

IN THE CHANCERY COURT FOR CUMBERLAND COUNTY, TENNESSEE

FGH LAND TENNESSEE, LLC,

Plaintiff,

v.

ZURICH HOMES, INC., and
FAIRFIELD GLADE COMMUNITY
CLUB,

Defendants.

CASE NO.: 2026-CH-2743

FILED
Date 7-23, 2026 at 9 (AM/PM)
Entered _____
BEN TOLLETT, CLERK & MASTER
Cumberland County, Crossville, TN

DECLARATION OF ISAAC ZUERCHER

I, Isaac Zuercher, declare under penalty of perjury under the laws of the State of Tennessee that the following is true and correct and is based on my personal knowledge, and that if called as a witness I could and would competently testify to the matters stated herein:

I. BACKGROUND AND BASIS OF KNOWLEDGE

1. I am over the age of eighteen and am competent to make this Declaration. I am the President and principal owner of Zurich Homes, Inc. ("Zurich Homes"), a Tennessee corporation engaged in residential homebuilding in Cumberland County, Tennessee. I make this Declaration in opposition to the Application for Temporary Restraining Order and Motion for Temporary Injunction filed by FGH Land Tennessee, LLC ("FGH"). The facts stated herein are within my personal knowledge, derived from my direct involvement in Zurich Homes' development activities at Hanover Court and my review of Zurich Homes' business records kept in the ordinary course.

2. Zurich Homes has built and sold homes within the Fairfield Glade residential development since 2005. Zurich Homes and its affiliates currently own 63 lots within Fairfield Glade, including two (2) lots fronting on Hanover Court. I am personally familiar with Hanover Court, with the lots Zurich Homes owns there, and with the condition and history of the road.

3. I also serve on the Board of Directors of the Fairfield Glade Community Club (the "Club"). I make this Declaration solely in my capacity as President / principal of Zurich Homes and not on behalf of the Club or its Board.

II. HANOVER COURT IS A PLATTED, COMPLETED GRAVEL ROADWAY

4. Hanover Court is not raw or undeveloped land. It is a platted cul-de-sac shown on a subdivision plat of record in the Register's Office for Cumberland County, Tennessee. I have reviewed the recorded plat for the Dorchester, Block 3 section of Fairfield Glade, recorded at Plat Book 8, Page 58, which depicts Hanover Court as a fifty-foot right-of-way serving Lots 77 through 85. A true and correct copy of that recorded plat is attached as Exhibit 1.

5. The plat states on its face that "ALL ROADS AND STREETS REFLECTED UPON THE PLAT ARE DEDICATED TO THE GENERAL PUBLIC." It separately states that common properties are dedicated to the owners and are "NOT ... DEDICATED FOR USE TO THE GENERAL PUBLIC," and that reserved properties are "PARTICULARLY AND SPECIFICALLY RESERVED BY THE DEVELOPER." The plat also contains a Certificate of Ownership and Dedication executed February 10, 1978, by which the owner dedicates "all streets, alleys, walks, parks, and other open spaces to public or private use as noted." I have reviewed the entire plat and have found no provision reserving any interest in Hanover Court or any other street to the Developer or the Declarant.

6. Hanover Court has existed as a constructed roadway for approximately three (3) years. It was constructed and surfaced with gravel and crusher-run by the owners of 14 Hanover Court in connection with the construction of their home, and it provides the only vehicular access to the lots that front on it. Zurich Homes did not create Hanover Court and has never sought to create a new road or to extend any road into new territory.

7. Zurich Homes acquired the lot known as 15 Hanover Court — by Warranty Deed from Robert Woodard and Janet Woodard dated July 29, 2024, recorded August 1, 2024 at Book 1701, Page 1871, Register's Office for Cumberland County, Tennessee. Zurich Homes acquired the lot known as 12 Hanover Court — by Warranty Deed from Laura C. Koch-Koenig dated October 21, 2024, recorded October 23, 2024 at Book 1708, Page 524. True and correct copies are attached as Exhibits 2 and 3.

8. Both deeds describe the property by reference to the plat recorded at Plat Book 8, Page 58. The only interest excepted from either conveyance is oil, gas, and other minerals. Neither deed reserves or excepts any interest in the Hanover Court roadbed, and neither identifies any instrument in the chain of title that does so.

9. Hanover Court is not included on the Cumberland County Road List. I confirmed this in connection with the Planning Commission proceedings described below.

III. TWO FAMILIES ALREADY LIVES ON HANOVER COURT

10. A completed single-family home stands at 14 Hanover Court, Crossville, Tennessee 38558, and is presently occupied as a full-time residence by the Severson family. The gravel roadway and their home was completed in or around 2023.

11. Another completed single-family home stands at 10 Hanover Court, which is on the corner of Hanover Court and Beachwood Drive, with its driveway connecting to Hanover Court. It is presently occupied by the Whitt family. The residents of Hanover Court rely on Hanover Court for daily ingress and egress to and from their home.

12. Zurich Homes is currently constructing luxury homes on its two (2) lots on Hanover Court, which will essentially complete the development of the cul-de-sac.

13. Until recently, builders and individuals desiring to construct homes on their lots would – without objection or interference from the Declarant or Club – simply take the steps

necessary to build the highest quality roadway within their budget. As a result there are multiple, fully occupied gravel roads throughout Fairfield Glade.

14. Because Hanover Court already serves two occupied residences, keeping the roadway in loose-gravel / partially graded condition creates practical difficulties for the families living there, including dust, difficulty of access in wet and snowy weather, and drainage. In connection with Zurich Homes' development of its two (2) lots fronting Hanover Court, the improvement work was intended to bring the existing road to a fully-finished, safe, and durable condition suitable for the residents who already depend on it and the future residents of Hanover Court. The current residents of Hanover Court are thrilled with the plans to pave the cul-de-sac.

