

FILED FOR RECORD

At 4:20 O'Clock P. M.

6:30 FEB 9 1972

438 PAGE 203

JOSEPHINE R. HEYLAND

Clerk and Recorder  
BENTON COUNTY, ARK.

SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS

WHEREAS, Cooper Communities, Inc., successor to John A. Cooper Company (formerly Cherokee Village Development Company, Inc.) by reason of merger, hereinafter called "Developer," executed on the 18th day of May, 1965, a Declaration with Protective Covenants attached thereto as Exhibit 1 and forming a part of said Declaration, which Declaration was filed for record at 10:00 a.m. on the 18th day of May, 1965, in the office of the Circuit Clerk and Ex-Officio Recorder in and for Benton County, Arkansas, and is there recorded in Book 373, Page 08, et seq.; and

WHEREAS, Bella Vista Country Club, a nonprofit corporation organized under the laws of the State of Arkansas, hereinafter referred to as "Club," joined in the said Declaration for the purpose of indicating its agreement to perform the obligations placed upon it by the Declaration; and

WHEREAS, the Developer desires to make an addition to the existing property by adding thereto as Tract No. 182 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tract No. 182 shall be covered as fully by the Declaration aforesaid as though said tract had been included with the other property described in said Declaration; and

WHEREAS, the Club is agreeable that said lands hereinafter described as Tract No. 182 shall be covered and included under the terms, provisions, assessments and liens as provided in the Declaration above referred to.

NOW, THEREFORE, it is provided by the Developer in compliance with ARTICLE II, Section 2, of the Declaration aforesaid that the following lands are hereby subject to said Declaration to the extent that same shall constitute additional lands under the Declaration aforesaid and shall be a part of the existing properties, and said lands referred to shall be Tract No. 182 under and in said Declaration and covered

**LITTLE & LAWRENCE**

ATTORNEYS AT LAW  
POST OFFICE BOX 447  
BENTONVILLE, ARKANSAS 72712

by said Declaration as fully as though the same had been included in said Declaration at the time same was executed, and the lands referred to lying and being situate in the County of Benton, State of Arkansas, to-wit:

TRACT NO. 182: ANNSBOROUGH SUBDIVISION, Blocks 1 through 8, inclusive, Plat Book 77, Page 78, being more particularly described as follows:

A parcel of land lying in the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 28, Township 21 North, Range 31 West (0.334 acres, more or less); the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 27, Township 21 North, Range 31 West (12.228 acres, more or less); the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 28 (0.006 acres, more or less); the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 27, Township 21 North, Range 31 West (0.068 acres, more or less); the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 27, Township 21 North, Range 31 West (2.837 acres, more or less); the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 27, Township 21 North, Range 31 West (3.809 acres, more or less); the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 28, Township 21 North, Range 31 West (0.734 acres, more or less); the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 27, Township 21 North, Range 31 West (39.094 acres, more or less); the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 27, Township 21 North, Range 31 West (0.700 acres, more or less), the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 27, Township 21 North, Range 31 West (0.479 acres, more or less) the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 27, Township 21 North, Range 31 West (36.683 acres, more or less), all of the Fifth Principal Meridian, Benton County, Arkansas, being more particularly described as follows:

Commencing at the Southwest corner of Section 27, Township 21 North, Range 31 West, Benton County, Arkansas (Arkansas State Plane Coordinate North 781,770.549 feet; East 1,331,754.966 feet); thence North 700.461 feet to a point; thence East 0.966 feet to the point of beginning; thence North 02° 47' 03" East 457.117 feet to a point; thence North 55° 31' 16" West 43.379 feet to a point; thence North 69° 33' 38" West 157.093 feet to a point on a curve concave to the West and having a radius of 45.000 feet, a radial to said point bearing South 54° 43' 56" East; said curve having a chord bearing and distance of North 08° 13' 04" East 40.927 feet; thence northerly along the arc of said curve 42.488 feet to a point which has a radial bearing of North 71° 10' 12" East; thence South 69° 33' 38" East 170.683 feet to a point; thence South 55° 31' 16" East 23.602 feet to a point; thence North 02° 47' 03" East 460.172 feet to a point; thence North 89° 45' 17" West 187.986 feet to a point; thence South 84° 03' 16" West 70.166 feet to a point; thence North 02° 10' 38" East 40.405 feet to a point; thence North 84° 03' 16" East 66.614 feet to a point; thence South 89° 45' 17" East 191.927 feet to a point; thence North 02° 47' 03" East 759.994 feet to a point; thence South 75° 57' 49" West 182.926 feet to a point on a curve concave to the Southwest and having a radius of 45.000 feet, a radial to said point bears South 77° 38' 55" East and has a chord bearing and distance of North 14° 02' 11" West 40.000 feet; thence Northwesterly along the arc of said curve 41.450 feet to a point; thence North 75° 57' 49" East 195.019 feet to a point; thence North 02° 47' 03" East 83.700 feet to a point; thence South 87° 27' 00" East 1511.688 feet to the beginning of a tangent curve convave northerly and having a radius of 539.446 feet and a chord bearing and distance of North 82° 30' 46" East 188.033 feet; thence along the arc of said curve 188.998 feet to a point; thence South 63° 54' 06" East

(continued....)

