

523  
FILED FOR RECORD

At 11:15 O'Clock A M.

BOOK 392 PAGE 408

OCT 31 1967

JOSEPHINE R. HEYLAND SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS  
Clerk and Recorder  
BENTON COUNTY, ARK.

WHEREAS, Cherokee Village Development Company, Inc., an Arkansas corporation, 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 o'clock 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 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 Tracts numbered 51, 52, and 53 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tracts numbered 51, 52, and 53 shall be covered as fully by the Declaration aforesaid as though said tracts had been included with the other property described in said Declaration; and

WHEREAS, the Club is agreeable that said lands hereinafter described as Tracts numbered 51, 52, and 53 shall be covered and included under the terms, provisions, assessments and liens as provided in the Declaration above referred to;

NOW, THEREFORE, the Developer for the purposes aforesaid and in compliance with ARTICLE II, Section 2 of the Declaration aforesaid declares 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 property, and said lands referred to shall be Tracts numbered 51, 52 and 53 under and in said Declaration and covered by said Declaration as fully as though the same had been included in the 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. 51: Blocks 1, 5, 8 and 9 and part of  
Blocks 2 and 6, BEDFORD SUBDIVISION

Plat Book H, Page 145, being more particularly described as follows:

A parcel of land lying the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$ , the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$ , the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$ , the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$ , and the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 17, and the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$ , the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$ , and the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 20, Township 21 North, Range 30 West of the Fifth Principal Meridian, Benton County, Arkansas, and being more particularly described as follows:

Starting at the Southwest corner of Section 17, Township 21 North, Range 30 West; thence North 843.160 feet to a point; thence East 1803.040 feet to the point of beginning; thence North 22° 40' 33" East 195.730 feet to a point; thence South 61° 41' 57" East 39.232 feet to a point; thence North 26° 45' 57" East 255.361 feet to a point; thence North 51° 42' 35" East 121.037 feet to a point; thence South 62° 31' 32" East 281.780 feet to a point; thence North 70° 20' 46" East 297.321 feet to a point; thence North 83° 17' 25" East 171.172 feet to a point; thence South 81° 52' 12" East 424.264 feet to a point; thence South 71° 18' 32" East 382.644 feet to a point; thence along a 05° 28' 34" curve to the left 230.622 feet to a point, said curve having a chord bearing of South 31° 33' 44" West and chord distance of 230.156 feet; thence along a 04° 36' 06" curve to the left 548.859 feet to a point; thence South 320.000 feet to a point; thence along a 29° 06' 45" curve to the right 223.048 feet to a point; thence South 64° 14' 19" West 196.363 feet to a point; thence along a 29° 03' 35" curve to the left 223.444 feet to a point; thence along a 19° 00' 27" curve to the right 128.731 feet to a point; thence North 61° 31' 34" West 385.705 feet to a point; thence North 43° 56' 11" West 266.625 feet to a point; thence South 86° 01' 51" West 245.589 feet to a point; thence South 31° 25' 46" West 210.950 feet to a point; thence South 50° 48' 16" West 300.648 feet to a point; thence South 69° 40' 37" West 172.754 feet to a point; thence South 82° 19' 16" West 449.027 feet to a point; thence South 71° 30' 27" West 630.558 feet to a point; thence North 12° 01' 36" East 470.323 feet to a point; thence North 24° 06' 08" East 208.147 feet to a point; thence North 00° 58' 46" West 585.085 feet to a point; thence North 28° 30' 28" East 356.187

(continued)

feet to a point; thence North  $78^{\circ} 41' 24''$  East 214.159 feet to a point; thence North  $87^{\circ} 29' 19''$  East 570.548 feet to a point; thence North  $75^{\circ} 22' 45''$  East 237.697 feet to the point of beginning and containing in all 92.23 acres.

