

This instrument was prepared by:
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Phyllis Lee Crisp, Register
Blount County Tennessee
Rec #: 655190
Rec'd: 20.00 Instrument #: 980026
State: 0.00
Clerk: 0.00 Recorded
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Total: 22.00 in
Record Book 2765 Pgs 590-593

**AMENDMENT TO DECLARATION OF RESTRICTIONS FOR
LOOK ROCK ESTATES SUBDIVISION AND MISTY
RIDGE SUBDIVISON**

This Amendment to the Declaration of Restrictions for Look Rock Estates Subdivision and Misty Ridge Subdivision (“Amendment”) is made and entered into based on the vote of at least 75% of the Owners in Look Rock Estates and Misty Ridge who are subject to the Restrictive Covenants originally of record in Miscellaneous Record Book 161, Page 639 in the Register’s Office for Blount County, Tennessee, as amended (“Restrictive Covenants”). The vote was **dated** by the Look Rock Estates-Misty Ridge HOA (“Association”).

WITNESSETH:

THAT WHEREAS, the Restrictive Covenants provide in Article 21 that they be amended by a vote of at least 75% of the Owners subject to the Restrictive Covenants; and

WHEREAS, at least 75% of the Owners have voted in favor of adding the following provision to the Restrictive Covenants as new Paragraphs 22 and 23; and

WHEREAS, this Amendment is not intended to change the identity of the Lots subject to the Restrictive Covenants which shall remain the same after this Amendment is adopted and recorded and as they were before this Amendment was adopted and recorded; and

WHEREAS, these new provisions shall take effect as of recording; and

NOW THEREFORE, the Restrictive Covenants are hereby amended as follows:

SECTION 22. Road Construction Impact Fee. A Road Construction Impact Fee (hereinafter “Road Fee”) is hereby adopted for all new construction of homes (not remodels of existing homes or reconstruction of damaged or destroyed completed homes) on lot subject to these Restrictive Covenants. The Road Fee is intended to offset damage done to private roads in the community caused by heavy equipment and loads used in construction.

To maintain the infrastructure and road integrity of the HOA roads, the Road Fee shall be contractually sought from all property owners that adjoin and use any of the Association privately maintained

paved roads for all "new home construction" whether they are bound by these Restrictive Covenants or not, in exchange for use of these private roads.

The initial amount of the Road Fee is \$10,000.00, and this amount shall be paid in full to the Association from the lot owner prior to the Architectural Review Committee approving any building or construction plans for a lot as set forth in Article 7. The Road Fee will increase each year on January 1, starting on January 1, 2025, by 2% over the prior year's amount.

The Road Fee will be allocated to repaving and repairing the private roads in the community that the Association has a responsibility to maintain and repair. The Road Fee will be returned to the owner who paid the fee if construction has not commenced within one (1) year after approval is granted for the construction. Upon return of the Road Fee, all approvals of plans related to the lot will be revoked and cancelled.

The Road Fee will not cover the following damage done by an owner or his family, agents, or contractors: 1) visible damage to the road such as damage to the entry gate, guard rails, culverts, ditches, mirrors, or reflectors; 2) edge pavement damage caused by trucks or equipment driving on the road edge; 3) pavement damage at the point of the driveway attachment. If repair work is needed, the owner will be advised of problems and will promptly repair the damaged road or infrastructure. The actual cost to repair and replace those items will be paid by such owner upon submission of an invoice by the Association, or it will be added to the assessment due by the lot owner responsible and will be collected in the same manner as annual assessments.

SECTION 23. Additional Rules Relating to Roads or Construction.

The following will not be allowed on the private roads in the community unless prior written approval is obtained from the Association: 1) metal tracks on equipment; 2) tractor trailer rigs over 50 feet in length; or 3) road shutdowns for over 30 minutes without prior approval. Permission may be obtained from the Association's Road Committee if one has been appointed.

Heavy equipment weighing over 30,000 pounds, including but not limited to dump trucks and cement trucks, will not be allowed on Buck Hollow Road unless permission is given by the Association in

writing. Permission may be obtained by the Association's Road Committee if one has been appointed.

If applicable, county permits must be obtained for all construction projects in the community approved by the Architectural Review Committee. Copies of permits must be displayed at the construction site. Copies of the permits must be provided to the Architectural Review Committee prior to commencement of construction.

Plans stamped by an engineer licensed in the State of Tennessee must be provided to the Architectural Review Committee prior to approval of any construction that affects any road, right of way, drainage facility or culvert.

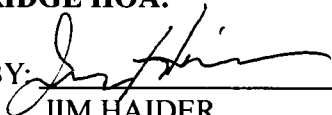
Lot owners will also be responsible for ensuring that there are no fires or burns to dispose of construction waste. Any burning of trees or other underbrush must be done in accordance with state and local regulations and always monitored and completely extinguished.

If any of the above requirements or other requirements of the Architectural Review Committee are not met, the Association will inform the owner of the issue. If not timely remedied the Association will 1) cancel and revoke all approvals of plans related to the lot, with no refund given of the Road Fee, and 2) assess damage cost to be paid by the Owner. These costs will be invoiced along with the annual assessment and collected in the same manner as annual assessments.

By signing below, the duly elected President of the Association certifies that a vote was taken on the lot owners, with one vote per lot, and that the above amendment was approved by at least 75% of all lot owners. The records of such votes are in the books and records of the Association.

It is so certified.

**LOOK ROCK ESTATES-MISTY
RIDGE HOA:**

BY: 
JIM HAIDER

ITS: PRESIDENT

STATE OF TENNESSEE)
COUNTY OF BLOUNT)

Before me, a Notary Public in and for said County, personally appeared JIM HAIDER, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the President of Look Rock Estates-Misty Ridge HOA, 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 9 day of February, 2024.

My Commission Expires:
12-27-2025


Notary Public

