

FILED FOR RECORD

At 8:15 O'Clock A. M.

434 493

May 1, 1971

NOV 15 1971

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

PROPERTY RESTRICTIONS ON RUSH ESTATES
S. 6, T 20N, R30W
Benton County, Arkansas
Plat Record K at page 85

- 1 - No hogs, chickens, or rabbits shall be raised for commercial purposes.
- 2 - The property shall not be used for commercial or manufacturing purposes.
- 3 - No old, used existing building or structure of any kind shall be moved onto the property.
- 4 - No residential structure shall be located nearer than 25 ft from all boundaries.
- 5 - Tracts 1 thru 17 are reserved for residential buildings or multiple dwellings and these should be a minimum of 1000 sq ft (excluding garage)
- 6 - No outside toilet shall be erected. All sanitary plumbing shall conform with the minimum requirements of the Health Department.
- 7 - No garbage or refuse shall be discarded on premises (including ravines)
- 8 - Mobile homes can be placed only on tracts 18 thru 37, however a buyer may also build a home on these tracts if he so wishes.
- 9 - Mobile homes shall not be over 3 years old and be a minimum of 10x50 sq. ft.
- 10 - All mobile homes shall be enclosed all around the bottom.

S. Howard Rush
S. Howard Rush, Seller

Annette P. Rush
Annette P. Rush, Seller

STATE OF Arkansas

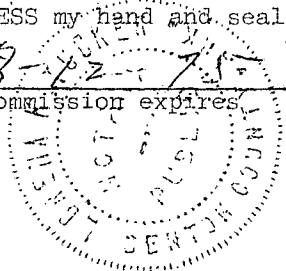
COUNTY OF Benton

BE IT REMEMBERED, That on this day came before the undersigned, a NOTARY PUBLIC within and for the County aforesaid, duly commissioned and acting S. HOWARD RUSH and ANNETTE P RUSH, husband and wife to me well known as the Grantors in the foregoing, and stated that they had executed the same for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal as such NOTARY PUBLIC 15 this Nov. day of Nov 1971

My commission expires 8-12-75

Lorena Tucker
NOTARY PUBLIC



Howard Rush
R. 4, Box 259, Bentonville

FILED FOR RECORD

NOV 10th 0 Clock A.M.

JUN 18 1973

REVISED

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JOSEPHINE R. HEYLAND PROTECTIVE COVENANTS for RUSH ESTATES

Clerk and Recorder
BENTON COUNTY, ARK.

The undersigned, being the owners of all of RUSH ESTATES, a Subdivision of a part of Section 6, Township 20 North, Range 30 West, as shown at Benton County, Arkansas, Plat Record K at page 85 thereof, do hereby establish and create the following Protective Covenants, which shall take the place of those previously filed of record at Benton County, Arkansas, Deed Record 434 at page 499 thereof.

I. COVENANTS

A. Land Use and Building Type. No lot shall be used and no dwelling shall be erected, altered, placed, or permitted to remain on any lot other than for residential purposes.

B. Dwelling Size. No dwelling shall be permitted on any lot in which the living area thereof is less than 1,600 square feet, including garage.

C. Building Location. No building shall be located nearer to a lot line than 25 feet.

D. Nuisances. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. No animals or live-stock shall be raised, bred, or kept within the subdivision for any commercial purpose.

E. Temporary Structures. No structure of a temporary character, trailer, basement, tent, shack, barn, mobile home, or other out-building shall be erected or used on any lot, at any time, as a residence either temporarily or permanently. However, this provision shall not apply to Lots 19, 36, and 37, so long as said Lots shall continue to be owned by the original owners of same.

F. All sanitary facilities used in connection with the lands in this subdivision, including but not limited to water and sewer facilities, shall be installed and maintained with the minimum requirements of the Arkansas State Department of Health. No lot, or portion thereof, shall be used for the dumping of or the disposal of refuse and trash. Such shall be disposed of as may be prescribed by the rules and regulations of the Arkansas State Health Department.

II. GENERAL PROVISIONS

A. Term. These covenants shall run with the land and shall be binding upon all parties, their heirs and assigns, for a period of twenty-five (25) years from the date these covenants are recorded. Upon the expiration of such period, said covenants will be automatically extended for successive periods of five (5) years, unless, during such time, an instrument signed by a majority of the then owners of the lots has been recorded in the Deed Records of Benton County, Arkansas, terminating or amending said covenants, in whole or in part.