TRACT NO. 52: Blocks 3, 4 and 7 and Part of Blocks 2 and 6 - BEDFORD SUBDIVISION

Plat Book H, Page 145, being more particularly described as follows:

A parcel of land lying in the  $SE\frac{1}{4}$  of the  $SW\frac{1}{4}$ , the  $SW\frac{1}{4}$  of the  $SW\frac{1}{4}$ , the  $NW\frac{1}{4}$  of the  $SW\frac{1}{4}$ , and the  $NE\frac{1}{4}$  of the  $SW\frac{1}{4}$  of Section 17 and the  $NE\frac{1}{4}$  of the  $SE\frac{1}{4}$  of Section 18, Township 21 North, Range 30 West of the fifth principal meridian, Benton County, Arkansas, and being more particularly described as follows:

Starting at the Southwest corner of Section 17, Township 21 North, Range 30 West, thence East 1803.04 feet; thence North 843.16 feet to the point of beginning; thence South  $75^{\circ} 22' 45''$  West 237.697 feet to a point; thence South  $87^{\circ} 29' 19''$  West 570.548 feet to a point; thence South  $78^{\circ} 41' 24''$  West 214.159 feet to a point; thence South  $28^{\circ} 30' 28''$  West 356.187 feet to a point; thence North  $72^{\circ} 17' 03''$  West 377.922 feet to a point; thence North  $03^{\circ} 18' 07''$  East 260.432 feet to a point; thence North  $24^{\circ} 40' 37''$  West 407.185 feet to a point; thence North  $15^{\circ} 12' 35''$  East 331.616 feet to a point; thence North  $44^{\circ} 44' 04''$  West 457.503 feet to a point; thence North  $21^{\circ} 48' 05''$  West 565.442 feet to a point; thence North  $19^{\circ} 26' 24''$  East 180.278 feet to a point; thence North  $84^{\circ} 03' 11''$  East 241.299 feet to a point; thence South  $77^{\circ} 00' 19''$  East 133.417 feet to a point; thence South  $47^{\circ} 04' 57''$  East 389.166 feet to a point; thence South  $54^{\circ} 11' 57''$  East 582.272 feet to a point; thence North  $30^{\circ} 45' 46''$  East 152.000 feet to a point; thence South  $38^{\circ} 46' 27''$  East 391.216 feet to a point; thence North  $72^{\circ} 38' 46''$  East 335.261 feet to a point; thence South  $80^{\circ} 02' 43''$  East 248.745 feet to a point; thence South  $40^{\circ} 25' 24''$  East 593.742 feet to a point; thence South  $51^{\circ} 42' 35''$  West 121.037 feet to a point; thence South  $26^{\circ} 45' 57''$  West 255.361 feet to a point; thence North  $61^{\circ} 41' 57''$  West 39.232 feet to a point; thence South  $22^{\circ} 40' 33''$  West 195.730 feet to the point of beginning and containing in all 57.53 acres.

TRACT NO. 53: Blocks 1 through 6, inclusive  
CANTERBURY SUBDIVISION

Plat Book H, Page 147, being more particularly described as follows:

A parcel of land lying in the  $SW\frac{1}{4}$  of the  $NE\frac{1}{4}$ , the  $SE\frac{1}{4}$  of the  $NW\frac{1}{4}$ , and the  $NW\frac{1}{4}$  of the  $SE\frac{1}{4}$  of Section 21, Township 21 North, Range 30 West of the Fifth Principal Meridian, Benton County, Arkansas, and being more particularly described as follows:

(continued)



TRACT NO. 53 - Canterbury Subdivision (Continued)

Starting at the Northwest corner of Section 21, Township 21 North, Range 30 West; thence South 1371.343 feet to a point; thence East 1276.436 feet to the point of beginning; thence South 87° 51' 59" East 2638.417 feet to a point; thence South 02° 35' 48" West 1240.280 feet to a point; thence South 66° 27' 23" West 150.359 feet to a point; thence along a 11° 23' 25" curve to the right 172.104 feet to a point; thence South 86° 01' 39" West 98.694 feet to a point; thence along a 11° 57' 03" curve to the left 200.139 feet to a point; thence South 62° 09' 09" West 49.708 feet to a point; thence along a 05° 16' 41" curve to the right 288.99 feet to a point; thence North 12° 36' 01" West 80.000 feet to a point; thence North 15° 54' 10" West 89.946 feet to a point; thence North 54° 55' 20" West 492.441 feet to a point; thence North 18° 48' 43" West 192.271 feet to a point; thence North 76° 53' 24" West 404.454 feet to a point; thence South 62° 42' 23" West 185.000 feet to a point; thence North 27° 17' 37" West 80.000 feet to a point; thence North 07° 17' 37" West 65.160 feet to a point; thence North 37° 24' 09" East 128.863 feet to a point; thence North 35° 32' 16" West 43.012 feet to a point; thence North 62° 54' 16" West 48.301 feet to a point; thence North 06° 50' 34" East 25.179 feet to a point; thence North 65° 17' 51" West 55.036 feet to a point; thence South 84° 53' 26" West 426.695 feet to a point; thence North 73° 10' 07" West 134.755 feet to a point; thence North 02° 33' 56" East 642.202 feet to the point of beginning and containing in all 65.6 acres.

