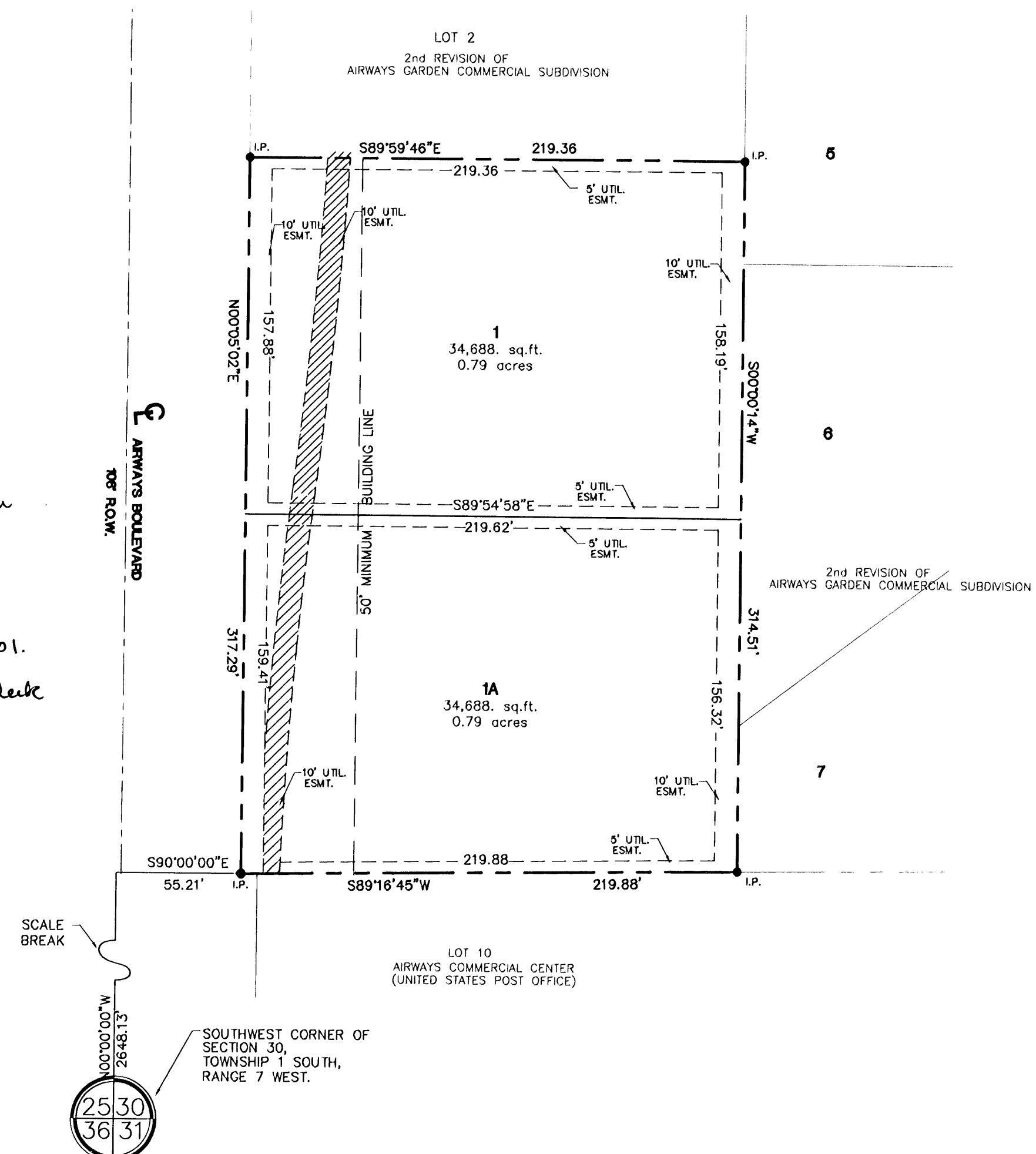


Amended and Restated Declaration  
of Covenants

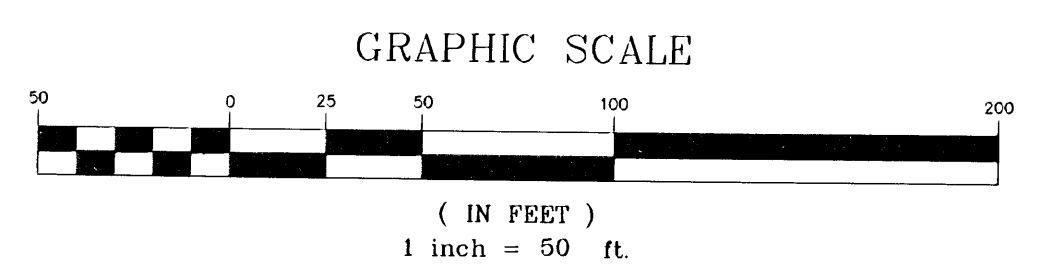
Recorded in WT Book 396 Page  
207.

This the 18th day of July, 2001.

