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Fees:52.00 Taxes:0.00
20160524-0051837

BOX #14

THIS INSTRUMENT PREPARED BY:
JOHN T. COOK, ESQ.
2927 Berry Hill Drive
Nashville, Tennessee 37204
File X-0150

THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF PARK AT MELROSE HEIGHTS, A CONDOMINIUM DEVELOPMENT

THIS THIRD AMENDMENT to the Declaration of Covenants, Conditions and Restrictions of Park at Melrose Heights, a Condominium Development (this "Amendment") is made this 23rd day of May, 2016, by Park at Melrose Heights II, LLC, a Tennessee limited liability company ("Successor Declarant").

RECITALS:

WHEREAS, pursuant to the Declaration of Covenants, Conditions and Restrictions of Park at Melrose Heights, a Condominium Development (the "CCR") of record in Instrument No. 20140903-0080570, Register's Office for Davidson County, Tennessee, Park at Melrose Heights, LLC, a Tennessee limited liability company ("Original Declarant") established a residential condominium known as Park at Melrose Heights, a Condominium Development (the "Condominium Development") and submitted certain real property described on Exhibit A to the CCR (the "Condominium Property") to the provisions of the Tennessee Condominium Act of 2008, Tenn. Code Ann. §§ 66-27-2001 *et seq*; and

WHEREAS, the Original Declarant recorded that First Amendment to the Declaration of Covenants, Conditions and Restrictions of Park at Melrose Heights, a Condominium Development, of record in Instrument No. 20150211-0012545, Register's Office for Davidson County, Tennessee (the "First Amendment"); and

WHEREAS, the Original Declarant recorded that Second Amendment to the Declaration of Covenants, Conditions and Restrictions of Park at Melrose Heights, a Condominium Development, of record in Instrument No. 20150223-0015231, Register's Office for Davidson County, Tennessee (the "Second Amendment"); and

WHEREAS, the original CCR, together with the First Amendment and the Second Amendment shall be referred to herein as the "Declaration"; and

WHEREAS, in Section 12.05 of the CCR, Original Declarant reserved the unilateral right to amend the Declaration in order to annex additional property to be part of the Condominium Property by the filing of an amendment to the Declaration; and

WHEREAS, by Assignment of Declarant's Rights recorded as Instrument No. 20151019-0106253, said Register's Office, the Original Declarant assigned its rights as Declarant under the Declaration to Successor Declarant; and

WHEREAS, Successor Declarant desires to annex additional property consisting of seventy two new condominium units in buildings known as "Building C1" and "Building C2" and subject them to the Declaration; and

WHEREAS, Successor Declarant desires to make the resulting changes to the ownership interest in the Common Elements which shall exist as a result of this Amendment.

NOW, THEREFORE, Successor Declarant Amends the Declaration as follows:

1. Exhibit D to the Declaration is hereby amended to add the drawings attached here as Exhibit D, Parts C1 and C2 (being the only attachment hereto). Any reference to Exhibit D in the Declaration shall henceforth be a reference to Exhibit D as amended hereby (which includes both the previously existing plans together with the new or additional plans attached hereto). The Successor Declarant hereby establishes the Units and limited common elements as shown on Exhibit D, as amended. Each of the Units as shown on the plans attached to the Declaration as Exhibit D, as amended, shall be part of the Condominium, with all of the rights, privileges, duties and obligations which apply thereto.

2. The "Land" or "Condominium Property" as described in the Declaration is amended to include all of Units B and C as shown in the Declaration of 440 Business Center Land Condominium as recorded as Instrument No. 20111209-0096389, Register's Office for Davidson County, Tennessee, as amended in Instrument No. 20130904-0093227, said Register's Office. This amends the provisions of the original CCR which only described a portion of Unit B of the said 440 Business Center Land Condominium. Buildings B1 and B2 of the Condominium were constructed on Unit B of the 440 Business Center Land Condominium and Buildings C1 and C2, together with the pool amenity center, have been constructed on Unit C of the 440 Business Center Land Condominium.

3. Each Unit Owner's undivided interest in the Common Elements shall be automatically adjusted upon the recording of this Amendment in accordance with Section 2.06 of the Declaration, as amended.

IN WITNESS WHEREOF, Successor Declarant has executed this Amendment on this the 23rd day of May, 2016.