The Club joins in this Declaration, as it joined in the original Declaration, for the purposes 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 its respective corporate officers who are duly authorized to so execute same in multiple counterparts any one of which shall be deemed an original this 31 day of October, 1967.

CHEROKEE VILLAGE DEVELOPMENT COMPANY, INC.

ATTEST:

Ellen Orr  
Assistant Secretary

J. Bellamy  
Vice-President

ATTEST:

BELLA VISTA COUNTRY CLUB

[Signature]  
Secretary

By John A. Cooper Jr.  
President

(Acknowledgments 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 G. W. BILLINGSLEY and ELLEN ORR, to me personally well known, who stated that they were the Vice-President and Assistant Secretary of CHEROKEE VILLAGE DEVELOPMENT COMPANY, INC., an Arkansas 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 31 day of October, 1967.

Allen King McKinney  
Notary Public



My commission expires:

November 2, 1968.

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 A. COOPER, JR., and J. F. GORE, to me personally well known, who stated that they were the President and Secretary of BELLA VISTA COUNTRY CLUB, an Arkansas 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 31 day of October, 1967.

Allen King McKinney  
Notary Public



My commission expires:

November 2, 1968.

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At 11:15 O'Clock A M.

BOOK 392 PAGE 408

OCT 31 1967

JOSEPHINE R. HEYLAND SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS  
Clerk and Recorder  
BENTON COUNTY, ARK.

WHEREAS, Cherokee Village Development Company, Inc., an Arkansas corporation, 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 o'clock 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 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 Tracts numbered 51, 52, and 53 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tracts numbered 51, 52, and 53 shall be covered as fully by the Declaration aforesaid as though said tracts had been included with the other property described in said Declaration; and

WHEREAS, the Club is agreeable that said lands hereinafter described as Tracts numbered 51, 52, and 53 shall be covered and included under the terms, provisions, assessments and liens as provided in the Declaration above referred to;

NOW, THEREFORE, the Developer for the purposes aforesaid and in compliance with ARTICLE II, Section 2 of the Declaration aforesaid declares 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 property, and said lands referred to shall be Tracts numbered 51, 52 and 53 under and in said Declaration and covered by said Declaration as fully as though the same had been included in the 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. 51: Blocks 1, 5, 8 and 9 and part of  
Blocks 2 and 6, BEDFORD SUBDIVISION

Plat Book H, Page 145, being more particularly described as follows:

A parcel of land lying the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$ , the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$ , the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$ , the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$ , and the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 17, and the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$ , the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$ , and the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 20, Township 21 North, Range 30 West of the Fifth Principal Meridian, Benton County, Arkansas, and being more particularly described as follows:

Starting at the Southwest corner of Section 17, Township 21 North, Range 30 West; thence North 843.160 feet to a point; thence East 1803.040 feet to the point of beginning; thence North 22° 40' 33" East 195.730 feet to a point; thence South 61° 41' 57" East 39.232 feet to a point; thence North 26° 45' 57" East 255.361 feet to a point; thence North 51° 42' 35" East 121.037 feet to a point; thence South 62° 31' 32" East 281.780 feet to a point; thence North 70° 20' 46" East 297.321 feet to a point; thence North 83° 17' 25" East 171.172 feet to a point; thence South 81° 52' 12" East 424.264 feet to a point; thence South 71° 18' 32" East 382.644 feet to a point; thence along a 05° 28' 34" curve to the left 230.622 feet to a point, said curve having a chord bearing of South 31° 33' 44" West and chord distance of 230.156 feet; thence along a 04° 36' 06" curve to the left 548.859 feet to a point; thence South 320.000 feet to a point; thence along a 29° 06' 45" curve to the right 223.048 feet to a point; thence South 64° 14' 19" West 196.363 feet to a point; thence along a 29° 03' 35" curve to the left 223.444 feet to a point; thence along a 19° 00' 27" curve to the right 128.731 feet to a point; thence North 61° 31' 34" West 385.705 feet to a point; thence North 43° 56' 11" West 266.625 feet to a point; thence South 86° 01' 51" West 245.589 feet to a point; thence South 31° 25' 46" West 210.950 feet to a point; thence South 50° 48' 16" West 300.648 feet to a point; thence South 69° 40' 37" West 172.754 feet to a point; thence South 82° 19' 16" West 449.027 feet to a point; thence South 71° 30' 27" West 630.558 feet to a point; thence North 12° 01' 36" East 470.323 feet to a point; thence North 24° 06' 08" East 208.147 feet to a point; thence North 00° 58' 46" West 585.085 feet to a point; thence North 28° 30' 28" East 356.187

