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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 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 Tracts numbered 64 and 65 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tracts numbered 64 and 65 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 Tracts numbered 64 and 65 shall be covered and included under the terms, provisions, assessments and liens as provided in the Declaration above referred to;

NOW, THEREFORE, the Developer for the purposes aforesaid and in compliance with ARTICLE II, Section 2, of the Declaration aforesaid declares that the following lands are hereby subject to said Declaration to the extent that same shall constitute

FILED FOR RECORD
At 2 O'Clock P. M.

MAY 22 1968

JOSEPHINE R. HEYLAND
Clerk and Recorder
BENTON COUNTY, ARK.

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

Return →

of Easement
For release hereof see Record 04
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Brenda DeShields SP Clerk

additional lands under the Declaration aforesaid and shall be a part of the existing property, and said lands referred to shall be Tracts numbered 64 and 65 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:

TRACT NO. 64: Blocks 1 and 2, BERKSHIRE SUBDIVISION

Plat Book 1, Page 94, being more particularly

described as follows:

A parcel of land lying in the fractional $S\frac{1}{2}$ of the $NW\frac{1}{4}$ (0.77 Ac. more or less), fractional $N\frac{1}{2}$ of the $NW\frac{1}{4}$ (17.65 Ac. more or less), $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ (7.02 Ac. more or less), $NW\frac{1}{4}$ of the $NE\frac{1}{4}$ (15.77 Ac. more or less) of Section 30, and the fractional $S\frac{1}{2}$ of the $SW\frac{1}{4}$ (9.39 Ac. more or less), and the $SW\frac{1}{4}$ of the $SE\frac{1}{4}$ (6.30 Ac. more or less), of Section 19, Township 21 North, Range 30 West of the Fifth Principal Meridian, Benton County, Arkansas, being more particularly described as follows:

Commencing at the Northeast corner of Section 30, Township 21 North, Range 30 West of the Fifth Principal Meridian, Benton County, Arkansas, run North 71.410 feet to a point; thence run West 2,219.370 feet to the point of beginning; thence run South 6° 31' 11" East 352.278 feet to a point; thence South 11° 28' 55" West 326.534 feet to a point; thence run South 28° 44' 23" East 353.553 feet to a point; thence run South 6° 28' 59" West 221.415 feet to a point; thence run South 5° 26' 25" East 210.950 feet to a point; thence run South 23° 48' 21" East 185.809 feet to a point; thence run South 10° 57' 15" West 157.876 feet to a point; thence run South 31° 12' 39" East 198.768 feet to a point; thence run South 65° 09' 27" West 119.013 feet to a point; thence run South 78° 41' 24" West 76.485 feet to a point; thence run North 78° 41' 24" West 50.990 feet to a point; thence run North 62° 06' 10" West 40.000 feet to a point; thence run North 36° 49' 04" West 57.817 feet to a point; thence run North 18° 26' 06" West 63.246 feet to a point; thence run North 7° 35' 41" West 151.327 feet to a point; thence run South 81° 52' 12" West 70.711 feet to a point; thence run South 72° 45' 31" West 151.822 feet to a point; thence run North 21° 32' 27" West 204.267 feet to a point; thence run North 75° 57' 50" West 164.925 feet to a point; thence run North 50° 26' 25" West 298.329 feet to a point; thence run North 29° 14' 56" West 286.531 feet to a point; thence run North 2° 28' 53" West 300.282 feet to a point; thence run North 29° 57' 44" West 588.673 feet to a point; thence run North 8° 17' 18" West 447.964 feet to a point; thence run North 43° 16' 48" East 826.480 feet to a point;

(Description continued on next page)

Description of Berkshire Subdivision (continued)

thence run North $83^{\circ} 44' 45''$ East 367.185 feet to a point; thence run South $65^{\circ} 13' 29''$ East 143.178 feet to a point; thence run South $30^{\circ} 57' 50''$ East 145.773 feet to a point; thence run North $83^{\circ} 17' 25''$ East 85.586 feet to a point; thence run South 120.000 feet to a point; thence run South $2^{\circ} 42' 02''$ East 530.589 feet to the point of beginning, and containing 56.90 acres, more or less.

TRACT NO. 65: Blocks 3, 4 and 5, BERKSHIRE SUBDIVISION, Plat Book 1, Page 95, being more particularly described as follows:

A parcel of land lying in the fractional $S\frac{1}{2}$ of the $SW\frac{1}{4}$ (0.02 Ac. more or less) of Section 19, and the fractional $N\frac{1}{2}$ of the $NW\frac{1}{4}$ (35.21 Ac. more or less), fractional $S\frac{1}{2}$ of the $NW\frac{1}{4}$ (40.65 Ac. more or less), fractional $N\frac{1}{2}$ of the $SW\frac{1}{4}$ (2.67 Ac. more or less), $NW\frac{1}{4}$ of the $SE\frac{1}{4}$ (3.54 Ac. more or less), $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ (14.23 Ac. more or less) of Section 30, Township 21 North, Range 30 West, and the $NE\frac{1}{4}$ of the $NE\frac{1}{4}$ (4.30 Ac. more or less) of Section 25, 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 30, Township 21 North, Range 30 West of the Fifth Principal Meridian, Benton County, Arkansas; run East 435.867 feet to a point; thence run South 401.859 feet to the point of beginning; (point being on a meander line one foot in elevation above the present spillway elevation of Lake Ann, mean sea level elevation 1055.000); thence run South $7^{\circ} 00' 00''$ East 135.168 feet to a point; thence run South $77^{\circ} 28' 16''$ East 92.195 feet to a point; thence run South $51^{\circ} 20' 25''$ East 128.062 feet to a point; thence run South $46^{\circ} 58' 30''$ East 205.183 feet to a point; thence run North $8^{\circ} 17' 50''$ East 130.000 feet to a point; thence run North $36^{\circ} 46' 21''$ East 208.202 feet to a point; thence run North $15^{\circ} 00' 00''$ West 65.160 feet to a point; thence run along a 45.000 foot radius curve to the right an arc distance of 123.608 feet to a point; thence run North $29^{\circ} 00' 00''$ East 418.257 feet to a point; thence run South $8^{\circ} 17' 18''$ East 447.964 feet to a point; thence run South $29^{\circ} 57' 44''$ East 588.673 feet to a point; thence run South $2^{\circ} 28' 53''$ East 300.282 feet to a point; thence run South $29^{\circ} 14' 56''$ East 286.531 feet to a point; thence run South $50^{\circ} 26' 25''$ East 298.329 feet to a point; thence run South $75^{\circ} 57' 50''$ East 164.925 feet to a point; thence run South $21^{\circ} 32' 27''$ East 204.267 feet to a point; thence run North $72^{\circ} 45' 31''$ East 151.822 feet to a point; thence run North $81^{\circ} 52' 12''$ East 70.711 feet to a point; thence run South $7^{\circ} 35' 41''$ East 151.327 feet to a point; thence run South $18^{\circ} 26' 06''$ East 63.246 feet to a point; thence run South $36^{\circ} 49' 04''$ East 57.817 feet to a point; thence

(Description continued on next page)

Description of Berkshire Subdivision (continued)

run South 62° 06' 10" East 40.000 feet to a point; thence run South 78° 41' 24" East 50.990 feet to a point; thence run North 78° 41' 24" East 76.485 feet to a point; thence run North 65° 09' 27" East 119.013 feet to a point; thence run South 25° 26' 01" East 249.146 feet to a point; thence run South 57° 08' 39" West 285.701 feet to a point; thence run South 38° 46' 27" West 391.216 feet to a point; thence run South 27° 15' 19" West 371.214 feet to a point; thence run South 45° 00' 00" West 289.914 feet to a point; thence run North 47° 43' 35" West 445.982 feet to a point; thence run North 52° 52' 40" West 1408.414 feet to a point; thence run North 41° 54' 42" West 564.384 feet to a point; thence run North 3° 26' 01" West 250.449 feet to a point; thence run North 36° 21' 26" West 680.756 feet to a point on a meander line one foot in elevation above said present spillway elevation of Lake Ann, (point being 952.782 feet South of and 266.225 feet West of the said Northwest corner of Section 30, Township 21 North, Range 30 West; thence run Northerly and Easterly along said meander line one foot in elevation above the present spillway elevation of Lake Ann to the point of beginning, and containing 100.62 acres, more or less.

The Club joins in this Declaration as it joined in the original Declaration, for the purposes 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 22nd day of May, 1968.

ATTEST:

Ellen Orr
Assistant Secretary

JOHN A. COOPER COMPANY

By J. Bellingerley
Vice-President

ATTEST:

Clayton N. Pettit
Secretary

BELLA VISTA COUNTRY CLUB

By John A. Cooper
President

(Acknowledgments on next page...)

ACKNOWLEDGMENT

STATE 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. M. BILLINGSLEY and ELLEN ORR, 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.

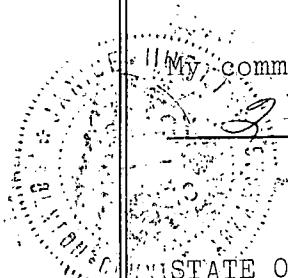
IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 22 day of May, 1968.

Janice Hurtt

Notary Public

My commission expires:

2-5-71



ACKNOWLEDGMENT

STATE 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 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 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 22 day of May, 1968.

Janice Hurtt

Notary Public

My commission expires:

2-5-71

