of the Homeowner's Association appointed by the Directors of the Homeowner's Association.

4. The Homeowner's Association does hereby covenant and agree to carryout and perform the obligations of the Planning Committee and shall hereafter have all rights, duties and obligations of the Planning Committee relating to the Subdivision.

5. This Amendment shall be effective as of the date this Amendment is recorded in the Register's Office of Knox County, Tennessee.

IN WITNESS WHEREOF, this instrument has been executed as of the 18th day of DECEMBER, 1995.

Edwin T. Loy, Jr
Edwin T. Loy, Jr.

Winston D. Cox
Winston D. Cox.

EAGLE GLEN HOMEOWNER'S ASSOCIATION, .
INC.

By: Steven H. Kopp

Its: President

STATE OF Tenn.

COUNTY OF Loudon

Personally appeared before me, Margaret F. Orr,
Notary Public in and for said State and County, EDWIN T. LOY, JR., the within named bargainor(s),
with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who
acknowledged that he executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and seal at office, on this 6th day of Dec. 1995.

Margaret F. Orr,
Notary Public

My Commission Expires:

May 31, 1999.

STATE OF Tenn.

COUNTY OF Loudon

Personally appeared before me, Margaret F. Orr,
Notary Public in and for said State and County, WINSTON D. COX., the within named bargainor(s), with
whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who
acknowledged that he executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and seal at office, on this 6th day of Dec. 1995.

Margaret F. Orr,
Notary Public

My Commission Expires:

May 31, 1999.

STATE OF TN.

COUNTY OF ANDERSON

Before me, Sherry B. Boynton a Notary Public
in and for the State and County aforesaid, personally appeared

 STEVEN H. KOPP , with whom I
am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, upon oath,
acknowledged himself (~~or herself~~) to be the President of **EAGLE GLEN HOMEOWNER'S
ASSOCIATION, INC.**, the within named bargainer, a corporation, and that he as such President, being
duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing
the name of the corporation by him self as such President.

WITNESS my hand and seal at office, on this the 18th day of December , 199 5

 Sherry B. Boynton ,
Notary Public

My Commission Expires:

 March 20, 1996 .

INST: 39658 WB 2198 PG: 446

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