(continued)

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TRACT NO. 53: Blocks 1 through 6, inclusive  
CANTERBURY SUBDIVISION

Plat Book H, Page 147, being more particularly described as follows:

A parcel of land lying in the  $SW\frac{1}{4}$  of the  $NE\frac{1}{4}$ , the  $SE\frac{1}{4}$  of the  $NW\frac{1}{4}$ , and the  $NW\frac{1}{4}$  of the  $SE\frac{1}{4}$  of Section 21, Township 21 North, Range 30 West of the Fifth Principal Meridian, Benton County, Arkansas, and being more particularly described as follows:

(continued)



TRACT NO. 53 - Canterbury Subdivision (Continued)

Starting at the Northwest corner of Section 21, Township 21 North, Range 30 West; thence South 1371.343 feet to a point; thence East 1276.436 feet to the point of beginning; thence South 87° 51' 59" East 2638.417 feet to a point; thence South 02° 35' 48" West 1240.280 feet to a point; thence South 66° 27' 23" West 150.359 feet to a point; thence along a 11° 23' 25" curve to the right 172.104 feet to a point; thence South 86° 01' 39" West 98.694 feet to a point; thence along a 11° 57' 03" curve to the left 200.139 feet to a point; thence South 62° 09' 09" West 49.708 feet to a point; thence along a 05° 16' 41" curve to the right 288.99 feet to a point; thence North 12° 36' 01" West 80.000 feet to a point; thence North 15° 54' 10" West 89.946 feet to a point; thence North 54° 55' 20" West 492.441 feet to a point; thence North 18° 48' 43" West 192.271 feet to a point; thence North 76° 53' 24" West 404.454 feet to a point; thence South 62° 42' 23" West 185.000 feet to a point; thence North 27° 17' 37" West 80.000 feet to a point; thence North 07° 17' 37" West 65.160 feet to a point; thence North 37° 24' 09" East 128.863 feet to a point; thence North 35° 32' 16" West 43.012 feet to a point; thence North 62° 54' 16" West 48.301 feet to a point; thence North 06° 50' 34" East 25.179 feet to a point; thence North 65° 17' 51" West 55.036 feet to a point; thence South 84° 53' 26" West 426.695 feet to a point; thence North 73° 10' 07" West 134.755 feet to a point; thence North 02° 33' 56" East 642.202 feet to the point of beginning and containing in all 65.6 acres.

The Club joins in this Declaration, as it joined in the original Declaration, for the purposes 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 its respective corporate officers who are duly authorized to so execute same in multiple counterparts any one of which shall be deemed an original this 31 day of October, 1967.

CHEROKEE VILLAGE DEVELOPMENT COMPANY, INC.

ATTEST:

Ellen Orr  
Assistant Secretary

J. Bellamy  
Vice-President

ATTEST:

BELLA VISTA COUNTRY CLUB

Steve  
Secretary

By John A. Cooper Jr.  
President

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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 G. W. BILLINGSLEY and ELLEN ORR, to me personally well known, who stated that they were the Vice-President and Assistant Secretary of CHEROKEE VILLAGE DEVELOPMENT COMPANY, INC., an Arkansas 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 31 day of October, 1967.

Alene King McKinney  
Notary Public



My commission expires:  
November 2, 1968.

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 A. COOPER, JR., and J. F. GORE, to me personally well known, who stated that they were the President and Secretary of BELLA VISTA COUNTRY CLUB, an Arkansas 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.

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