

For release hereof see Record 2005
Page 26863 5-31-05
Brenda DeShields Clerk
DP

FILED FOR RECORD
At 1 O'Clock P M.

BOOK **418** PAGE **40**

JUL 2 1970

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

25
3

WHEREAS, John A. Cooper Company, formerly Cherokee Village Development Company, 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 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. 126 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tract No. 126 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. 126 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. 126 under and in said Declaration and covered by said Declaration as fully as though the same had been

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Easement
For release hereof see Record 04-28-06
Page 2006 21835
Brenda DeShields Clerk

1st easement
For release hereof see Record 05
Page 19038 4-20-05
Brenda DeShields Clerk

1st easement
For release hereof see Record 2007
Page 4695 02-05-07
Brenda DeShields Clerk
J.G.

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. 126 : BERKSDALE SUBDIVISION, Blocks 1 through 5, inclusive, Plat Record L, Page 23,

being more particularly described as follows:

A parcel of land lying in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ (10.45 acres, more or less), the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ (21.31 acres, more or less), the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ (3.64 acres, more or less) of Section 35, Township 21 North, Range 31 West, and in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ (4.66 acres, more or less), the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ (39.72 acres, more or less), the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ (25.18 acres, more or less), the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ (4.03 acres, more or less) of Section 2, Township 20 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, being more particularly described as follows:

Commencing at the Southeast corner of Section 35, Township 21 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, run South 191.630 feet to a point; thence run West 457.573 feet to the point of beginning; thence run South 04° 40' 03" East 1105.859 feet to a point; thence run South 74° 16' 38" West 64.866 feet to a point of curvature; thence run Southwestwardly along a curve to the left 77.872 feet to a point of tangency, said curve having a degree of curvature of 41° 27' 15" and a chord of South 58° 08' 12" West 76.847 feet; thence run South 41° 59' 46" West 221.388 feet to a point of curvature; thence run Northwestwardly along a curve to the right 536.764 feet to a point of tangency, said curve having a degree of curvature of 20° 31' 41" and a chord of North 82° 54' 37" West 457.788 feet; thence run North 27° 48' 59" West 244.920 feet to a point; thence run North 87° 31' 39" West 1423.687 feet to a point; thence run North 59° 02' 10" East 50.000 feet to a point; thence run North 30° 39' 02" West 456.193 feet to a point; thence run North 01° 59' 36" East 862.522 feet to a point; thence run North 27° 47' 55" East 664.713 feet to a point; thence run North 45° 00' 00" East 364.867 feet to a point; thence run South 77° 48' 31" East 828.689 feet to a point; thence run South 44° 48' 11" East 819.150 feet to a point; thence run South 47° 22' 00" West 200.000 feet to a point; thence run South 42° 38' 00" East 179.999 feet to a point; thence run South 70° 01' 59" East 152.060 feet to a point; thence run North 47° 22' 00" East 150.000 feet to a point; thence run South 43° 30' 06" East 222.542 feet to the point of beginning and containing a total of 98.9952 acres.

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

