

This Instrument Prepared by:  
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Chattanooga, TN 37402

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Contact: Pam Hurst, Register  
Hamilton County Tennessee

**FIRST AMENDMENT TO MASTER DEED FOR  
VICTORIAN GARDENS HORIZONTAL PROPERTY REGIME,  
CHATTANOOGA, TENNESSEE**

**THIS FIRST AMENDMENT TO MASTER DEED** for Victorian Gardens Horizontal Property Regime, Chattanooga, Tennessee, is made and entered into as of this 12<sup>th</sup> day of July, 2007, by **VICTORIAN PROPERTIES, LLC**, a Tennessee limited liability company (hereinafter called "Developer"), having its principal place of business at 6315 S. Brainerd, Chattanooga, Tennessee 37421;

**WITNESSETH:**

**WHEREAS**, Developer entered into that certain Master Deed for Victorian Gardens Horizontal Property Regime which is recorded in Book 8106, Page 110, in the Register's Office of Hamilton County, Tennessee ("Master Deed") relating to that certain real property more particularly described on Exhibit "A" attached to the Master Deed, and the buildings, structures, improvements and other permanent fixtures located thereon; and

**WHEREAS**, a description of the Units and General Common Elements and Limited Common Elements as described in the Master Deed, is set forth on Exhibit "B" to the Master Deed, and also in that certain Revised Plat of Victorian Gardens Condominiums recorded in Plat Book 83, Page 67, in the Register's Office of Hamilton County, Tennessee ("Plat"); and

**WHEREAS**, Developer owns Unit 303 ("Unit 303") as described on Exhibit "B" to the Master Deed, and as shown on the Plat; and

**WHEREAS**, Developer desires to subdivide Unit 303 into two (2) Units which hereafter will be known as Unit 317 and Unit 323 ("Affected Units"), as provided under Section 18(m) of the Master Deed, and also to re-number Units 301, 302, 304, 309, and 310 as set forth on Exhibit "B-1" attached hereto, and also to provide for the reassignment of parking spaces that are Limited Common Elements which is necessitated by the aforesaid subdivision and re-numbering; and to amend the Master Deed and the Plat to reflect such changed boundaries, Unit designations, and reassigned or re-numbered parking spaces;

**NOW, THEREFORE**, for good and valuable consideration, Developer does hereby amend the Master Deed and Plat as follows:

1. Exhibit "B" to the Master Deed is hereby changed as set forth on Exhibit "B-1" attached hereto and made a part hereof, with such Exhibit "B-1" reflecting that Unit Number 303 has been divided into Unit Numbers 317 and 323, with the respective Unit Square Footages

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and Percentage of Ownership and Common Elements being adjusted as set forth on **Exhibit "B-1,"** and further reflecting that Units 301, 302, 304, 309, and 310 have been re-numbered as set forth on **Exhibit "B-1."**

2. The Plat is amended as set forth on that Second Revised Plat recorded in Plat Book 86, Page 15, in the aforesaid Register's Office, which adjusts the boundaries of Unit 303 (now Unit 317 and Unit 323) as more particularly set forth in the Plat, and also re-numbers Units 301, 302, 304, 309, and 310 as set forth on **Exhibit "B-1"**.

3. The three (3) parking spaces shown on the Plat which constitute Limited Common Elements, and which are assigned to Unit 303 in the Master Deed and on the Plat, are reassigned, with the space closest to the stairs as shown on the Plat being assigned to Unit 317, and with the other two (2) spaces assigned to Unit 303 on the Plat, being reassigned to Unit 323. Parking space references to Units 301, 302, 304, 309, and 310, are hereby re-numbered to conform to the Unit Numbers set forth in **Exhibit "B-1"** hereto.

4. Developer, as the Unit Owner of Units 317 and 323, as set forth on **Exhibit "B-1"** may make structural alterations, additions and improvements to such Units as are necessary and appropriate to establish them as separate Units.

5. Except as expressly set forth herein, all terms and conditions of the Master Deed remain unmodified and in full force and effect.

IN WITNESS WHEREOF, the undersigned has caused this First Amendment to be executed as of the 12<sup>th</sup> day of July, 2007.