IV. THE CLUB'S COMMITTEE APPROVED ZURICH HOMES' HOMES WITHOUT COMMUNICATING ANY ROAD RESTRICTION

15. Zurich Homes has submitted home construction applications to the Club's Architectural Control Committee ("ACC") for lots on Hanover Court. The ACC approved the application for 15 Hanover Court (Application No. 10803-081) on December 2, 2025. The ACC likewise approved the application for 12 Hanover Court (Application No. 10803-078) on January 20, 2026.

16. On December 2, 2025, Zurich Homes received letter from Billy Hamby, the Club's Architectural Control Inspector, confirming that the ACC had approved the request to construct a new home at 15 Hanover Court. A true and correct copy of that approval letter is attached as Exhibit 4.

17. On January 20, 2026, Zurich Homes received letter from Billy Hamby, the Club's Architectural Control Inspector, confirming that the ACC had approved the request to construct a new home at 15 Hanover Court. A true and correct copy of that approval letter is attached as Exhibit 5.

18. The letters both address the deadlines for the clearing inspection, the nine-month exterior and fifteen-month interior completion schedules, a culvert requirement, coordination of grinder pump installation, the Club's sanitary sewer discharge policy, and the assignment of the address for the new home. (*See id.*).

19. Neither letter makes any mention of roads, common areas, or any restriction, condition, or prohibition on improving, paving, or otherwise working on Hanover Court or any roadway. I have reviewed the written approvals Zurich Homes received from the ACC for its Hanover Court homes, and none of them contains any such restriction. (*See id.*).

20. I did not attend the December 2, 2025 ACC meeting referenced in FGH's Complaint and the minutes from the meeting were not sent to me with the December 2, 2025 letter. As such, I received no written notice, before or with my approval, that any condition concerning road or roadway work would be or had been placed on Zurich Homes' application.

21. I do not recall when I first saw the minutes, but it was at least a month or so later when I attended a different meeting of the ACC as the liaison to the Club's Board. I recall noticing the language regarding improvements to the "common area – including roads", but I disregarded because that prohibition had not appeared in either of my approval letters and because I understood that the ACC had no jurisdiction over roadway improvements.

22. It is my understanding that for a brief period, FGH's representative, JT Smith – who serves on the ACC – was advocating for this language to be included in the minutes for home plan approvals, despite the ACC's general consensus that the ACC does not have jurisdiction over roadway improvements.

23. As the liaison to the ACC for the Club's board, it has been my experience that the language included in the minutes for the 15 Hanover Court approval is highly unusual and is not currently being included in the minutes for home plan approvals.

V. THE WORK ZURICH HOMES UNDERTOOK

24. Zurich Homes engaged Civil Engineering and Surveying, LLC to prepare a road plan for Hanover Court. A true and correct copy of the sealed road plan, Sheet C1.1, dated May 27, 2026, is attached as Exhibit 6.

25. Until work stopped, Zurich Homes' contractor performed the work in accordance with that plan.

26. The plan specifies a typical road section of five inches of compacted dense graded crushed aggregate with a two-inch asphaltic binder, within the existing fifty-foot right-of-way, and states that paving "shall conform to the requirements of the current Cumberland County Road Acceptance and Construction Standards Manual for Local Roads" and that the "Cumberland County Road Department shall be notified prior to placement of any asphalt to coordinate required inspections."

27. The road plan calls for paving within the existing fifty-foot right-of-way. It does not call for widening the right-of-way, altering its location, or extending Hanover Court beyond its platted limit. The plan specifies that paving shall conform to the requirements of the current Cumberland County Road Acceptance and Construction Standards Manual for Local Roads, and that the Cumberland County Road Department is to be notified prior to placement of any asphalt to coordinate required inspections.

28. In finalizing the plans, I communicated directly with the Cumberland County Highway Department.

29. On May 15, 2026, I emailed the Highway Department to advise that Scott Nickolson of Civil Engineering and Surveying, LLC was preparing the engineering drawing for Hanover Court and that I expected to have it for the Department's review within approximately one week. On May 18, 2026, the Department acknowledged my update. A true and correct copy of that email exchange is attached as Exhibit 7.

30. On May 29, 2026, I emailed the completed engineering drawing for Hanover Court to the Highway Department and asked whether the plan met county specifications. On June 1, 2026, the Department reviewed the plan and responded that it "looks great." A true and correct copy of that email exchange is attached as Exhibit 8.

31. At no point during these communications did the Highway Department identify any deficiency in the Hanover Court plan or advise me that the proposed work was improper. These communications occurred before I received any cease-and-desist letter and before FGH filed this action.

32. Zurich Homes engaged the work to be performed to that county standard specifically so that Hanover Court would be eligible for acceptance onto the Cumberland County Road List. It is my understanding that if the County accepts the road, the County — not the Club and not its members — would be responsible for maintaining it going forward.

33. At the time the work was halted, Zurich Homes had describe stage of completion — graded, base course placed, etc. True and correct copies of photographs of the road before the work began and at the time the work was halted are attached as Exhibit 9.

VI. THE CLUB'S POSITION AND THE CONDUCT OF CLUB REPRESENTATIVES

34. On or about June 30, 2026, a representative of the Club identified to me as Harry Hibbs, the Club's Director of Community Maintenance, came to the Hanover Court site while work was underway. Mr. Hibbs called me that day and told me that he had spoken with the

contractor and asked him to finish smoothing the loose crusher-run material on the roadway and to make it safe and drivable for the residents who live on the court.

35. On July 6, 2026, Zurich Homes received a cease-and-desist letter from Nicholas W. Diegel of Baker Donelson, Bearman, Caldwell & Berkowitz, PC, written on behalf of FGH as “Declarant” under the C&Rs. The letter demanded that Zurich Homes immediately cease all road and street development activity at Hanover Court and communicate its agreement to do so by 5:00 p.m. on July 7, 2026. A true and correct copy of that letter is attached as Exhibit 10.

