

Prepared By & Return to:
Eagle Bluff HOA
Attn: L. Buxton
6890 River Run Dr
Chattanooga, TN 37416



Book/Page: **GI 13487 / 491**
Instrument: 2024010900064
4 Page RESTRICTIONS

**AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS OF
EAGLE BLUFF SUBDIVISION (FORMERLY RIVER RUN SUBDIVISION)**

**[Cross References: Book 3440, Page 488 (original Declaration)
Book GI 12907, Page 201 (most recent Amendment)]**

Recorded by KDS on 1/9/2024 at 12:03 PM
MISC RECORDING FEE 20.00
DATA PROCESSING FEE 2.00

THIS AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS (the "Amendment") is being executed to be effective as of March 7, 2023, on behalf of Eagle Bluff Homeowners Association, Inc. (the "Association"), a Tennessee non-profit corporation.

TOTAL FEES \$22.00

Background:

State of Tennessee Hamilton County Register of Deeds **MARC GRAVITT**

A. That certain Declaration of Covenants and Restrictions for Eagle Bluff Subdivision, recorded at Book 3440, Page 488, as amended or modified by instruments recorded at Book 3553, Page 687, Book 3681, Page 484, Book 3748, Page 583, Book 4010, Page 828, Book 4139, Page 911, Book 4514, Page 685, Book 4514, Page 693, Book 4666, Page 380, Book 4867, Page 148, Book 4939, Page 318, Book 7493, Page 268, Book 7493, Page 271, Book 7493, Page 275, Book 7560, Page 470, Book 8629, Page 801, Book 8957, Page 538, Book 8994, Page 421, Book 9129, Page 561, Book 11319, Page 309, Book 11607, Page 284, Book GI 12907, Page 199, and book GI 12907, Page 201 in the Register's Office of Hamilton County, Tennessee. Such Declaration as amended, is collectively referred to as the "Declaration", governs the residential neighborhood known as Eagle Bluff (the "Development"). Capitalized terms used herein and not otherwise defined shall be defined as provided in the Declaration.

CA

B. The Association acts as the homeowners' association for the Development, pursuant to the Declaration and pursuant to established bylaws for the operation of the Association (the "Bylaws").

C. Part Four, Article II, Section 1 provides procedure for the Members of the Association to amend the Declaration.

D. The Association has adopted amendments to the Declaration pursuant to such procedures, and the Association desires to provide constructive notice of such amendments by recording this Amendment.

Declaration:

NOW THEREFORE, for and in consideration of the mutual benefits provided herein by this Amendment, and for other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, the parties hereto declare that the above recitals are true and correct and are herein incorporated, and further declare that the Declaration is amended as follows:

1. Part II, Article I, Section 3 (as added to the Declaration and found in Book 3440, Page 496, (as amended in Book GI 9129 page 561 and recorded 03-07-2010, aforesaid Register's Office) is hereby amended by adding the following paragraph to Section 3, (which was approved by a vote of 107 to 19:

Fences are allowed on detached family homes in Eagle Bluff Subdivision with the following guidelines:

1. Fences must be preapproved by the HOA Board ARC committee; and once the installation of a fencing project has begun it must be completed within sixty (60) days or subject to fines;
2. Fences are not allowed in the front or side yard to any home; they are only allowed in the backyard of homes; fences cannot extend to within ten (10) feet of the side or rear property lines; fences cannot extend to the right or to the left of the outside rear corners of the home (structure); the fence must have a gate to allow access to and from the property;
3. Only wrought iron type fences are allowed; each vertical member can be no less than 3 inches apart; wrought iron, stone, brick, or stucco posts that match the existing home are allowed with the prior approval of HOA Board;
4. No fence shall be over six (6) feet tall, constructed of wood, chain link, picket, or other material or form that prevents the fenced-in yard from being viewed;
5. Any fence to a home that borders the golf course must be at least twenty (20) feet from the rear property line;
6. Fences and gates must be maintained and not allowed to be in disrepair, mildewed, or broken;
7. All landscaping around fencing must be maintained to keep the fence free of vegetation, weeds, clutter, and debris;
8. Fences are subject to Hamilton County Restrictions.

