Karen Johnson Davidson County
Batch# 809446 DEEDMAST
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Fees: $37.00 Taxes: $0.00
20220222-0019943

THIS INSTRUMENT PREPARED BY:
Rudy & Partners, PLLC
2012 21st Avenue South
Nashville, TN 37212
(615) 383-2903

AMENDMENT NO. 2
TO
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
DRY CREEK COMMONS

VASTLAND/EATHERLY/MCCLUNG/DEVELOPMENT, LLC (hereinafter referred to as the "Developer"), pursuant to the provisions of Tennessee Code Annotated § 66-27-101 et seq. under the Tennessee Horizontal Property Act (the "Act") for the purpose of amending the previously filed Declaration of Covenants, Conditions, and Restrictions for Dry Creek Commons, of record in Instrument No. 20200529-0055770, and as further clarified in Affidavit of Re-Recording, of record in Instrument No. 20200612-0060166, and as amended in Amendment No. 1 to Declaration of Covenants, Conditions, and Restrictions for Dry Creek Commons, of record in Instrument No. 20220222-0019942 in the Register's Office for Davidson County, Tennessee (hereinafter referred to as the "Declaration"), does hereby declare as follows:

WITNESSETH

WHEREAS, Developer heretofore submitted a certain tract or parcel of land (the "Property") in Davidson County, Tennessee to the Act pursuant to the Declaration; and

WHEREAS, defined terms used in the Declaration and subsequent recordings and not otherwise defined herein shall have the same meanings ascribed to them in this Amendment No. 1; and

WHEREAS, the section, paragraph, and Exhibit designations in the Declaration shall be used to reference the amendments thereto hereinafter described; and

WHEREAS, the Developer has the right to add real estate to the Property without the prior consent of any Unit Owners or lien holders of Record; and

WHEREAS, the Developer has the right to create or add additional Units or Common Elements or Limited Common Elements within such property as Developer shall deem advisable in Developer's sole discretion and thereby alter the Ownership percentage allocated to the Units; and

WHEREAS, the Developer desires to add to the Property and create additional Units on said addition and alter the Ownership Percentages allocated to all of the Units in the development;

NOW THEREFORE, the Developer does hereby amend and supplement the Declaration as follows:

The legal description attached to the Declaration as **Exhibit A** is hereby supplemented by adding thereto the attached **Exhibit A.1**.

The Plat attached to the Declaration as **Exhibit C** is hereby supplemented by adding thereto the attached **Exhibit C.1**.

The schedule of Ownership Percentages in and to the Association attached to the Declaration as **Exhibit D** is hereby replaced with the attached **Exhibit D** which shall void and supersede any previously recorded **Exhibit D**. Assessments for Common Expenses shall be shared according to such Ownership Percentages but shall not be assessed against a Unit until the first conveyance of such Unit to an Owner other than the Developer.

Except as expressly modified hereby, all terms and provisions of the Declaration shall continue and remain in full force and effect.

IN WITNESS WHEREOF, the Developer has caused the foregoing Amendment No. 1 to the Declaration of Covenants, Conditions and Restrictions for Dry Creek Commons to be executed and delivered by its duly authorized officer on this the 11 day of February, 2022.

VASTLAND/EATHERLY/MCCLUNG/DEVELOPMENT, LLC

By: _____
Mack McClung, Chief Manager

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this the 11 day of February, 2022, before me personally appeared Mack McClung, to me known (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged himself to be Chief Manager of VASTLAND/EATHERLY/MCCLUNG/DEVELOPMENT, LLC, the within named bargainor, a Tennessee limited liability company, and that he as such Chief Manager, being authorized so to do, executed the foregoing instrument for the purpose therein contained.

Witness my hand and official seal, this the 11 day of February, 2022.

_____
Notary Public
My Commission Expires:

LOGAN C. E. BELL
TENNESSEE NOTARY PUBLIC
My Comm Exp. 06/11/2023
COUNTY OF CHEATHAM

EXHIBIT A.1

Legal Description – Dry Creek Commons – Phase 2

Property located in the 10th Councilmanic District of Nashville, Davidson County, Tennessee, being part of Lot 1 on the Final Plat of Dry Creek Commons of record in Instrument No. 20210521-0069685, Register's Office for Davidson County, Tennessee and being more particularly described as follows:

Beginning at an Iron Rod (Old) on the southerly right-of-way of Dry Creek Road (60' R.O.W.), being the northwest corner of Lot 1 on the Final Plat of Dry Creek Commons of record in Instrument No. 20210521-0069685, Register's Office for Davidson County, Tennessee, said point also being the northwest corner of Dry Creek Commons – Phase 1;

