

6-25

FILED FOR RECORD
At 2 O'clock P M.

BOOK 398 PAGE 571

JUL 15 1968

JOSEPHINE R. HEYLAND
Clerk and Recorder
BENTON COUNTY, ARK.

SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS

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 Recorded 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 76 and 77 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tracts numbered 76 and 77 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 76 and 77 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

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

Return →

of easement
For release hereof see Record 04
Page 41694 7-7-04
Brenda DeShields SP Clerk

of easement
13812 03 1506
Brenda DeShields 8136

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 76 and 77 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. 76: Blocks 2 thru 7, inclusive, and Part of Blocks 1, 8, 13 and 14, BUCKINGHAM SUBDIVISION, Plat Book i, Page 121, being more particularly described as follows:

A parcel of land lying in the $N\frac{1}{2}$ of the fractional $NW\frac{1}{4}$ (0.276 acres, more or less), and the $S\frac{1}{2}$ of the fractional $NW\frac{1}{4}$ (0.968 acres, more or less) of Section 30, Township 21 North, Range 30 West, and in the $NE\frac{1}{4}$ of the $NE\frac{1}{4}$ (21.117 acres, more or less), the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ (19.455 acres, more or less), the $NW\frac{1}{4}$ of the $NE\frac{1}{4}$ (23.483 acres, more or less), the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ (26.073 acres, more or less), the $NE\frac{1}{4}$ of the $NW\frac{1}{4}$ (13.52 acres, more or less), the $SE\frac{1}{4}$ of the $NW\frac{1}{4}$ (18.88 acres, more or less) and the $NE\frac{1}{4}$ of the $SW\frac{1}{4}$ (2.264 acres, more or less) of Section 25, Township 21 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, being more particularly described as follows:

Commencing at the SW corner of Section 25, Township 21 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, run North 2345.193 feet to a point; thence run East 2088.722 feet to the point of beginning; thence run North $40^{\circ} 26' 6''$ East 80.000 feet to a point; thence run North $43^{\circ} 52' 53''$ East 101.455 feet to a point; thence run North $53^{\circ} 12' 38''$ West 20.000 feet to a point; thence run North $47^{\circ} 30' 58''$ East 64.985 feet to a point; thence run North $3^{\circ} 31' 17''$ East 130.246 feet to a point; thence run North $13^{\circ} 1' 15''$ West 328.445 feet to a point; thence run North $45^{\circ} 15' 33''$ West 156.272 feet to a point; thence run North $20^{\circ} 33' 22''$ East 290.496 feet to a point; thence run North $23^{\circ} 11' 53''$ West 156.550 feet to a point; thence run North $73^{\circ} 28' 14''$ East 70.000 feet to a point; thence run North $16^{\circ} 31' 46''$ West 40.000 feet to a point; thence run North $13^{\circ} 0' 10''$ West 129.157 feet to a point; thence run North $10^{\circ} 53' 8''$ West 52.953 feet to a point; thence run North $7^{\circ} 46' 23''$ West 128.002 feet to a point on a curve; thence run North-eastwardly along a curve to the left 84.216 feet to a point of tangency, said curve having a degree of curvature of $127^{\circ} 19' 25''$ and a chord of North $28^{\circ} 36' 49''$ East 72.453 feet; thence run North $25^{\circ} 0' 0''$ West 65.161 feet to a point; thence run North $5^{\circ} 0' 0''$ West 15.959 feet to a point; thence run North $48^{\circ} 30' 5''$ West 152.024 feet to a point; thence run North $40^{\circ} 13' 30''$ East 139.990 feet to a point; thence run North $8^{\circ} 16' 2''$ East 158.649 feet to a point; thence run North $90^{\circ} 0' 0''$

(Description continued. . .)

Description continued.