B. Enforcement. Enforcement shall be by proceedings at law or in equity against all persons violating or attempting to violate any covenant, either to restrain violation or to recover damages therefor.

C. Severability. Invalidations of any of these covenants by any order of a Court shall not affect any of the remaining provisions hereof which shall remain in full force and effect.

S.H. Rush - Rt 1 96 D Washburn.

IN WITNESS WHEREOF, this instrument is hereby executed by the parties hereto on the dates hereinafter set out.

Howard Rush
S. Howard Rush

Annette P. Rush
Annette P. Rush

Bill L. Friederich
Bill L. Friederich

Leona A. Friederich
Leona A. Friederich

Fred E. Goodman - 1-15-73
Fred E. Goodman

Ethel Goodman - 1-15-73
Ethel Goodman

Muriel Chism
Muriel Chism

Donald L. Larson
Donald L. Larson

Billie Maxine Larson
Billie Maxine Larson

Alfred Limprecht
Alfred Limprecht

Edna Limprecht
Edna Limprecht

IN WITNESS WHEREOF, this instrument is hereby executed by the parties hereto on the dates hereinafter set out.

R. A. Lindsey 20 Feb 73
R. A. Lindsey

~~XXXXXXXXXXXXXXXXXX~~

Helen Maulbetsch
Helen Maulbetsch

Jim A. Mitts
Jim A. Mitts

Peggy D. Mitts
Peggy Mitts

Gene R. Miser
Gene R. Miser

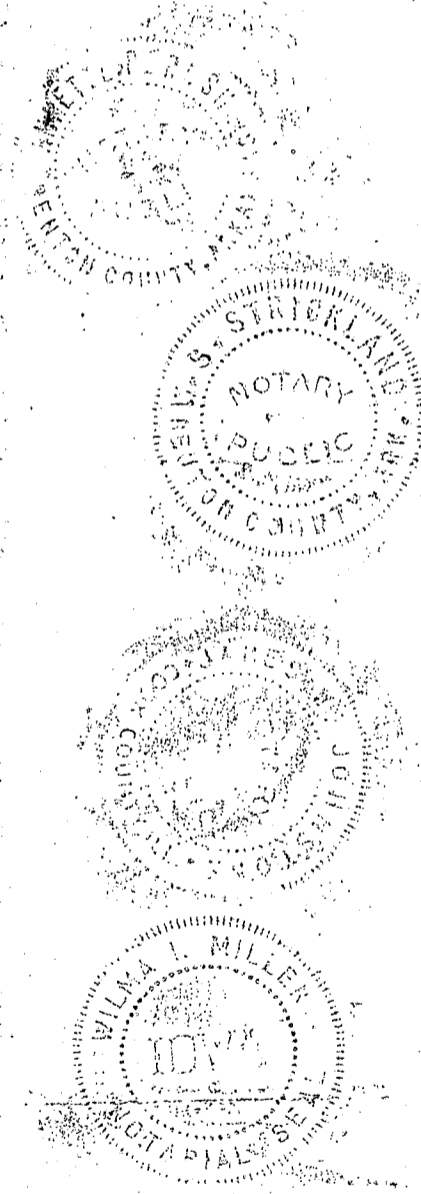
Jerry J. Hickman
Jerry J. Hickman

Clark Rayburn
Clark Rayburn

Mary Rayburn
Mary Rayburn

Edwin F. Schultz
Edwin F. Schultz

Helen M. Schultz
Helen M. Schultz

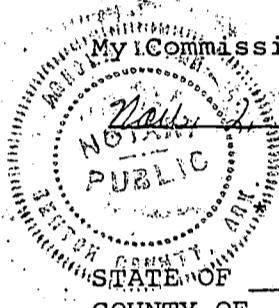


STATE OF ARKANSAS)
COUNTY OF BENTON)

BE IT REMEMBERED, that before me, a Notary Public, duly commissioned, qualified, and acting within and for the State and County aforesaid, appeared S. HOWARD RUSH and ANNETTE P. RUSH, husband & wife, known to me to be the persons who executed the above and foregoing instrument, and did acknowledge that they had executed the same for the consideration and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 13 day of January, 1973.

