

This instrument prepared by
and upon recording return to:

Tune, Entrekin & White, P.C. (SJB)
500 11th Ave. N., Suite 600
Nashville, TN 37203

Karen Johnson Davidson County
Batch # 1426340 REST
05/28/2026 10:34:13 AM 2 pgs
Fees: \$12.00 Taxes: \$0.00



**SECOND AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR PENNINGTON MILLS**

This **SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PENNINGTON MILLS** (hereinafter "Second Amendment") is made, entered into and published on or as of the date hereinafter set forth, by M/I Homes of Nashville, LLC, a Delaware limited liability company (hereinafter "Declarant").

WITNESSETH:

WHEREAS, the Declarant previously established and recorded the Declaration of Covenants, Conditions and Restrictions for Pennington Mills of record as Instrument No. 20250205-0008732, Register's Office for Davidson County, Tennessee (hereinafter the "Declaration"); and

WHEREAS, the Declarant retained the right to amend the Declaration in Article XIII, Section 2 of the Declaration without the consent, joinder, or approval of the Association, the Board, any Owner, or any other Person, and the Appointment Period (as defined in the Declaration) has not yet terminated; and

WHEREAS, the Declarant desires to amend the Declaration to add a new section to Article X (Improvement Restrictions) of the Declaration establishing standards and restrictions governing the location, style, type, and materials of fencing, walls, and hedges within the Development Property.

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

1. Article X, Section 9 of the Declaration (Fencing, Walls, and Hedges) is hereby amended by adding the following at the end thereof:

Black, aluminum fencing between 4' and 6' in height is permitted, subject to ARC approval.

2. Except as modified herein, the Declaration is unmodified and remains in full force and effect. The recitals set forth above are material and incorporated herein by reference. Capitalized words not otherwise defined herein shall have the same definition as set forth in the Declaration.

[Signature on Following Page]

