

FILED FOR RECORD
At 2:42 O'clock P M

SUPPLEMENTAL DECLARATION OF
COVENANTS AND RESTRICTIONS
FOR
BLOCK 4, PLEASANT VIEW ESTATES
CITY OF BENTONVILLE
BENTON COUNTY, ARKANSAS

AUG 22 1996

SUE HODGES
Clerk and Recorder
BENTON COUNTY, ARK.

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, M & L Development, Inc., an Arkansas corporation, as owner and developer, heretofore caused the Declaration of Covenants and Restrictions for Pleasant View Estates, City of Bentonville, Benton County, Arkansas, (the "Declaration"), to be executed and filed for record on December 28, 1990, in the Office of the Circuit Court Clerk and Ex-Officio Recorder of Benton County, Arkansas, as Instrument 9045121 through 9045130, inclusive; and

WHEREAS, M & L Development, Inc. desires to make an addition to the existing property of Pleasant View Estates, City of Bentonville, Benton County, Arkansas, by adding thereto as Block 4 thereof the hereinafter described lands and to subject the same to the aforesaid Declaration as though said lands had been originally included therein;

NOW, THEREFORE, M & L Development, Inc. hereby declares that the real property hereinafter described is and shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and easements of said Declaration and this Supplemental Declaration, all in the manner hereinafter set forth:

1. Addition to Existing Properties: Pursuant to and in accordance with the provisions of Article I, Section 2, of the Declaration, M & L Development, Inc., as owner and developer, does hereby declare and provide that the following described lands shall hereafter be held, transferred, sold, conveyed and occupied subject to the said Declaration and to the provisions of this Supplemental Declaration, to-wit:

Part of the N $\frac{1}{2}$ of Section 33, Township 20 North, Range 30 West of the Fifth Principal Meridian, Benton County, Arkansas, more particularly described as follows:

Commencing at the SW corner of the NE $\frac{1}{4}$ of said Section 33 being an iron pin; thence N.89°58'19"E. 567.37 feet to an iron pin; thence N.00°30'35"W. 1103.71 feet for the point of beginning:

Thence S.89°27'41"W. 124.91 feet; thence S.83°03'32"W. 50.31 feet; thence S.89°27'41"W. 176.50 feet; thence S.07°18'52"E. 411.50 feet; thence S.88°09'13"W. 129.03 feet; thence S.00°33'22"E. 17.17 feet; thence S.89°27'41"W. 181.43 feet; thence S.00°32'19"E. 17.61 feet; thence S.89°27'41"W. 146.65 feet; thence N.00°32'19"W. 252.53 feet; thence N.89°27'41"E. 67.50 feet; thence N.06°43'18"W. 325.07 feet; thence N.76°38'37"E. 21.32 feet; thence N.13°21'23"W. 143.28 feet to a point on the south line of Pleasant View Estates, Block 3; thence along said south line, N.67°40'01"E. 94.28 feet to the west right-of-way of Paradise Way; thence along said right-of-way and on a curve to the right having a radius of 475.00 feet an arc length of 63.24 feet and a chord of S.26°19'46"E. 63.20

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14256

feet; thence continuing along the south line of said Pleasant View Estates, Block 3, N.75°25'28"E. 220.41 feet to an iron pin; thence N.89°49'16"E. 409.77 feet to an iron pin at the SE corner of said Block 3, thence S.00°30'35"E. 299.97 feet to the point of beginning, containing 8.897 acres more or less and subject to all easements of record or of fact.

said lands being reflected on the plat thereof as Lots 1 through 25, inclusive, Block 4, Pleasant View Estates, Bentonville, Arkansas, which said plat is filed of record in the Office of the Circuit Court Clerk and Ex-Officio Recorder of Benton County, Arkansas, in Plat Book _____, Page _____, and which plat is by reference made a part of the Declaration and this Supplemental Declaration and likewise the Declaration and this Supplemental Declaration are by reference made a part of said plat.

2. Modification to Minimum Square Footage Requirements: Pursuant to and in accordance with the provisions of Article I, Section 2, subsection (c), the lands hereinabove described as Block 4, Pleasant View Estates, are hereby further subjected to the following provision hereby added to Article IV, Section 3 of the Declaration, as a complementary addition thereto: The minimum square footage requirement for Lots One (1) through Twenty Five (25), Block 4, Pleasant View Estates, shall be 1,700 square feet.

3. Modification to Article IV, Protective Covenants: Pursuant to and in accordance with the provisions of Article I, Section 2, subsection (c) and by reason of the enactment of an amendment to the Ordinance of the City of Bentonville, Arkansas, concerning the installation of sidewalks, the lands hereinabove described as Block 4, Pleasant View Estates, are hereby further subjected to the following new provision hereby added as Section 18 to Article IV of the Declaration, as a complimentary addition thereto:

"Section 18. Sidewalks. Every Owner of a Lot within Pleasant View Estates shall be obliged, at the time of construction of any residential structure or earlier where required, to install or cause to be installed upon such Lot a sidewalk or sidewalks as required by any then in effect Ordinances of the City of Bentonville, Arkansas, and within the time requirements set for such installation in such Ordinances."