36. On July 7, 2026, Zurich Homes’ counsel received a second cease-and-desist letter, this one from Kenneth M. Chadwell of Looney, Looney, Chadwell & Hamby, PLLC, written on behalf of the Fairfield Glade Community Club. That letter likewise demanded that Zurich Homes cease all paving and road work on Hanover Court and confine itself to the terms of its ACC application. A true and correct copy of that letter is attached as Exhibit 11.

37. On July 8, 2026, Mr. Hibbs forwarded to me an e-mail he had sent on June 30, 2026 concerning Hanover Court. The recipients of that e-mail included Tom Anderson and JT Smith of FGH, counsel for FGH, and counsel for the Club. A true and correct copy of the e-mail Mr. Hibbs forwarded to me is attached as Exhibit 12.

38. In that e-mail, Mr. Hibbs wrote:

The ACC does not have authority over matters related to roads. The ACC’s responsibilities are set forth in Article XII, Section 1(e), which pertains to architectural standards, regulations, policies, procedures, and guidelines. Based on the governing documents, decisions regarding roads fall outside the ACC’s scope of authority and responsibility. As roads and bridges fall within our team’s responsibilities, I will address matters related to existing roads within the community. The development and construction of new roads remain under the authority of the Declarant, as outlined in Article VI, Section 3 of the governing documents. Based on my understanding, this appears to be a matter between the Declarant and Zurich Homes.

39. I have communicated with representatives of the Club concerning Hanover Court. In the July 7, 2026 letter from counsel, the Club took the position that Hanover Court is “is Common Area to the Club” because it has not been accepted for dedication by Cumberland County. (Ex. 11). In that letter, the Club – through counsel – also took the position that the ACC had prohibited improvements to the “common areas – such as roads” in its meeting minutes, despite Mr. Hibbs taking the position that the ACC lacks authority over roadway work. (*Id.*). Counsel’s letter omits the language of Article VI, Section 3, expressly making the Club solely responsible for improvements to completed roads and streets that are part of the Common Area. (*Id.*).

40. It has been my experience that the Club routinely maintains gravel roads like Hanover Court, including work such as filling pot holes, grading, snow and ice removal – all of which I found to be consistent with the Club’s obligation to maintain completed roads throughout Fairfield Glade.

VII. HARM TO ZURICH HOMES

41. Zurich Homes is 30-60 days away from completing both homes under construction on Hanover Court. These homes are anticipated to sell for between \$675,000.00 and \$976,000.00, but only if they are located on a paved road. If Zurich Homes is unable to complete the planned roadway improvements, then the sale of these homes will be indefinitely delayed. Such a delay comes with significant carrying costs and financial risk.

42. There are miles of roadways throughout Fairfield Glade that remain unfinished other than initial cutting and grading along with the installation of ditches and culverts, despite serving lots that were long-ago sold by the declarant.

43. In fact, Zurich Homes and its affiliates own approximately 32 lots within Fairfield Glade that are served by roads that have not been improved in any way by the Declarant or accepted

by Cumberland County. Zurich Homes' being prevented from improving the roadways serving these lots – even at its own expense – will create immediate and continued financial harm to Zurich Homes and put it at a competitive disadvantage against builders with paved-road lots, including FGH and its affiliates.

Pursuant to Tennessee Rule of Civil Procedure 72, I declare under penalty of perjury that the foregoing is true and correct.



Isaac Zuercher

Dated: July 22, 2026.

1

FAIRFIELD COMMUNITIES LAND COMPANY
CIVIL DISTRICT OF CUMBERLAND COUNTY, TENNESSEE
THACKER and ASSOCIATES INC
ST LOUIS, MISSOURI

1

GRAPHIC SCALE IN FEET

For Supplemental Declaration of
Prov. & Sect. see W.L. 194, p. 30
2-24-78. UM.UM.
* For partial release of libeling, Enamant see
Quid & L. 227 p. 557 7-25-70 P.X.H.

CERTIFICATE OF COMPLETION AND REGISTRATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE FORESTED
LAND AND DESCRIBE HEREIN AND THAT WE HEREBY AGREE TO
PLAN OF DEVELOPMENT WITH YOUR AGENT, ESTABLISH THE
MINIMUM BUILDING, DISTURBANCE, AND ADEQUATE
SLOPES, ALLOYS, WALLS, FENCES, AND OTHER OPEN SPACES IN
THE FORESTED LAND.

DATE 2/1/78 PAGE Thompson Committee
19°C & Wren

DATE: 11/11/98 BY: AUC/BAO

I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED HEREON IS IN ACCORDANCE WITH THE PLAN OF THE MISSISSIPPI RIVER PLAIN, COMMISSION AND THAT THE INSTRUMENTS WERE FILED IN THE PUBLIC RECORDS, IN THE SPECIFICATIONS OF THE COUNTY ROAD COMMISSIONER.

REGISTERED OFFICE: CHANDLER AND COUNTY, STATE OF TEXAS

NOTES FOR RECORDING THE 24 MAY 20 Feb
 TA. AT 9:45 S'CAIR A
 NOTES TO NOTE BOOK Q PAGE 92 AND RECORDED

IN PLAT BOOK 87 PAGE 58 SECTION 1
WITNESS BY NAME Phyllis Mae
B. C. [Signature]

[Signature]

THIS PLAN IS APPROVED FOR HEALTH DEPARTMENT APPROVED
CENTRAL SERVICE. SEPTIC TANKS MAY BE USED AFTER PLAN.
CONCRETE TANKS ARE MADE ON INDIVIDUAL LOTS AND THE
REASONABLE RESULTS OF THESE TESTS AND A PLAN SHOWING

DATE 2-23-78 BY WJF

COMMONWEALTH COUNTY CLERK'S OFFICE

11

11

9 APR 1964

9 AM/PM

MASTER

Memphis, TN

AP

On

FILED

Date 7-23, 2026 at 9 AM/PM

Entered _____
BEN TOLLETT, CLERK & MASTER
Cumberland County, Crossville, TN

By:

AF

This instrument prepared by:

Christopher Cantrell, Attorney At Law
 45 Peavine Plaza
 Crossville, TN 38571
 (931) 456-8080
 2024-27099-1/

STATE OF TENNESSEE, CUMBERLAND COUNTY

TREY KERLEY
REGISTER OF DEEDS

BK/PG: 1701/1871-1872
 INST: 24023243
 BATCH: 202279
 2 PGS:AL-DEED
 08/01/2024 - 01:23 PM

VALUE: 44900.00
 MORTGAGE TAX: 0.00
 TRANSFER TAX: 166.13
 RECORDING FEE: 10.00
 DP FEE: 2.00
 REGISTER'S FEE: 1.00
 TOTAL AMOUNT: 179.13

above for recording information

WARRANTY DEED

THIS DEED, made and entered into as of **July 29, 2024** by and between **Robert Woodard and wife, Janet Woodard** hereinafter known as the Party of the First Part, and, **Zurich Homes, Inc., a Tennessee Corporation**, hereinafter known as the Party of the Second Part;

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, receipt of which is hereby acknowledged, and other good and valuable consideration, the Party of the First Part has bargained and sold and does hereby grant and convey unto the Party of the Second Part, their heirs and assigns, with covenants of general warranty of title, the following described property:

Property 1:

Tax ID#: Map 090N, Group H, Parcel 049.00

SITUATED, LYING AND BEING in the Second (2nd) Civil District of Cumberland County, Tennessee and being more particularly described as follows:

BEING Lot No. 81, Block 3, Dorchester Addition of Fairfield Glade as per plat recorded in Plat Book 8, Page 58, Register's Office, Cumberland County, Tennessee, to which plat specific reference is hereby made for a more complete description of the subject property. Less and except oil, gas and other minerals. Subject to the Restrictive Covenants recorded in Book 99, Page 370, et seq., amended in Book 161, Page 313; Book 259, Page 108; Book D325, Page 59; Book 1307, Page 1829; Book 1522, Page 1183, Book 1006, Page 2082 and in Book 1006, Page 1986, and amendments thereto, as supplemented in Book 130, Page 296; Book 194, Page 30; and Book 380, Page 572, and as conformed and restated in Book D351, Page 710; and further subject to the plat of record in Plat Book 8, Page 58, in the official records of Cumberland County, Tennessee.

Being the same property conveyed to Robert Woodard and wife, Janet Woodard, by Warranty Deed dated May 4, 1998 from F. Glenn Dale and wife, Maria P. Dale, recorded May 6, 1998, in Book 1015, Page 1573, in the official records of Cumberland County, Tennessee.

TO HAVE AND TO HOLD unto the Party of the Second Part, their heirs and assigns, forever. The Party of the First Part, for themselves, their successors and assigns, covenant that they are lawfully seized and possessed of the property hereby conveyed; that they have a good and lawful right to convey the same; that said property is free and clear of any encumbrance, except as herein stated; that they will execute such further assurances of title as may be reasonably required, and that they will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

It is expressly agreed by the parties hereto that all taxes for the current year shall be prorated between them as of the date of this deed.

This conveyance is expressly made subject to reservations, restrictions, easements, covenants and conditions contained in former instruments of record pertaining thereto and to all easements and encroachments apparent from an inspection of the property.

EXHIBIT**2**

FILED
 Date 7-23, 2024 at 9 AM/PM
 Entered _____

BEN TOLLETT, CLERK & MASTER
 Cumberland County, Crossville, TN

By: _____

JP

WITNESS the following signatures on this day and year first above written.

GRANTOR(S):

→ Robert Woodard
Robert Woodard

Janet Woodard
Janet Woodard

STATE OF Michigan
COUNTY OF Ogemaw

On this 26th day of July, 2024, before me personally appeared Robert Woodard and Janet Woodard, to me known to be the person (or persons) described in and who executed the foregoing instrument, and acknowledged that such person (or persons) executed the same as such person's (or persons') free act and deed.

Witness my hand, at office, this 26th day of July, 2024.

Lisa M Arndt
Notary Signature
My commission expires: 03-02-2027

Lisa M. Arndt • Notary Public
State of Michigan • Ogemaw County
My Commission Expires 03/02/2027
Acting in the County of Ogemaw

STATE OF TENNESSEE
COUNTY OF CUMBERLAND

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$44,900.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Witness my hand, at office, this 29th day of July, 2024.

Kim V. Rebbin
Affiant

SWORN TO AND SUBSCRIBED BEFORE ME, this 29th day of July, 2024.

My commission expires: 3/7/2028

Paula D. Steinmann
Notary Public

NAME AND ADDRESS OF PROPERTY OWNER:

Zurich Homes, Inc.
4929 Pearline Rd #104
Crossville, TN 38571

PARTY RESPONSIBLE FOR THE PAYMENT
OF THE REAL PROPERTY TAX: Same as owner



This instrument prepared by:

Christopher Cantrell, Attorney At Law45 Peavine Plaza
Crossville, TN 38571
(931) 456-8080
2024-27592-1/

STATE OF TENNESSEE, CUMBERLAND COUNTY

TREY KERLEY
REGISTER OF DEEDS

BK/PG: 1708/524-525

INST: 24026796

BATCH: 205670

2 PGS:AL-DEED

10/23/2024 - 02:25 PM

VALUE: 30000.00

MORTGAGE TAX: 0.00

TRANSFER TAX: 111.00

RECORDING FEE: 10.00

DP FEE: 2.00

REGISTER'S FEE: 1.00

TOTAL AMOUNT: 124.00

above for recording information

WARRANTY DEED

THIS DEED, made and entered into as of **October 21, 2024** by and between **Laura C. Koch-Koenig**, a single woman hereinafter known as the Party of the First Part, and, **Zurich Homes, Inc.**, a Tennessee Corporation, hereinafter known as the Party of the Second Part;

