

FILED FOR RECORD
At 11:45 O'clock AM

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JUN 19 1992

SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS

SUE HODGES
Clerk and Recorder
BENTON COUNTY, ARK.

WHEREAS, Cooper Communities, Inc., (formerly named Cooper Acquisition Corporation and successor in interest to the predecessor Cooper Communities, Inc. and John A. Cooper Company by reason of mergers, the said John A. Cooper Company formerly being named Cherokee Village Development Company, Inc.), 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, which is there recorded in Book 373, Page 08, et seq.; and

WHEREAS, Bella Vista Village Property Owners Association, formerly Bella Vista Country Club, a nonprofit corporation organized under the laws of the State of Arkansas, 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. 503 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tract No. 503 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

NOW THEREFORE, the Developer, in compliance with ARTICLE II, Section 2, of the Declaration aforesaid, hereby declares and provides that the following lands are hereby subject to said Declaration to the extent that same shall constitute additional lands thereunder and shall be a part of the existing properties, and that said lands shall be Tract No. 503 under and in said Declaration and covered by same as fully as though said lands had been included in said Declaration at the time same was executed, the lands referred to lying and being situate in the County of Benton, State of Arkansas, to-wit:

TRACT NO. 503: TIMBERCREST SUBDIVISION,
Plat Book 23, Page 234, being described as follows:

LEGAL DESCRIPTION
TIMBERCREST SUBDIVISION
BLOCKS 1 AND 2

A PARCEL OF LAND LYING IN THE SW 1/4 OF THE SW 1/4 (11.362 ACRES ±), IN THE NW 1/4 OF THE SW 1/4 (8.989 ACRES ±), IN THE NE 1/4 OF THE SW 1/4 (1.878 ACRES ±), AND IN THE SE 1/4 OF THE SW 1/4 (0.453 ACRES ±) OF SECTION 29, TOWNSHIP 21 NORTH, RANGE 31 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 296.55 FEET EAST AND 687.31 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION 29 (ARKANSAS STATE PLANE COORDINATES OF NORTH 782,178.941 FEET AND EAST 1,321,189.916 FEET); THENCE, N 25°24'28" E 369.49 FEET; THENCE, N 46°58'30" E 102.59 FEET; THENCE, N 75°57'50" E 200.00 FEET; THENCE, S 41°54'08" E 28.86 FEET; THENCE, N 48°05'52" E 267.35 FEET; THENCE, N 17°42'06" W 236.17 FEET; THENCE, N 00°44'21" W 216.00 FEET; THENCE, N 14°53'21" E 170.27 FEET; THENCE, N 37°37'48" E 415.29 FEET; THENCE, S 42°38'48" E 258.31 FEET; THENCE, S 32°16'32" E 337.08 FEET; THENCE, S 24°31'23" E 185.23 FEET; THENCE, S 14°57'47" W 382.59 FEET; THENCE, S 34°47'03" W 280.21 FEET; THENCE, S 45°08'14" W 276.15 FEET; THENCE, SOUTHWESTWARDLY ALONG THE ARC OF A CURVE TO THE LEFT 80.05 FEET, SAID CURVE HAVING A RADIUS OF 635.18 FEET AND A DELTA ANGLE OF 07°13'16"; THENCE, S 68°57'17" W 366.28 FEET; THENCE, N 86°26'01" W 234.34 FEET; THENCE, N 72°54'06" W 220.67 FEET TO THE POINT OF BEGINNING, CONTAINING 22.682 ACRES, MORE OR LESS.

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Per recorded plat or plats, and subject to the notes and other indicated restrictions, if any, on said plat or plats and subject to the conditions, covenants, reservations, easements, charges and liens reflected in the Declarations and Supplemental Declarations filed in connection therewith in the office of the Circuit Court Clerk and Ex-Officio Recorder of Benton County, Arkansas.

IN WITNESS WHEREOF, this instrument is executed by the Developer 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 19th day of June, 1992.

ATTEST:

COOPER COMMUNITIES, INC.

Tillie J. Fox
Asst. Secretary

By [Signature]
President

STATE OF ARKANSAS)
) ss.
COUNTY OF BENTON)

ACKNOWLEDGMENT

On this day before me, the undersigned, a Notary Public duly qualified, commissioned and acting within and for the said state and county, appeared in person the within named by Richard H. Smith and Tillie J. Fox, to me well known, who stated that they were Sec. Vice President and Assistant Secretary of COOPER COMMUNITIES, INC., a corporation, and were duly authorized in their respective capacities to execute the foregoing instrument for and in 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.

Witness my hand and Notarial Seal on this 19th day of June, 1992.

[Signature]
Notary Public

My Commission Expires:

April 19, 1993

