

This Instrument Prepared By:
Keith McCord, Atty.
P. O. Box 2046
Knoxville, TN 37901

DECLARATION OF COVENANTS AND RESTRICTIONS

FOX RUN, UNIT THREE

WHEREAS, the undersigned, FOX RUN, INC., is the owner of a tract of land located in Knox County, Tennessee, more particularly described in Exhibit A attached hereto, which has been designated as Fox Run, Unit Three, a subdivision in Knox County, Tennessee, a map of which is recorded in the Register's Office for Knox County, Tennessee, in Map Cabinet M, Slide 322D, to which map specific reference is hereby made; and

WHEREAS, the undersigned has heretofore, by instrument dated January 17, 1990, entitled "Declaration of Covenants and Restrictions, Fox Run, Unit One" (hereafter "Declaration of Covenants and Restrictions"), and recorded in the Register's Office for Knox County, Tennessee, in Deed Book 1999, Pages 0036-0070, declared and established certain restrictive covenants for the then owners and all subsequent owners of any lot or lots in Unit One of Fox Run Subdivision; and

WHEREAS, the undersigned has heretofore, by instrument dated May 18, 1991, entitled "Declaration of Covenants and Restrictions, Fox Run, Unit Two," and recorded in the Register's Office for Knox County, Tennessee, in Deed Book 2038, Page 901, declared and established the above described Declaration of Covenants and Restrictions for Fox Run, Unit One, to be the covenants and restrictions for the then owners and all subsequent owners of any lot or lots in Unit Two of Fox Run Subdivision; and

WHEREAS, the undersigned, as owner of additional lands lying adjacent to the aforesaid Fox Run, Unit One and Unit Two Subdivision, has developed additions to said Fox Run Subdivision designated as Unit Three thereof, as shown on the above referenced map and described in Exhibit A hereto, desires to



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declare and make applicable the same covenants and restrictions to Fox Run, Unit Three, as have been declared and established for the original Fox Run, Unit One and Unit Two Subdivision, except as amended and modified herein.

NOW, THEREFORE, for and in consideration of the premises and the mutual benefit to be derived by all parties concerned, Fox Run, Inc. does hereby agree and covenant with all subsequent owners of lots in Unit Three of Fox Run Subdivision, described in Exhibit A hereto, as follows:

1. That the Declaration of Covenants and Restrictions established for the original Fox Run, Unit One, Subdivision, as contained in that certain instrument dated January 17, 1990, and recorded in the Register's Office for Knox County, Tennessee, in Deed Book 1999, Pages 0036-0070, be and the same is hereby made applicable to said Unit Three of said Subdivision, and Fox Run, Inc. does hereby agree and covenant that all and singular of the terms, provisions and covenants contained in said instrument shall be covenants running with the land and shall be binding on all subsequent owners thereof and shall inure to the benefit of all owners of any of the lots in said Unit Three of Fox Run Subdivision, as the same appear on maps of record referred to above and as described in Exhibit A hereto.

2. Further, and in addition to the Dwelling Restrictions and requirements set forth in Article VIII, Section 1, of the above described Declaration of Covenants and Restrictions, not less than 50% of the exterior wall surface of all dwellings in Unit Three of Fox Run Subdivision shall be of brick or stone or stucco, or a combination of brick, stone or stucco.

3. The Detention Basin and Drainage Easements (the "Easement Tracts") shown and described on the recorded plat of Fox Run, Unit Three, and described in the Perpetual Drainage and Easement Agreement dated December 18, 1992, and recorded in Deed Book 2045, Page 323, in the Register's Office for Knox County, Tennessee, will be a part of the "Common Properties" defined in, and pursuant to, the Declaration of Covenants and



Exhibit A

LEGAL DESCRIPTION OF FOX RUN SUBDIVISION, UNIT-THREE

TRACT ONE:

SITUATED, LYING, and BEING in the 6th Civil District of Knox County, Tennessee, without the corporation limits of the City of Knoxville, Tennessee, within Town of Farragut, Tennessee, and being more particularly bounded and described as follows;

BEGINNING at an iron pin, said pin being located with one call from the intersection of the south right-of-way of Brochardt Boulevard with the west right-of-way of Lebel Road; South 14 degrees 00 minutes West, 130.00 feet; thence from said POINT OF BEGINNING South 76 degrees 00 minutes East, 42.00 feet to a point; thence South 62 degrees 26 minutes East, 149.16 feet to an iron pin; thence South 75 degrees 38 minutes East, 315.91 feet to an iron pin; thence South 29 degrees 31 minutes East, 60.48 feet to an iron pin; thence South 07 degrees 00 minutes East, 379.97 feet to an iron pin; thence South 60 degrees 50 minutes West, 596.86 feet to a point; thence South 70 degrees 58 minutes West, 189.88 feet to a point; thence North 32 degrees 03 minutes West, 697.07 feet to a point; thence North 44 degrees 00 minutes East, 535.45 feet to an iron pin; thence South 76 degrees 00 minutes East, 148.00 feet to the POINT OF BEGINNING, and containing 15.19 acres according to a survey by Batson, Himes, and Norvell, Engineers, dated December 17, 1991.

