

4 PGS : RESTRICTIVE COVENANTS	
HANNAH DENNY 564559 - 24142141	
08/29/2024 - 02:43 PM	
VALUE	
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	20.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	22.00
STATE of TENNESSEE, WILSON COUNTY	
JACKIE MURPHY	
REGISTER OF DEEDS	

This document was prepared by
And upon recording return to:

Tune, Entrekin & White, PC (SJB)
500 11th Ave. N., STE 600
Nashville, TN 37203

**SECOND AMENDMENT TO DECLARATION OF COVENANT, CONDITIONS AND
RESTRICTIONS FOR HAWKS LANDING**

This SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HAWKS LANDING (hereinafter “Second Amendment”) is made, entered into and published on or as of the date hereinafter set forth, by M/I HOMES OF NASHVILLE, LLC, a Tennessee limited liability company (hereinafter “Developer”).

WITNESSETH:

WHEREAS, the Developer previously established and recorded DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HAWKS LANDING of record in Book 2291, page 820-876, Register’s Office for Wilson County, Tennessee, as amended by the first amended in Book 2317, Page 423, (hereinafter the “Declaration”);

WHEREAS, the Developer retained the right to amend the Declaration in Article I, Section 1 and desires to amend same as provided herein;

NOW, THEREFORE, for and in consideration of the foregoing premises, Developer hereby amends the Declaration as follows:

1. Article X, “IMPROVEMENT RESTRICTIONS,” of the Declaration is hereby amended by replacing Section 9 entirely with the following:

9. **Fencing, Walls, and Hedges.** Location, style, type, and materials of fencing walls, and/or hedges must be approved by the ARC. Hedges, shrubbery or evergreens may be located nearer to the lots lines than fencing and walls, but their location must be approved by the ARC. No fence, wall, or hedge shall be allowed in any drainage easements that may exist on a Lot. No fence, wall or hedge shall be more than six (6) feet in height, unless otherwise approved. Six (6) feet tall white vinyl fences shall be permitted.

2. Article X, “IMPROVEMENT RESTRICTIONS,” of the Declaration is hereby amended by replacing Section 12 entirely with the following:

12. **Swimming Pools.** Outdoor swimming pools, therapy pools, and spas for the use of Owners and their guests may be constructed on Lots so long as: (a) they are below ground level and of a permanent nature, or no taller than thirty six (36”) inches above ground; (b) the location complies with the minimum setback requirements shown on the Plat; (c) all applicable laws, ordinances, rules and regulations of governmental agencies are satisfied and all necessary governmental permits are obtained by the Owner at his expense; (d) such pools and spas are completely fenced in a manner approved by the ARC; (e) the ARC has approved the design and location that shall be in the rear yard only; and (f) construction is not commenced until after the commencement of the construction of the dwelling.

3. Article X, "IMPROVEMENT RESTRICTIONS," of the Declaration is hereby amended by replacing Section 9 entirely with the following:

13. **Fencing, Walls, and Hedges.** Hot tubs, jacuzzies, or spas for the use of Owners and their guests may be constructed on Lots so long as: (a) they are of a permanent nature and are below ground level, are no taller than thirty six (36") inches above ground, or incorporated into other improvements such as decking, gazebo, or otherwise and approved by the ARC; (b) the location complies with the minimum setback requirements shown on the Plat; (c) all applicable laws, ordinances, rules, and regulations of governmental agencies are satisfied and all necessary governmental permits are obtained by the Owner at his expense; (d) such spas are completely fenced in a manner approved by the ARC; (e) the ARC has approved the design and location that shall be in the rear yard only; and (f) construction is not commenced until after the commencement of the construction of the dwelling.

4. Article IX, "IMPROVEMENTS AND ARCHITECTURAL STANDARDS," of the Declaration is hereby amended by replacing Section 4 entirely with the following:

13. **Design Guidelines.** The ARC may, in its discretion, promulgate Design Guidelines specifying acceptable architectural styles, permissible materials, and acceptable locations for the construction of all Improvements within the Development Property. All Plans for Improvements must be consistent with such Design Guidelines, which may be amended from time to time by the Declarant during the Appointment Period and thereafter the Board. Copies of the current Design Guidelines, if any, may be purchased at a reasonable cost. Improvements must consistent with the materials in both type and color of the materials used on the original home.

5. Except as modified herein, the Declaration is unmodified and remains in full force and effect.

[Signature on Next Page]

DEVELOPER:

M/I Homes of Nashville, LLC

By: _____

Name: John Hennebery
Title: Area President

STATE OF TENNESSEE)
)
COUNTY OF Maury)

Before me, the undersigned authority, a Notary Public in and for the State and County aforesaid, personally appeared John Hennebery with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged him/~~herself~~ to be the Area President ("Officer") of M/I Homes of Nashville, LLC, a Tennessee Limited Liability company (the "Entity"), and that he/~~she~~, as such Officer, being duly authorized to do so, executed the foregoing document for the purposes contained therein, by signing his/~~her~~ name as such Officer acting on behalf of the Entity.

Witness my hand and official seal the 15th day of August, 2024.

NOTARY PUBLIC

My Commission Expires: 6 / 24 / 2027



Tennessee Certification of Electronic Document

I, Samuel J. Blanton, 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 law on 8/15/24 (date of document).

Samuel J. Blanton
Affiant Signature

8/29/24
Date

State of Tennessee
County of Davidson

Sworn to and subscribed before me this 29th day of August, 2024.

Patricia F. Skrivaneck
Notary's Signature

MY COMMISSION EXPIRES: 5-9-2026