IN WITNESS WHEREOF, M & L Development, Inc. has caused this Supplemental Declaration to be executed by its duly authorized corporate officers this _____ day of July, 1996.

ATTEST:

Mitchell Leon Walden
LEON WALDEN, Secretary

M & L DEVELOPMENT, INC., Owner
Michael L. Walden
MICHAEL L. WALDEN, President

FILED FOR RECORD
At 10:15 O'clock A M

CORRECTION
SUPPLEMENTAL DECLARATION OF
COVENANTS AND RESTRICTIONS

FOR
PHASE 4 (FORMERLY RECORDED AS BLOCK 4)
PLEASANT VIEW ESTATES
CITY OF BENTONVILLE
BENTON COUNTY, ARKANSAS

MAR 20 1997

SUE HODGES
Clerk and Recorder
BENTON COUNTY, ARK.

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, M & L Development, Inc., an Arkansas corporation, as owner and developer, heretofore caused the Declaration of Covenants and Restrictions for Pleasant View Estates, City of Bentonville, Benton County, Arkansas, (the "Declaration"), to be executed and filed for record on December 28, 1990, in the Office of the Circuit Court Clerk and Ex-Officio Recorder of Benton County, Arkansas, as Instrument 9045121 through 9045130, inclusive; and

WHEREAS, M & L Development, Inc. subsequently desired to make an addition to the existing property of Pleasant View Estates and to subject the additional lands to the aforesaid Declaration as though said lands had been originally included therein, and toward that end caused to be executed and filed for record on August 22, 1996, in the office of the Circuit Court Clerk and Ex-Officio Recorder of Benton County, Arkansas, as Instrument 96068808 through 96068810, inclusive, a Supplemental Declaration of Covenants and Restrictions; and

WHEREAS, the above described Supplemental Declaration contained the correct plat reference and metes and bounds description for the additional lands but further incorrectly described such lands as Lots 1 through 25, inclusive, Block 4, Pleasant View Estates, which further description should have been Lot 1, Block 4; Lots 7 through 13, inclusive, Block 5; Lots 4 through 12, inclusive, Block 6; and Lots 1 through 8, inclusive, Block 7; all in Phase 4, Pleasant View Estates; and

NOW, THEREFORE, M & L Development, Inc., joined herein by all other present owners of said additional lands, in order to correct the above described Supplemental Declaration, do hereby declare that the real property hereinafter described is and shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and easements of said Declaration and this Correction Supplemental Declaration, all in the manner hereinafter set forth:

1. Addition to Existing Properties: Pursuant to and in accordance with the provisions of Article I, Section 2, of the Declaration, M & L Development, Inc., as owner and developer, joined herein by all other present owners of said lands, do hereby declare and provide that the following described lands shall hereafter be held, transferred, sold, conveyed and occupied subject to the said Declaration and to the provisions of this Correction Supplemental Declaration, to-wit:

Part of the N $\frac{1}{2}$ of Section 33, Township 20 North, Range 30 West of the Fifth Principal Meridian, Benton County, Arkansas, more particularly described as follows:

Commencing at the SW corner of the NE $\frac{1}{4}$ of said Section 33 being an iron pin; thence N.89°58'19"E. 567.37 feet to an iron pin; thence N.00°30'35"W. 1103.71 feet for the point of beginning:

Thence S.89°27'41"W. 124.91 feet; thence S.83°03'32"W. 50.31 feet; thence S.89°27'41"W. 176.50 feet; thence

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S.07°18'52"E. 411.50 feet; thence S.88°09'13"W. 129.03 feet; thence S.00°33'22"E. 17.17 feet; thence S.89°27'41"W. 181.43 feet; thence S.00°32'19"E. 17.61 feet; thence S.89°27'41"W. 146.65 feet; thence N.00°32'19"W. 252.53 feet; thence N.89°27'41"E. 67.50 feet; thence N.06°43'18"W. 325.07 feet; thence N.76°38'37"E. 21.32 feet; thence N.13°21'23"W. 143.28 feet to a point on the south line of Pleasant View Estates, Block 3; thence along said south line, N.67°40'01"E. 94.28 feet to the west right-of-way of Paradise Way; thence along said right-of-way and on a curve to the right having a radius of 475.00 feet an arc length of 63.24 feet and a chord of S.26°19'46"E. 63.20 feet; thence continuing along the south line of said Pleasant View Estates, Block 3, N.75°25'28"E. 220.41 feet to an iron pin; thence N.89°49'16"E. 409.77 feet to an iron pin at the SE corner of said Block 3, thence S.00°30'35"E. 299.97 feet to the point of beginning, containing 8.897 acres more or less and subject to all easements of record or of fact.

said lands being reflected on the plat thereof as Lot 1, Block 4; Lots 7 through 13, inclusive, Block 5; Lots 4 through 12, inclusive, Block 6; and Lots 1 through 8, inclusive, Block 7; all in Phase 4, Pleasant View Estates, City of Bentonville, Benton County, Arkansas, which said plat is filed of record in the Office of the Circuit Court Clerk and Ex-Officio Recorder of Benton County, Arkansas, in Plat Book 22L, Page 15, and which plat is by reference made a part of the Declaration and this Correction Supplemental Declaration and likewise the Declaration and this Correction Supplemental Declaration are by reference made a part of said plat.