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, receipt of which is hereby acknowledged, and other good and valuable consideration, the Party of the First Part has bargained and sold and does hereby grant and convey unto the Party of the Second Part, their heirs and assigns, with covenants of general warranty of title, the following described property:

Property 1:

Tax ID#: Map 090N, Group H, Parcel 046.00

SITUATED, LYING AND BEING in the Second (2nd) Civil District of Cumberland County, Tennessee and being more particularly described as follows:

Being Lot No. 78, Block 3, Dorchester Addition of Fairfield Glade, as per plat recorded in Plat Book 8, Page 58, Register's Office, Cumberland County, Tennessee, to which plat specific reference is hereby made for a more complete description of the subject property. Less and except oil, gas and other minerals. Subject to the restrictions, limitations and conditions as contained in the Declaration of Covenants and Restrictions for Fairfield Glade of record in Deed Book 99, Page 370, et seq., amended in Book 161, Page 313; Book 259, Page 108; Book D325, Page 59; Book 1307, Page 1829; Book 1522, Page 1183, Book 1006, Page 2082 and in Book 1006, Page 1986, and amendments thereto, as supplemented in Book 194, Page 30; and as conformed and restated in Book D351, Page 710; subject to the Partial Release of Utility Easement recorded in Book 227, Page 559; and further subject to the easements, restrictions, reservations and conditions as appear on the plat of record in Plat Book 8, Page 58, in the official records of Cumberland County, Tennessee.

Being the same property conveyed to Laura C. Koch-Koenig, a single woman by Warranty Deed dated March 22, 2022 from Michael Eicholtz, recorded March 24, 2022, in Book 1639, Page 1660, in the Official Records of Cumberland County, Tennessee.

TO HAVE AND TO HOLD unto the Party of the Second Part, their heirs and assigns, forever. The Party of the First Part, for themselves, their successors and assigns, covenant that they are lawfully seized and possessed of the property hereby conveyed; that they have a good and lawful right to convey the same; that said property is free and clear of any encumbrance, except as herein stated; that they will execute such further assurances of title as may be reasonably required, and that they will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

It is expressly agreed by the parties hereto that all taxes for the current year shall be prorated between them as of the date of this deed.

This conveyance is expressly made subject to reservations, restrictions, easements, covenants and conditions contained in former instruments of record pertaining thereto and to all easements and encroachments apparent from an inspection of the property.

EXHIBIT**3**

FILED
Date 7-23 2026 at 9 AM PM

Entered _____

BEN TOLLETT, CLERK & MASTER
Cumberland County, Crossville, TN

By: _____

AP

WITNESS the following signatures on this day and year first above written.

GRANTOR(S):

→ *Laura C. Koch-Koenig*
Laura C. Koch-Koenig

STATE OF TENNESSEE
COUNTY OF CUMBERLAND

On this 21st day of October, 2024, before me personally appeared Laura C. Koch-Koenig, to me known to be the person (or persons) described in and who executed the foregoing instrument, and acknowledged that such person (or persons) executed the same as such person's (or persons') free act and deed.

Witness my hand, at office, this 21st day of October, 2024.

Paula D. Steinmann
Notary Signature
My commission expires: 3/7/2028



STATE OF TENNESSEE
COUNTY OF CUMBERLAND

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$30,000.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Witness my hand, at office, this 21st day of October, 2024.

Haley Grouse
Affiant

SWORN TO AND SUBSCRIBED BEFORE ME, this 21st day of October, 2024.

My commission expires: 3/7/2028

Paula D. Steinmann
Notary Public

NAME AND ADDRESS OF PROPERTY OWNER:

Zurich Homes, Inc
4929 Peavine Rd #104
Crossville, TN 38571

PARTY RESPONSIBLE FOR THE PAYMENT
OF THE REAL PROPERTY TAX: Same as owner





December 2, 2025

Zurich Homes Inc

RE: # 10803-081 (15 Hanover Court)

Zurich Homes Inc:

The request to the Architectural Control Committee to construct a new home on the above-referenced lot (# 10803-081) was reviewed and approved by the Committee at the 12/2/2025 meeting.

The Clearing Inspection must be performed within 90 days of the approval date of the new home. The Clearing Inspection must be performed by 3/2/2026.

The exterior of this 2900 sq. ft. home shall be completely finished within nine (9) months of the date of the start of construction ("Clearing Inspection") and the interior completed within fifteen (15) months of the start of construction. Otherwise, it may be subject to a weekly penalty as outlined in the "ACC New Home Construction Requirements Article XII" and Appendix "E" "Completion Schedule Violations". A 0" culvert is needed for this site.

It is the builders' responsibility to coordinate grinder pump installation prior to footer installation unless other arrangements are made with the Wastewater Department. Contact Dan Johnson for any questions and further information at (931) 787-5133.

It is Fairfield Glade Community Club Policy that ONLY sanitary sewer be discharged to the sanitary sewer system. All connections from such sources as de-humidifiers, air conditioners, sump pumps, gutter drains, etc., SHALL NOT BE CONNECTED to the sewer service.

The address for the new home will be 15 Hanover Court.

Sincerely,

Billy Hamby
Architectural Control Inspector

FILED
Date 7-23, 2026 at 9 AMPM
Entered _____
BEN TOLLETT, CLERK & MASTER
Cumberland County, Crossville, TN
By: _____

EXHIBIT

4



January 20, 2026

Zurich Homes Inc

RE: # 10803-078 (12 Hanover Court)

Zurich Homes Inc:

The request to the Architectural Control Committee to construct a new home on the above-referenced lot (# 10803-078) was reviewed and approved by the Committee at the 1/20/2026 meeting.

The Clearing Inspection must be performed within 90 days of the approval date of the new home. The Clearing Inspection must be performed by 4/20/2026.

