318
Husband
Melissa

This document prepared by:

Alvin L. Harris
Hubbard, Berry, Doughty, Harris & Barrick, PLLC
SunTrust Bank Building, Suite 1420
201 Fourth Avenue North
Nashville, Tennessee 37219

Davidson County REST
Recvd: 03/28/06 14:57 4 pgs
Fees:27.00 Taxes:0.00
20060328-0035297

FIRST SUPPLEMENTAL DECLARATION TO DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS AND EASEMENTS FOR THE VILLAS AT CONCORD PLACE

This First Supplemental Declaration to Declaration of Protective Covenants, Conditions and Restrictions and Easements for The Villas at Concord Place ("First Supplemental Declaration") is made and entered into as of this 27th of March, 2006.

WITNESSETH:

WHEREAS, Centex Homes, a Nevada general partnership ("Developer"), has previously subjected certain property to the Declaration of Protective Covenants, Conditions, Restrictions and Easements for the Villas at Concord Place recorded as Instrument Number 20050922-0114218 in the Register's Office for Davidson County, Tennessee (the "Declaration"); and

WHEREAS, pursuant to Section 8.1 of the Declaration, Developer has the right to subject to the provisions of the Declaration all or any portion of the Additional Property (as that term is defined in the Declaration); and

WHEREAS, Developer desires to subject to the provisions of the Declaration a portion of the Additional Property known as The Villas at Concord Place Phase Two which is more particularly described in Exhibit A and depicted on Exhibit A-1 attached hereto and incorporated herein by this reference.

NOW, THEREFORE, for and in consideration of these premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Developer, being empowered so to do hereby amends the Declaration as follows:

1. Amendment. The Declaration is amended to subject to the provisions of the Declaration a portion of the Additional Property known as The Villas at Concord Place Phase Two which is more particularly described in Exhibit A and depicted on Exhibit A attached hereto. Said property, being a portion of the same property conveyed to Centex Homes by deed recorded as Instrument Number 20050415-0042177, Register's Office for Davidson County, Tennessee, is deemed submitted to the provisions of the Declaration, effective upon the date of the recordation of this instrument with the Register's Office of Davidson County, Tennessee.

2. Ratification. In all other respects, the Declaration is ratified and confirmed.

IN WITNESS WHEREOF, Centex Homes has caused this First Supplemental Declaration to be executed as of the day and date first above written.

DECLARANT:
CENTEX HOMES, a Nevada general partnership

By: Centex Real Estate Corporation, a Nevada corporation, as its managing general partner

By: _____
Wes Patterson, President Nashville Division
Centex Real Estate Corporation

STATE OF TENNESSEE)
COUNTY OF WILLIAMSON)

Before me, the undersigned Notary Public in and for the County and State aforesaid, personally appeared Wes Patterson, with whom I am personally acquainted (or upon proof to me of satisfactory evidence), and acknowledged himself to be President of the Nashville Division of Centex Real Estate Corporation, a Nevada corporation, that is the Managing General Partner of Centex Homes, the within named bargainor, and that he as such President of the Nashville Division of the Managing General Partner, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing his name as President of the Nashville Division of the Managing General Partner.

Witness my hand and seal, this 27th day of March, 2006.

Michelle N. Carlson
Notary Public
My commission expires: 6/8/09

Michelle N. Carlson
State of Tennessee Notary Public
County of Cheatham

EXHIBIT A

Being a portion of the Centex Homes property (Inst. #20050415-0042177) in the 31st Council District of Nashville, Davidson County Tennessee bounded on the south by Nolensville Pike (U.S. 31A/41A), west by Chick and Babora, north by Autumn Oaks and east Carter and being further described as follows:

Beginning on concrete monument (old) in the easterly right-of-way of Concord Hills Drive, said monument being in the south line of Centex at Concord, Phase 1 (Inst. #20051011-0122364) and being South 25 deg. 44' 50" West – 195.56 from the centerline intersection of Concord Hills Drive and Autumn Crossing Way.

Thence, with the south line Centex, Phase 1, for the next two calls:

Along an Arc to the left having a radius of 694.00', an arc length of 326.01', delta angle of 26 deg. 54' 54" with a chord bearing and distance of South 71 deg. 34' 42" East – 323.02' to a concrete monument (old);

South 85 deg. 02' 09" West – 714.92' to a concrete monument (old) in the west line of William and James Carter (DB 4971, PG 672);

Thence, with the west line of Carter, South 05 deg. 54' 22" West – 135.38' to an iron rod (new);

Thence, on a new severance line for the next seven calls:

North 85 deg. 02' 09" West – 315.32' to an iron rod (new);
South 04 deg.57' 51" West – 8.00' to an iron rod (new);
North 85 deg. 02' 09" West –249.00' to an iron rod (new);
South 04 deg.57' 51" West – 81.08' to an iron rod (new);
North 85 deg. 01' 03" West – 328.58' to an iron rod (new);
North 76 deg. 05' 22" West – 136.53' to an iron rod (new);
North 55 deg. 14' 24" West – 154.16' to an iron rod (new) in the east right-of-way of Concord Hills Drive;

Thence with the Concord Hills Drive next two calls:

North 39 deg. 37' 58" East – 115.87' to an iron rod (new);

Along an Arc to the left having a radius of 2040.00', an arc length of 126.71', delta angle of 3 deg. 33' 31" with a chord bearing and distance of North 37 deg. 51' 14" East – 126.68' to the TRUE POINT OF BEGINNING and containing 4.75 acres more or less according to a survey by Land Design Survey dated March 13, 2006.