West 30.497 feet to a point; thence run North 3° 44' 41"
 East 286.609 feet to a point; thence run South 72° 32' 1"
 East 139.368 feet to a point; thence run South 87° 56' 28"
 East 222.447 feet to a point; thence run South 83° 24' 50"
 East 163.843 feet to a point; thence run South 87° 49' 34"
 East 226.997 feet to a point; thence run South 82° 15' 44"
 East 254.692 feet to a point; thence run South 89° 53' 0"
 East 235.354 feet to a point; thence run North 69° 9' 57"
 East 152.121 feet to a point; thence run South 84° 46' 47"
 East 71.418 feet to a point; thence run South 59° 43' 34"
 East 123.536 feet to a point; thence run North 76° 19' 50"
 East 119.842 feet to a point; thence run North 83° 55' 21"
 East 101.091 feet to a point; thence run South 81° 49' 58"
 East 155.954 feet to a point; thence run North 45° 29' 46"
 East 162.861 feet to a point; thence run North 76° 28' 4"
 East 94.516 feet to a point; thence run South 85° 26' 49"
 East 227.890 feet to a point; thence run South 83° 5' 49"
 East 189.251 feet to a point; thence run South 50° 32' 9"
 East 116.876 feet to a point; thence run North 85° 45' 50"
 East 101.074 feet to a point; thence run South 41° 28' 18"
 East 105.661 feet to a point; thence run South 24° 36' 38"
 East 161.962 feet to a point; thence run South 38° 6' 40"
 East 134.677 feet to a point; thence run South 22° 26' 38"
 East 86.581 feet to a point; thence run South 37° 18' 40"
 East 136.978 feet to a point; thence run North 12° 59' 0"
 West 166.531 feet to a point; thence run South 60° 14' 42"
 East 51.589 feet to a point; thence run South 56° 19' 30"
 East 88.180 feet to a point; thence run South 36° 21' 26"
 East 680.756 feet to a point; thence run South 3° 26' 1"
 East 60.450 feet to a point; thence run South 62° 6' 51"
 West 886.568 feet to a point; thence run South 71° 33' 54"
 West 490.153 feet to a point; thence run South 19° 44' 49"
 West 207.183 feet to a point; thence run South 82° 19' 16"
 West 331.141 feet to a point; thence run North 7° 40' 44"
 West 120.223 feet to a point of curvature; thence run
 Northwestwardly along a curve to the left 352.392 feet
 to a point of tangency, said curve having a degree of curva-
 ture of 23° 27' 29" and a chord of North 49° 0' 40" West
 322.613 feet; thence run South 89° 39' 25" West 101.009
 feet to a point of curvature; thence run Southwestwardly
 along a curve to the left 277.072 feet to a point of
 tangency, said curve having a degree of curvature of
 9° 15' 19" and a chord of South 76° 50' 5" West 274.765
 feet; thence run South 64° 0' 46" West 745.144 feet to a
 point of curvature; thence run Southwestwardly along a
 curve to the left 204.060 feet to a point of tangency,
 said curve having a degree of curvature of 22° 38' 14"
 and a chord of South 40° 54' 57" West 198.578 feet; thence
 run South 17° 49' 9" West 90.521 feet to a point of
 curvature; thence run Southwestwardly along a curve to
 the right 530.724 feet to a point of tangency, said curve
 having a degree of curvature of 21° 13' 9" and a chord
 of South 74° 7' 37" West 449.325 feet; thence run North
 49° 33' 54" West 50.000 feet to the point of beginning
 and containing a total of 126.0299 acres.

TRACT NO. 77: Blocks 9 thru 12, inclusive, and
 Part of Blocks 1, 8, 13 and 14, BUCKINGHAM SUBDIVISION,
 Plat Book i, Page 122, being more particularly
 described as follows:

A parcel of land lying in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ (1.45 acres more or less), the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ (4.10 acres, more or less), the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ (11.02 acres, more or less), and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ (19.53 acres, more or less) of Section 26, Township 21 North, Range 31 West, and in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ (14.91 acres, more or less), the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ (11.16 acres, more or less), the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ (9.83 acres, more or less), the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ (15.32 acres, more or less), and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ (0.90 acres, more or less) of Section 25, Township 21 North, Range 31 West, of the Fifth Principal Meridian, Benton County, Arkansas, being more particularly described as follows:

Commencing at the Southwest corner of Section 25, Township 21 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, run North 2345.193 feet to a point; thence run East 2088.722 feet to the point of beginning; thence run North 49° 33' 54" West 333.035 feet to a point; thence run North 40° 26' 6" East 189.037 feet to a point; thence run North 29° 40' 0" West 454.588 feet to a point; thence run North 76° 22' 23" West 339.559 feet to a point; thence run North 31° 22' 23" West 480.208 feet to a point; thence run North 78° 27' 55" West 500.100 feet to a point; thence run South 74° 30' 41" West 861.278 feet to a point; thence run South 63° 26' 6" West 559.017 feet to a point; thence run North 89° 27' 34" West 530.024 feet to a point; thence run Northwestwardly along a curve to the left 819.456 feet to a point of tangency, said curve having a degree of curvature of 4° 17' 6" and a chord of North 23° 59' 29" West 806.693 feet; thence run North 45° 24' 11" East 502.765 feet to a point; thence run North 77° 35' 33" East 511.957 feet to a point; thence run South 77° 35' 33" East 511.957 feet to a point; thence run North 83° 48' 22" East 908.302 feet to a point; thence run South 87° 30' 38" East 69.065 feet to a point; thence run South 23° 1' 32" East 86.925 feet to a point; thence run South 84° 3' 11" East 144.779 feet to a point; thence run South 32° 42' 9" East 154.284 feet to a point; thence run North 63° 9' 57" East 55.000 feet to a point; thence run North 0° 40' 6" East 220.016 feet to a point; thence run North 12° 5' 41" East 71.589 feet to a point; thence run North 73° 0' 22" East 102.942 feet to a point; thence run North 67° 58' 7" East 182.477 feet to a point; thence run North 70° 3' 52" East 109.155 feet to a point; thence run North 78° 34' 29" East 185.950 feet to a point; thence run North 85° 19' 51" East 171.560 feet to a point; thence run North 87° 20' 46" East 66.371 feet to a point; thence run South 86° 7' 55" East 157.545 feet to a point; thence run South 72° 32' 1" East 20.000 feet to a point; thence run South 3° 44' 41" West 286.609 feet to a point; thence run North 90° 0' 0" East 30.497 feet to a point; thence run South 8° 16' 2" West 158.649 feet to a point; thence run South 40° 13' 30" West 139.990 feet to a point; thence run South 48° 30' 5" East 152.024 feet to a point; thence run South 5° 0' 0" East 15.959 feet to a point; thence run South 25° 0' 0" East 65.161 feet to a point on a curve; thence run Southwestwardly along a curve to the right 84.216 feet to a point of tangency, said curve having a degree of curvature of 127° 19' 25" and a chord of South 28° 36' 49" West 72.453 feet; thence run South 7° 46' 23" East 128.002 feet to a point; thence run South 10° 53' 8" East 52.953 feet to a point; thence run South 13° 0' 10" East 129.157 feet to a point; thence run South

(Description continued. . .)

16° 31' 46" East 40.000 feet to a point; thence run South 73° 28' 14" West 70.000 feet to a point; thence run South 23° 11' 53" East 156.550 feet to a point; thence run South 20° 33' 22" West 290.496 feet to a point; thence run South 45° 15' 33" East 156.272 feet to a point; thence run South 13° 1' 15" East 328.445 feet to a point; thence run South 3° 31' 17" West 130.246 feet to a point; thence run South 47° 30' 58" West 64.985 feet to a point; thence run South 53° 12' 38" East 20.000 feet to a point; thence run South 43° 52' 53" West 101.455 feet to a point; thence run South 40° 26' 6" West 80.000 feet to a point of beginning and containing a total of 88.217 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 the same in multiple counterparts any one of which shall be deemed an original this 15th day of July, 1968.

JOHN A. COOPER COMPANY

ATTEST:

Ellen Orr
Assistant Secretary

By G. Billingsley
Vice-President

BELLA VISTA COUNTRY CLUB

ATTEST:

Clayton N. Little
Clayton N. Little, Secretary

By John A. Cooper, Jr.
John A. Cooper, Jr., President

ACKNOWLEDGMENT

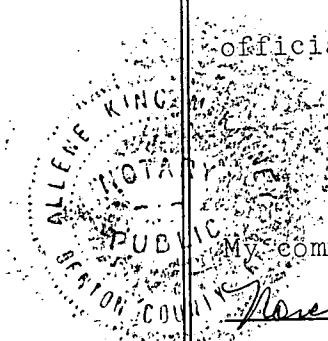
STATE OF ARKANSAS)
) SS.
COUNTY OF BENTON)

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 15th day of July, 1968.

Alleene King McKinney
Notary Public



My commission expires:

November 2, 1968.

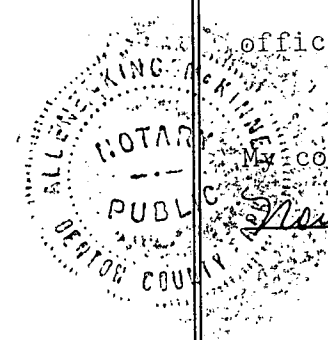
ACKNOWLEDGMENT

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 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 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 15th day of July, 1968.

Alleene King McKinney
Notary Public



My commission expires:

November 2, 1968.