2. Modification to Minimum Square Footage Requirements: Pursuant to and in accordance with the provisions of Article I, Section 2, subsection (c), of the Declaration, the lands hereinabove described as Lot 1, Block 4; Lots 7 through 13, inclusive, Block 5; Lots 4 through 12, inclusive, Block 6; and Lots 1 through 8, inclusive, Block 7; all in Phase 4, Pleasant View Estates, are hereby further subjected to the following provision hereby added to Article IV, Section 3 of the Declaration, as a complementary addition thereto: The minimum square footage requirement for Lot 1, Block 4; Lots 7 through 13, inclusive, Block 5; Lots 4 through 12, inclusive, Block 6; and Lots 1 through 8, inclusive, Block 7; all in Phase 4, Pleasant View Estates, shall be 1,700 square feet.

3. Modification to Article IV, Protective Covenants: Pursuant to and in accordance with the provisions of Article I, Section 2, subsection (c), of the Declaration, and by reason of the enactment of an amendment to the Ordinance of the City of Bentonville, Arkansas, concerning the installation of sidewalks, the lands hereinabove described as Lot 1, Block 4; Lots 7 through 13, inclusive, Block 5; Lots 4 through 12, inclusive, Block 6; and Lots 1 through 8, inclusive, Block 7; all in Phase 4, Pleasant View Estates, are hereby further subjected to the following new provision hereby added as Section 18 to Article IV of the Declaration, as a complimentary addition thereto:

"Section 18. Sidewalks. Every Owner of a Lot within Pleasant View Estates shall be obliged, at the time of construction of any residential structure or earlier where required, to install or cause to be installed upon such Lot a sidewalk or sidewalks as required by any then in effect Ordinances of the City of Bentonville, Arkansas, and within the time requirements set for such installation in such Ordinances."

4. Joinder: M & L Development, Inc., as owner and developer, is being joined in the execution of this Correction Supplemental Declaration for the uses and purposes herein set forth by all other present owners of the hereinabove described lands contained in Phase 4 of Pleasant View Estates for the purpose of reflecting their consent hereto. M & L Development, Inc., pursuant to the provisions of Article I, Section 3, of the Declaration, hereby further reflects its consent that the lands of such other owners may be included hereunder.

IN WITNESS WHEREOF, M & L Development, Inc., joined herein by the other present owners of the lands contained in Phase 4 of Pleasant View Estates, have caused this Corrected Supplemental Declaration to be executed for the uses and purposes hereinabove set forth as of the 31st day of October, 1996.

ATTEST:

Leon Walden
LEON WALDEN, Secretary

M & L DEVELOPMENT, INC.,
Developer and Owner of
Lot 1, Block 4; Lots 7 through
10, inclusive, Block 5; Lots 4,
5, 8, 9, 10, 11 and 12, Block 6;
and Lots 1, 2, 4, 5, 6, 7 and 8,
Block 7, all in Phase 4,
Pleasant View Estates

Michael L. Walden
MICHAEL L. WALDEN, President

DELMAR COVEY and MONA M. COVEY,
husband and wife, Joinders as
Owners of Lots 11, 12 and 13,
Block 5; and Lots 6 and 7, Block
6; all in Phase 4, Pleasant View
Estates

Delmar Covey
DELMAR COVEY

Mona M. Covey
MONA M. COVEY

JAMES R. KULICK and
MELANIE D. KULICK, husband and
wife, Joinders as Owners of
Lot 3, Block 7, Phase 4,
Pleasant View Estates

James R. Kulick
JAMES R. KULICK

Melanie D. Kulick
MELANIE D. KULICK

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 MICHAEL L. WALDEN and LEON WALDEN, to me well known, who stated that they were the President and Secretary of M & L DEVELOPMENT, 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 31st day of October, 1996.

My Commission Expires:

August 30, 2000

Jacquelyn Mae Walden
Notary Public



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 DELMAR COVEY and MONA M. COVEY, husband and wife, to me well known, who stated that they had 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 31st day of October, 1996.

My Commission Expires:

August 30, 2000

Jacquelyn Mae Walden
Notary Public



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 JAMES R. KULICK and MELANIE D. KULICK, husband and wife, to me well known, who stated that they had 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 31st day of October, 1996.

My Commission Expires:

August 30, 2000

Jacquelyn Mae Walden
Notary Public