Declarant:

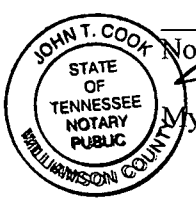
Park at Melrose Heights II, LLC
a Tennessee limited liability company

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

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public, within and for the State and County aforesaid, personally appeared Carl A. Neuhoff, Jr., 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 Vice President of Park at Melrose Heights II, LLC, the within named bargainor, a Tennessee limited liability company, 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 23rd day of May, 2016.



Notary Public

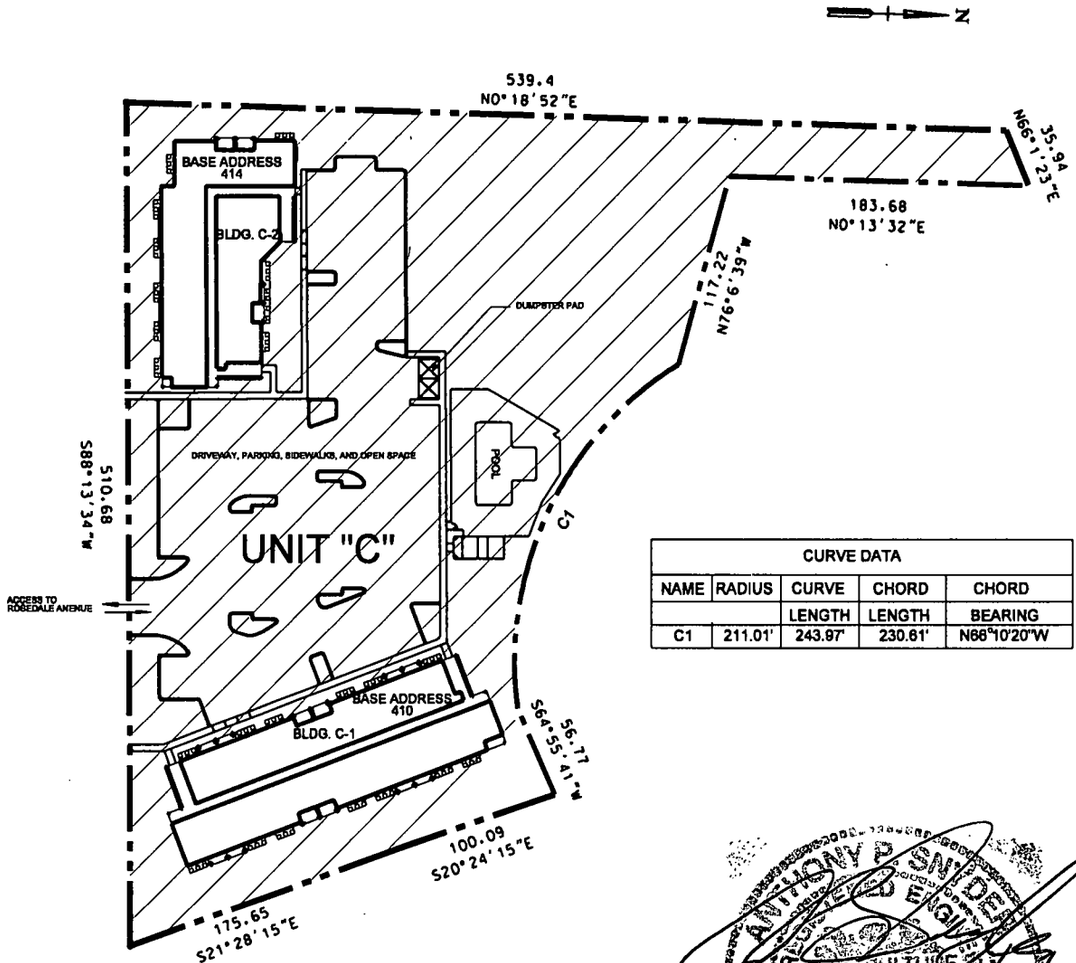
My Commission Expires: 2/13/17

Exhibit D, Parts C1 and C2

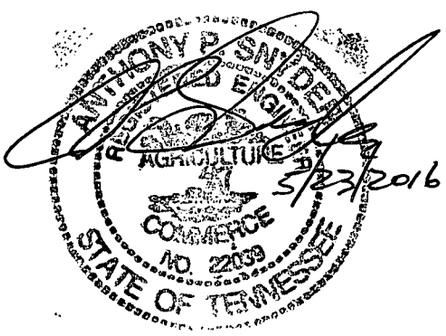
SHEET 1 of 7

PROPERTY IS SUBJECT TO METRO NASHVILLE WATER SERVICES STORMWATER EASEMENT AND MAINTENANCE AGREEMENT AS DESCRIBED IN INSTRUMENT NOS. 20151120-0117818 REGISTER'S OFFICE METRO NASHVILLE DAVIDSON COUNTY.

