

This Instrument Prepared By
and Upon Recording Return To:

John A. Gupton III
BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ
Baker Donelson Center
211 Commerce Street, Suite 800
Nashville, Tennessee 37201

BK: 7126 PG: 217-221

17028318

5 PGS:AL-RESTRICTIONS

498792

07/14/2017 - 10:25:00 AM

BATCH 498792

MORTGAGE TAX 0.00

TRANSFER TAX 0.00

RECORDING FEE 25.00

DP FEE 2.00

REGISTER'S FEE 0.00

TOTAL AMOUNT 27.00

STATE OF TENNESSEE, WILLIAMSON COUNTY

SADIE WADE

REGISTER OF DEEDS

TWELFTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BRIKWORTH

THIS TWELFTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BRIKWORTH (this "Twelfth Amendment") is made as of the ___ day of July, 2017, by **SMART LIVING, LLC**, a Delaware limited liability company (the "Developer").

WITNESSETH:

WHEREAS, the Developer previously established and recorded the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BRIKWORTH in Book 3322, Page 619 on August 11, 2004, in the Register's Office for Williamson County, Tennessee; as amended by the FIRST AMENDMENT TO DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS FOR BRIKWORTH AND AMENDMENT TO BY-LAWS recorded in Book 4330, Page 825 on July 23, 2007, in the Register's Office for Williamson County, Tennessee; as further amended by the SECOND AMENDMENT TO DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS FOR BRIKWORTH recorded in Book 4537, Page 578 on April 15, 2008, in the Register's Office for Williamson County, Tennessee; as further amended by the THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BRIKWORTH recorded in Book 6025, Page 32 on September 3, 2013, in the Register's Office for Williamson County, Tennessee; as assigned to Smart Living, LLC, by ASSIGNMENT AND ASSUMPTION OF DEVELOPER'S RIGHTS UNDER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BRIKWORTH of record in Book 6025, page 52, in the Register's Office for Williamson County, Tennessee; as further amended by the FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BRIKWORTH recorded in Book 6091, Page 223 on December 10, 2013, in the Register's Office for Williamson County, Tennessee; as further amended in by the FIFTH AMENDMENT DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BRIKWORTH recorded in Book 6398, page 731 on March 16, 2015, in the Register's Office for Williamson County, Tennessee; as further amended in SIXTH AMENDMENT DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BRIKWORTH recorded in Book 6407, page 899 on March 25, 2015, in the Register's Office for Williamson County, Tennessee; as further amended in

SEVENTH AMENDMENT DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BRIXWORTH recorded in Book 6503, page 984 on July 8, 2015, in the Register's Office for Williamson County, Tennessee; as further amended by EIGHTH AMENDMENT DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BRIXWORTH recorded in Book 6806, page 345 on July 18, 2016, in the Register's Office for Williamson County, Tennessee; and as further amended by NINTH AMENDMENT DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BRIXWORTH recorded in Book 6905, page 924 on October 21, 2016; as further amended by TENTH AMENDMENT DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BRIXWORTH recorded in Book 7023, page 148 on March 7, 2017; as further amended by ELEVENTH AMENDMENT DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BRIXWORTH recorded in Book 7068, page 741 on May 8, 2017, in the Register's Office for Williamson County, Tennessee, (collectively, the "Declaration"); and

WHEREAS, the Developer and Lot Owner retained the right to amend the Declaration in Article VII, Section 3 thereof.

WHEREAS, the Developer retained the right to add additional land to the Declaration and Developer desires to add the additional property described in Exhibit A attached hereto, being all property shown on the Brixworth Subdivision, Phase 4, Section 2, Final Plat, recorded in Plat Book P66, page 138, Register's Office for Williamson County, Tennessee; and amend the Declaration in Article VII, Section 3 thereof.

NOW THEREFORE, for and in consideration of the foregoing premises, Developer hereby amends the Declaration as follows:

1. Exhibit A to the Declaration is hereby amended to add the additional land to the terms of the Declaration as described on Exhibit A to this Twelfth Amendment.
2. Terms not otherwise defined herein shall have the same meaning as in the Declaration.
3. Except as modified by this Twelfth Amendment, the Declaration shall remain in full force and effect. All references in the Declaration to "this Declaration" shall be deemed references to the Declaration as modified by this Twelfth Amendment.

[Signature Pages to Follow]

IN WITNESS WHEREOF, the Developer has executed this Twelfth Amendment as of the date first above written.

DEVELOPER:

SMART LIVING, LLC, a Delaware limited liability company

By: _____

Louis W. Breland, Manager

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned, a Notary Public in and for said State and County aforesaid, duly commissioned and qualified, personally appeared **Louis W. Breland**, 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 Manager of **SMART LIVING, LLC**, the within-named bargainor, a Delaware limited liability company, and that he, as such Manager being duly authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the limited liability company by himself as such Manager.

WITNESS my hand and seal at office on this the 11 day of July, 2017.

Patricia Acker
Notary Public



My Commission Expires:

4/23/18

BRIXWORTH SPRING HILL HOMEOWNERS' ASSOCIATION, INC., a Tennessee not for profit corporation, joins in this instrument to acknowledge and agree to its terms.

By: _____

Name: LOUIS W. BERLAND

Its: PRESIDENT

STATE OF ALABAMA

COUNTY OF MADISON

Before me, LOUIS W. BERLAND, a Notary Public in and for the State and County aforesaid, personally appeared LOUIS W. BERLAND with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself (or herself) to be the PRESIDENT of Brixworth Spring Hill Homeowners' Association, Inc., the within named bargainor, a Tennessee not for profit corporation, and that he as such PRESIDENT being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by HIMself as such PRESIDENT.

WITNESS my hand and seal at office, on this the 11 day of July, 2017.

Patricia Acker
Notary Public

My Commission Expires:

4/23/18

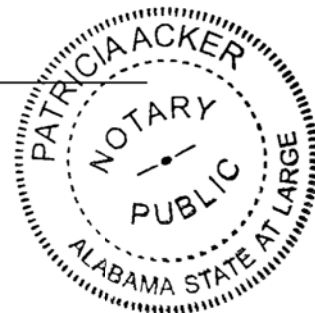


EXHIBIT "A"

Land in Williamson County, Tennessee, being all land shown on the map entitled Final Plat Brixworth Subdivision, Phase 4, Section 2, of record in Plat Book P66, Page 138, Register's Office for Williamson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.

Being part of the same property conveyed to SMART LIVING, LLC, A DELAWARE LIMITED LIABILITY COMPANY, by deed from STEVE ADAMS AND WIFE, JEANINE ADAMS, LARRY ADAMS AND WIFE, KELLENE ADAMS, DON ADAMS AND WIFE, LYNNE ADAMS AND ALAN ADAMS AND WIFE, JANIE ADAMS, dated March 24, 2015, recorded on March 25, 2015, of record in Book 6407, Page 860, Register's Office for Williamson County, Tennessee.