BEING a part of the property conveyed to Fox Run, Inc. by Deed dated December 31, 1991 of record in Deed Book 2060, Page 66, 67 and 68 in the Register's Office for Knox County, Tennessee.

TRACT TWO: EASEMENT TRACT

SITUATED, LYING, and BEING in the 6th Civil District of Knox County, Tennessee, without the corporate limits of the City of Knoxville, Tennessee, within Town of Farragut, Tennessee, and being more particularly bounded and described as follows:

BEGINNING at a point, said point being located with three calls from the intersection of the west right-of-way of Brochardt Boulevard with the north right-of-way of Stahl Drive: South 61 degrees 29 minutes West, 151.53 feet, North 28 degrees 51 minutes West, 169.37 feet, North 07 degrees 00 minutes West, 75.03 feet; thence from said POINT OF BEGINNING, South 83 degrees 00 minutes West, 152.00 feet to a point; thence North 05 degrees 06 minutes East, 114.54 feet to a point; thence North 24 degrees 02 minutes East, 32.30 feet to a point; thence South 73 degrees 20 minutes West, 146.19 feet to a point; thence South 41 degrees 55 minutes West, 85.31 feet to a point; thence South 80 degrees 04 minutes West, 183.41 feet to a point; thence South 89 degrees 19 minutes West, 142.14 feet to a point; thence North 70 degrees 58 minutes East, 63.50 feet to a point; thence North 89 degrees 19 minutes East, 80.25 feet to a point; thence North 80 degrees 04 minutes East, 174.87 feet to a point; thence North 41 degrees 55 minutes East, 19.34 feet to a point; thence North 87 degrees 02 minutes West, 38.09 feet to a point; thence North 64 degrees 34 minutes West, 78.62 feet to a point; thence North 60 degrees 50 minutes East, 36.80 feet to a point; thence South 64 degrees 34 minutes East, 51.35 feet to a point; thence South 87 degrees 02 minutes East, 43.52 feet to a point; thence North 41 degrees 55 minutes East, 37.00 feet to a point; thence North 73 degrees 20 minutes East, 180.45 feet to a point; thence North 24 degrees 02 minutes East, 60.00 feet to a point; thence North 83 degrees 00 minutes East, 60.00 feet to a point; thence South 07 degrees 00 minutes East, 225.00 feet to the POINT OF BEGINNING, and containing 0.973 acres (42,384 square feet), according to a survey by Batson, Himes, and Norvell, Engineers, dated November 17, 1992.



TRACT THREE: EASEMENT TRACT

SITUATED, LYING, and BEING in the 6th Civil District of Knox County, Tennessee, without the corporate limits of the City of Knoxville, Tennessee, within the Town of Farragut, Tennessee, and being more particularly bounded and described as follows:

BEGINNING at an iron pin, said point being located with three calls from the intersection of the south-right-of-way of Brochart Boulevard with the west right-of-way of Lebel Road: South 14 degrees 00 minutes West, 130.00 feet, North 76 degrees 00 minutes West, 148.00 feet, South 44 degrees 00 minutes West, 214.53 feet; thence from said POINT OF BEGINNING, South 44 degrees 00 minutes West, 320.92 feet to an iron pin; thence North 32 degrees 03 minutes West, 85.00 feet to a point; thence North 67 degrees 57 minutes East, 135.00 feet to a point; thence North 44 degrees 00 minutes East, 95.00 feet to a point; thence North 25 degrees 04 minutes East, 63.16 feet to a point; thence South 87 degrees 47 minutes East, 50.00 feet to a point; thence South 00 degrees 47 minutes East, 15.50 feet to the POINT OF BEGINNING, and containing 0.309 acres (13,460 square feet), according to a survey by Datson, Himes, and Norvell, Engineers, dated November 17, 1992.

Easement Tracts Two and Three are a part of the property conveyed to P. Kemp Fain, Jr., Substitute Trustee for the use and benefit of Fox Run, a General Partnership by Warranty Deed dated December 30, 1987, of record in Deed Book 1937, page 392 in the Register's Office for Knox County, Tennessee.

The easements in Tracts Two and Three are set forth in a Perpetual Drainage and Detention Easement Agreement dated December 18, 1992, of record in Deed Book 2095, page 342 in the Register's Office for Knox County, Tennessee.



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