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BILL GARRETT, Davidson County
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20111101-0085093

This instrument prepared by:
John T. Cook
JOHN T. COOK, P.C.
2927 Berry Hill Drive
Nashville, Tennessee 37204

FIRST SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR LINCOYA BAY TOWNHOMES, A HORIZONTAL PROPERTY REGIME WITH PRIVATE ELEMENTS

THIS FIRST SUPPLEMENTARY DECLARATION, made and entered into by 70 SOUTH ASSOCIATES, LLC, hereinafter referred to as the "Developer", joined by LINCOYA, LLC, a Tennessee limited liability company, hereinafter referred to as the "Owner".

WITNESSETH:

70 South Associates, LLC was designated as Developer under the Declaration of Covenants, Conditions and Restrictions for Lincoya Bay Townhomes, a Horizontal Property Regime with Private Elements as of record as Instrument No. 20081003-0100953, Register's Office for Davidson County, Tennessee (the "Declaration"); and

WHEREAS, pursuant to Article 21 of the Declaration, Developer has the right to amend the Declaration from time to time; and

WHEREAS, Developer has determined to amend the Exhibit "C" consisting of four (4) pages to establish Units on the previously undeveloped areas of the Property which appeared as blank spaces to the West of the previously developed areas; and

WHEREAS, the Owner acquired ownership of the undeveloped areas of Lincoya Bay Townhomes by deed recorded as Instrument No. 20111007-0078288, said Register's Office, and Owner desires to join in the execution and recording of this Supplementary Declaration.

NOW THEREFORE, for and in consideration of the premises and pursuant to the terms of the Declaration, Developer and Owner hereby declare this Supplementary Declaration as follows:

1. The Exhibit "C" attached to and being a part of the Declaration of Covenants, Conditions and Restrictions for Lincoya Bay Townhomes, a Horizontal Property Regime with Private Elements as of record as Instrument No. 20081003-0100953, Register's Office for Davidson County, Tennessee, is hereby amended to establish the Units shown on the attached Exhibit "C" (being the only exhibit attached hereto). The Exhibit "C" attached hereto shows the previously developed sections of the Property in a manner consistent with the original Declaration. The Units which have been developed with Units located thereon as provided in the Declaration are not affected by this amendment. With the recording of this Declaration, there are no remaining areas

of the Property in an undeveloped state. All references to Exhibit "C" as contained in the Declaration shall mean and refer to the Exhibit "C" attached hereto, together with the Exhibit "C" which was attached to the original Declaration of record as Instrument No. 20081003-0100953, said Register's Office.

IN WITNESS WHEREOF, the undersigned have executed this First Supplementary Declaration this the 1st day of November, 2011.

70 South Associates, LLC
a Tennessee limited liability company

By: _____
Carl A. Neuhoff, Jr., Vice President

Lincoya, LLC
a Tennessee limited liability company

By: _____
Carl A. Neuhoff, Jr., Vice President

STATE OF TENNESSEE
COUNTY OF DAVIDSON

BEFORE me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared Carl A. Neuhoff, Jr., with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the Vice President of 70 South Associates, LLC, a Tennessee limited liability company, the within named bargainor, and that he as such Vice President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as Vice President.

WITNESS my hand and official seal at Nashville, Tennessee, this 1st day of November, 2011.

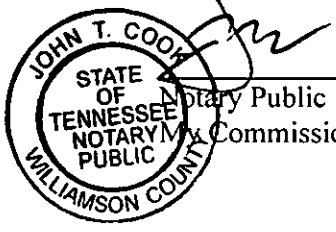
JOHN T. COOK
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY

_____
Notary Public
My Commission Expires: 2/24/13

STATE OF TENNESSEE
COUNTY OF DAVIDSON

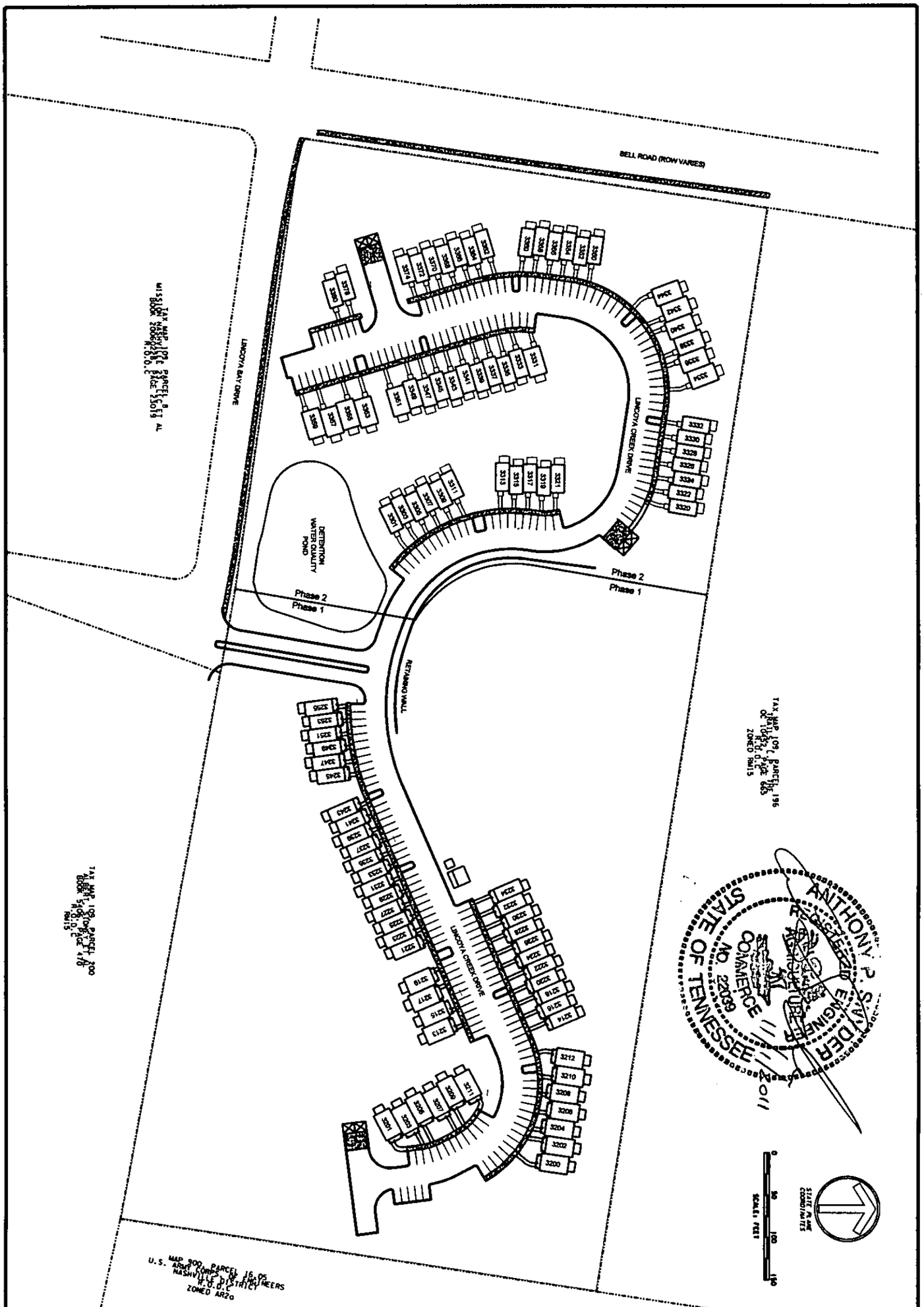
BEFORE me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared Carl A. Neuhoff, Jr., with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the Vice President of Lincoya, LLC, a Tennessee limited liability company, the within named bargainor, and that he as such Vice President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as Vice President.

WITNESS my hand and official seal at Nashville, Tennessee, this 1st day of November, 2011.



Notary Public
My Commission Expires: 2/24/13

LincoyaSuppDCL.600.wpd



DR.	CHK.	DATE	DESCRIPTION
APS	APS	10-25-2011	INITIAL PLAN

F.S.E. NO. 009-09

1 of 1

EXHIBIT "C"

Lincoya Bay

Being Parcel 9 on Tax Map 109
Nashville, Davidson County, Tennessee

Snyder Engineering, pllc
CIVIL ENGINEERING SERVICES
421 East Iris Drive, Suite 300
Nashville, TN 37204
Phone 615-383-1699
tomsnyder@comcast.net
Fax 615-297-7184