SEE SHEETS 2 THRU 7 OF 7 FOR COMMON ELEMENTS AND LIMITED COMMON ELEMENTS DESIGNATIONS FOR BUILDINGS C1 AND C2.



CURVE DATA				
NAME	RADIUS	CURVE LENGTH	CHORD LENGTH	CHORD BEARING
C1	211.01'	243.97'	230.61'	N86°10'20"W



PLAT OF

PARK AT MELROSE HEIGHTS
A CONDOMINIUM DEVELOPMENT

PROPERTY OWNER: PARK AT MELROSE HEIGHTS II, LLC
410 ROSEDALE AVENUE & 414 ROSEDALE AVENUE
NASHVILLE, DAVIDSON COUNTY, TENNESSEE
COUNCIL DISTRICT 17

UNIT "C" AS SHOWN ON THE DECLARATION
OF 440 BUSINESS CENTER LAND CONDOMINIUM,
OF RECORD IN INSTRUMENT NO. 20111209-0096389
AND AMENDED BY INSTRUMENT NO. 20130904-0093227
REGISTERS OFFICE, DAVIDSON COUNTY, TN

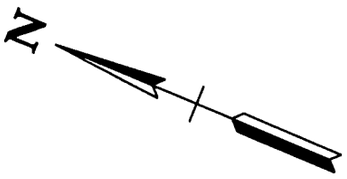
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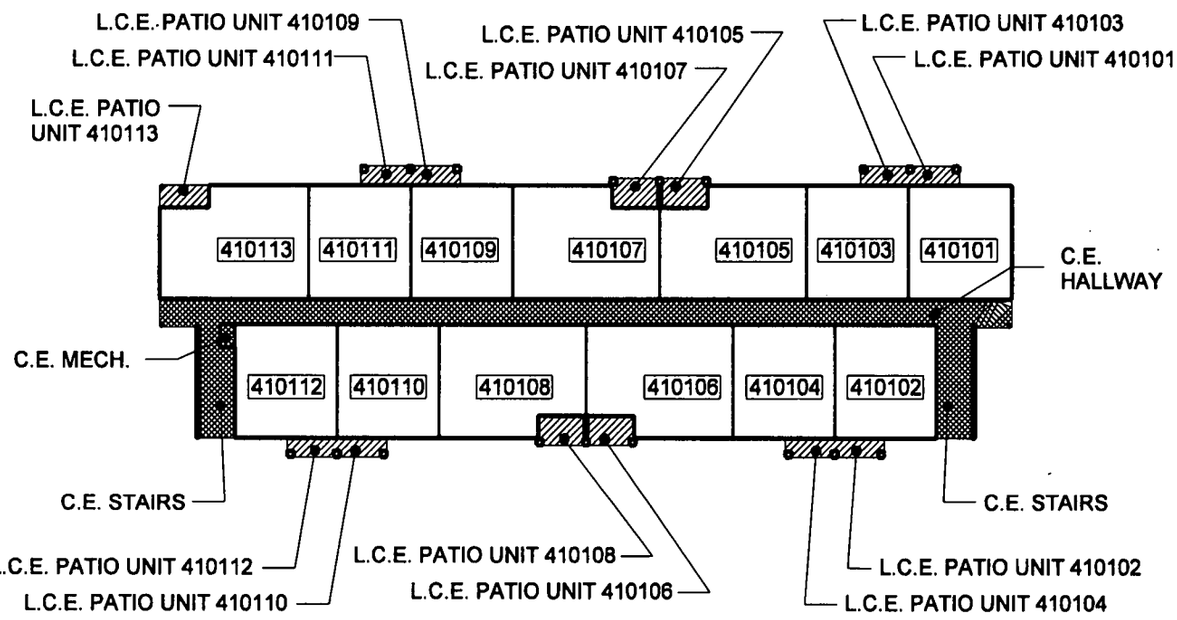
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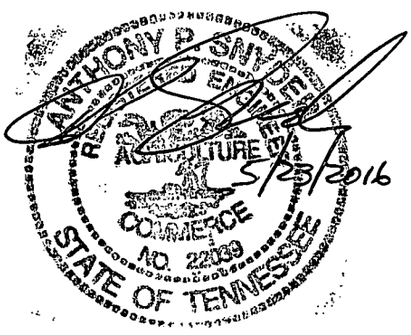
SCALE: FEET

PREPARED BY: ANTHONY P. SNYDER, P.E.

