

Nick McBride
Register of Deeds
Knox County

Knox County, TN Page: 1 of 7
REC'D FOR REC 12/3/2021 10:25 AM
RECORD FEE: \$39.00 T20210076371
M. TAX: \$0.00 T. TAX: \$0.00

202112030044673

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

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

THIS THIRD AMENDMENT TO DECLARATION OF COVENANTS CONDITIONS, EASEMENTS AND RESTRICTIONS FOR WESTLAND OAKS SUBDIVISION (herein the "Amendment") is entered into and effective as of February 17, 2021, by BALL HOMES, LLC, a Kentucky limited liability company, with principal address of 3609 Walden Drive, Lexington, Kentucky 40517 (the "Declarant").

WITNESSETH

WHEREAS, by virtue of that certain Assignment of Declarant's Rights of record at Instrument No. 201909100017766, Ball Homes, LLC is now the Declarant under that certain Declaration of Covenants Conditions Easements and Restrictions pertaining to the Westland Oaks Subdivision (the "Subdivision") dated as of June 19, 2019, of recorded as Instrument No. 201906190075428, as amended by that certain First Amendment recorded as Instrument No. 201912040038125, and by that certain Second Amendment recorded as Instrument No. 202002180054852, in the Knox County Register's office (as amended, the "Declaration"). Unless otherwise explicitly stated here, all capitalized words and terms used herein shall have the same meaning as in the Declaration, and

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

WHEREAS, Certain sections, units or phases of the Subdivision known as Westland Oaks Subdivision have been platted and Developer now desires to amend the Declaration to subject this land to the Declaration, add this land as "Property" under the Declaration and to provide reference to the platted lots for clarification and future ease of reference, as described herein.

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

1. ADDITION OF PROPERTY. From and after the date of this Amendment, the term "Property" as defined in the Declaration, does and shall include all of the current Property and the property in following record plat(s): (i) Unit 2, as shown on the Final Record Plat of record at

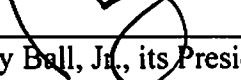
202102050063950; and (ii) all of Lots 2 through 18, inclusive, Westland Oaks, Phase 2, as shown on the Plat of record at Instrument No. 202111080038042, and being the same property purchased by Declarant by deed of record at Instrument No. 202112030044672, with each of the above being recorded in the Knox County Register of Deeds' Office (collectively, the "Lots"). For reference, all of the above referenced plats are attached hereto as Exhibit "A", and are hereby added to Exhibit "A" of the Declaration as additional references for those portions of the Property. The above referenced Lots and the owners thereof, shall be entitled to all the benefits granted to the Property pursuant to the Declaration and shall be subjected to the Declaration and encumbered by all of the burdens imposed on the Property pursuant to the Declaration.

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.

{Remainder of page intentionally left blank}

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

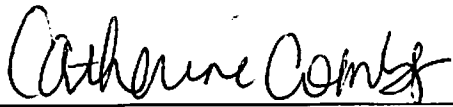
BALL HOMES, LLC,
a Kentucky limited liability company

By: 
D. Ray Ball, Jr., its President

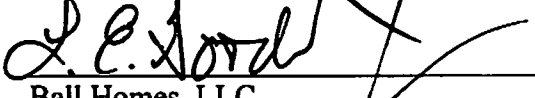
COMMONWEALTH OF KENTUCKY)

COUNTY OF FAYETTE)

The foregoing instrument was acknowledged before me on this the 11th day of November, 2021, by D. Ray Ball, Jr., as President of Ball Homes, LLC, a Kentucky limited liability company, on behalf of the company.


NOTARY PUBLIC
My commission expires: 2/23/22
ID#: 595950

THIS INSTRUMENT PREPARED BY:


Ball Homes, LLC
By: Lawrence E. Goodwin, Jr., General Counsel
3609 Walden Drive
Lexington, Kentucky 40517

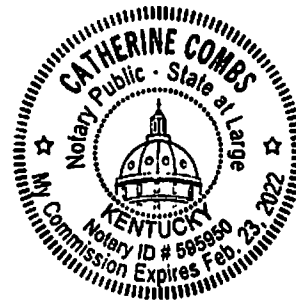


EXHIBIT "A"

PLATS

True Copy Certification

I, Suzette Byrd, do hereby make oath that I am a licensed attorney and/or the custodian of the original version of the electronic document tendered for registration herewith and that this electronic document is a true and exact copy of the original document executed and authenticated according to the law on this 2 day of Dec, 2021.

Suzette Byrd, Agent
Affiant Signature

12.2.2021
Date

State of TN

County of KNOX

Sworn to and subscribed before me this 2 day of Dec, 2021

Debora Jones
Notary Signature

MY COMMISSION EXPIRES: 4.27.2022
Notary's Seal (if on paper)

