

This instrument was prepared by:
Melanie E. Davis, Esq.
Kizer & Black Attorneys, PLLC
217 E. Broadway Ave.
Maryville, TN 37804

Phyllis Lee Crisp, Register
Blount County Tennessee
Rec #: 655278
Rec'd: 25.00 Instrument #: 980130
State: 0.00
Clerk: 0.00 Recorded
Other: 2.00 2/15/2024 at 2:30 PM
Total: 27.00 in
Record Book 2765 Pgs 1121-1123

**SECOND AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR PHASE I
ROYAL OAKS LEGACY VILLAS SUBDIVISION
A PLANNED UNIT DEVELOPMENT**

This Second Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Phase One Royal Oak Legacy Villas, Unit One, a Planned Unit Development is made and entered into on this the 13th day of FEBRUARY, 2024 by the undersigned officers of the Royal Oaks Legacy Villas Homeowners' Association, Inc., (the "Association").

WITNESSETH:

WHEREAS, an original Declaration of Declaration of Covenants, Conditions and Restrictions for Phase One Royal Oaks Legacy Villas Subdivision, a Planned Unit Development, was recorded in Record Book 2067, Page 294 in the Register's Office for Blount County Tennessee; and

WHEREAS, an Amended and Restated Declaration of Covenants, Conditions and Restrictions for Phase One Royal Oaks Legacy Villas Subdivision, a Planned Unit Development ("Amended Covenants,") was duly recorded in the Register's Office for Blount County, Tennessee in Record Book 2515, Page 998 ;and

WHEREAS, First Amendment to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Phase 1 Royal Oaks Legacy Villas Subdivision, a Planned Unit Development was duly recorded in the Register's Office for Blount County, Tennessee in Record Book 2665, Page 2541; and

WHEREAS, the Amended Covenants provide in Article X, Section 3 for their amendment at any time upon the vote or written consent of at least 2/3 of the Owners of the Lots, as shall be certified by the secretary and president of the Association and recorded in the Register's Office for Blount County, Tennessee; and

WHEREAS, written consent of at least 2/3 of the Owners was obtained in favor of the following amendments to the Amended Covenants;

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE PREMISES, the Amended Covenants are hereby amended as follows, but otherwise remain in full force and effect.

1. Article III, Section 4. *Replacement Reserves*, is hereby amended with the following paragraph deleted in its entirety:

~~(b) Decks. Replace decks as necessary. The Association is only responsible for original decks of approximately 140 square feet. The homeowner with Board coordination pays deck costs.~~

2. In Article V, *Exterior Maintenance*, in the first paragraph, where maintenance that shall not be included in what is provided by the Association, being the sole responsibility of the Owner is listed, the following subsection is hereby added:

(d). Decks.

3. Directly under the new subsection (d) above, the following paragraph is hereby added to Article V:

Changes to Decks by the Owner – Except as stated herein, any deck extension, replacement, or rebuild must be approved in advance of commencement of construction by and meet the criteria of the Association's ARC and the Royal Oaks Property Owners Association's Architectural Review Committee. If only the boards in a deck are being replaced, no ARC approval is required. Decks shall be regularly treated with a quality sealer to help minimize water penetration. All decks must be reasonably maintained. The recommended stain for decks is Cabot Semi-Solid Deck & Siding Stain, Color-New Redwood, oil-based stain or equivalent.

4. In Article V, *Exterior Maintenance*, the following paragraph is hereby deleted in its entirety:

~~(e) Decks. Application of a protective product to decks including balusters, rails, and steps (usually every 2-3 years). Repair decks as needed. The Association is only responsible for original decks of approximately 140 square feet. The homeowner with Board coordination pays other deck costs.~~

IN WITNESS WHEREOF, the undersigned President and Secretary of the Association hereby certify by signing below that the written consent of at least 2/3 of the Owners of the Lots in Royal Oaks Legacy Villas was obtained resulting in the approval of the preceding amendment by at least 2/3 of said Owners, with one vote being counted per Lot. The written consents are located in the books and records of the Association.

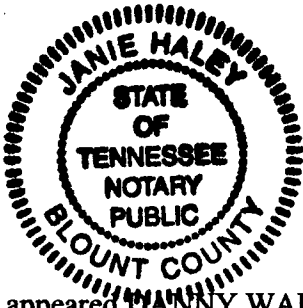
IT IS SO CERTIFIED.

