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Davidson County DEEDMAST
Recvd: 09/10/08 09:12 7 pg
Fees:37.00 Taxes:0.00
20080910-0092489

This Instrument Prepared by:
I. Dyke Tatum, Attorney at Law
Esquire Title & Escrow, Inc.
20 Burton Hills Blvd., Suite 200
Nashville, Tennessee 37215

AMENDMENT TO NO. ONE TO THE MASTER DEED OF WOODMONT HILLS CONDOMINIUMS, PHASE 1

THIS AMENDMENT to the Master Deed of Woodmont Hills Condominiums, Phase I is made and entered into by Hawkeye Constructors, LLC., and Daniel Burton hereinafter referred to as the "Developer".

WITNESSETH:

THAT WHEREAS, the Developer is the sole owner in and to certain property situated in Nashville, Davidson County, Tennessee, and which is more particularly described on Exhibit "A" attached hereto: and,

WHEREAS, the Developer has caused to be recorded the Master Deed of Woodmont Hills Condominiums Phase I, of record in Instrument No. 20050502-0048549, Register's Office for Davidson County, Tennessee; and,

WHEREAS, the Developer desires to submit the tract or parcel of land described on Exhibit "B" attached hereto, to be known as Phase II to the provisions of the Master Deed of Woodmont Hills Condominiums, Phase I in Instrument No. 20050502-0048549, Register's Office for Davidson County, Tennessee; and,

WHEREAS, the Master Deed of Woodmont Hills Condominiums, Phase I provides in Article 20 for Amendments thereto for the expansion or addition of properties to said project to require the approval of unit owners and mortgage holders; and,

WHEREAS, the unit owners in Phase I are Theresa Dietz and Daniel Burton and the mortgage holder for each unit owner is Countrywide Mortgage.

NOW THEREFORE, the Developer hereby submits the phase (section) of Woodmont Hills Condominums, Phase II, as more fully described on Exhibit "B" attached hereto, to the provisions of the Master Deed of Woodmont Hills Condominiums, Phase I of record in Instrument No. 20050502-00485449, Register's Office for Davidson County, Tennessee.

The Developer hereby declares that the Phase II, more fully described on Exhibit "B" shall from the date of this supplement and amendment forward to be controlled and regulated according to the terms of the Master Deed of Woodmont Condominiums Phase I and By-Laws of the Woodmont Hills Condominiums Phase I. Homeowner's Association, Inc., attached thereto and incorporated herein my reference.

The unit owners in Phase I, being Theresa Dietz and Daniel Burton and the Mortgage Holder, being Countrywide Mortgage, join in the execution of this amendment for the purpose of approving the same.

IN WITNESS WHEREOF, the undersigned have executed this document on the 9th day of September, 2008.

"DEVELOPER"

HAWKEYE CONSTRUCTORS, LLC.

By: _____
Daniel Burton, President

_____
Daniel Burton

UNIT OWNERS:

Teresa Deitz
_____
Theresa Deitz

_____
Daniel Burton

LENDER:

Countrywide Mortgage

By: _____
Loan Officer

STATE OF **TENNESSEE**)
COUNTRY OF **DAVIDSON**)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **Daniel Burton**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon his oath, acknowledged **himself** to be the **President** of **Hawkeye Constructors, LLC.**, and that he as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the **Hawkeye Constructors, LLC** by himself as **President.**

Witness my hand and official seal at **Nashville, Tennessee,** this 9th day of September, **2008.**

Notary Public

My Commission Expires: 11/22/2010

THERESA L. SMITH
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires NOV. 22, 2010

STATE OF **TENNESSEE**)
COUNTY OF **DAVIDSON**)

Before me, the undersigned, of State and County aforesaid, personally appeared **Daniel Burton** with whom I am personally acquainted, and who, upon oath, acknowledged **himself** to be the person who executed the foregoing instrument for the purpose therein contained, and that **he** executed the same as **his** free act and deed.

Witness my hand and official seal at **Nashville, Tennessee,** this 9th day of September, **2008.**

Notary Public

My Commission Expires: 11/22/2010

THERESA L. SMITH
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires NOV. 22, 2010

STATE OF **TENNESSEE**)
COUNTY OF **DAVIDSON**)

Before me, the undersigned, of State and County aforesaid, personally appeared **Theresa Deitz** with whom I am personally acquainted, and who, upon oath, acknowledged **herself** to be the person who executed the foregoing instrument for the purpose therein contained, and that **she** executed the same as **her** free act and deed.

Witness my hand and official seal at **Nashville, Tennessee**, this 9th day of September, **2008.**

Notary Public

My Commission Expires: 11/22/2010

THERESA L. SMITH
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires NOV. 22, 2010

STATE OF **TENNESSEE**)
COUNTRY OF **DAVIDSON**)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Mike Findley, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon his oath, acknowledged himself to be the **Loan Officer of Countrywide Mortgage** and that he as such **Loan Officer,** being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of **Countrywide Mortgage** by _____ as **Loan Officer.**

Witness my hand and official seal at **Nashville, Tennessee**, this 9th day of September, **2008.**

Notary Public

My Commission Expires: 11/22/2010

THERESA L. SMITH
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires NOV. 22, 2010

Exhibit "A"

Land in Davidson County, Tennessee being Lot No. 54 and the east park of Lot No. 55 on the Map of Woodmont Boulevard Section of Marengo Park of record in Book 1130 Page 2 Register's Office for Davidson County, Tennessee.