Snyder Engineering, pllc
CIVIL ENGINEERING SERVICES
2704 Larmon Drive Phone 615-383-1699
Nashville, TN 37204 tonysnyder@comcast.net Fax 615-297-7184







BUILDING C-1

FIRST FLOOR

COMMON ELEMENTS C.E.)

LIMITED COMMON ELEMENTS (L.C.E.)

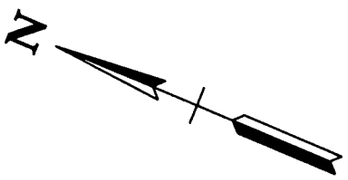
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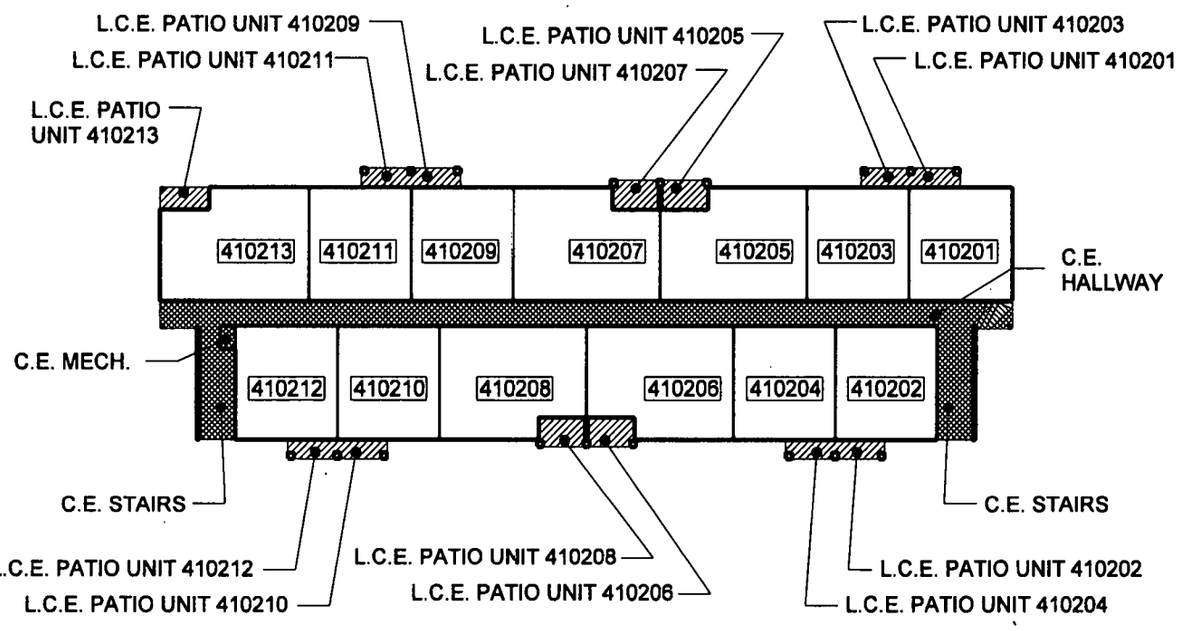
PARK AT MELROSE HEIGHTS
A CONDOMINIUM DEVELOPMENT

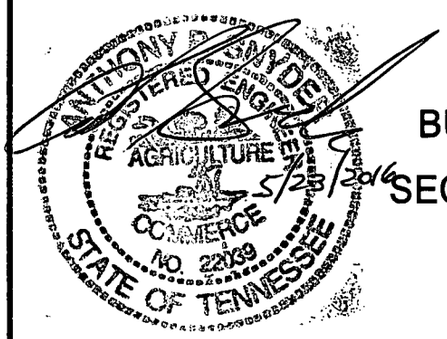
410 ROSEDALE AVENUE
NASHVILLE, DAVIDSON COUNTY, TENNESSEE
COUNCIL DISTRICT 17

UNIT "C" AS SHOWN ON THE DECLARATION
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AND AMENDED BY INSTRUMENT NO. 20130904-0093227
REGISTERS OFFICE, DAVIDSON COUNTY, TN

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tonysnyder@comcast.net
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BUILDING C-1
SECOND FLOOR

COMMON ELEMENTS C.E.)

