

This instrument prepared by: Richard A. Sedgley
 Attorney at Law
 7212 Kingston Pike
 Knoxville, TN 37919

AMENDMENT & CORRECTED
DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS OF
WESLEY PLACE

*9.00

*9.00.5

*9.00.11

*20.0.41

1.00.8

74622

03-28-84

WHEREAS, Testerman Construction Company, Inc. is the owner of certain property located in Knox County as shown on Exhibit "A" attached hereto and

WHEREAS, by instrument dated the 13th day of March, 1984, Testerman Construction Company, Inc. imposed certain Covenants, Conditions and Restrictions on said property, and

WHEREAS, a portion of a sentence was omitted from Article X, Section 1, "Enforcement".

NOW THEREFORE, Testerman Construction Company, Inc. declares that the property described in Exhibit "A" attached hereto and any property which may be annexed thereto as provided in the Declaration of Covenants, Conditions and Restrictions of record in Deed Book 1811, Page 884 in the Register's Office of Knox County, Tennessee, shall be imposed with the following corrected Covenant and Restriction.

ARTICLE X
GENERAL PROVISIONS

"Section 1. Enforcement. The Association, or any Owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. Failure by the Association or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so hereafter."

IN WITNESS WHEREOF, Testerman Construction Company, Inc., being the Owner and Declarant herein has executed this Amendment on this the 26th day of March, 1984.

TESTERMAN CONSTRUCTION COMPANY, INC.
 Owner and Declarant

BY:

ITS:

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 Cross Ref: WB 1813/16
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See 24B 1937B 730 "Correction" correct. out of deed for lot 22 only.

REC'D
 RE
 MAR 28 9 43 AM '84
 DEED BOOK 1813
 STEVE

STATE OF TENNESSEE

COUNTY OF KNOX

Personally appeared before me, the undersigned authority, a Notary Public in and for the aforesaid State and County aforesaid, personally appeared Robert W. Testerman, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the President of TESTERMAN CONSTRUCTION COMPANY, INC., the within named bargainor, a corporation, and that he as such President, being authorized so to do, executed the foregoing instrument for the purposes herein contained, by signing the name of the corporation by himself as President.

Witness my hand and seal, at office in Knoxville, Tennessee, this 26th day of March, 1984.

[Signature]
NOTARY PUBLIC

My Commission Expires: 6-16-84



EXHIBIT A

SITUATED in the 6th Civil District of Knox County, Tennessee, and more fully bounded and described as follows:

BEGINNING at a point in the western right-of-way line of Ebenezer Road, which point is North 24 deg. 44 min. West 436.59 ft. from the point of intersection of the northern right-of-way line of Colchester Ridge Road and the western right-of-way line of Ebenezer Road; thence South 67 deg. 14 min. West 152.5 ft. to a point; thence South 85 deg. 44 min. West 425 ft. to a point; thence South 80 deg. 50 min. West 197.85 ft. to a point; thence North 26 deg. 47 min. West 50.0 ft. to a point, which point is the southeast corner of the property now or formerly owned by E. Mahan Pratt; thence with the common boundary line of Pratt North 8 deg. 03 min. West 444.92 ft. to a point in the southern right-of-way line of Westland Drive; thence with the southern right-of-way line of Westland Drive, South 87 deg. 35 min. East 383.54 ft. to a point of intersection; thence continuing with the southern right-of-way line of Westland Drive, South 86 deg. 00 min. East 337.96 ft. to a point of curvature; thence with a curve to the right having a radius of 31.61 ft., an arc distance of 38.02 ft. to a point of compound curvature in the western right-of-way line of Ebenezer Road; thence with the western right-of-way line of Ebenezer Road from the point of compound curvature, South 20 deg. 54 min. East, a chord distance of 291.09 ft. to a point of tangent; thence continuing with the western right-of-way line of Ebenezer Road, South 24 deg. 44 min. East, 33.71 ft., to the point of BEGINNING, as shown by the survey of Batson and Hume, Engineers, dated the 24th day of February, 1984, as shown of record in Map Book 80-S, Page 37, in the Register's Office for Knox County, Tennessee.

BEING a part of the property conveyed to Fosterman Construction Company, Inc. by deed dated the 24th day of September, 1982, and of record in the Register of Deeds Office for Knox County, Tennessee.

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