Being the same property depicted as Phase Two of The Villas of Concord Place on Exhibit A-1 hereto and being a portion of the same property conveyed to Centex Homes by deed recorded as Instrument Number 20050415-0042177 in the Register's Office for Davidson County, Tennessee.

NOTES

1. THE PURPOSE OF THIS EXHIBIT IS TO DEPICT THE ESTABLISHMENT OF 59 TWO-STORY TOWN HOME UNITS (HOME SITES) WITHIN A HORIZONTAL PROPERTY REGIME WITH PRIVATE ELEMENTS, IN ACCORDANCE WITH TCA 66-27-103.

2. THIS SURVEY MEETS THE REQUIREMENTS OF AN URBAN LAND SURVEY (CATEGORY 1), WITH A RATIO OF PRECISION OF THE UNADJUSTED SURVEY GREATER THAN 1:10,000 AS PER STANDARDS OF PRACTICE ADOPTED BY THE BOARD OF EXAMINERS FOR LAND SURVEYORS, STATE OF TENNESSEE.

3. BEARING SHOWN BASED ON THE TENNESSEE COORDINATE SYSTEM OF 1983.

4. PROPERTY IS ZONED "RM9", (LEGG DEVELOPMENT PUD #2004P-013G-12)

5. THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL NO. 47037C0427 F, AND 47037C0364 F, BOTH DATED APRIL 20, 2001.

6. THIS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. ABOVE GROUND AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE, PUBLIC RECORDS AND/OR MAPS PREPARED BY OTHERS. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, WHETHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THEREFORE, RELIANCE UPON TYPE, SIZE AND LOCATION OF THE UTILITIES SHOWN SHOULD BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT, THAT ANYONE WHO ENGAGES IN EXCAVATION, MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN (3) NOR MORE THAN TEN (10) WORKING DAYS PRIOR TO THE DATE OF THEIR INTENT TO EXCAVATE AND ALSO TO AVOID ANY POSSIBILITY HAZARD OR CONFLICT. TENNESSEE ONE CALL 1-800-351-1111.

7. ANY EXCAVATION, GRADING, FILL, OR ANY OTHER DISTURBANCE OF THE EXISTING GROUND ELEVATION MUST BE DONE IN ACCORDANCE WITH STORM WATER MANAGEMENT ORDINANCE NO. 78-840 AND BE APPROVED BY THE METROPOLITAN DEPARTMENT OF WATER SERVICES.

8. SETBACKS DETERMINED BY METRO PUD #2004P-013G-12 LEGG DEVELOPMENT PUD.

9. NO BUILDING PERMIT MAY BE ISSUED ON ANY LOT UNTIL STREET NAME SIGNS ARE INSTALLED AND VERIFIED BY THE DEPARTMENT OF TRAFFIC AND PARKING ON ALLY STREETS ON WHICH THE LOT DEPENDS FOR ACCESS.

10. THE DEVELOPMENT OF THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS OF THE ADOPTED TREE ORDINANCE 094-1104 (METRO CHAPTER 17.24 ARTICLE 11, TREE PROTECTION AND REPLACEMENT; AND CHAPTER 17.40, ARTICLE X, TREE PROTECTION AND REPLACEMENT PROCEDURES).

11. A PUBLIC UTILITY EASEMENT OF TWENTY FEET (20') ADJACENT TO ALL STREET RIGHTS-OF-WAY SHALL HEREBY BE MADE A PART OF THIS RECORDING. ON CORNER LOTS WHERE FRONT AND SIDE YARD BUILDING SETBACKS ARE LESS THAN TWENTY (20'), THE EASEMENT DEPTH SHALL BE REDUCED ACCORDINGLY.

12. INDIVIDUAL WATER AND SEWER SERVICES ARE REQUIRED FOR EACH LOT.

13. THIS SURVEYOR HAS BEEN FURNISHED WITH A COPY OF LAWYERS TITLE INSURANCE CORPORATION'S COMMITMENT FOR TITLE INSURANCE, COMMITMENT NO. 56934 WITH AN EFFECTIVE DATE OF OCTOBER 12, 2004.