LIMITED COMMON ELEMENTS (L.C.E.)

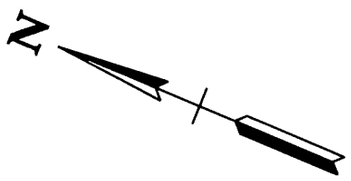
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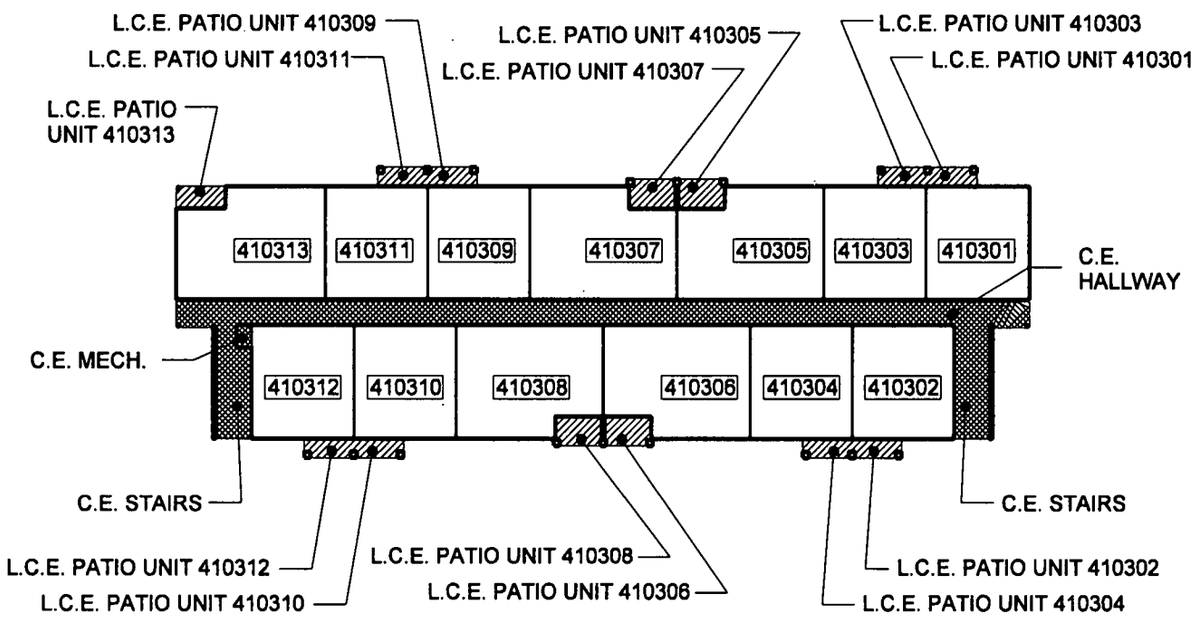
PARK AT MELROSE HEIGHTS
A CONDOMINIUM DEVELOPMENT

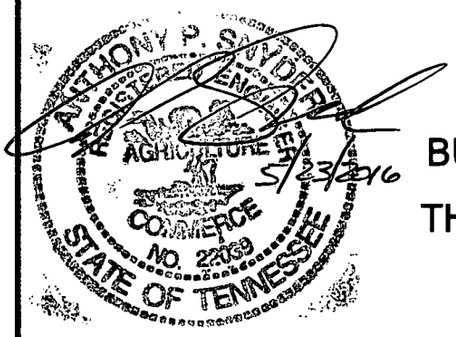
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BUILDING C-1
THIRD FLOOR

COMMON ELEMENTS C.E.)

LIMITED COMMON ELEMENTS (L.C.E.)

