

525

FILED FOR RECORD
At 3:30 O'clock P. M.

BOOK 421 PAGE 161

OCT 14 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 Nos. 142 and 143 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tract Nos. 142 and 143 shall be covered as fully by the Declaration aforesaid as though said tracts had been included with the other property described in said Declaration; and

WHEREAS, the Club is agreeable that said lands hereinafter described as Tract Nos. 142 and 143 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 Nos. 142 and 143 under and in said Declaration

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

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. 142 : BASILDON SUBDIVISION, Blocks 1, 2, 5, 6 and 7, Plat Book L, Page 110, being more particularly described as follows:

A parcel of land lying in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ (1.43 acres, more or less) of Section 27, Township 21 North, Range 31 West and in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ (0.02 acres, more or less) of Section 26, Township 21 North, Range 31 West, and in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ (8.72 acres, more or less), in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ (1.17 acres, more or less) of Section 34, Township 21 North, Range 31 West, and in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ (30.92 acres, more or less), in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ (0.99 acres, more or less), in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ (17.45 acres, more or less); and in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ (0.00 acres, more or less) of Section 35, Township 21 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, being more particularly described as follows:

Commencing at the Northwest corner of Section 35, Township 21 North, Range 31 West of the Fifth Principal Meridian Benton County, Arkansas (State Plane Coordinates North 781,462.273 East 1,336,903.844), run North 97.727 feet to a point; thence run West 133.844 feet to the point of beginning; thence run South 63° 06' 14" East 386.846 feet to a point; thence run South 44° 05' 26" East 445.533 feet to a point; thence run South 73° 36' 38" East 443.001 feet to a point; thence run South 77° 28' 16" East 184.391 feet to a point; thence run North 87° 16' 25" East 70.000 feet to a point; thence run South 28° 37' 48" East 208.867 feet to a point; thence run South 65° 13' 29" West 71.589 feet to a point; thence run South 50° 42' 38" West 71.063 feet to a point; thence run South 37° 34' 07" West 82.006 feet to a point; thence run South 56° 18' 36" East 252.389 feet to a point; thence run South 39° 48' 20" East 78.102 feet to a point; thence run South 15° 15' 18" East 57.009 feet to a point; thence run South 04° 45' 49" West 60.208 feet to a point; thence run South 29° 21' 28" West 183.576 feet to a point; thence run South 37° 01' 12" West 382.001 feet to a point; thence run South 33° 41' 24" West 108.167 feet to a point; thence run South 12° 31' 44" West 46.098 feet to a point; thence run South 05° 26' 25" West 105.475 feet to a point; thence run South 70° 12' 04" West 265.707 feet to a point; thence run South 79° 30' 31" West 549.181 feet to a point; thence run South 63° 03' 42" West 282.035 feet to a point on a curve; thence run northeasterly along a curve to the right 150.000 feet to a point; said curve having a degree of curvature of 12° 06' 29" and a chord of North 03° 37' 33" East 149.373 feet; thence run North 77° 17' 34" West 80.000 feet to a point; thence run North 12° 42' 26" East 47.805 feet to a point of curvature; thence run northwardly along a curve to the left 475.490 feet to a point of tangency, said curve having a degree of curvature of 10° 55' 44" and a chord of North 13° 16' 34" West 459.359 feet; thence run North 39° 15' 34" West 46.584 feet to a point of curvature; thence run northwardly along a curve to the right 672.589 feet to a point of tangency, said curve having a degree of curvature of 9° 18' 44" and a chord of North 07° 56' 33" West 639.596 feet; thence run North 23° 22' 27" East 42.748 feet to a point of curvature; thence run northwardly along a curve to the left 457.612 feet to a point

(continued....)

of tangency, said curve having a degree of curvature of $7^{\circ} 57' 37''$ and a chord of North $05^{\circ} 09' 38''$ East 449.944 feet; thence run North $13^{\circ} 03' 12''$ West 305.822 feet to a point of curvature; thence run northeastwardly along a curve to the right 496.929 feet to a point, said curve having a degree of curvature of $11^{\circ} 42' 01''$ and a chord of North $16^{\circ} 01' 05''$ East 475.880 feet; thence run South $44^{\circ} 54' 38''$ East 80.000 feet to a point; thence run South $04^{\circ} 49' 09''$ East 198.875 feet to the point of beginning and containing a total of 60.7002 acres.

