This Instrument Prepared By:
John Cobb Rochford
Law Office of John Cobb Rochford, PLLC
2200 Abbott Martin Road, Suite 201
Nashville, TN 37215

Davidson County DEEDMAST
Recvd: 08/15/13 13:45 7 pgs
Fees:37.00 Taxes:0.00
20130815-0085975

FIFTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR CASTLEMAN DRIVE TOWNHOMES

This Fifth Amendment to the Declaration of Covenants, Conditions and Restrictions for Castleman Drive Townhomes (the "Third Amendment") is entered into and made effective this 14th day of August, 2013 by Castleman Drive Partners, a Tennessee general partnership (the "Developer").

WITNESSETH

WHEREAS, on July 12, 2007, the Developer recorded that certain Declaration of Covenants, Conditions and Restrictions for Castleman Drive Townhomes, a Horizontal Property Regime, of record as Instrument No. 20070712-0083284, Register's Office for Davidson County, Tennessee (the "Declaration"), amended by the First Amendment to Declaration of Covenants, Conditions and Restrictions for Castleman Drive Townhomes of record as Instrument No. 20090728-0070527, Register's Office for Davidson County, Tennessee (the "First Amendment") and Second Amendment to Declaration of Covenants, Conditions and Restrictions for Castleman Drive Townhomes of record as Instrument No. 20110830-0067052, Register's Office for Davidson County, Tennessee, and Third Amendment to Declaration of Covenants, Conditions and Restrictions for Castleman Drive Townhomes of record as Instrument No. 20111108-0087428, Register's Office for Davidson County, Tennessee, and Fourth Amendment to Declaration of Covenants, Conditions and Restrictions for Castleman Drive Townhomes of record as Instrument No. 20121127-0108628, Register's Office for Davidson County, Tennessee, for the purpose of establishing a general plan and common scheme for the improvement of the property comprising Castleman Drive Townhomes; and

WHEREAS, pursuant to said Declaration, Section X (a), Amendments Annexing Additional Phases, the Developer has the right to incorporate additional real property governed by the provisions of the Declaration; and

WHEREAS, the owner, Rochford Realty and Construction Company, Inc. (hereinafter "Rochford"), of the real property described in Exhibit A (hereinafter the "Property"), hereby desires to permit Developer to incorporate the Property to be governed by the provisions of the Declaration;

NOW, THEREFORE, Rochford consents to allowing the Property to be incorporated and Developer hereby amends the Declaration for the purpose of incorporating the additional Property. All of the Property shall be held, sold and conveyed subject to the Declaration, the First, Second, Third and this Fourth Amendment, which are for the purpose of protecting the value and desirability of the Property, and shall run with the Property and be binding on all parties having any right, title or interest in the Property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

IN WITNESS WHEREOF, the undersigned have executed this document this the 14th day of August, 2013.

Castleman Drive Partners,
a Tennessee general partnership

By: _____
John T. Rochford

Its: General Partner

Rochford Realty and Construction Company, Inc.,
a Tennessee corporation

By: _____
John T. Rochford

Its: President

STATE OF Tennessee
COUNTY OF Davidson

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared John T. Rochford, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the General Partner of Castleman Drive Partners, a Tennessee general partnership, the within named bargainer, and that he as such General Partner, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the general partnership by himself as General Partner.

WITNESS my hand and official seal at Nashville, Tennessee, this 14th day of August, 2013.

JMCobb Rayford
Notary Public

My Commission Expires: 1/6/15

JOHN COBB ROCHFORD
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON

STATE OF Tennessee
COUNTY OF Davidson

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared John T. Rochford, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the President of Rochford Realty and Construction Company, Inc., a Tennessee corporation, the within named bargainer, 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 corporation by himself as President.

WITNESS my hand and official seal at Nashville, Tennessee, this 14th day of August, 2013.

JMCobb Rayford
Notary Public

My Commission Expires: 1/6/15

JOHN COBB ROCHFORD
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON

EXHIBIT A

Land in Davidson County, Tennessee, being Lot No. 29 on the Plan of B.N. Stammer's Subdivision, as of record in Book 1424, page 23, Register's Office for said Cojnty, to which plan reference is made for a more complete description.

Said Lot No. 29 fronts 100 feet on the northerly side of Castleman Drive and runs back between parallel lines 250 feet to a dead line.

Being the same property conveyed to Rochford Realty and Construction Company, Inc., a Tennessee corporation from Mary Shannon Paty, Ben Hooper Paty, Jr., Margaret Paty Pickering, William Lawrence Beard, Jr., and Mary Shannon Paty by deed of record as Instrument No. 20120705-0059012, Register's Office for Davidson County, Tennessee.

