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RC 2 PG BA: 109401	
07/03/2007 08:54 AM	
VALUE	0.00
MTG TAX	0.00
TRN TAX	0.00
REC FEE	10.00
DP FEE	2.00
REG FEE	0.00
TOTAL	12.00

STATE OF TENNESSEE, SEVIER COUNTY  
**SHERRY ROBERTSON HUSKEY**  
 REGISTER OF DEEDS

**INSTRUMENT PREPARED BY**  
*Daniel P. Smith*

## DEED RESTRICTION

This Deed Restriction is made the 8<sup>th</sup> day of June, 2007, by Daniel P. Smith, an individual with a primary residence located in Sevierville, Tennessee (the "Declarant").

Whereas, Declarant is the owner of certain real property located in Sevier County, Tennessee being more particularly described as follows (and referred to herein as the "Property"):

SITUATED in the Sixteenth (16th) Civil District of Sevier County, Tennessee, Waldens Creek Community, and being further described as follows:

BEGIN at an iron pin in the southern right-of-way line for Cedar Falls Way, at the intersection with Maple Leaf Way, said iron pin being further located 650 feet, more or less, from the intersection of Waldens Creek Road and Cedar Falls Way; thence leaving said POINT AND PLACE OF BEGINNING and also leaving the southern right-of-way line of Cedar Falls Way, and running with the line of Cedar Falls, Lot 5, South 20 deg. 55 min. 39 sec. West, 136.78 feet to a point in the approximate centerline of a stream, Sandsuck Branch; thence leaving the line of Lot 5 and running with the approximate centerline of Sandsuck Branch (5 calls total), also the line of Cedar Falls, Lot 4, (3 calls), South 71 deg. 00 min. 26 sec. West, 53.42 feet to a point; thence North 63 deg. 06 min. 51 sec. West, 120.35 feet to a point (old lot corner); thence North 63 deg. 06 min. 51 sec. West, 54.50 feet to a point, a corner to Cedar Falls Phase II, Future Development; thence running, North 63 deg. 06 min. 51 sec. West, 64.45 feet to a point; thence North 63 deg. 06 min. 51 sec. West, 103.33 feet to a point; thence leaving the approximate centerline of Sandsuck Branch, and running with the line of Cedar Falls, Lot 8, North 32 deg. 19 min. 05 sec. East, 139.15 feet to an iron pin in the southern right-of-way line for Cedar Falls Way; thence running with the southern right-of-way line for Cedar Falls Way (5 calls), With a curve to the left, having a radius of 391.65 feet, an arc length of 100.44 feet, a chord bearing of South 81 deg. 16 min. 16 sec. East, and a chord distance of 100.16 feet to an iron pin; thence With a curve to the right, having a radius of 120.14 feet, an arc length of 66.55 feet, a chord bearing of South 72 deg. 44 min. 35 sec. East, and a chord distance of 65.70 feet to an iron pin; thence South 56 deg. 52 min. 26 sec. East, 53.64 feet to an iron pin (old lot corner); thence South 56 deg. 52 min. 26 sec. East, 70.78 feet to an iron pin; thence South 69 deg. 04 min. 21 sec. East, 69.18 feet to an iron pin, marking the POINT AND PLACE OF BEGINNING, and containing 1.39 acres, more or less, according to the survey by VISION Engineering and Development Services, Michael K. Suttles, RLS, Tennessee License No. 1452, dated April 13, 2007, and bearing Drawing No. 07041300.dwg.

BEING all of the property conveyed to Daniel P. Smith from Shannon Bradley, and wife Holly, by warranty deed dated September 23, 2004, and being filed of record in Instrument Book 2095, Page 26 (Also reference Large Map 4, Page 79), of record in the Office of the Sevier County Register of Deeds.


Whereas, this Deed Restriction is intended to combine Lots 6 and 7 of Phase One of Cedar Falls (a Premier Mountain Resort), as the same appears on a plat of record in the Sevier County, Tennessee Register's Office, in Large Map Book 4, at page 79, to which reference is here made for exact legal description.

Now, therefore, Declarant hereby declares that the Property described above is subject to the Deed Restriction, and will be held, transferred, sold conveyed, leased, occupied, and used subject to the following restrictions, which will touch and concern and run with title to, the real properties subjected to this Deed Restriction

and which will be binding on all parties having any right, title, or interest in the Property, and their respective, heirs, successors, successors-in-title, and assigns.

1. In accordance with the terms of Article 12 of the Declarations of Covenants and Restrictions of Cedar Falls, which are recorded in the Register's Office of Sevier County, Tennessee at Book 1498, Page 431 and as amended at Volume 2650, Page 543 or any other properly amendment (the "Cedar Falls Restrictions"), Lots 6 and 7 of Phase One of Cedar Falls shall be combined as one lot having the property description set forth above, and the Property shall be treated as one, singular Cedar Falls lot, subject to all the provisions, conditions and restrictions of the Cedar Falls Restrictions including, but not limited to, the limitation of one residence and no reversion to two lots or other subdivision of the combined lot.
2. This Deed Restriction shall inure to the benefit of the Owners (as such term is defined by the Cedar Falls Restrictions) or the Cedar Falls Homeowners Association, Inc. (the "Association"), and this Deed Restriction may only be modified or terminated in the same manner and using the same procedure required to modify or terminate the Cedar Falls Restrictions as provided for in such Cedar Falls Restrictions (as amended). Provided, however, in the event the Association does not accept this deed as complying with Article 12 of the Cedar Falls Restrictions and attempts to assess the Property as consisting of more than one (1) lot, this Deed Restriction may be terminated by the Declarant.

In witness whereof, the undersigned, Daniel P. Smith, has hereby caused this instrument to be this 8<sup>th</sup> day of June, 2007.

  
 Daniel P. Smith

State of Tennessee        )  
   )  
 County of Loudon         )

Before me, the undersigned, a Notary Public in and for the state and county aforesaid, personally appeared DANIEL P. SMITH, to me known, or proved to me on the basis of satisfactory evidence, to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Witness my hand and official seal this 8<sup>th</sup> day of June, 2007.

