

5.25

441 PAGE 09

FILED FOR RECORD
At 4:10 O'Clock P M.

APR 10 1972

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. 201 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tract No. 201 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. 201 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

LITTLE & LAWRENCE
ATTORNEYS AT LAW
POST OFFICE BOX 447
BENTONVILLE, ARKANSAS 72712

of easement
For release hereof see Record 005
Page 54445 10-7-05
Brenda O. Stoll Clerk

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. 201 under and in said Declaration and covered 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. 201: BRECKNOCK SUBDIVISION, Blocks 1 through 7, inclusive, Plat Book N, Page 133,

being more particularly described as follows:

A parcel of land lying in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ (16.7575 acres), the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ (0.2084 acres), the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ (24.5107 acres), the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ (28.2917 acres), the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ (2.7436 acres), the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ (6.308 acres), the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ (1.3002 acres) of Section 29, Township 21 North, Range 30 West of the Fifth Principal Meridian; also lying in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ (0.0217 acres) of Section 32, Township 21 North, Range 30 West of the Fifth Principal Meridian, being in Benton County, Arkansas, being more particularly described as follows:

Beginning at a point 997.365 feet North and 1,570.056 feet East of the Southwest corner (Arkansas State Plane Coordinate: North = 780,692.635 feet; East 1,352,079.944 feet) of Section 29, Township 21 North, Range 30 West; thence North 80° 32' 16" East 608.276 feet; thence North 66° 54' 54" East 663.099 feet; thence North 71° 33' 54" East 379.473 feet; thence North 23° 44' 58" East 273.130 feet; thence North 40° 54' 52" East 198.494 feet; thence North 20° 00' 00" East 147.982 feet; thence Northerly, on a curve to the right, having a radius of 421.033 feet, an arc distance of 281.438 feet; thence due North 140.000 feet; thence due East 160.000 feet; thence North 57° 05' 41" East 607.454 feet; thence South 10° 50' 25" East 478.539 feet; thence South 10° 00' 29" East 345.254 feet; thence South 20° 33' 22" East 341.760 feet; thence South 38° 39' 35" East 256.125 feet; thence South 47° 30' 00" East 122.808 feet; thence Southwesterly, on a curve to the left, having a radius of 937.048 feet, an arc distance of 49.677 feet; thence South 47° 13' 37" East 80.000 feet; thence South 42° 46' 23" West 875.284 feet; thence Southwesterly, on a curve to the right, having a radius of 1464.465 feet, an arc distance of 408.560 feet; thence South 58° 45' 27" West 883.947 feet; thence North 31° 14' 32" West 80.000 feet; thence Southwesterly, on a curve to the right, having a radius of 808.065 feet, an arc distance of 212.166 feet; thence North 25° 20' 37" West 429.437 feet; thence North 61° 05' 27" West 765.375 feet; thence North 39° 48' 20" West 156.205 feet; thence North 27° 28' 28" West 281.780 feet to the point of beginning,

EXCEPT THE FOLLOWING DESCRIBED TRACT OF LAND:

Beginning at the Southwest corner of said Section 29, Township 21 North, Range 30 West; thence North 1167.009

(description continued...)

Brecknock Subdivision - description continued

feet; thence East 4015.513 feet to the point of beginning; thence South 02° 42' 37" West 264.000 feet; thence North 87° 17' 56" West 495.110 feet; thence North 02° 49' 20" East 264.000 feet; thence South 87° 17' 56" East 494.594 feet to the point of beginning, containing 2.9991 acres, more or less.

The above described subdivision contains 80.1546 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 10th day of April, 1972.

ATTEST

COOPER COMMUNITIES, INC.

Ellen Orr
Asst. Secretary

By G. Billingsley
Vice-President

ATTEST:

BELLA VISTA COUNTRY CLUB

G. L. Little
Secretary

By John Jordan
President

ACKNOWLEDGMENT

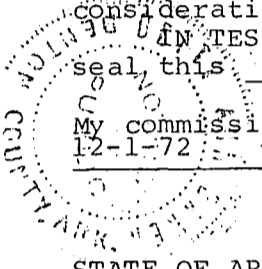
STATE OF ARKANSAS)
COUNTY OF BENTON) SS.

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 Ellen Orr, to me personally well known, who stated

(Acknowledgment continued...)

(Acknowledgment continued)

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 10th day of April, 1972.



My commission expires: 12-1-72

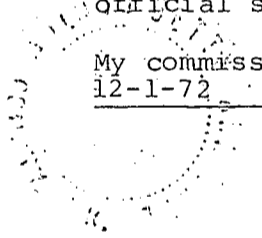
Betty Anne Baker
Notary Public

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 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 10th day of April, 1972.



My commission expires: 12-1-72

Betty Anne Baker
Notary Public