

JAN 16 1981

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, which is there recorded in Book 373, Page 08, et seq.; and

WHEREAS, Bella Vista Village Property Owners Association, formerly Bella Vista Country Club, a nonprofit corporation organized under the laws of the State of Arkansas, hereinafter referred to as "Association", 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. 304 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tract No. 304 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 Association is agreeable that said lands hereinafter described as Tract No. 304 shall be covered and included under the terms, provisions, assessments and liens as provided in the Declaration above referred to.

NOW THEREFORE, the Developer, in compliance with ARTICLE II, Section 2 of the Declaration aforesaid, hereby declares and provides that the following lands are hereby subject to said Declaration to the extent that same shall constitute additional lands thereunder and shall be a part of the existing properties, and that said lands shall be Tract No. 304 under and in said Declaration and covered by same as fully as though said lands had been included in said Declaration at the time same was executed, the lands referred to lying and being situate in the County of Benton, State of Arkansas, to-wit:

TRACT NO. 304: BRANCHWOOD GOLF COURSE, Plat Book 2, Page 50, being more particularly described as follows:

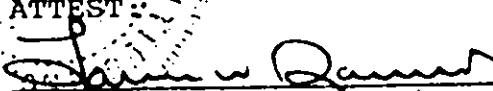
A parcel of land lying in the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  (0.096 acres +) of Section 13, in the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  (9.620 acres +) in the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  (8.114 acres +) of Section 14, in the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  (9.972 acres +) in the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  (4.470 acres +) of Section 23, and in the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  (1.903 acres +) of Section 24, all in Township 21 North, Range 32 West of the Fifth Principal Meridian, Benton County, Arkansas, more particularly described as follows:

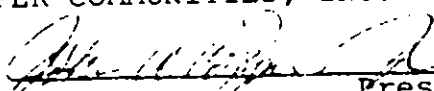
Beginning at a point South 133.54 feet and East 139.69 feet from the Northeast corner of Section 23 (Arkansas State Plane Coordinates of North=793,173.540 feet and East=1,310,460.313 feet)

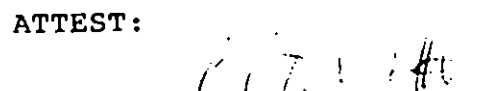
thence S16°53'55"W 165.13 feet; thence S40°42'09"E 122.67 feet; thence S00°41'22"E 126.91 feet; thence S56°18'20"W 515.00 feet; thence N33°41'40"W 160.00 feet; thence N53°01'58"E 92.27 feet; thence N09°09'44"E 94.20 feet; thence N33°09'29"E 179.18 feet; thence N08°49'47"W 208.47 feet; thence N40°15'00"W 247.63 feet; thence N25°56'50"W 290.26 feet; thence N53°11'27"W 188.60 feet; thence N44°12'39"W 256.70 feet; thence N03°30'13"W 147.28 feet; thence N79°46'40"W 185.95 feet; thence S86°29'10"W 342.64 feet; thence N79°22'49"W 162.79 feet; thence N51°36'36"W 165.86 feet; thence S85°50'25"W 330.87 feet; thence S62°13'59"W 319.83 feet; thence S12°49'44"W 103.59 feet; thence S66°53'09"E 89.16 feet; thence S45°58'16"E 166.90 feet; thence S08°12'57"E 188.94 feet; thence S49°17'36"E 236.13 feet; thence S62°54'27"E 388.65 feet; thence S45°11'30"E 211.43 feet; thence S04°58'11"W 46.17 feet; thence S34°46'26"E 322.62 feet; thence S51°15'41"E 226.92 feet; thence S72°15'19"E 131.24 feet; thence N74°20'16"E 222.25 feet; thence N86°17'18"E 228.46 feet; thence S19°39'29"E 82.46 feet; thence S33°41'40"E 160.00 feet; thence S56°18'20"W 65.00 feet; thence southwestwardly along the arc of a curve to the right 308.22 feet, said curve having a radius of 681.43 feet and a delta angle of 25°54'57"; thence N07°46'43"W 70.91 feet; thence N78°03'43"W 357.74 feet; thence S74°52'01"W 164.71 feet; thence N59°36'16"W 207.52 feet; thence N27°39'09"W 377.07 feet; thence N48°48'51"W 233.86 feet; thence N29°49'57"W 486.47 feet; thence N50°35'14"W 130.73 feet; thence N89°05'26"W 189.02 feet; thence N44°38'23"W 224.86 feet; thence N24°19'52"W 504.84 feet; thence N41°40'09"E 133.87 feet; thence N73°32'46"E 201.24 feet; thence S83°50'27"E 419.42 feet; thence N87°48'46"E 288.21 feet; thence N43°39'27"E 181.07 feet; thence S78°12'04"E 229.86 feet; thence S58°37'19"E 474.38 feet; thence N85°53'01"E 264.68 feet; thence S43°04'24"E 231.36 feet; thence S26°49'19"E 299.19 feet; thence S73°22'09"E 160.72 feet; thence S39°10'25"E 208.97 feet; thence S28°07'16"E 345.82 feet to the point of beginning and containing 34.175 acres, more or less.

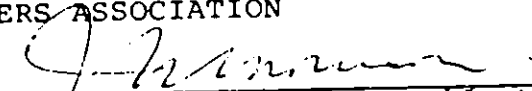
The Association joins in this Supplemental Declaration, as it joined in the Original Declaration, for the purpose of indicating its agreement to perform the obligations placed upon it by the Original Declaration as well as this Declaration.

IN WITNESS WHEREOF, this instrument is executed by the Developer and the Association 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 7th day of January, 1981.

ATTEST:  
  
 Secretary

COOPER COMMUNITIES, INC.  
 By   
 President

ATTEST:  
  
 Secretary

BELLA VISTA VILLAGE PROPERTY OWNERS ASSOCIATION  
 By   
 President

STATE OF ARKANSAS )  
 ) SS ACKNOWLEDGEMENT  
COUNTY OF BENTON )

On this day before me, the undersigned, a Notary Public duly qualified, commissioned and acting within and for the said state and county, appeared in person the within named John A. Cooper, Jr. and Larry W. Garrett, to me well known, who stated that they were the President and the Secretary of COOPER COMMUNITIES, INC., a corporation, and were duly authorized in their respective capacities to execute the foregoing instrument for and in 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.

Witness my hand and Notarial Seal on this 13<sup>th</sup> day of January, 1981.

Kathy Moser  
Notary Public

My Commission Expires:  
1-11-83

STATE OF ARKANSAS )  
 ) SS ACKNOWLEDGEMENT  
COUNTY OF BENTON )

On this day before me, the undersigned, a Notary Public duly qualified, commissioned and acting within and for the said state and county, appeared in person the within named Jean Morrison and Clayton N. Little, to me well known, who stated that they were the President and the Secretary of BELLA VISTA VILLAGE PROPERTY OWNERS ASSOCIATION, a corporation, and were duly authorized in their respective capacities to execute the foregoing instrument for and in 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.

Witness my hand and Notarial Seal on this 14<sup>th</sup> day of January, 1981.

Linda Chandler  
Notary Public

My Commission Expires:  
March 23, 1982