Thence, following the southerly right-of-way of said Dry Creek Road, North 74 Degrees 49 Minutes 34 Seconds East, 149.79 Feet to an Iron Rod (Old);

Thence, with a curve to the left having a central angle of 16 Degrees 12 Minutes 11 Seconds, a radius of 984.93 Feet, an arc length of 278.53 Feet and a chord bearing and length of North 66 Degrees 43 Minutes 27 Seconds East, 277.61 Feet to an Iron Rod (Old);

Thence, North 58 Degrees 37 Minutes 25 Seconds East, 21.06 Feet to a point, said point being the northeast corner of Dry Creek Commons – Phase 1 and the Point of Commencement of the herein described Dry Creek Commons - Phase 2;

Thence, continuing with the southerly right-of-way of Dry Creek Road North 58 Degrees 37 Minutes 25 Seconds East,107.23 Feet to an Iron Rod (Old);

Thence, continuing with the southerly right-of-way of Dry Creek Road with a curve to the right having a central angle of 54 Degrees 15 Minutes 53 Seconds, a radius of 607.94 Feet, an arc length of 575.78 Feet and a chord bearing and length of North 85 Degrees 46 Minutes 29 Seconds East, 554.50 Feet to a Concrete Monument (Old);

Thence, continuing with the southerly right-of-way of Dry Creek Road South 67 Degrees 05 Minutes 34 Seconds East,14.05 Feet to a Concrete Monument (Old) on the northerly right-of-way of Interstate 65;

Thence, leaving Dry Creek Road and following the northerly right-of-way of Interstate 65, South 58 Degrees 49 Minutes 26 Seconds West 114.98 Feet to an Iron Rod (Old);

Thence, continuing with the northerly right-of-way of Interstate 65, South 11 Degrees 27 Minutes 08 Seconds West 164.44 Feet to a Concrete Monument (Old);

Thence, continuing with the northerly right-of-way of Interstate 65, South 46 Degrees 35 Minutes 18 Seconds West 229.70 Feet to an Iron Rod (New);

Thence, continuing with the northerly right-of-way of Interstate 65, South 27 Degrees 59 Minutes 14 Seconds West 170.86 Feet to an Iron Rod (New);

Thence, continuing with the northerly right-of-way of Interstate 65, South 38 Degrees 40 Minutes 49 Seconds West 62.45 Feet to a point, said point being the southeast corner of Dry Creek Commons – Phase 1;

Thence, leaving said Interstate 65 and following the common phase line between Dry Creek Commons – Phase 1 and Phase 2, North 47 Degrees 06 Minutes 09 Seconds West 231.95 Feet to a point;

Thence, continuing with said Phase Line, North 22 Degrees 39 Minutes 59 Seconds West 169.92 Feet to a point;

