

325
FILED FOR RECORD

At 2:15 O'Clock P. M.

BOOK 417 PAGE 285

JUN 11 1970

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 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. 123 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tract No. 123 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. 123 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. 123 under and in said Declaration and covered

LITTLE & LAWRENCE
ATTORNEYS AT LAW
POST OFFICE BOX 447
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. 123: ALDSWORTH SUBDIVISION, Blocks 1 thru 4, inclusive, Plat Book L, Page 10, being more particularly described as follows:

A parcel of land lying in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ (23.0431 acres; the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ (10.5133 acres), the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ (0.0772 acres), the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ (11.2125 acres), all in Section 36, Township 21 North, Range 31 West of the Fifth Principal Meridian; ALSO a parcel of land lying in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ (1.4180 acres), the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ (0.0392 acres), all in Section 1, Township 20 North, Range 31 West of the Fifth Principal Meridian; ALSO a parcel of land lying in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ (5.3072 acres), of Section 35, Township 21 North, Range 31 West of the Fifth Principal Meridian; all in Benton County, Arkansas, being more particularly described as follows:

Beginning at a point on the South line of Section 36, Township 21 North, Range 31 West, said point being 914.384 feet East of the Southwest corner of said Section 36 (Arkansas State plane coordinate: North 775,813.776; East - 341,876.046); thence North 43° 12' 36" West 175.106 feet; thence North 18° 02' 52" West 936.055 feet; thence North 33° 01' 26" West 238.537 feet; thence due North 230.000 feet; thence North 42° 16' 25" West 148.660 feet; thence North 59° 41' 20" West 752.927 feet; thence South 68° 49' 14" West 91.568 feet to a point on the easterly line of the proposed right-of-way of existing Highway 71; thence Northwesterly on a curve to the left having a tangent bearing of North 25° 05' 56" West, a radius of 1205.263 feet; an arc distance of 200.000 feet to a point that is an arc distance of 135.000 feet from the p.c. of said curve; thence North 63° 55' 20" East 272.572 feet; thence North 75° 15' 23" East 196.469 feet; thence South 78° 18' 38" East 296.142 feet; thence South 60° 23' 44" East 506.063 feet; thence South 03° 48' 51" East 150.333 feet; thence South 39° 28' 21" East 220.227 feet; thence South 62° 31' 32" East 281.780 feet; thence North 85° 36' 05" East 130.384 feet; thence South 65° 01' 34" East 805.295 feet; thence South 01° 18' 07" East 440.113 feet; thence South 35° 32' 16" West 344.093 feet; thence South 26° 33' 54" West 357.771 feet; thence South 39° 38' 39" West 454.532 feet; thence North 75° 57' 50" West 123.693 feet; thence North 43° 12' 36" West 277.663 feet to the point of beginning, containing 51.6132 acres.

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

