

THIS INSTRUMENT WAS PREPARED BY:

Lacy, Price & Wagner, P.C.
249 N. Peters Road, Suite 101
Knoxville, TN 37923

**AMENDMENT OF DECLARATION OF RESTRICTIONS
FOR MILLER'S LANDING PHASE III**

THIS AMENDMENT OF DECLARATION OF RESTRICTIONS FOR MILLER'S LANDING PHASE III (this "Amendment") is made and entered into this 18th day of January, 2021, by the undersigned, who comprise all the current owners of Lots, 1, 2, 3 and 4 in Miller's Landing Phase III, hereinafter referred to as "Owners."

WITNESSETH:

WHEREAS, Owners are the current owners of Lots, 1, 2, 3 and 4 (the "Lots") in Miller's Landing Phase III, which comprise all the lots of Miller's Landing Phase III; and

WHEREAS, by Declaration of Restrictions for Miller's Landing Phase III (the "Declaration of Restrictions") dated May 28, 2008 and recorded in the Loudon County Register of Deeds at Trust Book 978, Page 848, Nix & Associates, LLC as prior owner of the Lots and as developer of Miller's Landing Phase III imposed uniform restrictions on the Lots;

WHEREAS, section 17 of the Declaration of Restrictions provides that said Declaration of Restrictions may be amended by the majority vote of the Miller's Landing Phase III lot owners; and

WHEREAS, Owners desire to amend the Declaration of Restrictions as set forth herein.

NOW THEREFORE, Owners hereby amend the Declaration of Restrictions as follows:

1. Section 5 of the Declaration of Restrictions is amended to remove the reference to the rear setback line as shown on the current plat of record in the Loudon County Register of Deeds in Plat Cabinet H, Slide 93, it being the intention of the Owners that the rear setback restrictions be only those imposed by Tennessee Valley Authority. The last sentence of section 5 is deleted as redundant and duplicative of the first sentence. Finally, the reference to section 20 is corrected to section 21. As amended, Section 5 shall now be:

No building shall be located nearer than 30 feet from any front lot line, 15 feet from any side lot line, and will have rear setbacks not closer to the lake than the TVA required 820 contour setback line (Also, see section 21 - Lake Front and Dock Restrictions). For the purpose of this covenant, eaves, steps and open porches shall not be considered as a part of the building, provided however, that this shall not be construed to permit any part of the building to encroach upon another lot. For purposes of these setbacks,

carports or roofed porches shall be considered part of the building, uncovered decks shall not be included.

2. Section 7m of the Declaration of Restrictions is amended to correct the reference in the last sentence from section 20 to section 21, such that the last sentence of section 7m shall now read: **"See specific lake front rear restrictions in section 21."**

3. Section 17 of the Declaration of Restrictions is amended to correct the reference in the last sentence from section 20 to section 21, such that the last sentence of section 17 shall now read: **"However, the Architectural Review Committee may, in no instance, grant variances to lake front and dock restrictions in section 21, without written approval of all 4 lot owners in Miller's Landing Phase III."**

4. The introductory paragraph to Section 21 of the Declaration of Restrictions is amended to correspond to the amendment of section 5 above that rear setback be based on TVA's 820 contour setback requirement. As amended herein, the introductory paragraph shall be:

In general, any landscape or improvement below the TVA required 820 contour setback line and/or along the lakeshore of any lot must be done in such a way as to minimize the negative effect on the view of adjoining lots.

5. Section 21g of the Declaration of Restrictions is amended to correspond to the amendment of section 5 and the introductory paragraph to section 21 above that rear setback be based on TVA's 820 contour setback requirement. As amended herein, section 21g shall be:

Landscaping, planting, or improvements below the TVA required 820 contour setback line on any lot must not create a significant view obstruction from adjoining lots.

Except as amended herein, the Declaration of Restrictions are ratified and affirmed, and the same shall remain in full force and effect. This Amendment shall further serve as the Owners' agreement to amend the Building Setback lines on the Final Plat for Miller's Landing Phase III subdivision, of record in the Loudon County Register of Deeds in Plat Cabinet H, Slide 93, and to take such other action as may be necessary to effectuate the amendments to the Restrictions set forth herein. This Amendment shall be governed in all respects by the laws of the State of Tennessee.

IN WITNESS WHEREOF, the undersigned Owners have caused this Amendment to be executed as of the day, month, and year first above written.

