

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

**AMENDMENT TO AMENDED AND RESTATED DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
CHELAQUE ESTATES**

This Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions, is made this on this the 24 day of July, 2019, by CHELAQUE HOMEOWNERS' ASSOCIATION, INC. ("Association"), a Tennessee corporation, by and through its President Tracy Brueggeman, who certifies below that owners representing the majority of the lots in Chelaque Estates have voted in favor of these amendments. This amendment is to be effective as of the date of recording.

WITNESSETH:

WHEREAS, an original Declaration for Chelaque Estates was recorded in the Hawkins County Register of Deeds Office at Book 389, Page 55 on or about September 4, 1996 ("Original Declaration"); and

WHEREAS, the Original Declaration was amended multiple times and a comprehensive Amended and Restated Declaration of Covenants, Conditions and Restrictions for Chelaque Estates was recorded Misc. Record Book 1034, Page 187 in the Register of Deeds Office for Hawkins County, Tennessee incorporating all changes in a single document on October 17, 2011, (Amended and Restated Declaration"); and

WHEREAS, the Amended and Restated Declaration replaced the Original Declaration and all prior and versions of the Restrictions Covenants for Chelaque Estates; and

WHEREAS, the Amended and Restated Declaration for Chelaque Estates can be amended pursuant its terms in Article XI by an instrument signed by not less than the majority of the owners. However, the actual owners' signature pages need not be recorded so long as any such amendment is accompanied by a verification signed by the appropriate Association representative saying the necessary original signatures exist and are on file; and

WHEREAS, the requisite number of owners in Chelaque Estates have voted to amend the Amended and Restated Declaration as set forth below.

WHEREFORE, such Amended and Restated Declaration is hereby amended as follows:

1. Article IX, Building Type and Restrictions, is hereby amended with the current Section 9 Driveways is deleted in its entirety and replaced as follows:

Section 9. Driveways. Driveway surfaces other than concrete or asphalt must be approved by the Architectural Committee. Driveways must be completed in conjunction with completion of any new residence. No driveway in front of the house shall be gravel.

2. Article IX, Building Type and Restrictions, is amended in Section 16 with the current Section 16 Time for Construction hereby repealed and replaced as follows:

Section 16. Time for Construction. Completion of construction or improvements upon any Lot must occur no later fourteen (14) months from commencement of construction.

3. Article X, Land Use, is amended in Section 8 with the current Section 8. Firewood Storage repealed and replaced as follows:


Section 8. Firewood Storage. All firewood and any other items allowed to be stored outside must be neatly stored on the back or side of the Lot.

The remaining provisions of the document remains in full force and effect.

IN WITNESS WHEREOF, the Board has caused this Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions to be executed by the Association President, along with her verification stating that the original signatures representing not less than the majority of owners are on file with the Association in favor of this amendment.

CHELAQUE HOMEOWNERS ' ASSOCIATION, INC.:

By: \_\_\_\_\_

  
TRACY BRUEGGEMAN


Its: PRESIDENT

STATE OF TENNESSEE )  
COUNTY OF HAWKINS )

Before me, the undersigned Notary Public in and for the County and State last aforesaid, personally appeared TRACY BRUEGGEMAN, with whom I am personally acquainted, and who, upon oath, acknowledged himself/herself to be the President of Chelaque Homeowners' Association, Inc., a Tennessee not for profit Corporation, the within bargainor, and who acknowledged himself/herself to be authorized to execute the foregoing instrument as President of said corporation, and acknowledged that he/she, as such President, executed said document on behalf of Chelaque Homeowners' Association, Inc., as the free act and deed of said Corporation for the purpose therein contained by signing the name of said corporation by himself/herself as President.

WITNESS my hand and official seal this 24 day of July, 2019.

My Commission Expires:  
11/28/2022

*Patricia R. Long*  
Notary Public  


VERIFICATION

Comes now TRACY BRUEGGEMAN, as duly elected President of Chelaque Estates Homeowners Association, Inc. after being duly sworn in accordance with law, and makes oath that the statements in the above Amendment to Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Chelaque Estates are true and correct. Additionally, the undersigned avers that owners representing a majority of the Lots in Chelaque Estates have signed an instrument approving the same and that said signatures are on file in the records of the Association

**BK/PG: 1314/745-747**  
**19004458**

3 PGS:AL-AMENDMENT	
JUDY BATCH: 120379	
<b>07/24/2019 - 01:43 PM</b>	
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, HAWKINS COUNTY  
**JUDY KIRKPATRICK**  
REGISTER OF DEEDS

CHELAQUE HOMEOWNERS' ASSOCIATION  
INC.:

By: *Tracy Brueggeman*  
TRACY BRUEGGEMAN

Its: PRESIDENT

before me this the 24 day of July, 2019.

My Commission Expires:  
11/28/2022

*Patricia R. Long*  
Notary Public  