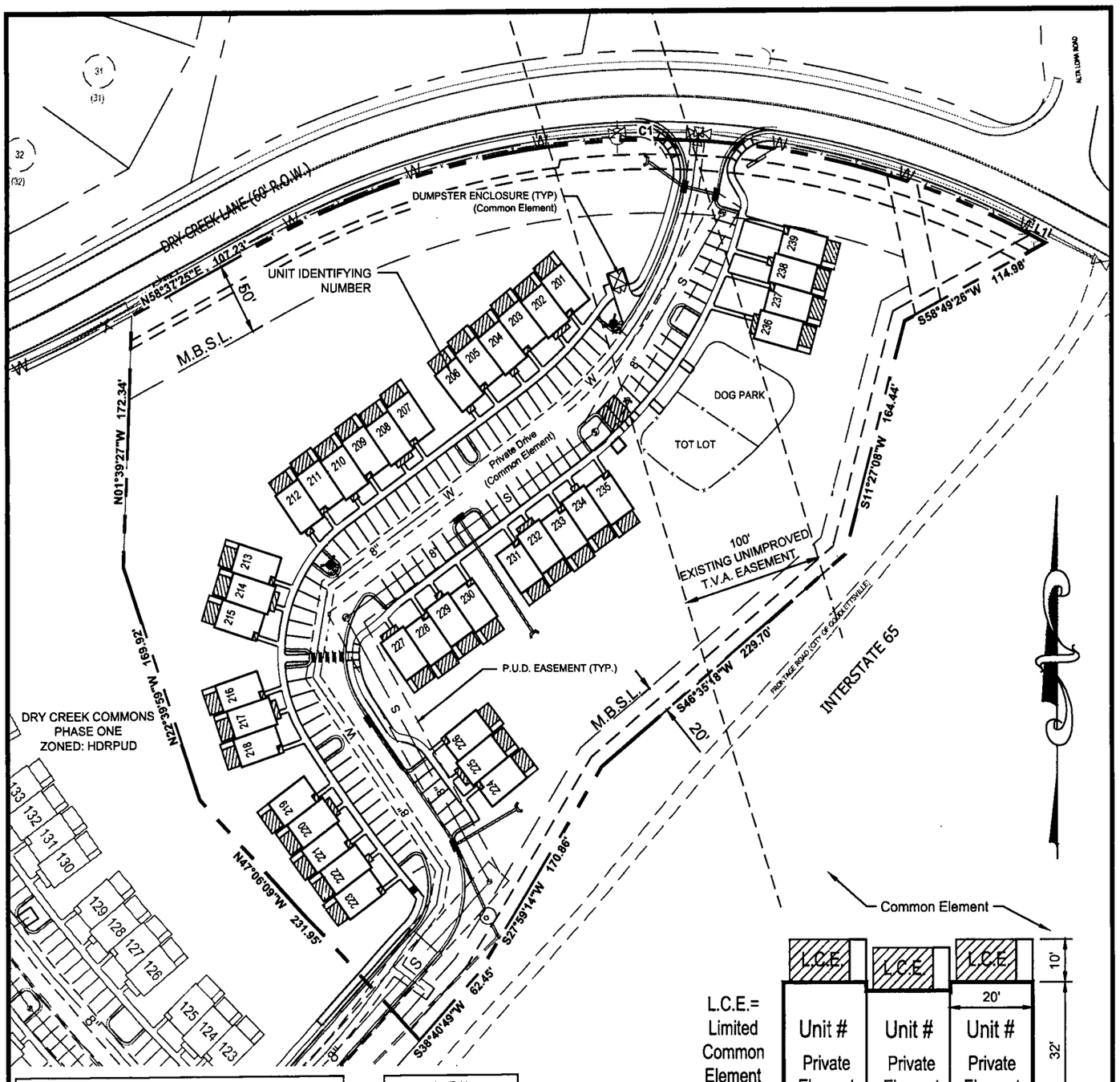
Thence, continuing with said Phase Line, North 01 Degrees 39 Minutes 27 Seconds West 172.34 Feet to the Point of Commencement.

Containing 234,597 Square Feet or 5.38 Acres.

Being part of the same property conveyed to Vastland/Eatherly/McClung/Development, LLC of record in Instrument No. 20050926-0114844, Register's Office for Davidson County, Tennessee.

EXHIBIT C.1

Phase 2 Plat



Curve Table					
Curve #	Radius	Length	Delta	Chord Direction	Chord Length
C1	607.94'	575.78'	54°15'53"	N85°46'29"E	554.50'

Line Table		
Line #	Direction	Length
L1	S67° 05' 34"E	14.05'

Typical Building Detail
Not to Scale

Notes

1. The property is designated as Metro Davidson County Parcel ID No. 03304007200.
2. The current owner of record is Vastland/Eatherly/McClung/Development. LLC of record in Instrument No. 20050926-0114844, R.O.D.C., Tn.
3. The entire property is located in an area designated as Zone "X" (Areas determinec to be outside the 0.2% annual chance floodplain) as shown on FEMA FIRM Community Map Panel No. 47037C0137H, efective date April 5, 2017.
4. Being part of Lot 1 on the Final Plat of Dry Creek Commons of record in Inst. No. 20210521-0069685, R.O.D.C., Tn.
5. The Exhibit contains all the information required by TCA Section 66-27-309.

EXHIBIT C.1 - Site Plan

PHASE TWO

DRY CREEK COMMONS

GOODLETTSVILLE, DAVIDSON COUNTY, TENNESSEE

FOR

VASTLAND REALTY

100' 0' 100' 200'

SCALE IN FEET

Date: January 11, 2022

SURVEYOR

WAMBLE

Civil Engineering • Land Surveying • Land Planning

216 Centerview Drive, Suite 180
Brentwood, TN 37027
615-251-9555

EXHIBIT D

Ownership Percentages

UNIT NUMBER	OWNERSHIP PERCENTAGE	SHARE OF COMMON EXPENSES
101	1.27%	1.27%
102	1.27%	1.27%
103	1.27%	1.27%
104	1.27%	1.27%
105	1.27%	1.27%
106	1.27%	1.27%
107	1.27%	1.27%
108	1.27%	1.27%
109	1.27%	1.27%
111	1.27%	1.27%
112	1.27%	1.27%
113	1.27%	1.27%
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133	1.27%	1.27%
134	1.27%	1.27%
135	1.27%	1.27%
136	1.27%	1.27%
138	1.27%	1.27%

140	1.27%	1.27%
142	1.27%	1.27%
144	1.27%	1.27%
201	1.27%	1.27%
202	1.27%	1.27%
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