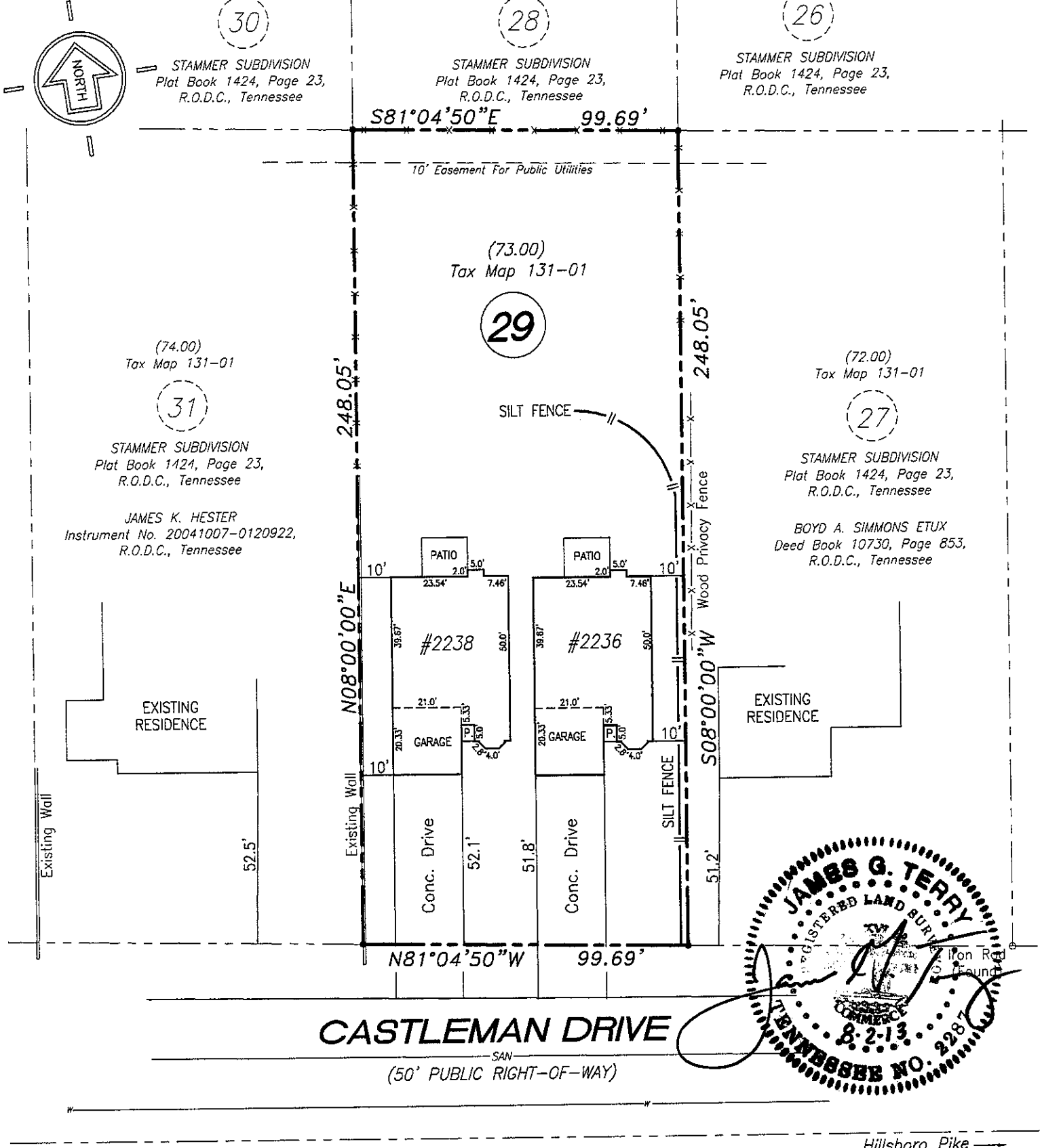


EXHIBIT MAP
2236-2238 CASTLEMAN DRIVE

PROPERTY LOCATED:
2236-2238 Castleman Drive
34th Councilmanic District
Metropolitan Nashville, Davidson County, Tennessee

LAND DESCRIPTION:
Lot No. 29, Stammer Subdivision
Plat Book 1424, Page 23. R.O.D.C., Tennessee

DEED REFERENCE:
Rochford Realty & Construction Co., Inc.
Instrument No. 20120705-0059012,
R.O.D.C., Tennessee

SCALE : 1" = 40'

0' 20' 40' 80' 120'

