

FILED FOR RECORD

At 4:20 O'Clock P. M.

4th FEB 9 1972

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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. 180 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tract No. 180 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. 180 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 No. 180 under and in said Declaration and covered

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ATTORNEYS AT LAW
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BENTONVILLE, ARKANSAS 72712

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. 180 : CARDIGAN SUBDIVISION, Blocks 1 to 4, inclusive, Plat Book 7, Page 76, being more particularly described as follows:

A parcel of land lying in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ (40.21 acres, more or less); in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ (37.68 acres, more or less); in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ (1.78 acres, more or less), in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ (40.24 acres, more or less); and in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ (20.05 acres, more or less) of Section 9, Township 20 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, being more particularly described as follows:


Commencing at the Southeast corner of Section 9, Township 20 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas (State Plane Coordinate of North 765,830.915 feet and East 1,330,827.779 feet) being the point of beginning; thence run North 87° 04' 18" West 2,665.950 feet to a point; thence run North 02° 47' 17" East 2,851.626 feet to a point; thence run South 69° 12' 54" East 620.398 feet to a point; thence run South 61° 24' 34" East 815.393 feet to a point; thence run South 56° 52' 35" East 586.737 feet to a point; thence run South 74° 38' 18" East 60.000 feet to a point; thence run South 51° 21' 04" East 493.933 feet to a point; thence run North 58° 45' 29" East 453.020 feet to a point; thence run South 02° 45' 18" West 1,650.000 feet to a point; thence run South 02° 45' 23" West 1,316.319 feet to the point of beginning and containing a total of 139.9636 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 9th day of February, 1972.

ATTEST:

COOPER COMMUNITIES, INC.


W. M. Macmillan
Asst. Secretary

By [Signature]
Vice-President

(Signatures of Country Club officials on next page....)

BELLA VISTA COUNTRY CLUB

ATTEST:

Clayton N. Little By John M. Riordan
Secretary President

ACKNOWLEDGMENTSTATE 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 9th day of February, 1972.

My commission expires:
12-1-72

Betty Anne Baker
Notary Public

ACKNOWLEDGMENTSTATE 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 9th day of February, 1972.

My commission expires:
12-1-72

Betty Anne Baker
Notary Public