

FILED FOR RECORD

At 10:30 O'Clock A M.

BOOK 416 PAGE 205

MAY 5 1970

SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS

JOSEPHINE R. HEYLAND

Clerk and Recorder
BENTON COUNTY, ARK.

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

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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 Tract numbered 117 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tract numbered 117 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 numbered 117 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 numbered 117 under and in said Declaration and covered by said Declaration as fully as though the same had been included in the Declara-

LITTLE & LAWRENCE

ATTORNEYS AT LAW
POST OFFICE BOX 447

BENTONVILLE, ARKANSAS 72712

Return

For release hereof see Record 68
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Sue Hodges
by KS

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Sue Hodges by KS

tion 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. 117: Blocks 1 to 9, inclusive,
BIRMINGHAM SUBDIVISION, Plat Book J, Page 187,
being more particularly described as follows:

A parcel of land lying in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ (6.5329 acres), the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ (30.6543 acres), the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ (1.8968 acres), all in Section 1, Township 20 North, Range 31 West, and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ (0.9945 acres), the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ (35.4892 acres), the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ (28.4789 acres), the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ (3.6615 acres), the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ (12.7139 acres), all in Section 36, Township 21 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, being more particularly described as follows: Beginning at a point on the North line of Section 1, Township 20 North, Range 31 West of the Fifth Principal Meridian, said part being 1889.357 feet West of the northeast corner of said Section 1 (Arkansas State Plane Coordinate, North 775,632.454 East 347,152.932); thence South 27° 15' 19" West 75.746 feet; thence South 46° 53' 17" West 643.816 feet; thence South 59° 07' 23" West 1130.177 feet; thence South 84° 05' 38" West 291.547 feet; thence North 72° 43' 27" West 184.581 feet to a point on the East line of Lambeth Road; thence South 77° 21' 28" West 80.000 feet to a point on the West line of Lambeth Road; thence North 27° 15' 51" West 318.024 feet; thence due north 650.000 feet; thence North 39° 38' 39" East 454.532 feet; thence North 26° 33' 54" East 357.771 feet; thence North 35° 32' 16" East 344.093 feet; thence North 1° 18' 07" West 440.113 feet; thence North 37° 20' 58" East 478.016 feet; thence South 84° 08' 38" East 392.045 feet; thence North 61° 04' 25" East 434.166 feet; thence North 25° 58' 28" East 433.820 feet; thence due East 140.000 feet; thence North 41° 25' 25" East 226.715 feet; thence South 82° 25' 42" East 139.290 feet to a point on the West line of Lambeth Road; thence Southerly along the West line of said road, on a curve to the right, having a radius of 734.834 feet, an arc distance of 200.000 feet; thence continuing along the West line of said road, South 24° 38' 15" West 226.000 feet; thence South 65° 21' 45" East 80.000 feet to a point on the East line of Lambeth Road; thence South 24° 38' 15" West along the East line of said road 33.409 feet; thence Southerly, continuing along the East line of said road on a curve to the left, having a radius of 509.803 feet, an arc distance of 271.565 feet; thence continuing along the East line of said road, South 5° 53' 00" East 79.261 feet; thence North 83° 26' 00" East 191.970 feet; thence South 30° 57' 50" East 874.643 feet; thence South 11° 18' 36" East 305.941 feet; thence South 36° 52' 12" West 250.000 feet; thence South 84° 28' 20" West 441.814 feet; thence South 27° 15' 19" West 295.468 feet to the point of beginning. Containing 120.4220 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 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 4th

day of May, 1970.

JOHN A. COOPER COMPANY

ATTEST:

Ellen Orr
Assistant Secretary

By Billingsley
Vice-President

BELLA VISTA COUNTRY CLUB

ATTEST:

Clyton H. Little
Secretary

By John A. Cooper Jr.
President

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. M. BILLINGSLEY and ELLEN ORR, to me personally well known, who stated that they were the Vice-President and Assistant Secretary of JOHN A. COOPER COMPANY, 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 4th day of May, 1970.

My commission expires:
December 1, 1972

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 A. COOPER, JR. and CLAYTON N. LITTLE, 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 instruments 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 4th day of May, 1970.

Betty Ann Baker

Notary Public

My commission expires:
December 1, 1972