14. ALL LOT CORNERS SET WITH IRON RODS WITH LDSI CAPS, UNLESS OTHERWISE NOTED.

15. MAINTENANCE AGREEMENT RECORDING FOR THIS DEVELOPMENT IS #20051219-0151949.

16. UNIT NUMBER SHALL BE SYNONYMOUS WITH HOME SITE NUMBER FOR THE PURPOSES OF CONVEYING FEE SIMPLE TITLE.

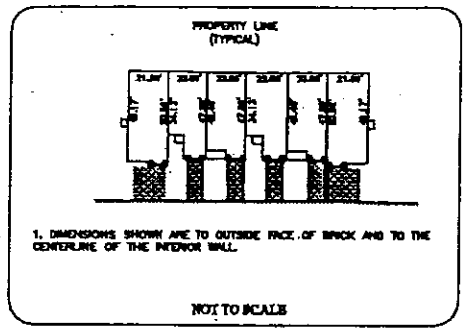
17. THERE SHALL BE A 3-FOOT PRIVATE PEDESTRIAN EASEMENT ALONG THE BACK OF ALL SIDEWALKS.

18. PARCEL NUMBER SHOWN THUS (258) REFER TO DAVIDSON COUNTY TAX MAP #181

19. METRO WATER SERVICES SHALL BE PROVIDED SUFFICIENT AND UNENCUMBERED INGRESS AND EGRESS AT ALL TIMES IN ORDER TO MAINTAIN, REPAIR, AND INSPECT ANY STORM WATER FACILITIES WITHIN THE PROPERTY.

20. THE WATER QUALITY POND SERVING THIS PLAT IS RECORDED IN INST.# 20051219-0151953.

21. THE PROPERTY DEPICTED HEREON IS THE SAME PROPERTY DEPICTED ON THE PLAT RECORDED AS INSTRUMENT NUMBER 20060317-0031088 ENTITLED "THE VILLAS AT CONCORD PLACE, PHASE 4"



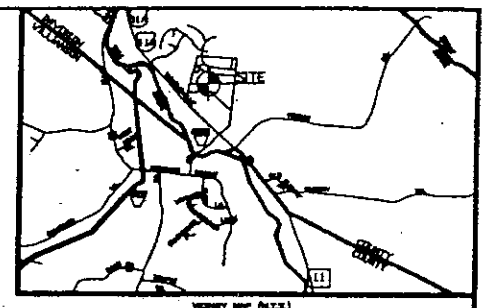
COMMISSION'S APPROVAL

APPROVED BY THE METROPOLITAN PLANNING COMMISSION OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE.

BY:_____ DATE:_____

SECRETARY SUBDIVISION NO. 2005S-325C-12 PART OF MASTER PLAN NO. 2004P-013G-12

RECORD



DEED REFERENCE

BEING PROPERTY CONVEYED TO CENTEX HOMES BY DEED OF RECORD IN INST. NO. 20050415-0042177, R.O.D.C.

PROPERTY MAP REFERENCE

BEING A PORTION OF PARCEL NO. 250 AS SHOWN ON DAVIDSON COUNTY PROPERTY MAP NO. 181.

LINE TABLE		
LINE	BEARING	LENGTH
L1	S04°57'51"W	8.00'
L2	S04°57'51"W	81.06'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CH BRG	CH DIST
C1	326.01'	694.00'	26°54'54"	S71°34'42"E	323.02'
C2	126.71'	2040.00'	3°33'31"	N37°51'14"E	126.68'

LEGEND

IRON ROD (NEW)	FIRE HYDRANT
IRON ROD (OLD)	WATER VALVE
MONUMENT (NEW)	WATER METER
MONUMENT (OLD)	GAS VALVE
SANITARY MANHOLE	PROPERTY LINE
CATCH BASIN	EASEMENT LINE
DOUBLE CATCH BASIN	FENCE LINE
TRIPLE CATCH BASIN	STORM SEWER LINE
CLEAN OUT	SAN. SEWER LINE
LIGHT STANDARD	WATER MAIN LINE
POWER\TELEPHONE POLE	POWER LINE
GUY WIRE	UNDERGROUND TELEPHONE
UNDERGROUND TELEPHONE	UNDERGROUND POWER
UNDERGROUND POWER	P.U.D.E.
CABLE TELEVISION	GAS LINE
ELECTRIC TRANSFORMER	

GRAPHIC SCALE

(IN FEET)
1 inch = 50 ft.

FEE SIMPLE AREA = 63,045 SQUARE FEET OR 1.447 ACRES
OPEN SPACE AREA = 144,011 SQUARE FEET OR 3.306 ACRES
TOTAL AREA = 207,056 SQUARE FEET OR 4.753 ACRES

EXHIBIT "A-2"

THE VILLAS AT CONCORD PLACE
PHASE 2

31st COUNCIL DISTRICT-DAVIDSON COUNTY-TENNESSEE

CENTEX HOMES
370 MALLORY STATION RD., SUITE 200
FRANKLIN, TN 37067
PHONE:(615) 794-1991

LandDesign Surveying, Inc.

PROJ. 4305025 | DATE: 3/13/06 | SHEET 1 OF 1

EXHIBIT A-1