(Annsborough Subdivision description - continued)


114.237 feet to a point; thence South 87° 31' 55" East 812.000 feet to a point; thence South 87° 38' 53" East 235.549 feet to a point; thence South 39° 43' 56" West 95.679 feet to a point; thence South 76° 24' 21" West 144.819 feet to a point; thence South 74° 37' 11" West 107.490 feet to a point; thence South 57° 12' 14" West 50.279 feet to a point; thence South 76° 40' 09" West 48.219 feet to a point; thence South 34° 10' 48" West 31.399 feet to a point; thence South 54° 29' 42" West 113.369 feet to a point; thence South 74° 10' 23" West 146.458 feet to a point; thence North 76° 18' 01" West 91.089 feet to a point; thence South 02° 19' 22" West 41.130 feet to a point; thence South 53° 42' 15" West 247.517 feet to a point; thence South 73° 02' 25" West 97.799 feet to a point; thence South 67° 00' 54" West 79.659 feet to a point; thence South 56° 57' 46" West 65.369 feet to a point; thence South 86° 31' 04" West 38.179 feet to a point; thence South 39° 56' 51" West 21.510 feet to a point; thence South 50° 18' 00" West 85.339 feet to a point; thence North 74° 39' 41" East 93.961 feet to a point; thence North 75° 21' 32" East 157.451 feet to a point; thence South 86° 10' 23" East 65.581 feet to a point; thence North 71° 29' 51" East 39.150 feet to a point; thence North 51° 52' 46" East 105.562 feet to a point; thence North 58° 42' 07" East 58.590 feet to a point; thence North 72° 51' 27" East 164.902 feet to a point; thence North 88° 48' 52" East 73.071 feet to a point; thence North 76° 47' 44" East 125.861 feet to a point; thence North 69° 44' 16" East 204.953 feet to a point; thence South 80° 19' 27" East 120.930 feet to a point; thence South 33° 58' 43" East 98.260 feet to a point; thence South 05° 11' 17" East 178.599 feet to a point; thence South 15° 48' 39" West 108.639 feet to a point; thence South 17° 40' 09" East 87.270 feet to a point; thence South 05° 23' 16" West 95.689 feet to a point; thence South 20° 12' 29" West 151.999 feet to a point; thence South 23° 10' 23" West 241.897 feet to a point; thence South 42° 30' 52" West 79.489 feet to a point; thence South 86° 58' 24" West 227.828 feet to a point; thence North 80° 51' 33" West 67.450 feet to a point; thence South 64° 35' 36" West 87.750 feet to a point; thence South 76° 51' 26" West 79.739 feet to a point; thence South 88° 02' 17" West 113.450 feet to a point; thence North 85° 47' 04" West 97.737 feet to a point; thence North 87° 04' 05" West 37.059 feet to a point; thence South 72° 11' 58" West 121.011 feet to a point; thence South 75° 01' 24" West 107.330 feet to a point; thence South 88° 52' 34" West 176.398 feet to a point; thence South 83° 28' 07" West 136.600 feet to a point; thence South 89° 03' 49" West 159.638 feet to a point; thence North 82° 22' 09" West 105.980 feet to a point; thence South 86° 15' 53" West 154.068 feet to a point; thence South 54° 19' 34" West 187.072 feet to a point; thence South 64° 02' 39" West 237.071 feet to the beginning of a non-tangent curve concave southeasterly and having a radius of 734.560 feet and a chord bearing and distance of South 37° 52' 21" West 198.172 feet; thence Southwesterly along the arc of said curve 198.778 feet to a point; thence North 59° 52' 47" West 80.000 feet to a point; thence North 87° 12' 57" West 460.339 feet to a point of beginning, area containing 96.972 acres, more or less.

The Club joins in this Declaration, as it joined in the Original Declaration, for the purpose of indicating its agreement to perform the obligations placed upon it by the Original Declaration as well as this Declaration.

IN WITNESS WHEREOF, this instrument is executed by the Developer and the Club through their respective corporate officers who are duly authorized to so execute same in multiple counterparts, any one of which shall be deemed an original, this 9th day of February, 1972.

ATTEST:

COOPER COMMUNITIES, INC.

  
W. E. Sheneman  
Asst. Secretary

By G. Billingsley  
Vice-President

ATTEST:

BELLA VISTA COUNTRY CLUB

Clayton Little  
Secretary

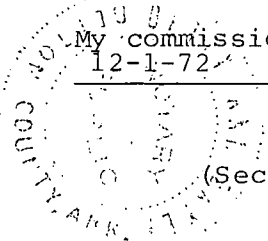
By J. L. [Signature]  
President

ACKNOWLEDGMENT

STATE OF ARKANSAS)  
COUNTY OF BENTON )SS.

On this day before me, the undersigned Notary Public, duly commissioned, qualified and acting within and for the said County and State, appeared in person the within named G. Billingsley and W. E. Sheneman, to me personally well known, who stated that they were the Vice President and Assistant Secretary of COOPER COMMUNITIES, INC., a Delaware corporation, and were duly authorized in their respective capacities to execute the foregoing instrument for and in the name and behalf of said corporation, and further stated and acknowledged that they had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 9th day of February, 1972.

My commission expires:  
12-1-72  


Betty Ann Baker  
Notary Public

(Second Acknowledgment on next page....)

ACKNOWLEDGMENT

STATE OF ARKANSAS) SS.  
COUNTY OF BENTON )

On this day before me, the undersigned Notary Public, duly commissioned, qualified and acting within and for the said County and State, appeared in person the within named John M. Riordan and Clayton N. Little, to me personally well known, who stated that they were the President and Secretary of BELLA VISTA COUNTRY CLUB, a non-profit corporation organized under the laws of the State of Arkansas, and were duly authorized in their respective capacities to execute the foregoing instrument for and in the name and behalf of said corporation, and further stated and acknowledged that they had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 9th day of February, 1972.

My commission expires: \_\_\_\_\_

Betty Ann Baker  
Notary Public