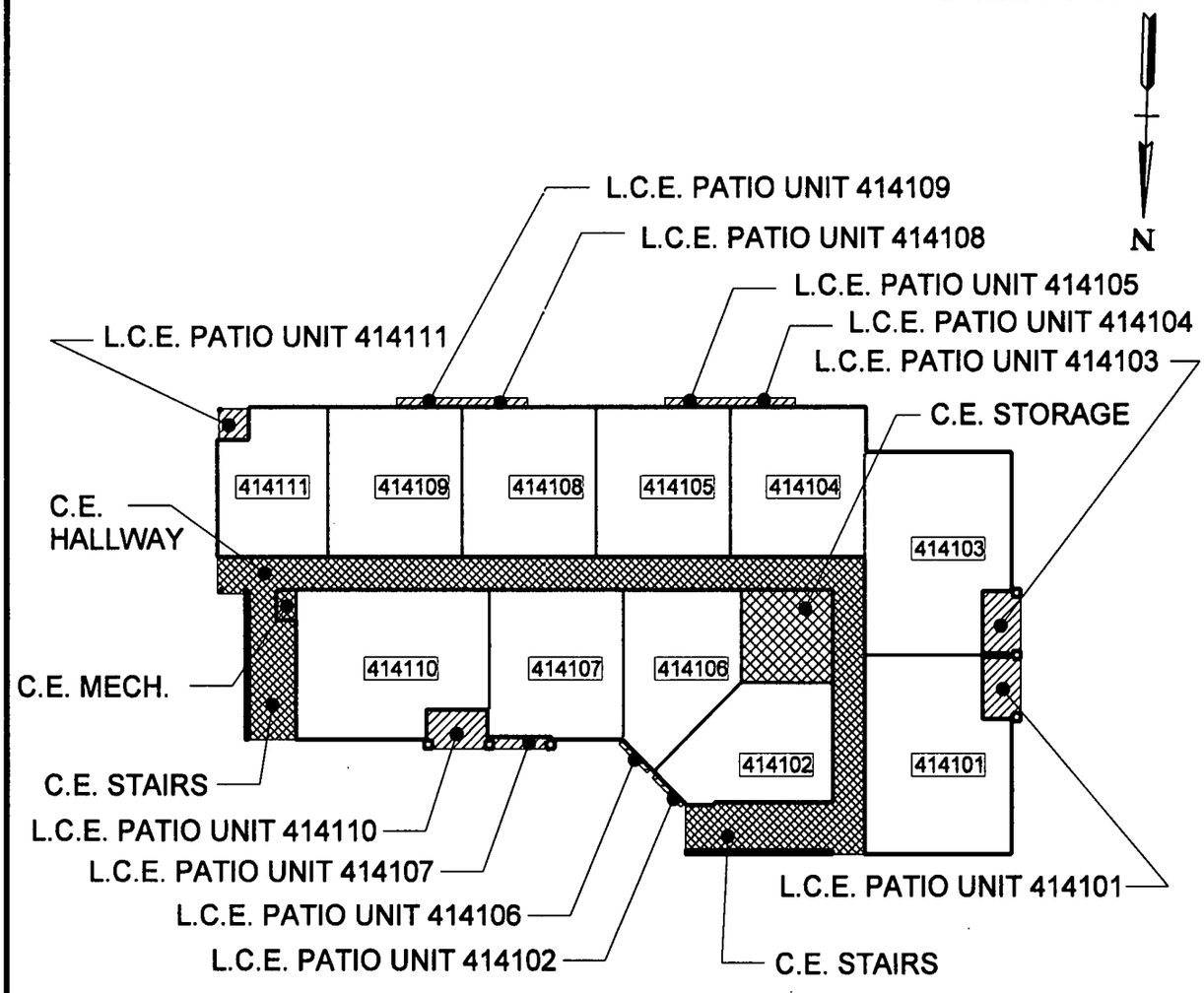
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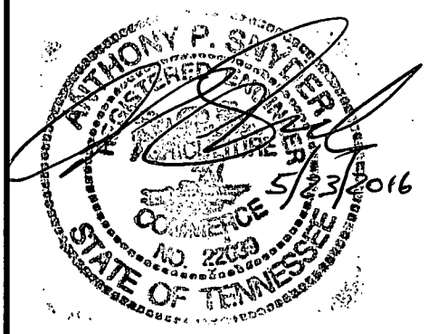
PARK AT MELROSE HEIGHTS
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BUILDING C-2

FIRST FLOOR

COMMON ELEMENTS (C.E.)

LIMITED COMMON ELEMENTS (L.C.E.)

