

AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS  
OF DEERFIELD SUBDIVISION, PHASE II

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This Amendment to Declaration of Covenants and Restrictions, made this 5 day of September, 1985, by J.D. Rank in, hereinafter called the "Developer".

WITNESSETH:

WHEREAS, Developer has developed certain lots in Deerfield Subdivision, Phase II, Madison County, Mississippi, for the construction of patio homes which have zero interior site line; and

WHEREAS, Developer has developed certain other lots within the subdivision, which because of their irregular shape, the front and rear site lines cannot be properly be applied; and

WHEREAS, the Declaration of Covenants and Restrictions dated April 29, 1985 and recorded in Book 562 at Page 151 of the land records of Madison County, Mississippi, in Article IX, Paragraph 10 thereunder provides"

"No building shall be located on any site nearer than 30 feet to the front side line and every residence shall face the street on which the site fronts. No building or any part thereof shall be located nearer than 10 feet to the rear site line. Any exceptions to this may be approved by the Architectural Review Committee") and

WHEREAS, the Developer desires to amend said provision of the aforesaid covenants and restrictions to provide for the special circumstances existing in the areas upon which will be constructed certain residences; and

WHEREAS, the lots presently designated to have patio homes constructed thereon are Lots numbered 13 through 24 and 41 through 53.

NOW, THEREFORE, Article IX, Paragraph 10 of the Declaration of the Covenants and Restrictions should be, and

hereby is, amended to read as follows:

No building shall be located on any site nearer than 30 feet to the front site line and every residence shall face the street on which the site fronts. No building or any part thereof shall be located nearer than 10 feet to an interior site line or nearer than 30 feet to the rear site line. However, residences constructed upon Lots 13 through 21 are exempted from ~~the requirement of being located more than 10 feet to the interior site line and shall be allowed to have a zero interior site line; and no building shall be located on these Sites nearer than 15 feet on the front site line nor nearer than 5 feet to a rear site line. Buildings located upon lots 41 through 53 are exempted from the requirement of being located more than 10 feet to the interior line and shall be allowed to have zero interior site and shall be located no nearer than 20 feet on the front site line and no nearer than 25 feet on the rear site line, however, the plans and specifications of all homes built upon said lots shall be first approved by Architectural Review Committee and any and all exceptions to requirements of this paragraph shall be approved by the Architectural Review Committee.~~

Changed to  
Covenants &  
Filed by Developer  
Near Set back -  
25'

AND SAID COVENANTS ARE FURTHER AMENDED by deleting Paragraph 16 of Article IX so that garages shall be permitted to open directly to a street.

J.D. Rankin, Developer, and wife, Jane B. Rankin, are the owners of not less than ninety percent of the lots in Deerfield Subdivision, Phase II, Madison County, Mississippi.

WITNESS our signature this 5 day of September, 1985.

*J. D. Rankin*  
\_\_\_\_\_  
J. D. Rankin  
*Jane B. Rankin*  
\_\_\_\_\_  
Jane B. Rankin

STATE OF MISSISSIPPI  
COUNTY OF MADISON

Personally appeared before me, the undersigned authority in and for the aforesaid County and State, J.D. RANKIN and JANE B. RANKIN who each acknowledged that they signed and delivered the above and foregoing instrument on the day and year therein written.

GIVEN under my hand and official seal on this \_\_\_ day of September, 1985.

*Louise D. Beard*  
\_\_\_\_\_  
Notary Public

(SEAL)  
My commission expires:  
*SEP 10 1986*

STATE OF MISSISSIPPI, County of Madison:  
I, Billy V. Cooper, Clerk of the Chancery Court of said County, certify that the within instrument was filed for record in my office this 5 day of September, 1985, at 4:45 o'clock P. M. and was duly recorded on the 567 day of SEP, 1985, Book No. 567 on Page 380 in my office.

Witness my hand and seal of office, this the 5 day of SEP, 1985.

BILLY V. COOPER, Clerk

By *B. Wright*, D.C.



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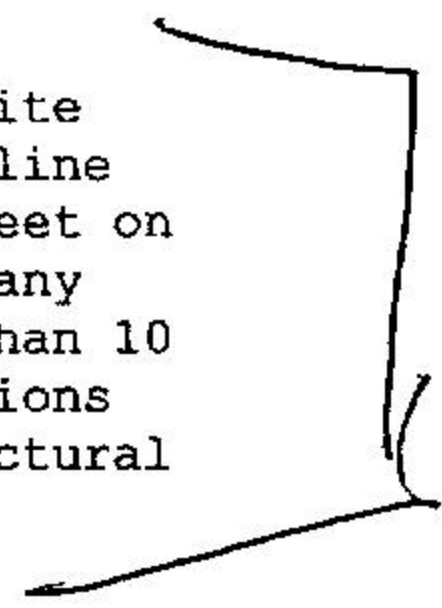
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