

*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 5  
REC'D FOR REC 3/18/2021 1:53 PM  
RECORD FEE: \$29.00 T20210017540  
M. TAX: \$0.00 T. TAX: \$0.00

**202103180076144**

**THIRD AMENDEMNT 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


Instrument No. 20210126006037, of record in the Knox County Register of Deeds Office (the "Plat"). For reference, the Plat is 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 property in Westland Oaks Subdivision 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.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed as of the date first noted above.

Declarant:

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


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

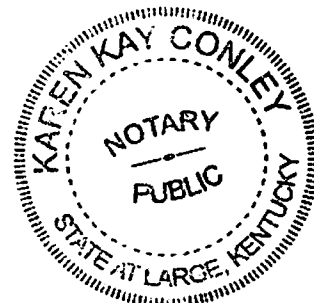
COMMONWEALTH OF KENTUCKY)

COUNTY OF FAYETTE)

PERSONALLY appeared before me, the undersigned authority, a Notary Public in and for said County and State, D. Ray Ball, Jr., with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who, upon oath, acknowledged himself to be the President of Ball Homes, LLC the within named bargainer, a Kentucky Limited Liability Company, and that he as such Presidents, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the company by himself as president.

WITNESS my hand and seal at office this 17<sup>th</sup> day of February, 2021.

  
NOTARY PUBLIC  
My commission expires: 7/29/21  
ID#: 583288



**EXHIBIT "A"**

**PLAT**

**TOTAL AREA**  
THIS PHASE  
1.26 Acres  
54,736 sq. ft.  
EXCLUDES ROADS AND COMMON AREAS  
**TOTAL BUILDING LOTS: 6**

**LOCATION MAP NO SCALE**

**PROJECT NO**  
4000-9

**PROJECT NAME**  
Westland Oaks Subdivision  
Unit 2

**DISTRICT**  
District 6, Knox County, Tennessee

**OWNER**  
MESA INVESTMENTS, LLC  
P.O. Box 11315  
Knoxville, Tennessee 37919  
Phone (865) 808-8008

**DATE**  
1/27/2021

**PROJECT NO**  
PS: 11-HH-20

**PREPARED BY**  
LYNCH SURVEYS LLC  
4405 COASTER RD., KNOXVILLE, TENN. 37912  
865-804-2435 FAX: 865-804-1831 WWW.LYNCH-SURVEY.COM

**DATE**  
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**True Copy Certification**

I, James E. Bondurant, Jr., 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.

James E. Bondurant, Jr.  
Signature

State of TN

County of KNOX

Personally appeared before me, [Name of Notary], a notary public for this county and state, [name of person making certification] who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Deborah Jones  
Notary's Signature

My Commission Expires: 4.27.2022  
Notary' Seal (if on paper)

