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FILED FOR RECORD  
At 2:00 O'clock P.M.

FEB 08 1993

AMENDMENT TO THE  
PROTECTIVE COVENANTS OF THE  
BELLA VISTA VILLAGE DECLARATION  
OF COVENANTS AND RESTRICTIONS

SUE HODGES

Clerk and Recorder  
BENTON COUNTY, ARK.

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, COOPER COMMUNITIES, INC. (formerly named Cooper Acquisition Corporation and successor in interest to the predecessor Cooper Communities, Inc. and John A. Cooper Company by reason of mergers, the said John A. Cooper Company formerly being named Cherokee Village Development Company, Inc.), hereinafter referred to as "Developer", joined by the Bella Vista Village Property Owners Association (formerly known as the Bella Vista Country Club), as "Association", heretofore executed the Bella Vista Village Declaration of Covenants and Restrictions dated May 18, 1965, as recorded in Book 373, Page 08, et seq., of the records of Benton County, Arkansas; and

WHEREAS, said Declaration of Covenants and Restrictions remains in effect and is applicable to the lands therein described and all lands subsequently subjected thereto or which may be hereafter subjected thereto, all in accordance with the provisions of ARTICLE II thereof; and

WHEREAS, the Association has requested the Developer to amend the Protective Covenants of said Declaration in order to specifically authorize the charging of fees by the Architectural Control Committee and the Board of Directors of the Developer has now adopted a resolution for that purpose.

NOW THEREFORE, the President and Secretary of Cooper Communities, Inc. hereby certify that the following is a full, true and correct copy of a resolution duly adopted by the Board of Directors of Cooper Communities, Inc. on February 8, 1993:

RESOLUTION

WHEREAS, the Board of Directors of the Bella Vista Village Property Owners Association has requested that the Board of Directors of Cooper Communities, Inc. take appropriate action to amend the Bella Vista Village Protective Covenants in certain respects as hereinafter set forth; and

WHEREAS, the Board of Directors of Cooper Communities, Inc. has reviewed the proposed

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amendment and has no objection to its adoption as an addition to the Bella Vista Village Protective Covenants;

NOW THEREFORE, BE IT RESOLVED, that the Protective Covenants set forth in the Bella Vista Village Declaration of Covenants and Restrictions dated May 18, 1965, and recorded in Book 373, Page 08, et seq., of the records of Benton County, Arkansas, are hereby amended pursuant to Paragraph 3 thereof to include as additions thereto the following paragraphs:

27. To enable the A.C.C. to perform its responsibilities under the Declaration, any Supplemental Declaration, and these Protective Covenants, the A.C.C. may establish and charge fees and may require such fees to be paid prior to performance of any such responsibilities.

BE IT FURTHER RESOLVED, that any of the officers of the corporation that may be necessary or appropriate be and they are hereby authorized and directed to execute any and all instruments which may now or hereafter be required and to do and perform or cause to be done and performed all such further acts of every character as such officers may deem necessary, advisable or appropriate to effectuate such amendments and in any respects to carry out the intent and purposes of this resolution;

BE IT FURTHER RESOLVED, that all acts, past, present and future, on the part of the officers of the corporation in effecting the purposes of this resolution are hereby ratified, confirmed and approved.

IN WITNESS WHEREOF, the President and Secretary of Cooper Communities, Inc. have subscribed hereto and caused the seal of the corporation to be affixed this 8th day of February, 1993.

ATTEST:

Secretary

COOPER COMMUNITIES, INC.

President

APPROVED:

ATTEST:

Secretary

BELLA VISTA VILLAGE PROPERTY OWNERS ASSOCIATION

President

STATE OF ARKANSAS)  
COUNTY OF Benton) ss.

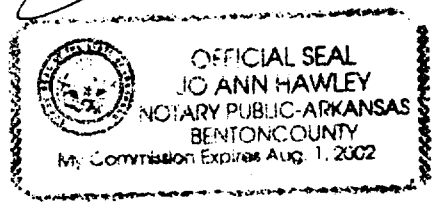
ACKNOWLEDGMENT

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 Roger McMennamy and Richard H. Smith to me well known, who stated that they were President and 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 8th day of FEBRUARY, 1993.

My Commission Expires:  
August 1, 2002

[Signature]  
Notary Public



STATE OF ARKANSAS)  
COUNTY OF Benton) ss.

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 HOWARD L. HELLERSTEDT and VIOLET E. HUMPHREY to me well known, who stated that they were President and Secretary of BELLA VISTA VILLAGE PROPERTY OWNERS ASSOCIATION, 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 8th day of February, 1993.

My Commission Expires:  
2/25/2002

[Signature]  
Notary Public