W. E. Harris Chancery Clerk  
by: P. Starkey, DC



- NOTES:
- MINIMUM SETBACKS ARE AS FOLLOWS:  
A. 50' FRONT YARD  
B. NO SIDE YARD  
C. 20' REAR YARD
  - A 10 FEET WIDE UTILITY EASEMENT IS REQUIRED ON ALL STREET FRONTAGE. A 5 FEET WIDE UTILITY EASEMENT IS AS SHOWN.
  - WATER AND SEWER SERVICE WILL BE PROVIDED BY THE CITY OF SOUTHAVEN.
  - THIS PROPERTY IS NOT LOCATED IN HUD IDENTIFIED SPECIAL FLOOD HAZARD AREA ACCORDING TO FEMA MAP NO. 28033C0045 D, DATED JUNE 19, 1997
  - 1/2" ELECTRIC CONDUIT PIPES ARE SET ON ALL PROPERTY CORNERS.
  - ALL ON-SITE DRAINAGE FACILITIES WILL BE PRIVATELY OWNED AND MAINTAINED.
  - THE ACCESS TO AIRWAYS BLVD. FROM LOTS 1 AND 1A WILL BE BY MEANS OF A SHARED CURB CUT AND NOT BY INDIVIDUAL CURB CUTS.



OWNER'S CERTIFICATE

Freeburg Properties LLC A TENNESSEE LIMITED LIABILITY COMPANY,  
OWNER OF THE PROPERTY, HEREBY ADOPT THIS AS MY PLAN OF SUBDIVISION  
AND DEDICATE THE RIGHT-OF-WAY FOR THE ROADS AS SHOWN ON THE PLAT OF THE  
SUBDIVISION TO THE PUBLIC USE FOREVER AND RESERVE FOR THE PUBLIC UTILITIES  
THE UTILITY EASEMENTS AS SHOWN ON THE PLAT. I CERTIFY THAT I AM THE OWNER  
IN FEE SIMPLE OF THE PROPERTY AND THAT NO TAXES HAVE BECOME DUE AND  
PAYABLE. THIS THE 18th DAY OF July, 2001.

W. E. Harris  
OWNER OR AUTHORIZED REPRESENTATIVE  
Asst. Chancery Clerk, Freeburg Properties, LLC

NOTARY'S CERTIFICATE  
STATE OF MISSISSIPPI, COUNTY OF DESOTO

PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR THE SAID  
COUNTY AND STATE, ON THE 25th DAY OF April, 2001,  
WITHIN MY JURISDICTION, THE WILLIAM NELSON FREEBURG  
WHO ACKNOWLEDGED THAT HE IS THE OWNER OF  
FREEBURG PROPERTIES, LLC A TENNESSEE LIMITED LIABILITY COMPANY,  
AND THAT IN SAID REPRESENTATIVE CAPACITY HE EXECUTED THE ABOVE AND FOREGOING  
INSTRUMENT, AFTER FIRST HAVING BEEN DULY AUTHORIZED TO DO SO.

SOUTHAVEN PLANNING COMMISSION

APPROVED BY THE SOUTHAVEN PLANNING COMMISSION ON THIS THE 27th DAY OF  
MARCH, 2001.

ATTEST: Michael Breaux CHAIRMAN

SECRETARY: W. E. Harris

APPROVED BY THE MAYOR AND BOARD OF ALDERMEN ON THIS THE 27th DAY OF  
MARCH, 2001.

CLERK: Charles G. Davis CHARLES G. DAVIS, MAYOR

CERTIFICATE OF ENGINEER

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON WAS FILED FOR  
RECORD IN THE OFFICE OF THE CLERK OF THE COUNTY OF DESOTO, MISSISSIPPI,  
ON THE 15th DAY OF MAY, 2001 AND WAS IMMEDIATELY ENTERED UPON THE PROPER INDEXES  
AND DULY RECORDED IN PLAT BOOK 15, PAGE 3.

W. E. Harris, Chancery Clerk  
by M. Breaux, DC

MORTGAGEE'S CERTIFICATE

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN ON THIS  
PLAT ARE CORRECT, AND THAT EXTERIOR BOUNDARIES AND INTERNAL  
DIMENSIONS COMPLY WITH MINIMUM STATE STANDARDS FOR SURVEYING.

NOTARY'S CERTIFICATE  
STATE OF MISSISSIPPI, COUNTY OF DESOTO

PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR THE SAID  
COUNTY AND STATE, ON THE 25th DAY OF April, 2001,  
WITHIN MY JURISDICTION, THE WILLIAM NELSON FREEBURG  
WHO ACKNOWLEDGED THAT HE IS THE OWNER OF  
FREEBURG PROPERTIES, LLC A TENNESSEE LIMITED LIABILITY COMPANY,  
AND AS ITS ACT AND DEED HE/SHE EXECUTED THE ABOVE AND FOREGOING INSTRUMENT,  
AFTER FIRST HAVING BEEN DULY AUTHORIZED BY SAID BANK SO TO DO.

DIVISION OF LOT 1  
OF THE SECOND REVISION OF  
**AIRWAYS GARDENS  
COMMERCIAL SUBDIVISION**  
SECTION 30, TOWNSHIP 1 SOUTH, RANGE 7 WEST  
CITY OF SOUTHAVEN, DESOTO COUNTY, MISSISSIPPI

SCALE: 1" = 100'  
APRIL, 2001

ZONING C-2  
TOTAL AREA: 1.58 ACRES  
TOTAL LOTS: 2

DEVELOPER  
NELSON FREEBURG  
70 EAST CHICKASAW PARKWAY  
MEMPHIS, TN. 38111

**SES SMITH**  
ENGINEERING

1 OF 1