

5.00

SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS

WHEREAS, Cooper Communities, Inc., successor to John A. Cooper Company (formerly Cherokee Village Development Company, Inc.) by reason of merger, 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, hereinafter referred to as "Association", 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. 361 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tract No. 361 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 Association is agreeable that said lands hereinafter described as Tract No. 361 shall be covered and included under the terms, provisions, assessments and liens as provided in the Declaration above referred to.

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. 361 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. 361: BURGHEAD SUBDIVISION, Blocks 1, 2 and 3, Plat Book 5, Page 158, being more particularly described as follows:

A parcel of land lying in the SE1/4 of the SE1/4 (39.953 Acres+) of Section 17; in the SW1/4 of the SW1/4 (0.341 Acres+) of Section 16, Township 21 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, being more particularly described as follows:

Beginning at the Southeast corner of said Section 17 (Arkansas State Plane Coordinates of North 792,521.498 feet and East 1,327,025.977 feet); thence, N 87° 48' 32" W 1318.00 feet; thence, N 03° 05' 33" E 1320.12 feet); thence, S 87° 48' 34" E 1328.99 feet;

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At _____

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thence, S 03° 08' 08" W 901.53 feet; thence, N 67° 26' 10" W 2.16 feet; thence, S 02° 36' 16" W 235.46 feet; thence, S 32° 30' 00" E 17.39 feet; thence, S 02° 36' 16" W 159.57 feet; thence, N 87° 48' 32" W 10.00 feet; thence, S 02° 36' 16" W 10.00 feet; thence, N 87° 48' 32" W 11.85 feet to the point of beginning, containing 40.294 acres, more or less.

The Association joins in this Supplemental 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 Association 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 15th day of March, 1984.

COOPER COMMUNITIES, INC.

ATTEST:

[Signature]
Secretary

By [Signature]
Vice President

BELLA VISTA VILLAGE PROPERTY OWNERS ASSOCIATION

ATTEST:

[Signature]
Secretary

By [Signature]
President

STATE OF ARKANSAS)
) SS
COUNTY OF BENTON)

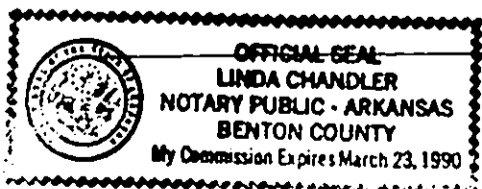
ACKNOWLEDGMENT

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 Richard H. Smith and Larry W. Garrett, to me well known, who stated that they were Vice President and the 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 13th day of March, 1984.

[Signature]
NOTARY PUBLIC

My Commission Expires:



STATE OF ARKANSAS)
) SS ACKNOWLEDGEMENT
COULY OF BENTON)

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 RODNEY D. ROSS and JAMES A SOUTH to me well known, who stated that they were _____ President and _____ Secretary of Bella Vista Village Property Owners Association a non-profit 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 15th day of March, 1984.

Nadean F. Trudo
NOTARY PUBLIC

My Commission Expires:

