

Prepared by and returnable to:

Thompson & Crews Property Management, LLC
P.O. Box 171814
Memphis, TN 38187-1814

FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR WINDBROOK ESTATES HOMEOWNER'S ASSOCIATION

This First Amendment to Declaration of Covenants, Conditions and Restrictions for Windbrook Homeowners Association (the amendment) is made, published and declared as of the 30th day of November, 2004 by Thompson & Crews Property Management, LLC, a Tennessee Limited Liability Company (the developer)

WITNESSETH:

WHEREAS, of record at Instrument No.04002889, ^{*}Developer caused a Declaration of Covenants, Conditions, and Restrictions for Windbrook Estates Homeowners Association to be recorded with the Fayette County Registrars Office and re-recorded on April 1, 2004. ** Book 719 Page 928*

WHEREAS, in the Declaration, Developer reserved the right to unilaterally amend the Declaration for a period of 3 years from the date of Declaration; and
NOW THEREFORE, the declaration is hereby amended as follows:

1. Article VIII, Section 8.6: "The exterior walls of the principal residence must be 90% brick or stone masonry construction. Siding must be of concrete composition material and 4" or 8" wide, no sheet siding or stucco board. Chimneys must be brick or stucco veneer of approved color. All brick used in the construction of a home, fence and/or retaining wall (including planters) must be approved by the Architectural Control Committee. No king-size brick is allowed.
2. Article VIII, Use Restrictions, Section 8, to be inserted: a. Foundation on front of residence shall be placed twenty-four inches (24") above finish grade elevation. In uneven terrain, the foundation @ front door (center of home) must be placed at the twenty-four inch (24") grade elevation.
3. Article VIII, Use Restrictions, Section 8.7: To be revised: "No aluminum windows will be allowed on any building in the development. No plain wood windows that employ finger wood frames will be allowed in the development. Only solid wood frame windows, aluminum clad, wood windows, or vinyl-clad windows shall be used in the development unless approved by the Architectural Control Committee. Window color should match trim, and brick mold is required. Simulated divided light windows must be used where visible from street; no snap in grids may be used on windows visible from the street.
4. Article VIII, Use Restrictions, Section 8.48: To be revised: "Each lot shall have a brick entrance feature (also known as brick headers) at the drive approach from any street consisting of brick materials, stucco, or stone. Entrance features designs must be submitted and approved by the Architectural Control Committee. All mailboxes must be of like color, size, shape, material and texture. The developer will determine the prototype mailbox to be used by all owners.

No decorations except for holiday themes may be affixed or adhered. All drives and inlets must be 4,000 psi limestone, exposed pea gravel aggregate concrete or brick pavers unless approved by the Architectural Review Committee.

REMAINDER OF PAGE LEFT INTENTIONALLY BLANK

IN WITNESS WHEREOF, the Developer has caused this Amendment to be signed by the officer duly authorized to do so as of the day and year first above written.

THOMPSON & CREWS PROPERTY MANAGEMENT, A TENNESSEE LIMITED LIABILITY COMPANY.

By: Jason Crews
Its: Secretary

STATE OF TENNESSEE
COUNTY OF FAYETTE

Before me, of the state and county mentioned, personally appeared Jason Crews, 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 Chief Manager of Thompson Crews Property Management Company, a Tennessee General Partnership, the within named bargainer, and that he as such Chief Manager, executed the foregoing instrument for the purposes therein contained by signing the name of the company by himself as such Chief Manager.

WITNESS my hand, at office this 30th day of November, 2004

My Commission Expires: 10/10/06 NOTARY PUBLIC

Susan Slayton



My Comm Exp 10-10-06

BK/PG:D754/338-340

04010311

3 PGS : AL - RESTRICTIVE COVENANTS	
ED BATCH: 10909	
12/02/2004 - 09:00 AM	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	17.00

STATE OF TENNESSEE, FAYETTE COUNTY

EDWARD PATTAT
REGISTER OF DEEDS