ROYAL OAKS LEGACY VILLAS HOMEOWNERS' ASSOCIATION, INC.:

BY: *Danny Wade*
DANNY WADE

ITS: PRESIDENT

STATE OF TENNESSEE)
COUNTY OF Blount)

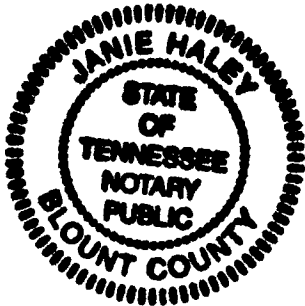


Before me, a Notary Public in and for said County, personally appeared DANNY WADE, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the President of Royal Oaks Legacy Villas Homeowners' Association, Inc. , the within named bargainor, a corporation, and that he as such President, being authorized so to do, executed the within instrument for the purposes therein contained by signing the name of the corporation by himself as President.

WITNESS my hand and official seal at office this 13 day of February, 2024.

My Commission Expires:
04-27-2027

Jamie Haley
Notary Public



ROYAL OAKS LEGACY VILLAS HOMEOWNERS' ASSOCIATION, INC.:

BY: *Mitch Moore*

ITS: SECRETARY

STATE OF TENNESSEE)
COUNTY OF Blount)

Before me, a Notary Public in and for said County, personally appeared Mitch Moore, with whom I am personally acquainted, and who, upon oath, acknowledged himself/herself to be the Secretary of Royal Oaks Legacy Villas Homeowners' Association, Inc., the within named bargainor, a corporation, and that he/she as such Secretary, being authorized so to do, executed the within instrument for the purposes therein contained by signing the name of the corporation by himself/herself as Secretary.

WITNESS my hand and official seal at office this 13 day of February, 2024.

My Commission Expires:
04-27-2027

Jamie Haley
Notary Public

This instrument prepared by:
Melanie E. Davis, Attorney
217 E. Broadway Avenue
Maryville, Tennessee 37804

Phyllis Lee Crisp, Register
Blount County Tennessee
Rec #: 655347
Rec'd: 15.00 Instrument #: 980222
State: 0.00
Clerk: 0.00 Recorded
Other: 2.00 2/16/2024 at 3:05 PM
Total: 17.00 in
Record Book 2765 Pgs 1644-1645

SCRIVENER'S AFFIDAVIT

I, Melanie E. Davis, being duly sworn hereby make oath as follows:

I was the attorney that prepared the Second Amendment to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Phase I Royal Oaks Legacy Villas Subdivision, A Planned Unit Development ("Second Amendment") being of record in Record Book 2765, Page 1121 in the Register's Office for Blount County, Tennessee.

In said Second Amendment it is was stated that the First Amendment to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Phase I Royal Oaks Legacy Villas Subdivision, A Planned Unit Development was recorded in Record Book 2665, Page 2541 in the Register's Office for Blount County, Tennessee. This reference should have been Record Book 2665, Page **2540** in the Register's Office for Blount County, Tennessee.

I make this Affidavit for the purpose of correcting the recording information for said Declaration which should have stated of record in Record Book 2665, Page 2540 in the Register's Office for Blount County, Tennessee.

FURTHER AFFIANT SAITH NOT.



MELANIE E. DAVIS

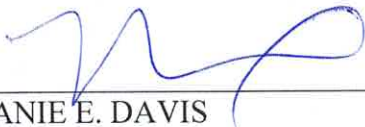
Subscribed and sworn to before me
this 16th day of February 2024.
My Commission Expires:

8-24-27



Notary Public





MELANIE E. DAVIS

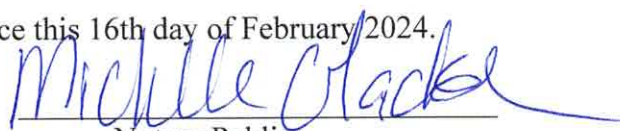
STATE OF TENNESSEE)
COUNTY OF BLOUNT)

Personally appeared before me, a Notary Public in and for said County, the within named bargainor, MELANIE E. DAVIS, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at office this 16th day of February 2024.

My Commission Expires:

8-24-27



Notary Public



A faint, circular notary seal and a handwritten signature are visible at the bottom of the page. The seal appears to be for a notary in the State of Tennessee, County of Blount. The signature is illegible.