The exterior of this 1874 sq. ft. home shall be completely finished within eight (8) months of the date of the start of construction ("Clearing Inspection") and the interior completed within fourteen (14) months of the start of construction. Otherwise, it may be subject to a weekly penalty as outlined in the "ACC New Home Construction Requirements Article XII" and Appendix "E" "Completion Schedule Violations". A 0" culvert is needed for this site.

It is the builders' responsibility to coordinate grinder pump installation prior to footer installation unless other arrangements are made with the Wastewater Department. Contact Dan Johnson for any questions and further information at (931) 787-5133.

It is Fairfield Glade Community Club Policy that ONLY sanitary sewer be discharged to the sanitary sewer system. All connections from such sources as de-humidifiers, air conditioners, sump pumps, gutter drains, etc., SHALL NOT BE CONNECTED to the sewer service.

The address for the new home will be 12 Hanover Court.

Sincerely,

Billy Hamby
Architectural Control Inspector

FILED
Date 7-23, 2026 at 9 AM/PM
Entered _____
BEN TOLLETT, CLERK & MASTER
Cumberland County, Crossville, TN
By: JP

EXHIBIT

5

From: Stanley Hall <cohwy@benlomand.net>
Date: May 18, 2026 at 6:53:12 AM CDT
Subject: Re: Hanover Court update

Caution: Please note that this email originated from an external sender, and was not sent from a Zurich employee. Please exercise caution when opening the email and do not open any attachments or links that look suspicious.

Thank you for the update.

Sincerely,

Stanley
Cumberland County Highway Department
23 Northside Ln Crossville, TN 38571
931-484-5424
[Highway Website](#)
[Join us on Facebook](#)

From: "Isaac Zuercher" <isaac@zurichhomes.com>
To: "Stanley Hall" <cohwy@benlomand.net>
Sent: Friday, May 15, 2026 1:47:08 PM
Subject: Hanover Court update

Stanley,

I just wanted to follow up with you on Hanover court.

I have Scott Nickolson with CES drawing that up. I expect to have that for your review within the next week.

Thanks,

Isaac

1

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Date 7-23 2026 at 9 AM/PM
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Cumberland County, Crossville, TN
By: AP

EXHIBIT

7

Isaac Zuercher | Zurich Homes, Inc.

Office: 931-787-1800

Email: Isaac@zurichhomes.com

Web: www.zurichhomes.com

From: Stanley Hall <cohwy@benlomand.net>
Date: June 1, 2026 at 10:33:29 AM CDT
Subject: Re: Hanover Court update

Caution: Please note that this email originated from an external sender, and was not sent from a Zurich employee. Please exercise caution when opening the email and do not open any attachments or links that look suspicious.

That looks great.

Sincerely,

Tonya
Cumberland County Highway Department
23 Northside Ln Crossville, TN 38571
931-484-5424
[Highway Website](#)
[Join us on Facebook](#)

From: "Isaac Zuercher" <isaac@zurichhomes.com>
To: "Stanley Hall" <cohwy@benlomand.net>
Sent: Friday, May 29, 2026 4:58:33 PM
Subject: Re: Hanover Court update

Stanley,

This is the Engineer drawing for Hanover Court.

Will you please take a look at it and let me know if everything looks good for county spec?

Have a good weekend!

Thanks,
Isaac

Isaac Zuercher
Zurich Homes Inc.
Office: 931-787-1800
Email: Isaac@zurichhomes.com

1

EXHIBIT
8

FILED
Date 7-23, 2026 at 9 AM PM
Entered _____
BEN TOLLETT, CLERK & MASTER
Cumberland County, Crossville, TN
By: AP

www.zurichhomes.com

On May 18, 2026, at 6:53 AM, Stanley Hall <cohwy@benlomand.net>
wrote:

Caution: Please note that this email originated from an external sender, and was not sent from a Zurich employee. Please exercise caution when opening the email and do not open any attachments or links that look suspicious.

Thank you for the update.

Sincerely,

Stanley
Cumberland County Highway Department
23 Northside Ln Crossville, TN 38571
931-484-5424
[Highway Website](#)
[Join us on Facebook](#)

From: "Isaac Zuercher" <isaac@zurichhomes.com>
To: "Stanley Hall" <cohwy@benlomand.net>
Sent: Friday, May 15, 2026 1:47:08 PM
Subject: Hanover Court update

Stanley,

I just wanted to follow up with you on Hanover court.

I have Scott Nickolson with CES drawing that up. I expect to have that for your review within the next week.

Thanks,

Isaac

Isaac Zuercher | Zurich Homes, Inc.

Office: 931-787-1800

Email: Isaac@zurichhomes.com

Web: www.zurichhomes.com

Images from Google Maps – prior to any work by Zurich Homes:



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Date 7-23-2026 at 9 AM/PM
Entered BEN TOLLETT, CLERK & MASTER
Cumberland County, Crossville, TN
By: JP

Aerial view of Hanover Court during construction on 12 Hanover Court and 15 Hanover Court - prior to any road work by Zurich Homes.



Current condition of Hanover Court – following the ceasing of all work by Zurich Homes.