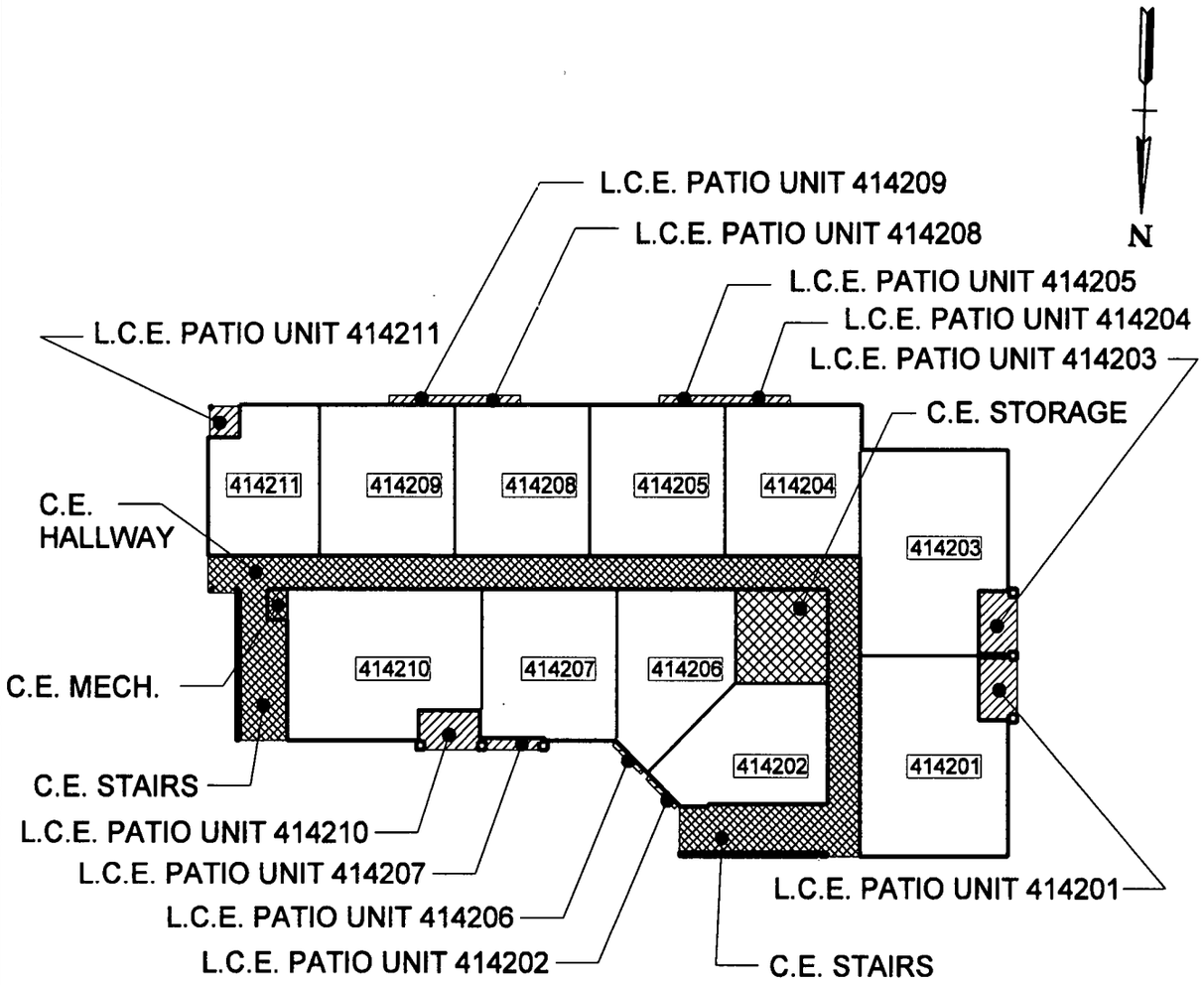
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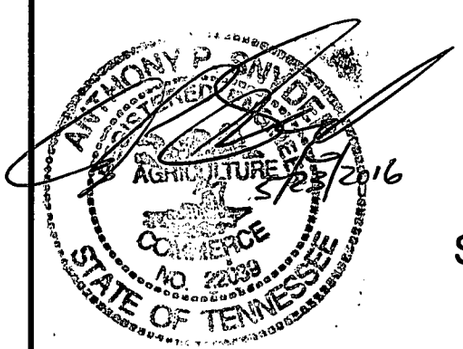
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A CONDOMINIUM DEVELOPMENT

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BUILDING C-2

SECOND FLOOR

COMMON ELEMENTS (C.E.)