VICTORIAN PROPERTIES, LLC, a Tennessee limited liability company

By: *Edwin H. Revere*  
Title: *Chief Manager*

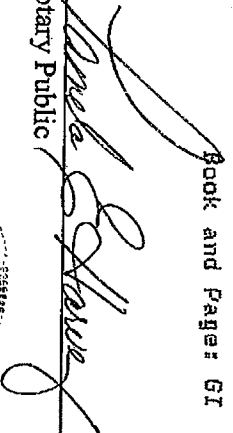
STATE OF TENNESSEE

COUNTY OF HAMILTON

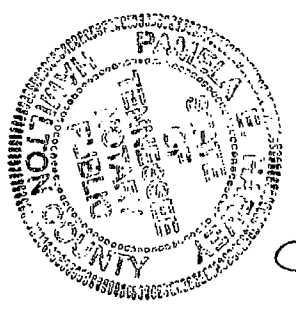
Before me, *Ronela E. Stovrey*, of the state and county aforesaid, personally appeared *Edwin H. Revere*, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the *Chief Manager* of VICTORIAN PROPERTIES, LLC, a Tennessee limited liability company, the within named bargainer, and that he as such *Chief Manager*, executed the foregoing instrument for the purposes therein contained by signing the name of the limited liability company by himself as such *Chief Manager*.

WITNESS my hand and seal, at office in Chattanooga, Tennessee, this 12<sup>th</sup> day of July, 2007.

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Notary Public

My commission expires:  
9-22-07



The foregoing First Amendment to Master Deed for Victorian Gardens Horizontal Property Regime, Chattanooga, Tennessee, is hereby consented to by the undersigned as the Association under the Master Deed:

VICTORIAN GARDENS CONDOMINIUM ASSOCIATION, INC.

By: Edwin H. Stever  
Title: President

STATE OF TENNESSEE

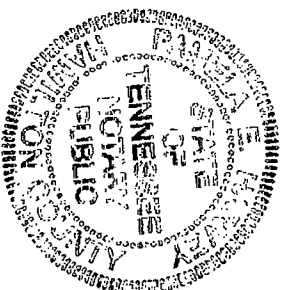
COUNTY OF HAMILTON

Before me, Annalee E. Stever, of the state and county aforesaid, personally appeared Edwin H. Steves, 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 President of VICTORIAN GARDENS CONDOMINIUM ASSOCIATION, INC., the within named bargainer, a Tennessee corporation, and that he as such President, 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 in Chattanooga, Tennessee, this 12<sup>th</sup> day of July, 2007.

Annalee E. Stever  
Notary Public

My commission expires: 9-22-07



The foregoing First Amendment to Master Deed for Victorian Gardens Horizontal Property Regime, Chattanooga, Tennessee, is hereby consented to by the undersigned as the Lender holding a deed of trust lien with respect to the Affected Units.

CORNERSTONE BANK:

By: Stan R. Hagan, Jr.  
Title: Vice President

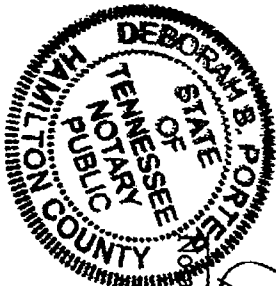
STATE OF Tennessee

COUNTY OF Hamilton

Before me, Deborah B. Porter, of the state and county aforesaid, personally appeared James R. Hagan, 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 V.P. of Cornerstone Bank, the within named bargainer, and that he as such V.P. executed the foregoing instrument for the purposes therein contained by signing the name of the Cornerstone Bank by himself as such V.P..

WITNESS my hand and seal, at office in Chattanooga, Tennessee, this 12<sup>th</sup> day of July, 2007.

Deborah B. Porter  
Notary Public



My commission expires: 4/24/09

EXHIBIT "B-1"

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<u>Unit Number</u>	<u>New Unit Number</u> <u>(if applicable)</u>	<u>Unit Square Footage</u> <u>(as defined in Section 2(ee))</u>	<u>% of Ownership</u> <u>in Common Elements</u>
100		2,603	7.3
101		1,460	4.1
102		2,200	6.1
103		1,922	5.4
103 A		384	1.0
104		1,400	3.9
105		1,500	4.2
200		1,200	3.3
201		5,819	16.2
203		1,140	3.2
207		1,404	3.9
204		1,137	3.2
208		1,650	4.6
300		1,200	3.3
301	306	650	1.8
302	326	2,700	7.6
303	317	747	2.1
	323	2,353	6.5
304	311	715	2.0
305		1,500	4.2
309	314	880	2.5
310	320	<u>1,300</u>	<u>3.6</u>
TOTAL		35,864	100