BAKER DONELSON
BEARMAN, CALDWELL & BERKOWITZ, PC

265 BROOKVIEW CENTRE WAY
SUITE 600
KNOXVILLE, TENNESSEE 37919

PHONE: 865.549.7000
FAX: 865.525.8569

www.bakerdonelson.com

NICHOLAS W. DIEGEL, SHAREHOLDER
Direct Dial: 865-971-5108
E-Mail Address: ndiegel@bakerdonelson.com

July 6, 2026

VIA ELECTRONIC MAIL

Zurich Homes, Inc.
c/o Isaac Zuercher
6233 Peavine Road
Crossville, TN 38558
Isaac@ZurichHomes.com
FrontDesk@ZurichHomes.com

Re: Cease and Desist – Fairfield Glade; Hanover Court

Mr. Zuercher:

Our firm represents FGH Land Tennessee, LLC (the "Declarant"), which is the current holder of Declarant rights established under the Amended and Restated Declaration of Covenants and Restrictions for Fairfield Glade (the "C&Rs"), recorded in the Cumberland County Register of Deeds at Book 1006, Page 1986, *et seq.*

As the Declarant under the C&Rs, the Declarant enjoys certain exclusive rights in furtherance of developing the Fairfield Glade residential development ("Fairfield Glade"). Notably, Article VI, Section 3 of the C&Rs vests Declarant with sole discretion concerning the construction, improvement, and extension of roads and streets within Fairfield Glade:

It is contemplated that the roads and streets shall be constructed by Declarant or Non-Declarant Developers, as applicable, and that those roads and streets which are not accepted for dedication by Cumberland County will be a part of the Common Area. However, **the Declarant shall be the sole judge as to when such roads and streets within the Exhibit "A" Properties, whether dedicated to the public or as Common Area, shall be constructed and extended from time to time. The Declarant shall also be the sole judge as to the extent the roads and streets within the Exhibit "A" Properties will be improved....**

(emphases added).

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10

FILED
Date 7-23, 2026 at 9 AM PM
Entered _____
BEN TOLLETT, CLERK & MASTER
Cumberland County, Crossville, TN
By: _____ *JP*

It has come to the Declarant's attention that Zurich Homes, Inc. recently commenced construction that includes extension and/or improvement of roads and streets in Fairfield Glade, specifically, at Hanover Court. By doing so, Zurich Homes, Inc. is directly violating the C&Rs. Pursuant to Article VI, Section 3, Declarant has sole discretion on whether to improve or extend Hanover Court. Zurich Homes, Inc. neither requested nor received any authorization from Declarant to perform this work. Therefore, Zurich Homes, Inc.'s actions are unlawful.

Declarant hereby demands that Zurich Homes, Inc. immediately cease all further road and street development activity at Hanover Court.

Declarant is further informed that the Fairfield Glade Community Club previously requested that Zurich Homes, Inc., cease all further road and street development at Hanover Court. In response, Zurich Homes, Inc.'s representative, Isaac Zuercher, brazenly stated that the unlawful road work would not cease without an injunction.

To the extent unlawful road development at Hanover Court continues, Declarant is fully prepared to initiate legal proceedings to preserve and enforce its rights under the C&Rs. Declarant reserves the right to seek injunctive relief, damages, and all other remedies available to it at law and in equity against Zurich Homes, Inc. and Mr. Zuercher.

We urge you to take these matters seriously. We require that you communicate your agreement to cease and desist from any further development of the streets at Hanover Court via e-mail to ndiegel@bakerdonelson.com by no later than 5:00 p.m. EST on Tuesday, July 7, 2026.

Please note that nothing in this letter shall be construed as an exhaustive list of the rights of the Declarant or the remedies available to it.

Sincerely,

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ



Nicholas W. Diegel

LOONEY, LOONEY, CHADWELL & HAMBY, PLLC

ATTORNEYS AT LAW
THE LAWYERS BUILDING
156 RECTOR AVENUE
P.O. BOX 1250
CROSSVILLE, TENNESSEE 38557

KENNETH M. CHADWELL
(Email kmchadwell@looneychadwell.com)

JONATHAN R. HAMBY
(Email jrhamby@looneychadwell.com)

TELEPHONE (931) 484-7569
FACSIMILE (931) 484-4488

JOE M. LOONEY
OF COUNSEL

THOMAS E. LOONEY
RETIRED

July 7, 2026

Mr. Joshua R. Denton, Esq.
DENTON AUSTIN PLC
5120 Virginia Way, Suite C-11
Brentwood, TN 37027

Mr. Henry D. Fincher, Esq.
LAW FIRM OF HENRY D. FINCHER
305 E. Spring Street
Cookeville, TN 38501

FILED
Date 7-23, 2026 at 9 AM/PM
Entered _____
BEN TOLLETT, CLERK & MASTER
Cumberland County, Crossville, TN
By: _____ JP

Re: **Zurich Homes, Inc.**
15 Hanover Court
Fairfield Glade, TN 38558

Dear Sirs:

I write on behalf of the Fairfield Glade Community Club, ("Club"). Your client, Zurich Homes, Inc. ("Zurich"), is directed to immediately cease and desist all paving and road work operations on Hanover Court including, without limitation, that portion of said road abutting the address referenced-above. The Fairfield Glade Community Club Architectural Control Committee, ("ACC"), approved the Home Construction Application for 15 Hanover Court, (#10803-081), but did so with the following specific stipulation, as noted in the minutes of the ACC meeting on December 2, 2025: "Approved, provided that no modifications or improvements to common areas – such as roads – are permitted". Zurich is strictly prohibited from engaging in the paving and road work that it started on or about June 30, 2026, and then appears to have attempted to continue on July 6, 2026. In Article VI, Section 3, of the Amended and Restated Declaration of Covenants and Restrictions, ("Declaration"), the gravel road known as Hanover Court is Common Area to the Club. It has not been accepted by Cumberland County as a county road.

The statement by Zurich's representative to Mr. Harry Hibbs, the Club's Director of Community Maintenance, that Zurich is working in County right-of-way is simply false

EXHIBIT

11

Joshua R. Denton, Esq.
Henry D. Fincher, Esq.
July 7, 2026
Page - 2 -

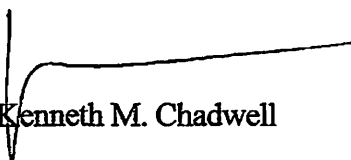
and misleading. Zurich has no authority from either the County or the Club for such work, and the County has no jurisdiction to give any such authority.

Additionally, as you are well aware by this point, as is Zurich, the Declaration specifically states in Section 3, that "the Declarant shall also be the sole judge as to the extent the road and streets within the Exhibit "A" Properties will be improved." Zurich is in violation of the Declaration and the terms of its ACC application approval, and otherwise is without authority to take the rogue actions on Hanover Court.