LIMITED COMMON ELEMENTS (L.C.E.)

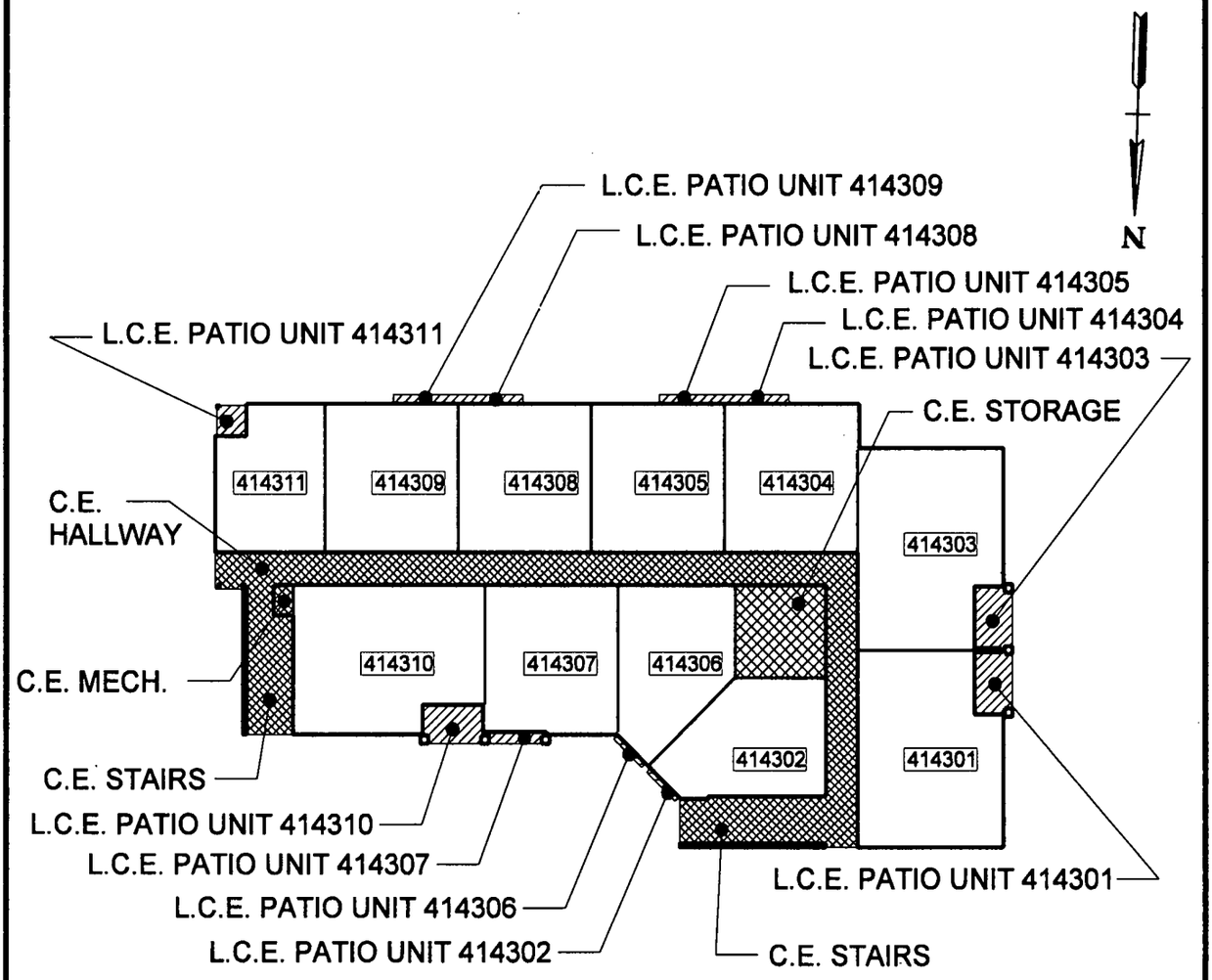
PLAT OF

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ANTHONY P. SNYDER
REGISTERED ENGINEER
SIGNATURE
5/23/2016
TENNESSEE
DEPARTMENT OF COMMERCE
NO. 22039
STATE OF TENNESSEE

BUILDING C-2

THIRD FLOOR

COMMON ELEMENTS (C.E.)

LIMITED COMMON ELEMENTS (L.C.E.)

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