My Commission Expires:



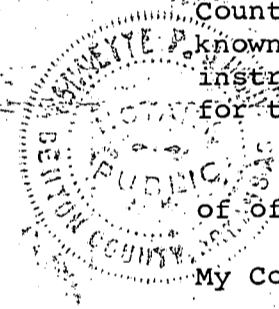
Arnold Layne
Notary Public

STATE OF ARKANSAS)
COUNTY OF BENTON)

BE IT REMEMBERED, that before me, a Notary Public, duly commissioned, qualified, and acting within and for the State and County aforesaid, appeared BILL L. FRIEDERICH & LEONA A. FRIEDERICH, H&W, known to me to be the persons who executed the above and foregoing instrument, and did acknowledge that they had executed the same for the consideration and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 22 day of March, 1973.

My Commission Expires:



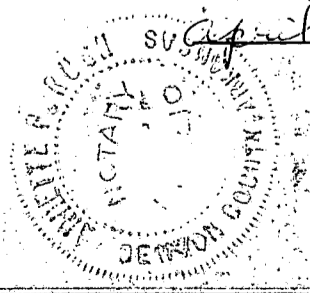
Annette P. Rush
Notary Public

STATE OF ARKANSAS)
COUNTY OF BENTON)

BE IT REMEMBERED, that before me, a Notary Public, duly commissioned, qualified, and acting within and for the State and County aforesaid, appeared FRED E. GOODMAN and ETHEL GOODMAN, husband & wife, known to me to be the persons who executed the above and foregoing instrument, and did acknowledge that they had executed the same for the consideration and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 15 day of January, 1973.

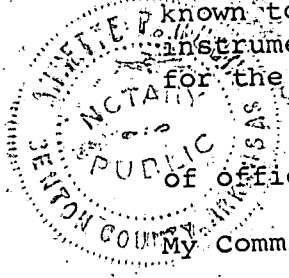
My Commission Expires:



Annette P. Rush
Notary Public

STATE OF ARKANSAS
COUNTY OF BENTON

BE IT REMEMBERED, that before me, a Notary Public, duly commissioned, qualified, and acting within and for the State and County aforesaid, appeared MURIEL CHISM known to me to be the person who executed the above and foregoing instrument, and did acknowledge that she had executed the same for the consideration and purposes therein expressed.



IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 7th day of June, 1973.

My Commission Expires:

April 5, 1975

Arnette O. Rush
Notary Public

STATE OF MISSOURI
COUNTY OF Jackson

BE IT REMEMBERED, that before me, a Notary Public, duly commissioned, qualified, and acting within and for the State and County aforesaid, appeared DONALD L. LARSON and BILLIE MAXINE LARSON, known to me to be the persons who executed the above and foregoing instrument, and did acknowledge that they had executed the same for the consideration and purposes therein expressed.



IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 26th day of March, 1973.

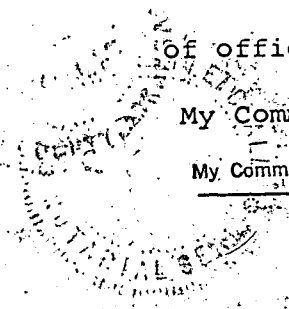
My Commission Expires:

My Commission Expires June 15, 1973

J. L. Long
Notary Public

STATE OF IOWA
COUNTY OF Polk

BE IT REMEMBERED, that before me, a Notary Public, duly commissioned, qualified, and acting within and for the State and County aforesaid, appeared ALFRED LIMPRECHT and EDNA LIMPRECHT, hus. & wife, known to me to be the persons who executed the above and foregoing instrument, and did acknowledge that they had executed the same for the consideration and purposes therein expressed.



IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 13th day of April, 1973.

My Commission Expires:

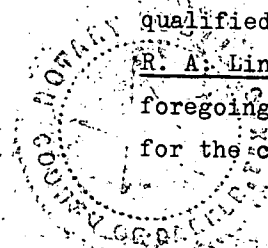
My Commission Expires Sept. 30, 1977.

Bernice L. Fletchall
Notary Public

STATE OF Texas)
COUNTY OF Parker)

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BE IT REMEMBERED, that before me, a Notary Public, duly commissioned, qualified, and acting within and for the State and County aforesaid, appeared R. A. Lindsey known to me to be the person who executed the above and foregoing instrument, and did acknowledge that He had executed the same for the consideration and purposes therein expressed.



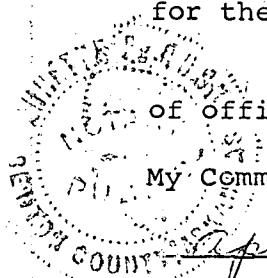
IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 20 day of Feb, 1973.