Again, the Club demands that Zurich cease and desist in all such paving and roadwork and that it confine itself to the terms of its ACC Application. The Club reserves all rights and claims that it may have in this matter including, without limitation, the right to seek such equitable and legal redress as it deems necessary, and to pursue such action as it deems necessary against the contractor actually performing the roadwork.

Sincerely,

Looney, Looney, Chadwell & Hamby, PLLC



Kenneth M. Chadwell

KMC:rsw

cc: Fairfield Glade Community Club

Tonya Austin

Isaac Zuercher | Zurich Homes, Inc.
Office: 931-787-1800
Email: Isaac@zurichhomes.com
Web: www.zurichhomes.com

From: Isaac Zuercher <IZuercher@ffgboard.cc>
Sent: Wednesday, July 8, 2026 8:27 AM
To: Isaac Zuercher <isaac@zurichhomes.com>
Subject: FW: Hanover Ct - Zurich Improving Cul-de-sac

Caution: Please note that this email originated from an external sender, and was not sent from a Zurich employee. Please exercise caution when opening the email and do not open any attachments or links that look suspicious.

Isaac Zuercher
FGCC Board Member

From: Harry Hibbs <hhibbs@fairfieldglade.cc>
Sent: Wednesday, July 8, 2026 8:06 AM
To: Isaac Zuercher <IZuercher@ffgboard.cc>
Subject: Fw: Hanover Ct - Zurich Improving Cul-de-sac

Good Morning Isaac,

Here's my reply to the situation on Hanover Court and my report on our conversation.

Just want to be transparent with all.

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Date 7-23, 2026 at 9 AM/PM
Entered _____
BEN TOLLETT, CLERK & MASTER
Cumberland County, Crossville, TN
By: _____ JP

EXHIBIT
12

Thanks,



Harry Hibbs

Director of Community Maintenance & Project Management

Fairfield Glade Community Club

Phone: (931) 707-2127

www.fairfieldgladeresort.com

"One of America's 100 Best Places to Live"

Ideal-Living, July 2022

From: Harry Hibbs <hhibbs@fairfieldglade.cc>

Sent: Tuesday, June 30, 2026 3:16 PM

To: Ellen Anderson <ellen@anderson-re.com>; JT Smith - Fairfield Glade Homes <jtsmith@fairfieldglade.net>; Tiffany Leistner <tleistner@fairfieldglade.cc>; Bill Ward <bward@FAIRFIELDGLADE.CC>; kmchadwell@looneychadwell.com <kmchadwell@looneychadwell.com>; Greg Jones <gregory.jones2021@gmail.com>

Cc: tom anderson <tom@anderson-re.com>; cschmid@bakerdonelson.com <cschmid@bakerdonelson.com>

Subject: Re: Hanover Ct - Zurich Improving Cul-de-sac

Good Afternoon All,

I drove down to Hanover Ct and talked to the contractor. They had crusher run piled loosely on the road. I asked him to finish smoothing it out and make it safe and drivable for residents that live on the court. Once he completes that task, he will leave.

I also spoke to Isaac about the situation. He and his attorney believe they are working in a county right-of-way. He has advised that the Declarant will need to file an injunction to have him stop. He also advised I have no authority to stop the work.

The ACC does not have authority over matters related to roads. The ACC's responsibilities are set forth in Article XII, Section 1(e), which pertains to architectural standards, regulations, policies, procedures, and guidelines. Based on the governing documents, decisions regarding roads fall outside the ACC's scope of authority and responsibility.

As roads and bridges fall within our team's responsibilities, I will address matters related to existing roads within the community. The development and construction of new roads remain under the authority of the Declarant, as outlined in Article VI, Section 3 of the governing documents. Based on my understanding, this appears to be a matter between the Declarant and Zurich Homes.

Thank You,



Director of Community Maintenance & Project Management

Fairfield Glade Community Club

Phone: (931) 707-2127

www.fairfieldgladeresort.com

"One of America's 100 Best Places to Live"

Ideal-Living, July 2022

From: Ellen Anderson <ellen@anderson-re.com>

Sent: Tuesday, June 30, 2026 10:39 AM

To: JT Smith - Fairfield Glade Homes <jtsmith@fairfieldglade.net>; Harry Hibbs <hhibbs@fairfieldglade.cc>; Tiffany Leistner <tleistner@fairfieldglade.cc>; Bill Ward <bward@FAIRFIELDGLADE.CC>; kmchadwell@looneychadwell.com <kmchadwell@looneychadwell.com>; Greg Jones <gregory.jones2021@gmail.com>

Cc: tom anderson <tom@anderson-re.com>; cschmid@bakerdonelson.com <cschmid@bakerdonelson.com>

Subject: Re: Hanover Ct - Zurich Improving Cul-de-sac

Adding Greg.

Ellen Anderson

Asset Manager

Anderson Real Estate

ellen@anderson-re.com

(c) 973.896.6612

From: JT Smith - Fairfield Glade Homes <jtsmith@fairfieldglade.net>

Date: Tuesday, June 30, 2026 at 11:18 AM

To: Harry Hibbs <hhibbs@fairfieldglade.cc>; Tiffany Leister <tleistner@fairfieldglade.cc>; Bill Ward <bward@fairfieldglade.cc>; kmchadwell@looneychadwell.com <kmchadwell@looneychadwell.com>

Cc: tom anderson <tom@anderson-re.com>; Ellen Anderson <ellen@anderson-re.com>; cschmid@bakerdonelson.com <cschmid@bakerdonelson.com>

Subject: Hanover Ct - Zurich Improving Cul-de-sac

All - Isaac currently has a paving company down on Hanover Ct improving the cul-de-sac. This is in direct violation of the C&Rs as well as his ACC approval letter that stated the cul-de-sac could not be improved. Please put a stop to this work.