GRAPHIC SCALE

Job Number 2013-083

Date: August 2, 2013

JAMES TERRY & ASSOCIATES
198 JACKSONIAN DRIVE
HERMITAGE, TN 37076
(615)883-2918

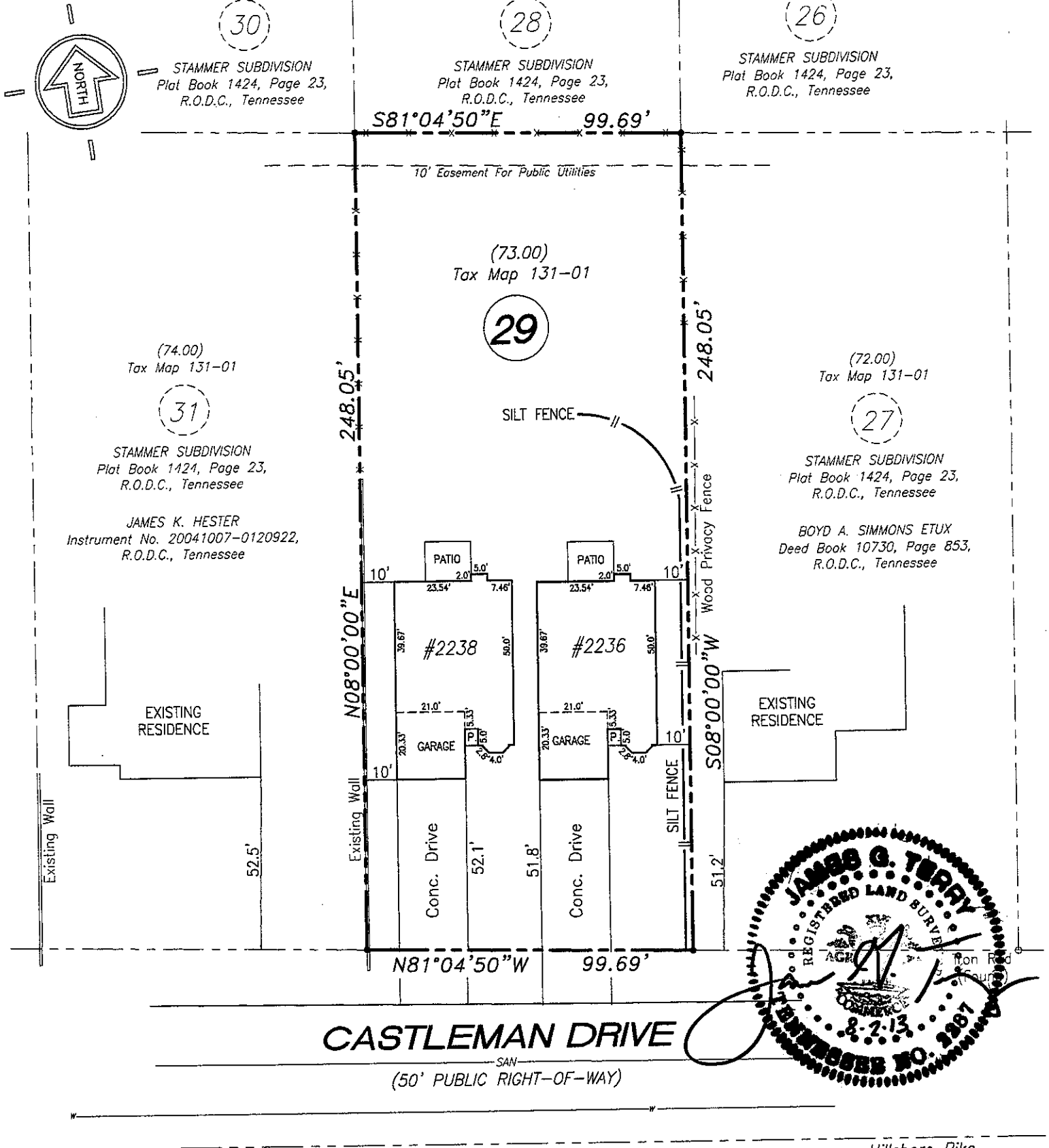


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JAMES TERRY & ASSOCIATES
198 JACKSONIAN DRIVE
HERMITAGE, TN 37076
(615)883-2918

CERTIFICATE OF AUTHENTICITY

I, John Cobb Rochford do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

John Cobb Rochford

State of Tennessee
County of Davidson

Personally appeared before me, Lindsey G. Boswell, a notary public for this county and state, John Cobb Rochford, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

LINDSEY G. BOSWELL
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

Lindsey G. Boswell
Notary's Signature

My commission expires: 8/23/14