Said Lot and part of said lot adjoin and front together 124.7 feet on the southerly side of Woodmont Boulevard and run back between lines, 170.7 feet on the easterly line and 170 feet on the westerly line to a dead line on which they measure 60 feet together with the right over and across a 15 foot road way running easterly from the land in question from the southeast corner thereof to the westerly margin of John B. Hood Trail across the south lines of Lots 52 and 53 on said plan which 15 foot roadway was dedicated for the use and benefit of the property in question and jointly for the use of the owners of Lots 52, 53 and 71 of said subdivision all of which is shown on the Plan of record in Book 1130, Page 2 Register's Office for Davidson County, Tennessee.

Being the same property conveyed to Daniel C. Burton by deed from William R. Tillman and wife Bethany Tillman of record in Instrument No. 20080829-0089176 Register's Office for Davidson County, Tennessee.

ALLOWED COV. 5964 ☐

WOODMONT HILLS CONDOMINIUM EXHIBIT

NORTH

EXHIBIT "B"

1" = 30'

WOODMONT BLVD

SAN — 8" — W — 6"

LOT COV. UNIT 1 1400 ☐

LOT COV. UNIT 2 1800 ☐

NEW IRON PIN EX. CONC. MON.

S84°26'50"E 112.34

WILBUR PLACE

LOT 54
14,910 SQ FT

R = 106.08 FT
Δ = 12.70 FT
CH = S87°52'38"E
CL = 12.69 FT

54.30

N16°23'59"W

50' FRONT SETBACK PER FINAL PLAT

UNIT 1 905

EX. HOUSE PRIVATE ELEMENT

PATIO

(10' MIN BETWEEN BLDGS)

PAVEMENT

4.14

69.77

PRIVATE ELEMENT

UNIT 2 # 903

(5' MIN) 6.5

20" MAGNOLIA

20' SAN. SEWER AND/OR STORM DRAIN ESMT.

DEED BK. 5991, PAGE 680, R.O.D.C.TN.

S06°24'01"W 51.

SHED

PAVEMENT

10' ESMT.

NEW IRON PIN

N62°07'33"E 50.0'

N74°12'33"W 60.00'

(20' MIN)

EX. IRON PIPE

10' ESMT.

NANCY SHARON MULLICAN
PARCEL ID# 11810017400
DEED BK: 10809, PAGE: 905 R.O.D.C.

LIMITED COMMON ELEMENT UNIT A

SHARED COMMON ELEMENT UNIT A & B

LIMITED COMMON ELEMENT UNIT B

GENERAL NOTES

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FUTHER DOES NOT WARRENT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
2. ALL DISTANCES BASED ON A SURVEY MADE USING E.D.M. EQUIPMENT AND ARE ADJUSTED FOR TEMPERATURE.
3. BEARINGS BASED ON FINAL PLAT FOR RESUBDIVISION OF MARENGO PARK LOT 52, RECORDED IN INSTRUMENT # 20040128001058O R.O.D.C.TENN.
4. NO TITLE REPORT FURNISHED THIS SURVEYOR, THEREFORE, THIS SURVEY IS SUBJECT TO THE FINDINGS OF AN ACCURATE TITLE SEARCH.
5. THIS PARCEL IS NOT INCLUDED IN AREAS DESIGNATED 100 YEAR FLOOD AREA, AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT MAPS AVAILABLE TO ME AT THIS TIME, PANEL NO. 47037C0332F DATED APRIL 20, 2001.
6. THESE LOTS ARE ZONED R-10
7. R.O.W. INFORMATION FOR WOODMONT BLVD. WAS TAKEN FROM R.O.W. PLANS PROVIDED BY METRO PUBLIC WORKS. DAVIDSON COUNTY PROJECT# 7-BL DATED MARCH 1937
8. THIS PROPERTY IS SHOWN AS LOT # 54, AND A PORTION OF LOT 55 ON THE WOODMONT BOULEVARD SECTION OF MARENGO PARK, RECORDED IN PLAT BOOK 1130, PAGE 2, R.O.D.C.TENN.
9. SETBACKS AS PER METRO PLANNING.

Mark S. Starks 9-4-08

REVIEWED BY

CERTIFICATE OF SURVEY

I HEREBY CERTIFY THAT THIS IS A CATEGORY ____ SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1: 10,000+ AS SHOWN HEREON.

Tori Cassidy
SURVEYOR
TENN. REG. NO. 2467

TORI D CASSIDY 2467 REGISTERED LAND SURVEYOR TENNESSEE NO. 2467

BOUNDARY SURVEY

FOR

MARENGO PARK LOT 5

AT

905 WOODMONT BL

NASHVILLE DAVIDSON COUNTY, TENNESSEE

1" = 30'

PROPERTY TITLE REFERENCE