


*Nick McBride*  
Register of Deeds  
Knox County

This instrument prepared by:  
Ball Homes, LLC  
3609 Walden Drive  
Lexington, Kentucky 40517  
Please return to preparer after recording

  
Knox County, TN Page: 1 of 8  
REC'D FOR REC 6/18/2024 1:52 PM  
RECORD FEE: \$42.00 T20240022445  
M. TAX: \$0.00 T. TAX: \$0.00

**202406180063787**

**TENTH AMENDMENT TO DECLARATION  
OF COVENANTS, EASEMENTS, CONDITIONS AND RESTRICTIONS  
FOR  
WESTLAND OAKS SUBDIVISION**

THIS TENTH AMENDMENT TO DECLARATION OF COVENANTS, EASEMENTS, CONDITIONS AND RESTRICTIONS FOR WESTLAND OAKS SUBDIVISION (herein the "Amendment") is entered into and effective as of June 14<sup>th</sup>, 2024, by BALL HOMES, LLC, a Kentucky limited liability company (the "Declarant"), with principal address of 3609 Walden Drive, Lexington, Kentucky 40517.

WITNESSETH

WHEREAS, the Declarant hereto is the Declarant under that certain Declaration of Covenants, Easements, Conditions and Restrictions of the Westland Oaks Subdivision (the "Subdivision") dated as of June 19, 2019, recorded as Instrument No. 201906190075428, as amended by that certain First Amendment dated December 1, 2019, recorded as Instrument No. 201912040038125, that certain Second Amendment dated February 7, 2020, recorded as Instrument No. 202002180054852, that certain Third Amendment dated February 17, 2021, recorded as Instrument No. 202103180076144, that certain Third [sic] Amendment dated February 17, 2021, recorded as Instrument No. 202112030044673, that certain Fourth [sic] Amendment dated March 22, 2021, recorded as Instrument No. 202203230072884, that certain Fifth [sic] Amendment dated March 10, 2022, recorded as Instrument No. 202203230072885, that certain Sixth [sic] Amendment dated April 6, 2022, recorded as Instrument No. 202204070077179, that certain Seventh [sic] Amendment dated December 9, 2022, recorded as Instrument No. 202212090033975, and that certain Ninth Amendment dated November 30, 2023, recorded as Instrument No. 202312050028411, each of record in the Knox County Register's office (collectively herein the "Declaration"). Unless otherwise explicitly stated herein, all capitalized words and terms used herein shall have the same meaning as in the Declaration, and

WHEREAS, the Declaration provides, among other things, that the Declarant may amend the Declaration to make changes to the terms thereof and to add or amend the Property covered thereby (See, for example, Sections I(A) and XI(C)); and

WHEREAS, Mesana Investments, LLC ("Developer") obtained property by Warranty Deed recorded on June 28, 2017, as Instrument No. 201706280079432, in the Knox County Clerk's office ("Deed"), including a tract identified as Parcel 154 002 ("Excluded Property");

WHEREAS, Developer, as owner of the property, filed Declaration of Covenants, Easements, Conditions and Restrictions, recorded as Instrument No. 201906190075428, which identified the real property covered under the Declaration by referring to the exhibit ("Exhibit") attached to the aforementioned Deed.

WHEREAS, Developer contracted to sell lots to Declarant with the intent to assign, transfer and convey all of its rights, title and interests under the Declaration to Declarant;

WHEREAS, Developer assigned its declarant's rights to Declarant by virtue of an Assignment of Declarant's Rights recorded on September 10, 2019, of record at Instrument No. 201909100017766;

WHEREAS, the Excluded Property was not purchased by this Declarant nor intended by this Declarant to be included in the property covered under the Declaration;

WHEREAS, Declarant has determined that due to inadvertence and mistake, the need exists to amend the Declaration by removing the Excluded Property that was not intended to be covered under this Declaration.

NOW, THEREFORE, for and in consideration of the above recitals, and other good and valuable consideration, Declarant hereby declares and amends the Declaration as follows:

1. REMOVAL OF PROPERTY. The Excluded Property identified as Parcel ID 154 002 in Exhibit A attached hereto contains the entire portion of property that is hereby excluded and removed from the Declaration. The Excluded Property is further clarified by outline on plats titled Westland Oaks Subdivision Unit 1, recorded as Instrument No. 201908140011292, and Remainder of Tract 2 Mesana Investments, LLC and a Portion of Poteet on Westland Drive, recorded as Instrument No. 202011190041782, both attached hereto as Exhibit B.

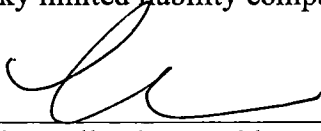
2. EFFECT OF AMENDMENT. Except as explicitly modified by this Amendment, the Declaration shall remain unmodified and at all times in full force and effect. For clarity's sake, no lots and/or open spaces owned by Declarant, the Association or homeowners in the Subdivision are intended to be removed by this Amendment, and all of these shall remain unaffected by this Amendment and under the Declaration.