My Commission Expires:

[Signature]
NOTARY PUBLIC

STATE OF OHIO)
COUNTY OF _____)

BE IT REMEMBERED, that before me, a Notary Public, duly commissioned, qualified, and acting within and for the State and County aforesaid, appeared HELEN MAULBETSCH known to me to be the person who executed the above and foregoing instrument, and did acknowledge that she had executed the same for the consideration and purposes therein expressed.



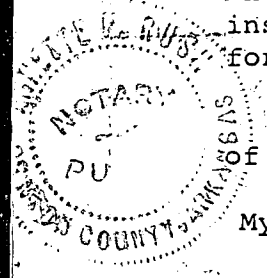
IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 26 day of March, 1973.

My Commission Expires:

[Signature]
Notary Public

STATE OF ARKANSAS)
COUNTY OF BENTON)

BE IT REMEMBERED, that before me, a Notary Public, duly commissioned, qualified, and acting within and for the State and County aforesaid, appeared JIM A. MITTS and PEGGY MITTS, husband & wife, known to me to be the person who executed the above and foregoing instrument, and did acknowledge that they had executed the same for the consideration and purposes therein expressed.



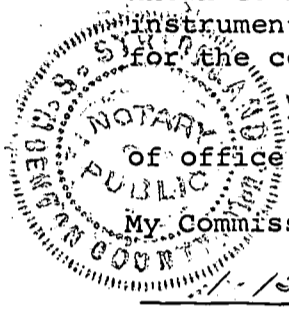
IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 19 day of January, 1973.

My Commission Expires:

[Signature]
Notary Public

STATE OF ARKANSAS)
COUNTY OF BENTON)

BE IT REMEMBERED, that before me, a Notary Public, duly commissioned, qualified, and acting within and for the State and County aforesaid, appeared GENE R. MISER known to me to be the person who executed the above and foregoing instrument, and did acknowledge that he had executed the same for the consideration and purposes therein expressed.



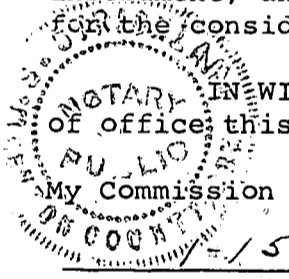
IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 22nd day of January, 1973.

My Commission Expires: 1-15-76

W. S. Strickland
Notary Public

STATE OF ARKANSAS)
COUNTY OF BENTON)

BE IT REMEMBERED, that before me, a Notary Public, duly commissioned, qualified, and acting within and for the State and County aforesaid, appeared JERRY J. HICKMAN known to me to be the person who executed the above and foregoing instrument, and did acknowledge that he had executed the same for the consideration and purposes therein expressed.



IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 22nd day of January, 1973.

My Commission Expires: 1-15-76

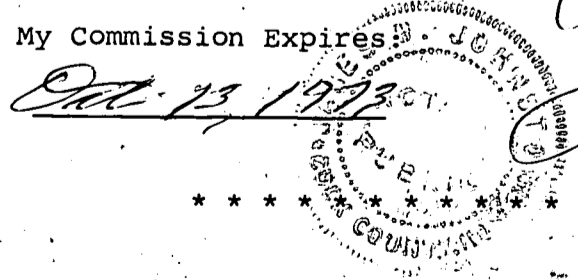
W. S. Strickland
Notary Public

STATE OF ILLINOIS)
COUNTY OF _____)

BE IT REMEMBERED, that before me, a Notary Public, duly commissioned, qualified, and acting within and for the State and County aforesaid, appeared CLARK RAYBURN and MARY RAYBURN, husband & wife, known to me to be the persons who executed the above and foregoing instrument, and did acknowledge that they had executed the same for the consideration and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 2nd day of March, 1973.

My Commission Expires: Oct. 13, 1977

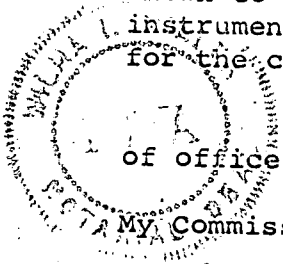


Jean W. Johnston
Notary Public

STATE OF IOWA
COUNTY OF Case No. 10

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BE IT REMEMBERED, that before me, a Notary Public, duly commissioned, qualified, and acting within and for the State and County aforesaid, appeared EDWIN F. SCHULTZ and HELEN M. SCHULTZ, hus. & wife, known to me to be the person s who executed the above and foregoing instrument, and did acknowledge that they had executed the same for the consideration and purposes therein expressed.



IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 3 day of February, 1973.

My Commission Expires:
9-30-76

Edna I. Miller
Notary Public
