

PREPARED BY AND RETURN TO:

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THIRD AMENDMENT TO THE DECLARATION OF  
PROTECTIVE COVENANTS AND RESTRICTIONS FOR  
THE VILLAGE OF COTTON BEND SUBDIVISION  
**(Instrument Number 17002488)**

WHEREAS, a DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS FOR THE VILLAGE OF COTTON BEND SUBDIVISION was recorded at Instrument Number 17002488 with the Register of Deeds for Fayette County, Tennessee; and

WHEREAS, The Village of Cotton Bend Subdivision (the "Subdivision"), currently being governed by the elected Board of Directors pursuant to the By-Laws, and it appearing to the Board that this Amendment to the Declaration stated herein will further promote the orderly, attractive and lasting integrity of the community and will enhance the value of the property comprising Subdivision; and

WHEREAS, as shown by the certification of the President of THE VILLAGE OF COTTON BEND HOMEOWNERS ASSOCIATION, INC. (the "Association"), Association Members holding at least 67% of the Lots within the Subdivision have approved this Amendment by casting votes (in person or by proxy) at a duly called meeting of the Association; and

WHEREAS, it is the intent of the Association and its Members that property in the Subdivision be owner-occupied; and

NOW THEREFORE, the Association, being empowered to do so, hereby AMENDS the aforementioned Declaration by adding the following numbered paragraph to Article XII:

35. Effective upon recordation of this Amendment with the Register's Office for Fayette County, Tennessee, rental or leasing of Lots is prohibited; provided however, that all leases in effect on the date of recordation of this Amendment shall be unaffected hereby until the expiration of the current term of each such lease (or in the case of periodic tenancies, the expiration of the current period). Any inconsistency between this Amendment, on the one hand, and any other provisions of the Declaration or the By-Laws of the Association, on the other, shall be resolved in favor of this Amendment. This provision is expressly intended to include long and short-term rentals and, specifically, vacation rentals.

Notwithstanding this provision, the Board, upon application, may elect to allow leasing for service men or women serving in any branch of the military while stationed outside of Fayette County, Tennessee, or for probate estates of deceased Members/Owners or the existing Trust of any

deceased Member/Owner. In either event, approval must be sought in writing and granted or rejected in writing.

Any leases permitted under this Section 35 shall be in writing, shall expressly provide that the lessee is subject in all respects to the terms and conditions of the applicable Declaration and the By-Laws of the Association, and that the lessee's failure to abide by such terms shall be a default under the lease. Copies of all such written leases (including leases in effect at the time of the recordation of this Amendment) shall be supplied to the property manager of the Association or to the Board.

### CERTIFICATION

IN WITNESS WHEREOF, the preceding Amendment to the Declaration of Protective Covenants and Restrictions for the Village of Cotton Bend Subdivision in Fayette County, Tennessee, having been duly voted upon and approved by the membership as described therein, the undersigned, being the President of the Village of Cotton Bend Homeowners Association, Inc., does hereby certify and attest that in accordance with Article IV of the aforementioned Declaration, Members/Owners authorized to vote have approved the foregoing amendment by casting their votes in person or by proxy at a duly called meeting of the Members/Owners of the Association on the 26<sup>th</sup> day of June, 2022.

Witness my hand this 26<sup>th</sup> day of June, 2022.

By: Glyn Moore

Glyn Moore, President

Subscribed and sworn to before me this 26<sup>th</sup> day of June, 2022.

Jennie L. Tummins  
Notary Public

My Commission Expires: 3/8/2023



**22005192**

2 PGS:AL-RESTRICTIVE COVENANTS  
EDDIE BATCH: 122980  
**06/28/2022 - 09:22 AM**  
VALUE 0.00  
MORTGAGE TAX 0.00  
TRANSFER TAX 0.00  
RECORDING FEE 10.00  
DP FEE 2.00  
REGISTER'S FEE 0.00  
TOTAL AMOUNT 12.00

STATE OF TENNESSEE, FAYETTE COUNTY  
**ED PATTAT**  
REGISTER OF DEEDS

**ED PATTAT**

Register of Deeds  
Fayette County, TN

Payment Receipt  
Batch# 122980

**06/28/2022**

RCVD OF: DARRELL N PHILLIPS

Cash	12.00
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Inst # 22005192	09:22 AM
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RESTRICTIVE COVENANTS

Recording Fee	10.00
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DP Fee	2.00
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Document Total:	\$12.00
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Batch Total:	12.00
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