IN TESTIMONY WHEREOF, witness the signature of the Declarant and execution of this Amendment as of the date first noted above.

*[remainder of page left blank intentionally; signature pages continue]*

**BALL HOMES, LLC,**  
a Kentucky limited liability company

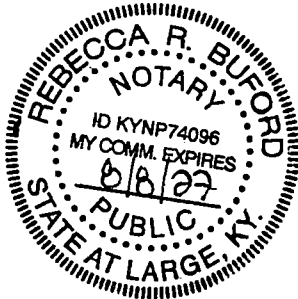
By:


  
\_\_\_\_\_  
Lisa Ball, Vice President

COMMONWEALTH OF KENTUCKY

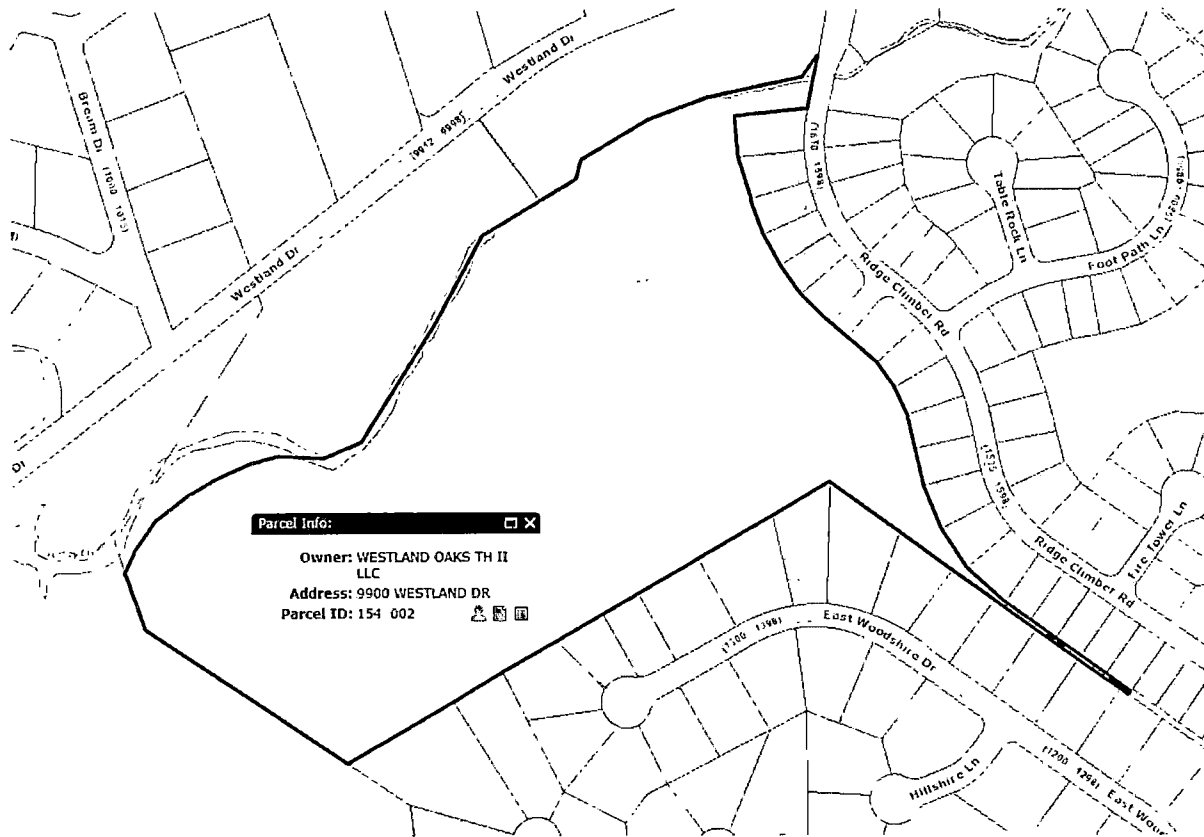
COUNTY OF FAYETTE

The foregoing instrument was acknowledged before me on this the 14<sup>th</sup> day of June, 2024, by Lisa Ball, as Vice President of Ball Homes, LLC, a Kentucky limited liability company, on behalf of the company.



  
\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires: 8/8/27  
ID#: KYNP74096

**EXHIBIT A**



**EXHIBIT B**

TOTAL AREA =  
THIS PHASE  
23.33 ACRES  
1,016,260 sq. ft.  
INCLUDES PLOTS AND COMMON AREAS  
TOTAL BUILDING LOTS: 74

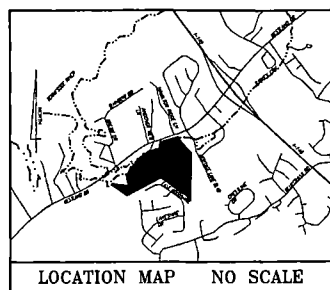
(P) = IRON PIN SET  
(M) = MONUMENT FOUND

Surveyors are responsible for maintenance of  
boundary monuments. The owner is responsible for  
replacement of monuments.

