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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. 217 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tract No. 217 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. 217 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

**FILED FOR RECORD**

At 3:30 O'Clock P M.

SEP 13 1972

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

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

lands under the Declaration aforesaid and shall be a part of the existing properties, and said lands referred to shall be Tract No. 217 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. 217 : CAITHNESS SUBDIVISION, Blocks 1 to 4, inclusive, Plat Book N, Page 220, being more particularly described as follows:


A parcel of land lying in the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  (0.11 acres, more or less); in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  (13.40 acres, more or less); in the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  (17.08 acres, more or less) of Section 19, 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 19, Township 21 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas (State Plane Coordinates of North 787,755.530 feet and East 1,315,557.897 feet); run North 1,919.470 feet to a point; thence run East 892.103 feet to the point of beginning; thence run North 20° 19' 23" East 575.847 feet to a point; thence run North 02° 11' 26" East 915.669 feet to a point; thence run North 45° 58' 16" East 208.626 feet to a point; thence run North 29° 30' 27" East 412.313 feet to a point on a curve; thence northwestwardly along a curve to the left 60.000 feet to a point, said curve having a degree of curvature of 18° 59' 18" and a chord of North 42° 06' 40" West 59.901 feet; thence run North 42° 11' 32" East 80.000 feet to a point on a curve; thence southeastwardly along a curve to the right 482.205 feet to a point of tangency, said curve having a degree of curvature of 15° 00' 33" and a chord of South 11° 37' 13" East 450.779 ft.; thence run South 24° 34' 02" West 27.256 feet to a point of curvature; thence southeastwardly along a curve to the left 483.480 feet to a point of tangency, said curve having a degree of curvature of 13° 50' 26" and a chord of South 08° 53' 28" East 456.466 feet; thence run South 42° 20' 58" East 189.493 feet to a point; thence run South 47° 39' 02" West 80.000 feet to a point on a curve; thence southeastwardly along a curve to the right 492.099 feet to a point of tangency, said curve having a degree of curvature of 8° 55' 45" and a chord of South 20° 22' 45" East 480.128 feet; thence run South 01° 35' 28" West 30.208 feet to a point of curvature; thence southwestwardly along a curve to the right 329.009 feet to a point, said curve having a degree of curvature of 3° 52' 37" and a chord of South 07° 58' 08" West 328.330 feet; thence run South 46° 49' 40" West 900.000 feet to a point; thence run North 31° 12' 20" West 549.405 feet to the point of beginning and containing a total of 30.59 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 13th day of September, 1972.

ATTEST: COOPER COMMUNITIES, INC.

  
W. E. Sheneman  
Assistant Secretary

By G. Billingsley  
Vice-President

ATTEST: BELLA VISTA COUNTRY CLUB

Clayton W. Little  
Secretary

By John L. ...  
President

ACKNOWLEDGMENT

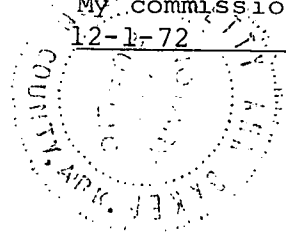
STATE OF ARKANSAS) ss.  
COUNTY OF BENTON )

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. Billingsley and W. E. Sheneman, to me personally well known, who stated 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 13th day of September, 1972.

My commission expires:  
12-1-72

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 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 13th day of September, 1972.

My commission expires:  
12-1-72

Betty Ann Baker  
Notary Public