CONTINUED WITH SIGNATURES OF OWNERS

BK/PG: T1520/716-721

21004065

6 PGS:AL-AMENDED RESTRICTIONS

PAM BATCH: 167047

03/31/2021 - 09:18:10 AM

VALUE 0.00

MORTGAGE TAX 0.00

TRANSFER TAX 0.00

RECORDING FEE 30.00

DP FEE 2.00

REGISTER'S FEE 0.00

TOTAL AMOUNT 32.00

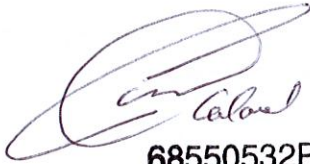
STATE OF TENNESSEE, LOUDON COUNTY

TRACIE LITTLETON

REGISTER OF DEEDS

AMENDMENT OF DECLARATION OF RESTRICTIONS
FOR MILLER'S LANDING PHASE III

Signature Page of Lot 1 Owner

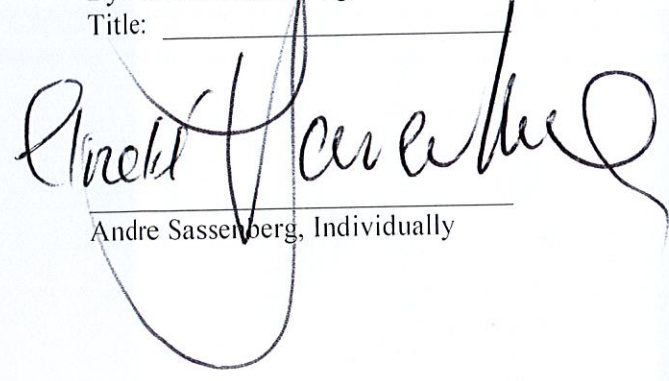

68550532PE
Col C. van Wyk

ATTACH APOSTILLE

KOPANONG LODGE USA, LLC


By: Andre Sassenberg

Title: _____


Andre Sassenberg, Individually

EK SERTIFISEER DAT HIERDIE DOKUMENT 'N WARE AFDRUK (AFSKRIF) IS VAN
DIE OORSPRONKLIKE DOKUMENT WAT AAN MY VIR WAARNEMING VOORGELE
IS. EK SERTIFISEER VERDER DAT, VOLGENS MY WAARNEMINGS DAAR NIE 'N
WYSIGING OF VERANDERING OP DIE OORSPRONKLIKE DOKUMENT AANGE-
BRING IS NIE.

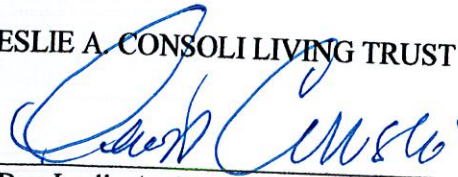
I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION (COPY) OF THE
ORIGINAL DOCUMENT WHICH WAS HANDED TO ME FOR AUTHENTICATION. I
FURTHER CERTIFY THAT, FROM MY OBSERVATIONS, AN AMENDMENT OR A
CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.

 16 Mar 2021
.....
HANDTEKENING/SIGNATURE
MAGSNOMMER.....**68550532PE**..... RANG 
FORCE NUMBER..... RANK.....
NAAM IN DRUKSKRIF **Col C. van Wyk**
NAME IN PRINT.....

**AMENDMENT OF DECLARATION OF RESTRICTIONS
FOR MILLER'S LANDING PHASE III**

Signature Page of Lot 2 Owner

THE LESLIE A. CONSOLI LIVING TRUST



By: Leslie A. Consoli, Trustee

Title: _____

STATE OF TENNESSEE)
COUNTY OF Knox)ss.

Before me, the undersigned authority, a Notary Public in and for said County and State aforesaid, personally appeared Leslie A. Consoli, 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 Trustee of Leslie A. Consoli Living Trust, the within named bargainor, and that she as such Trustee, executed the foregoing instrument for the purposes therein contained.

Witness my hand and official seal at office, this 18 day of January, 2020 ^{KB}

Kim Browning
Notary Public

My Commission expires: Oct. 2, 2021



Signature Page of Lots 3 and 4 Owners


RAY SEXTON

STATE OF TENNESSEE)
COUNTY OF Blount)ss.

Witness my hand and official seal at office, this 10th day of January, 2020.


Notary Public

My Commission expires: 10-26-22



TRICIA SEXTON

STATE OF TENNESSEE)
COUNTY OF Blount)ss.

Witness my hand and official seal at office, this 20 day of JANUARY, 2020.

Veronica M. Gack
Notary Public

My Commission expires: 10-26-22



AMENDMENT OF DECLARATION OF RESTRICTIONS
FOR MILLER'S LANDING PHASE III

Signature Page of New Lot 2 Owners
(Purchased February 15, 2021)



Keith R. Bell

STATE OF Texas)
COUNTY OF Llano)ss.

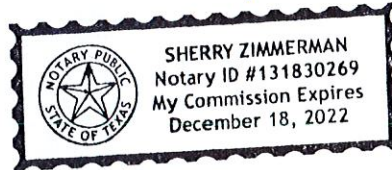
Before me, the undersigned authority, a Notary Public in and for said County and State aforesaid, personally appeared **Keith R. Bell**, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office, this 23rd day of February, 2021.



Notary Public

My Commission expires: 12-18-22





Carol I. Bell

STATE OF Texas)
COUNTY OF Llano)ss.

Before me, the undersigned authority, a Notary Public in and for said County and State aforesaid, personally appeared **Carol I. Bell**, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office, this 23rd day of February, 2021.



Notary Public

My Commission expires: 12-18-22