TRACT NO. 143 : BASILDON SUBDIVISION, Blocks 3 and 4

Plat Book L, Page 111, being more particularly

described as follows:

A parcel of land lying in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ (0.02 acres, more or less) of Section 34, Township 21 North, Range 31 West, and in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ (0.59 acres, more or less); in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ (21.94 acres, more or less); in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ (0.60 acres, more or less); in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ (20.77 acres, more or less); in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ (24.21 acres, more or less); in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ (0.22 acres, more or less) in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ (1.52 acres, more or less), of Section 35, Township 21 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, being more particularly described as follows:

Commencing at the Northwest corner of Section 35, Township 21 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas (State Plane Coordinates North 781,462.273, East 1,336,903.844) run East 1336.156 feet to a point; thence run South 552.273 feet to the point of beginning; thence run North $81^{\circ} 05' 06''$ East 258.118 feet to a point; thence run North $42^{\circ} 27' 19''$ East 318.512 feet to a point; thence run South $59^{\circ} 14' 14''$ East 244.387 feet to a point; thence run South $04^{\circ} 39' 12''$ East 431.422 feet to a point; thence run South $35^{\circ} 26' 45''$ East 362.112 feet to a point; thence run North $80^{\circ} 23' 41''$ East 131.848 feet to a point; thence run South $77^{\circ} 41' 31''$ East 168.882 feet to a point; thence run South $31^{\circ} 52' 38''$ East 236.698 feet to a point; thence run South $08^{\circ} 28' 16''$ West 237.592 feet to a point; thence run South $76^{\circ} 45' 34''$ West 174.642 feet to a point; thence run South $29^{\circ} 49' 38''$ West 432.261 feet to a point; thence run South $07^{\circ} 07' 30''$ West 201.556 feet to a point; thence run South $66^{\circ} 41' 42''$ West 353.871 feet to a point; thence run North $87^{\circ} 46' 15''$ West 181.303 feet to a point; thence run South $42^{\circ} 36' 29''$ West 40.000 feet to a point; thence run South $26^{\circ} 14' 51''$ West 177.410 feet to a point on a curve; thence run northwestwardly along a curve to the left 202.703 feet to a point, said curve having a degree of curvature of $9^{\circ} 42' 40''$ and a chord of North $73^{\circ} 35' 42''$ West 201.707 feet; thence run South $06^{\circ} 33' 46''$ West 80.000 feet to a point; thence run North $83^{\circ} 26' 14''$ West 101.974 feet to a point of curvature; thence run southwestwardly along a curve to the left 378.816 feet to a point of tangency, said curve having a degree of curvature of $9^{\circ} 18' 59''$ and a chord of South $78^{\circ} 55' 00''$ West 372.856 feet; thence run South $61^{\circ} 16' 15''$ West 491.967 feet to a point of curvature; thence run southwestwardly along a curve to the right 161.885 feet to a point of tangency, said curve having a degree of curvature of $14^{\circ} 52' 55''$ and a chord of South $73^{\circ} 19' 00''$ West 160.695 feet; thence run South $85^{\circ} 21' 45''$ West 197.383 feet to a point on a curve; thence run

(continued.....)

southwestwardly along a curve to the right 85.000 feet to a point, said curve having a degree of curvature of 6° 50' 23" and a chord of South 02° 01' 13" West 84.964 feet; thence run North 85° 04' 22" West 80.000 feet to a point on a curve; thence run northwestwardly along a curve to the left 460.234 feet to a point of tangency, said curve having a degree of curvature of 7° 33' 43" and a chord of North 12° 28' 28" West 453.191 feet; thence run North 29° 52' 34" West 92.033 feet to a point of curvature; thence run northwestwardly along a curve to the right 411.145 feet to a point, said curve having a degree of curvature of 10° 21' 26" and a chord of North 08° 35' 04" West 401.747 feet; thence run South 77° 17' 34" East 80.000 feet to a point on a curve; thence run southwestwardly along a curve to the left 150.000 feet to a point, said curve having a degree of curvature of 12° 06' 29" and a chord of South 03° 37' 33" West 149.373 feet; thence run North 63° 03' 42" East 282.035 feet to a point; thence run North 79° 30' 31" East 549.181 feet to a point; thence run North 70° 12' 04" East 265.707 feet to a point; thence run North 05° 26' 25" East 105.475 feet to a point; thence run North 12° 31' 44" East 46.098 feet to a point; thence run North 33° 41' 24" East 108.167 feet to a point; thence run North 37° 01' 12" East 382.001 feet to a point; thence run North 29° 21' 28" East 183.576 feet to a point; thence run North 04° 45' 49" East 60.208 feet to a point; thence run North 15° 15' 18" West 57.009 feet to a point; thence run North 39° 48' 20" West 78.102 feet to a point; thence run North 56° 18' 36" West 252.389 feet to a point; thence run North 37° 34' 07" East 82.006 feet to a point; thence run North 50° 42' 38" East 71.063 feet to a point; thence run North 65° 13' 29" East 71.589 feet to a point; thence run North 28° 37' 48" West 208.867 feet to a point; thence run North 87° 16' 25" East 140.238 feet to the point of beginning and containing a total of 69.8628 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 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 14th day of October, 1970

JOHN A. COOPER COMPANY

ATTEST:

Clayton N. Little
Asst. Secretary
(Title)

By John A. Cooper, Jr.
Vice-President
(Title)

BELLA VISTA COUNTRY CLUB

ATTEST:

Clayton N. Little
Clayton N. Little
Secretary

By John A. Cooper, Jr.
John A. Cooper, Jr.
President

