

SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS

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 98 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tract numbered 98 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 98 shall be covered and included under the terms, provisions, assessments and liens as provided in the Declaration above referred to;

NOW, THEREFORE, the Developer for the purposes aforesaid and in compliance with ARTICLE II, Section 2, of the Declaration aforesaid declares that the following lands are hereby subject to said Declaration to the extent that same shall constitute

**FILED FOR RECORD**  
At 10 O'Clock A M.

JUN 17 1969

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

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

additional lands under the Declaration aforesaid and shall be a part of the existing property, and said lands referred to shall be Tract numbered 98 under and in said Declaration and covered by said Declaration as fully as though the same had been included in the Declaration 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. 98: Blocks 1 thru 7, inclusive

AUCKLAND SUBDIVISION, Plat Book 4, Page 106,

being more particularly described as follows:

PARCEL NO. 1:

A parcel of land lying in the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  and the E $\frac{1}{2}$  of the Fractional NE $\frac{1}{4}$  of Section 17, Township 21 North, Range 30 West, the W $\frac{1}{2}$  of the Fractional NW $\frac{1}{4}$  of Section 16, Township 21 North, Range 30 West of the Fifth Principal Meridian, Benton County, Arkansas, and being more particularly described as follows:

Starting at the common corners of Sections 16, 17, 20 and 21, Township 21 North, Range 30 West; thence West 16.257 feet to a point; thence North 2,521.678 feet to the Point of Beginning; thence North 53° 42' 47" West 40.000 feet to a point; thence North 40° 34' 00" West 99.688 feet to a point; thence North 54° 30' 34" West 423.723 feet to a point; thence North 33° 58' 45" West 384.689 feet to a point; thence North 23° 42' 01" West 554.793 feet to a point; thence North 69° 13' 40" East 62.032 feet to a point; thence North 29° 14' 56" East 143.265 feet to a point; thence South 70° 28' 54" East 284.340 feet to a point; thence South 56° 02' 15" East 96.776 feet to a point; thence North 84° 18' 55" East 242.929 feet to a point; thence North 30° 40' 38" East 205.801 feet to a point; thence North 34° 41' 43" West 79.057 feet to a point; thence North 34° 00' 48" East 196.644 feet to a point; thence North 10° 47' 58" East 159.430 feet to a point; thence South 87° 50' 45" East 430.000 feet to a point; thence South 69° 53' 54" East 335.893 feet to a point; thence South 07° 51' 58" East 229.970 feet to a point; thence North 88° 03' 00" West 244.150 feet to a point; thence along a 12° 40' 02" curve to the left 708.376 feet to a point; thence South 02° 24' 00" West 772.840 feet to a point; thence along a 15° 54' 18" curve to the right 213.743 feet to the point of beginning.

PARCEL NO. 2:

A parcel of land lying in the E $\frac{1}{2}$  of the Fractional NE $\frac{1}{4}$  of Section 17, Township 21 North, Range 30 West, the W $\frac{1}{2}$  of the Fractional NW $\frac{1}{4}$  of Section 16, Township 21 North, Range 30 West of the Fifth Principal Meridian, Benton County, Arkansas, and being more particularly described as follows:

(Description continued on next page...)

Parcel No. 2 - description (continued)

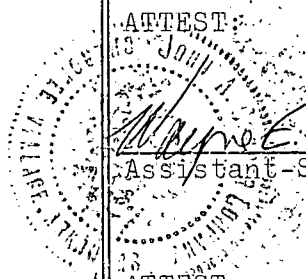
Starting at the common corners of Sections 16, 17, 20 and 21, Township 21 North, Range 30 West; thence East 844.897 feet to a point; thence North 2,637.225 feet to the point of beginning; thence North 86° 26' 34" West 723.554 feet to a point; thence along a 13° 00' 31" curve to the left 80.681 feet to a point, said curve having a chord bearing of North 07° 38' 11" East and a chord distance of 80.569 feet; thence North 02° 24' 00" East 772.840 feet to a point; thence along a 15° 23' 51" curve to the right 583.341 feet to a point; thence South 88° 03' 00" East 244.150 feet to a point; thence along a 09° 41' 20" curve to the left 46.329 feet to a point; thence South 00° 42' 11" East 157.488 feet to a point; thence South 35° 13' 54" East 195.880 feet to a point; thence South 45° 00' 00" East 176.777 feet to a point; thence South 00° 34' 43" East 495.025 feet to a point; thence South 38° 03' 49" West 392.149 feet to the point of beginning, Parcels No. 1 and No. 2 containing in all 48.92 acres, more or less.

The Club joins in this Declaration as it joined in the original Declaration for the purposes 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 17th day of June, 1969.

JOHN A. COOPER COMPANY

ATTEST:



Walter E. Sherman  
Assistant-Secretary

By J. Bellinger  
Vice-President

BELLA VISTA COUNTRY CLUB

ATTEST:

Clyde N. Galt  
Secretary

By John Cooper, Jr.  
resident

(Acknowledgments 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 G. M. BILLINGSLEY and WAYNE E. SHENEMAN, 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.

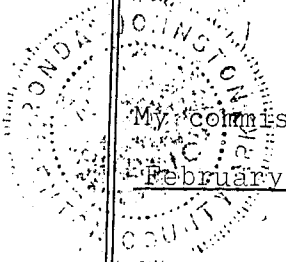
IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 17th day of June, 1969.

Ronda Johnston

Notary Public

My commission expires:

February 11, 1973



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 17th day of June, 1969.

Ronda Johnston

Notary Public

My commission expires:

February 11, 1973