Fences for townhomes must be of the same materials as single-family home fences; fences must remain twenty (20) feet from the rear property line, and ten (10) feet from the side property line of end units to allow for middle units of the townhomes to have access to their rear yard. The fence between two townhomes on the inside property line may be shared. The rear fences of townhomes that border the golf course must be at least twenty (20) feet from the property line.

IN WITNESS WHEREOF, by executing this Amendment, each of the undersigned certify that the above-referenced amendments were duly adopted by the Association at a meeting thereof held on March 7, 2023, for which requisite notice had been provided, a quorum was present, and this amendment passed with a vote of 107 in favor to 19 votes against. Therefore, the necessary votes were obtained for the adoption of the aforesaid amendments in accordance with the requirements of the Declaration and the Bylaws.

2. Part II, Article I, Section 3 (as added to the Declaration and found in Book 3440, Page 495, aforesaid Register's Office) is amended by adding the following as (a-2) which was approved by a vote of 111 in favor of to 15 against:

Solar Panels

Solar panels or tiles are allowed on homes but cannot be visible from the street unless approved by the HOA board. Ground mounted solar panels are prohibited. Solar roof top installations must be flush mounted and not raised above the roof pitch. Solar panels or tiles must be approved by the HOA Board.

IN WITNESS WHEREOF, by executing this Amendment, each of the undersigned certify that the above-referenced amendments were duly adopted by the Association at a meeting thereof held on March 7, 2023, for which requisite notice had been provided, a quorum was present, and this amendment passed with a vote of 111 in favor to 15 votes against. Therefore, the necessary votes were obtained for the adoption of the aforesaid amendments in accordance with the requirements of the Declaration and the Bylaws.

3. Part II, Article I, Section 2 (as added to the Declaration and found in Book 3440, Page 495, aforesaid Register's Office) is hereby amended by adding the following as 2 (c) which was approved by a vote of 122 in favor of to 4 votes against:

Rental Property

No daily, weekly, or monthly rental or lease is allowed in Eagle Bluff. Unless approved by the HOA Board, rentals/leases must be no less than one (1) year (365 days) in continuous duration.

The homeowner is responsible for maintaining the outside appearance and property upkeep of any property approved for rental or lease. Failure to comply can be assessed with a fee of \$25.00 per day to the owner of the property.

IN WITNESS WHEREOF, by executing this Amendment, each of the undersigned certify that the above-referenced amendments were duly adopted by the Association at a meeting thereof held on March 7, 2023, for which requisite notice had been provided, a quorum was present, and this amendment passed with a vote of 122 in favor to 4 votes against. Therefore, the necessary votes were obtained for the adoption of the aforesaid amendments in accordance with the requirements of the Declaration and the Bylaws.

4. No Further Amendment. Except as expressly herein provided, the Declaration remains in full force and effect without further amendment or modification thereto.

**EAGLE BLUFF HOMEOWNERS ASSOCIATION, INC.,
a Tennessee non-profit association**

By: *Lynne Buxton* Date: 1/9/2024
Lynne Buxton, President

By: *Dottie Ulmer* Date: 1/9/2024
Dottie Ulmer, Secretary

State of Tennessee

County of Hamilton:

On this 9th day of January 2024, before me, a notary public, duly appointed, commissioned, and qualified in and for the State and County aforesaid, the above signed **President and Secretary**, respectively, of **Eagle Bluff Homeowners Association, Inc., a Tennessee non-profit association**, personally appeared before me with satisfactory evidence, and that they as such officers, being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of the association by themselves as such officers.

Amy Hughes
Notary Public

My Commission Expires: 9-22-25

