

This instrument prepared by:

Kenneth W. Holbert, Attorney  
FINKELSTEIN, KERN, STEINBERG & CUNNINGHAM  
6440 Papermill Drive, Post Office Box 1  
Knoxville, Tennessee 37901  
Phone: (865) 525-0238  
Fax: (865) 523-5138

**AMENDMENT NO. 1 TO**  
**DECLARATION OF COVENANTS AND RESTRICTIONS**  
**CASCADE FALLS SUBDIVISION**

This **Amendment No. 1 To The Declaration of Covenants and Restrictions** is made as of the 3rd day of March, 2005, by Cascade Falls, LLC, Terry Patton, managing member, hereinafter referred to as the "Developer".

**WITNESSETH:**

**WHEREAS**, the undersigned, Cascade Falls, LLC, Terry Patton, managing member (hereinafter referred to as "Developer") is the owner and developer of a tract of land in the Sixth District of Knox County, Tennessee and without the corporate limits of the City of Knoxville, Tennessee, and being known and designated as Cascade Falls Subdivision, UNIT I and UNIT II as shown on the maps of the same of record in the Register's Office for Knox County, Tennessee as Instrument No. 200407270008314 and Instrument No. 200503020068582 ("Subdivision"); and

**WHEREAS**, the Developer caused to be prepared a Declaration of Covenants and Restrictions for the Subdivision governing the development and continued existence of the Subdivision and recorded the same as Instrument No. 200407900009299 in the Register of Deeds Office for Knox County, Tennessee ("Declaration of Covenants and Restrictions"); and

**WHEREAS**, Article VII of the Declaration of Covenants and Restrictions ("Declaration") authorizes the Developer of the Subdivision to amend the Declarations; and

**WHEREAS**, the Developer of the Subdivision desires to amend certain restrictive covenants that have been declared and recorded, which covenants and restrictions run with the land of the Subdivision and are binding on the present owner and all subsequent owners of any lot or lots in the Subdivision,

**NOW, THEREFORE**, in consideration of the premises and the mutual benefits derived by all parties concerned, the Developer does hereby amend the Declaration as follows:

1. Article III, Section 1 is amended by adding the following Sections 1.11, 1.12, and 1.13, to wit:

"Section 1.11 All houses shall be metered for the utilization of gas.

"Section 1.12 Houses constructed on Lots 34, 35, 36, 37, and 38 on Cascade Falls Lane shall be constructed so that the front of the houses face Cascade Falls Lane and there shall be no access to Calgary Falls Lane.

"Section 1.13 Houses constructed on Lots 39 and 40 on Calgary Falls Lane shall be constructed so that the front of the houses face Calgary Falls Lane and there shall be no access to Cascade Falls Lane."

**IN WITNESS WHEREOF**, the undersigned, being the Developer/Declarant herein, as owner of the real estate herein described, has caused this Amendment No. 1 To Declaration of Covenants and Restrictions to be executed as of the day, month, and year first above written.

**CASCADE FALLS, LLC**

**BY:** \_\_\_\_\_  
**Terry Patton, Managing Member**

STATE OF TENNESSEE    )  
  )  
COUNTY OF KNOX        )

Before me, the undersigned Notary Public, of the State and County aforesaid, personally appeared TERRY PATTON, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, who, upon oath, acknowledged himself to be the Managing Member of the within named bargainor, CASCADE FALLS, LLC, a Tennessee Limited Liability Company, and that he as such Managing Member, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing his name as Managing Member.

Sworn to and subscribed before me this the 3rd day of March, 2005.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:\_\_\_\_\_