

of
easement

For release hereof see Rec

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Page 59851b 11-2-05

Brenda Deshields SD

Clerk

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FILED FOR RECORD
At 11:00 O'clock P M.

BOOK 416 PAGE 517

MAY 21 1970 SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS

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

5-25

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 Tract numbered 119 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tract numbered 119 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 119 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 119 under and in said Declaration and covered by said Declaration as fully as though the same had been included in the Declaration

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

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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. 119: Blocks 1 to 6, inclusive,
BRISTOL SUBDIVISION, Plat Book J, Page 202,

being more particularly described as follows:

A parcel of land lying in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ (8.73 acres, more or less), the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ (0.54 acres, more or less) of Section 26, Township 21 North, Range 31 West; in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ (18.43 acres, more or less), the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ (22.61 acres, more or less), the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ (4.38 acres, more or less); the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ (22.18 acres, more or less) of Section 35, Township 21 North, Range 31 West; in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ (2.02 acres, more or less) of Section 36, Township 21 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, being more particularly described as follows: Commencing at the corner common to Sections 25, 26, 35, and 36, Township 21 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, run north 46.792 feet to a point; thence run west 758.430 feet to the point of beginning; thence run south 8° 42' 23" West 169.206 feet to a point; thence run South 4° 43' 51" West 68.694 feet to a point; thence run South 12° 59' 36" East 151.860 feet to a point; thence run South 15° 32' 53" East 109.442 feet to a point; thence run South 0° 24' 12" East 86.300 feet to a point; thence run South 34° 7' 46" East 119.867 feet to a point; thence run South 12° 30' 39" East 430.284 feet to a point; thence run South 59° 45' 4" East 549.867 feet to a point; thence run South 41° 59' 59" East 450.000 feet to a point; thence run South 33° 52' 43" West 183.078 feet to a point; thence run South 37° 49' 42" West 80.000 feet to a point; thence run North 52° 10' 18" West 188.075 feet to a point of curvature; thence run Northwestwardly along a curve to the left 145.000 feet to a point, said curve having a degree of curvature of 4° 5' 23" and a chord of North 55° 8' 12" West 144.935 feet; thence run South 45° 26' 0" West 553.759 feet to a point; thence run South 75° 39' 2" West 887.694 feet to a point; thence run North 15° 51' 2" West 2139.664 feet to a point of curvature; thence run Westwardly along a curve to the right, 697.161 feet to a point of tangency, said curve having a degree of curvature of 1° 48' 47" and a chord of North 9° 31' 59" West 695.749 feet; thence run North 3° 12' 56" West 135.702 feet to a point; thence run North 86° 29' 47" East 45.258 feet to a point of curvature; thence run Southwardly along a curve to the right 407.983 feet to a point of tangency, said curve having a degree of curvature 3° 33' 8" and a chord of South 86° 15' 27" East 406.896 feet; thence run South 79° 0' 41" East 24.619 feet to a point of curvature; thence run Southeastwardly along a curve to the right 591.329 feet to a point of tangency, said curve having a degree of curvature of 9° 20' 43" and a chord of South 51° 22' 50" East 568.674 feet; thence run South 23° 44' 58" East 269.390 feet to a point; thence run North 66° 15' 2" East 85.872 feet to a point; thence run North 8° 28' 8" East 91.475 feet to a point; thence run South 81° 31' 52" East 293.933 feet to the point of beginning and containing a total of 78.8905 acres.

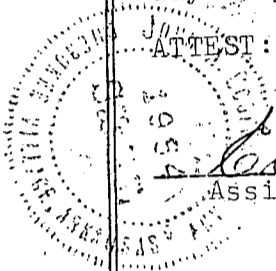
The Club joins in this Declaration as it joined in the original Declaration for the purpose of indicating its agreement to perform the obligations placed upon it by the original

Declaration as well as this Declaration.

IN WITNESS WHEREOF, this instrument is executed by the Developer and the Club through 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 21st day of May, 1970.

ATTEST:

JOHN A. COOPER COMPANY



Ellen Orr
Assistant Secretary

By G. M. Billingsley
Vice-President

ATTEST:

BELLA VISTA COUNTRY CLUB

Clayton H. Little
Secretary

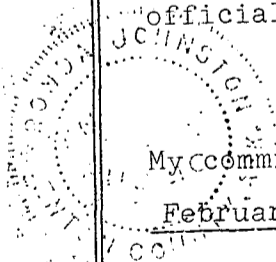
By John A. Cooper, Jr.
President

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 21st day of May, 1970.



Ronda Johnston
Notary Public

My commission expires:
February 11, 1973

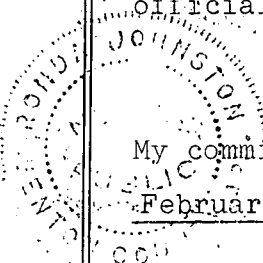
(Second acknowledgment on next page.....)

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 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 21st day of May, 1970.



Ronda Johnston
Notary Public

My commission expires:
February 11, 1973.