FILED FOR RECORD

At 4: 450'Clock PM.

AUG 1 1 1969

10SEPHINE R. HEYLAND
Clerk and Recorder
BENTON COUNTY, ARK.

SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS

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

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 Recorder in and for Benton County, Arkansas

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 Tract numbered 109 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties herein-after described as Tract numbered 109 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 numbered 109 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 numbered 109 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:

(description on following page...)

LITTLE & LAWRENCE

ATTORNEYS AT LAW
POST OFFICE BOX 447
BENTONVILLE, ARKANSAS 72712

being more particularly described as follows:

A parcel of land lying in the SW-1/4 of the SE-1/4 (0.24 acres, more or less), the NW-1/4 of the SE-1/4 (28.11 acres, more or less), the NE-1/4 of the SW-1/4 (9.52 acres, more or less), the East half of the Fractional NW-1/4 (30.46 acres, more or less), the West half of the Fractional NE-1/4 (36.33 acres, more or less), and the East half of the Fractional NE-1/4 (3.85 acres, more or less) located in Section 15, Township 21 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, and being more particularly described as follows:

Commencing at the Southeast corner of Section 14, Township 21 North, Range 31 West (Arkansas State Plane Coordinates North 791,731.492 East 1,342,697.775) of the Fifth Principal Meridian, Benton County, Arkansas; run North 1598.508 feet; thence West 7532.775 feet to the point of beginning; thence run North 30° 30' 36" West 2068.463 feet to the point of curvature of a 02° 23' 14" curve to the left having a long chord bearing and distance of North 31° 13' 27" West 59.834 feet; thence run along the arc of said curve 59.835 feet to a point; thence run North 43° 27' 19" East 72.269 feet to a point on a 02° 19' 11" curve to the left having a chord bearing and distance of North 36° 19' 32" West 341.518 feet; thence run along the arc of said curve 341.790 feet to a point; thence run South 50° 41' 33" West 76.858 feet to a point; thence run North 03° 00' 35" West 598.032 feet to a point; thence run South 88° 04' 41" East 1288.076 feet to a point; thence run South 87° 53' 55" East 1427.842 feet to a point; thence run South 03° 00' 00" East 294.221 feet to a point; thence run South 16° 34' 58" East 232.759 feet to a point on a 07° 49' 53" curve to the left having a chord bearing and distance of South 31° 32' 23" West 499.294 feet; thence run along the arc of said curve 509.529 feet to the point of tangency; thence run South 11° 35' 18" West 425.224 feet to the point of curvuture of an 07° 15' 22" curve to the right having a chord bearing and distance of South 28° 52' 13" West 469.151 feet; thence run along arc of said curve 476.341 feet to the point of tangency; thence run South 46° 09' 09" West 302.118 feet to the point of curvature of a 12° 08' 17" curve to the left, having a chord bearing and distance of South 11° 36 24" West 535.353 feet; thence along the arc of said curve 569.220 feet to a point; thence run North 58° 50' 00" West 260.294 feet to a point; thence run South 55° 00' 29" West 427.229 feet to the point of beginning and containing in all 108.51 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 its respective corporate officers who are duly authorized to so execute same in multiple counterparts, any one of which shall be deemed an original this 11th day of August, 1969.

ARIESTA

t Secretary

N A. COOPER COMPANY

Vice Presiden

(remainder of signature lines on next page....)

BELLA VISTA COUNTRY CLUB

ATTEST:

ACKNOWLEDGMENT

STATE OF ARKANSAS) 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. BILLLINGSLEY and ELLEN DAVIS, 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.

The book in IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal atthis day of August, 1969.

rMyů commission expires: <u>Dec./, 1972</u>

ACKNOWLEDGMENT

STATE OF ARKANSAS) 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 instruments 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 11th day of August, 1969.

My commission expires:

Ak James

eceration

Betty ann Baker