Certification of Compliance of Surveyor  
I, the undersigned, hereby certify that a true and correct copy of this survey has been  
submitted to the appropriate agency for review and approval and that the survey is  
in accordance with the requirements of the Surveying Act of 1967, as amended.

Certification of Compliance of Surveyor

I, the undersigned, hereby certify that a true and correct copy of this survey has been  
submitted to the appropriate agency for review and approval and that the survey is  
in accordance with the requirements of the Surveying Act of 1967, as amended.



NOTES:

1. IRON PIN SET AT ALL CORNERS. BY THIS SURVEY, UNLESS OTHERWISE NOTED.
2. ALL NEW PROPERTY MONUMENTS ARE 1/2" x 1/2" x 12" IRON ROD PINS WITH  
PLASTIC CAP STAMPED "LYNCH 2447".
3. DEED REFERENCES - PARCEL 001: 2014422-000787  
PARCEL 002: 20070023-000138  
PLAT REFERENCE - CAB C SLIDE 13A
4. THIS PROPERTY IS ZONED PUD (C) (C) (C)  
DISTRICTS: 37 FROM 1/2 3/4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100
5. A PORTION OF THIS PROPERTY DOES LIE WITHIN A 100/500 YEAR FLOOD ZONE  
PER FIRM FLOOD INSURANCE RATE MAP NUMBER 4709303000 EFFECTIVE  
DATE: MAY 12, 2007
6. ALL UNDERGROUND UTILITIES ARE REFERENCED TO UTILITY COMPANIES MAPS  
AND ARE TO BE CONSIDERED APPROXIMATE.
7. NORTH DATUM: NAD83(2011)
8. HOME OWNERS ASSOCIATION DOCUMENTS RECORDED IN INSTRUMENT NO  
2014422-000787
9. FOR APPROVED SUBDIVISION VARIANCES AND CONDITIONS OF APPROVAL OF THE  
CONCEPT PLAN AND USE-COMMITMENT REVIEW REFER TO METROPOLITAN PLANNING  
COMMISSIONS FILES 4-SD-17-C AND 4-6-17-LR.
10. UTILITY AND DRAINAGE EXISTENCES ALONG ALL LOT LINES ADJOINING STREETS  
AND PRIVATE R.O.W.'S (INCLUDING JOINT PERMANENT EASEMENTS), 3" UTILITY  
AND DRAINAGE EASEMENTS ALONG ALL INTERIOR LOT LINES AND ANY OTHER  
EXTERNAL LOT LINES.
11. AREAS LABELED DETENTION AREA ARE AREAS WHERE THE WATER QUALITY  
BASINS (WQBs) ARE LOCATED.
12. A 15' UTILITY EASEMENT EXISTS 7.5' EITHER SIDE OF WATER AND SEWER LINES  
AS INSTALLED.

WESTLAND OAKS SUBDIVISION  
UNIT 1

District 6, Knox County, Tennessee

MPG: 3-SE-19-F

OWNER / SURVEY FIRM

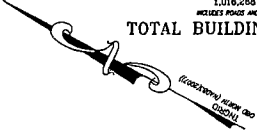
MESANA INVESTMENTS, LLC  
P.O. Box 11315  
Knoxville, Tennessee 37919  
Phone (865) 806-8008

LYNCH SURVEYS LLC  
SUBDIVISIONS | AS-BUILTS | SITE DESIGN  
4405 COBSTER RD. KNOXVILLE, TENN. 37912  
865-864-5630 FAX: 865-584-5601 WWW.LYNCHSURVEY.COM

PROJECT NO.  
4000-3

REVISIONS  
1. REVISED 10/20/2019  
2. REVISED 10/20/2019  
3. REVISED 10/20/2019  
4. REVISED 10/20/2019

CHECKED BY: R. LYNCH  
APPROVED BY: R. LYNCH  
DATE: 10/20/2019



DETAIL  
R.O.W. DEDICATION  
WIS

Survey Shows an Official Map  
This is to certify that all property taxes and assessments due on this property have been paid.

Knox County Trustee: Signed: [Signature] 10/14/19

Additional Documents  
I, the undersigned, hereby certify that the subdivision name and all  
street names shown on this map are in accordance with the Surveying Act of 1967, as amended.

In the City of Knoxville, Tennessee, I, the undersigned, do hereby certify that the subdivision name and all  
street names shown on this map are in accordance with the Surveying Act of 1967, as amended.

TIME TABLE

LINE	BEARING	CHORD	BEARS	LENGTH
1	S 89° 12' 00" W	23.33		23.33
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C96	S 89° 12' 00" W	23.33		23.33
C97	S 89° 12' 00" W	23.33		23.33
C98	S 89° 12' 00" W	23.33		23.33
C99	S 89° 12' 00" W	23.33		23.33
C100	S 89° 12' 00" W	23.33		23.33

