

*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 6  
REC'D FOR REC 4/7/2022 3:02 PM  
RECORD FEE: \$34.00 T20220019675  
M. TAX: \$0.00 T. TAX: \$0.00

**202204070077179**

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

THIS SIXTH AMENDMENT TO DECLARATION OF COVENANTS CONDITIONS, EASEMENTS AND RESTRICTIONS FOR WESTLAND OAKS SUBDIVISION (herein the "Amendment") is entered into and effective as of April 6, 2022, by BALL HOMES, LLC, a Kentucky limited liability company, with principal address of 3609 Walden Drive, Lexington, Kentucky 40517 (the "Declarant"), and MESANA INVESTMENTS, LLC, a Tennessee limited liability company, with a principal address of 1515 Ashland Springs Way, Knoxville, Tennessee 37922 (the "Developer").

**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, that certain Second Amendment recorded as Instrument No. 202002180054852, that certain Third Amendment recorded as Instrument No. 202112030044673, that certain Fourth Amendment recorded as Instrument No. 202203230072884, and that certain Fifth Amendment recorded as Instrument No. 202203230072885, each 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 residential lots in Unit 2 and Unit 3 of the subdivision known as Westland Oaks Subdivision have been platted by Developer as shown by that certain Final Plat, Westland Oaks Subdivision, Unit 3, Lots 20-29, 74-105 & Unit 2 Lot 106R, of record at Instrument No. 202204010075722, in the Knox County Recorder's office (herein the "Plat", and the residential lots shown thereon and referred to above being referred to herein as the "Lots"); and



WHEREAS, Developer and Declarant now desire to amend the Declaration to subject these Lots to the Declaration, add the Lots as "Property" under the Declaration and to provide reference to the Plat and 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 and Developer hereby declare the Lots to be added to and subjected to the Declaration and all of its terms and conditions, and Declarant 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 Lots as shown on the Plat. For reference, a copy of the Plat is attached hereto as Exhibit "A", and is also hereby added to Exhibit "A" of the Declaration as additional references for those portions of the Property. The 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 left blank intentionally; signature pages follow]



IN WITNESS WHEREOF, the Declarant and Developer have caused this instrument to be executed effective 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.

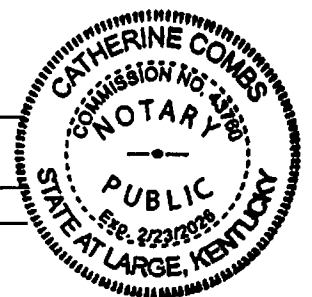
WITNESS my hand and seal at office this 6<sup>th</sup> day of April, 2022.

Catherine Combs

NOTARY PUBLIC

My commission expires: 2/23/26

ID#: 43760





Developer:

MESANA INVESTMENTS, LLC,  
a Tennessee limited liability company

By:   
Scott Davis, its Member

STATE OF TENNESSEE)

COUNTY OF KNOX)

PERSONALLY appeared before me, the undersigned authority, a Notary Public in and for said County and State, Scott Davis, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who, upon oath, acknowledged himself to be a Member of Mesana Investments, LLC the within named bargainer, a Tennessee limited liability company, and that he as such Member, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the company by himself as Member.

WITNESS my hand and seal at office this 6<sup>th</sup> day of April, 2022.

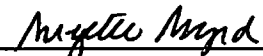
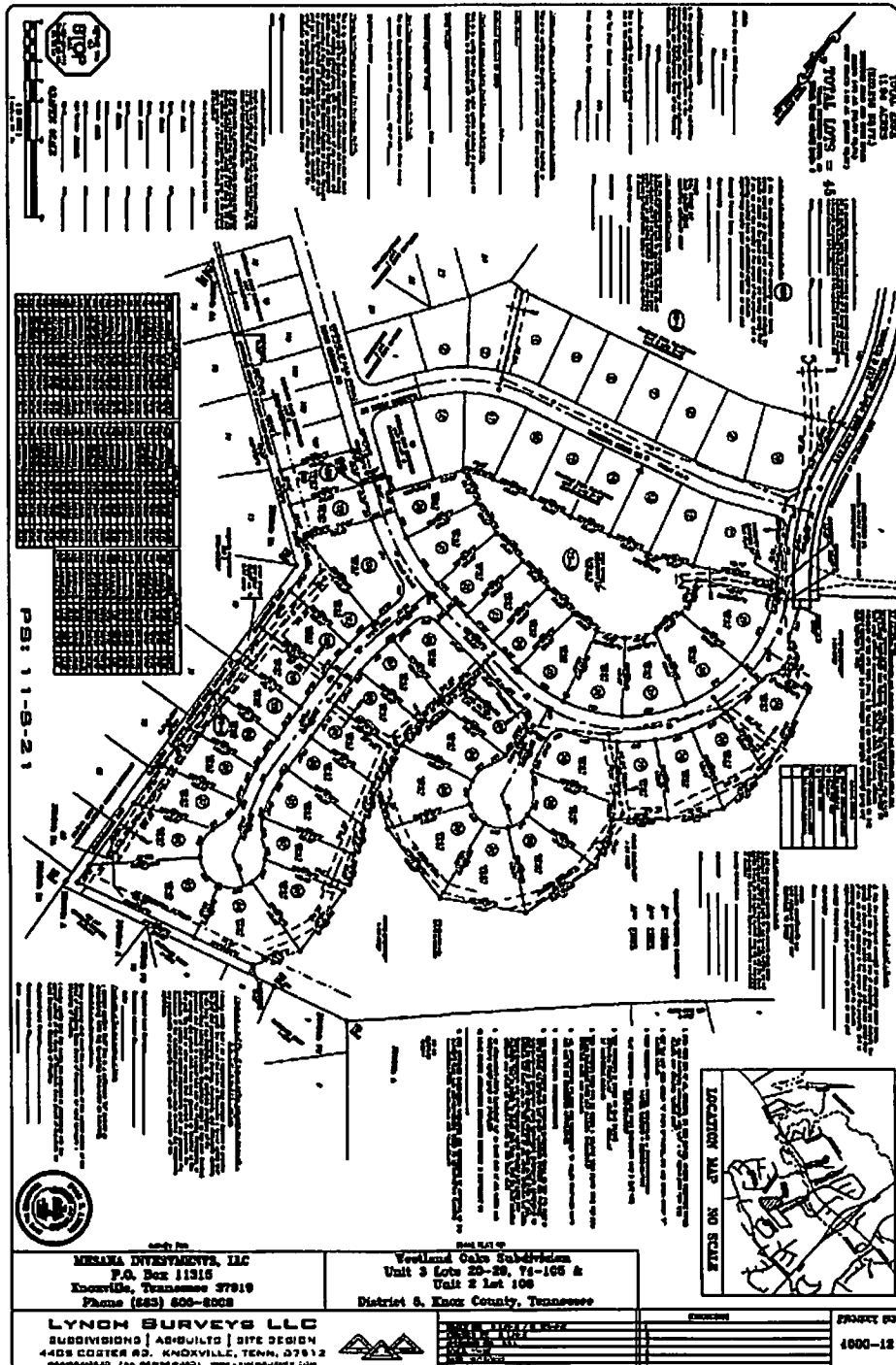
  
\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires: 3-25-25  
ID#: \_\_\_\_\_



EXHIBIT "A"

PLAT





## 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 7 day of April, 2022.

Suzette Byrd, Agent  
Affiant Signature

4.7.2022  
Date

State of TN

County of Knox

Sworn to and subscribed before me this 7 day of April, 2022

Debra Jones  
Notary Signature

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

