

575/5

MAY 31 1972

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

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, 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 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. 210 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tract No. 210 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 No. 210 shall be covered and included under the terms, provisions, assessments and liens as provided in the Declaration above referred to.

NOW, THEREFORE, it is provided by the Developer in compliance with ARTICLE II, Section 2, of the Declaration aforesaid that the following lands are hereby subject to said Declaration to the extent that same shall constitute additional

lands under the Declaration aforesaid and shall be a part of the existing properties, and said lands referred to shall be Tract No. 210 under and in said Declaration and covered by said Declaration as fully as though the same had been included in said 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. 210 : BETHNAL SUBDIVISION, Blocks 1 thru 5, inclusive, Plat Book m, Page 226, being more particularly described as follows:

A parcel of land lying in the E $\frac{1}{2}$  of the Fractional NE $\frac{1}{4}$  (12.16 acres, more or less), the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  (8.55 acres, more or less), the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  (4.04 acres, more or less) the W $\frac{1}{2}$  of the Fractional NE $\frac{1}{4}$  (25.49 acres, more or less), the E $\frac{1}{2}$  of the Fractional NW $\frac{1}{4}$  (9.51 acres, more or less), of Section 17, Township 21 North, Range 30 West of the Fifth Principal Meridian, Benton County, Arkansas, being more particularly described as follows:

Commencing at the SE Corner of Section 17, Township 21 North, Range 30 West, of the Fifth Principal Meridian, Benton County, Arkansas, run North 2374.198 feet to a point, thence West 312.296 feet to the point of beginning, thence North 89° 15' 01" West 99.038 feet, thence along the arc of a curve to the left 139.530 feet, said curve having a radius of 532.964 feet, thence along the arc of a curve to the right 607.826 feet, said curve having a radius of 2018.892 feet, thence North 83° 04' 00" West 271.739 feet, thence North 11° 03' 09" West 148.242 feet, thence North 29° 40' 23" West 98.980 feet, thence North 43° 50' 42" West 350.796 feet, thence North 60° 50' 47" West 196.085 feet, thence North 56° 25' 36" West 282.959 feet, thence North 71° 00' 33" West 100.572 feet, thence North 85° 24' 25" West 249.174 feet, thence North 67° 17' 49" West 137.938 feet, thence North 78° 42' 51" West 263.218 feet, thence North 82° 37' 57" West 170.969 feet, thence North 67° 04' 21" West 286.024 feet, thence North 11° 54' 07" West 184.522 feet, thence North 67° 14' 56" East 154.503 feet, thence South 87° 34' 34" East 289.899 feet, thence North 78° 22' 36" East 330.422 feet, thence North 70° 08' 41" East 189.916 feet, thence North 82° 31' 42" East 181.857 feet, thence North 77° 51' 47" East 149.525 feet, thence South 42° 53' 01" East 95.517 feet, thence East 280.000 feet, thence South 64° 11' 44" East 303.238 feet, thence North 33° 57' 04" East 121.758 feet, thence East 412.000 feet, thence South 78° 32' 20" East 138.487 feet, thence North 69° 13' 37" East 102.968 feet, thence South 23° 42' 01" East 554.792 feet, thence South 33° 58' 45" East 384.690 feet, thence South 54° 30' 34" East 423.723 feet, thence South 40° 34' 01" East 99.689 feet, thence South 53° 42' 47" East 40.000 feet, thence along the arc of a curve to the right 343.528 feet, said curve having a radius of 361.396 feet to the point of beginning and containing 59.75 acres, more or less.

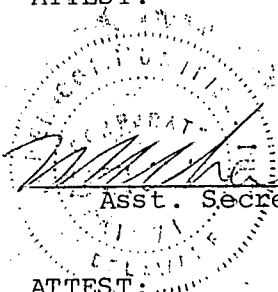
The Club joins in this Declaration, as it joined in the Original Declaration, for the purpose of indicating

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 Club 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 31st day of May, 1972.

ATTEST:

COOPER COMMUNITIES, INC.

  
W. E. Sheneman  
Asst. Secretary

By G. Billingsley  
Vice-President

ATTEST:

BELLA VISTA COUNTRY CLUB

Clayton N. Little  
Secretary

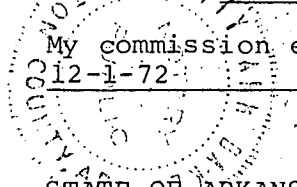
By Frank Morris  
President

ACKNOWLEDGMENT

STATE OF ARKANSAS )  
COUNTY OF BENTON ) SS.

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. Billingsley and W. E. Sheneman, to me personally well known, who stated that they were the Vice President and Assistant Secretary of COOPER COMMUNITIES, INC., a Delaware 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 31st day of May, 1972.

  
My commission expires:  
12-1-72

Betty Ann Baker  
Notary Public

ACKNOWLEDGMENT

STATE OF ARKANSAS )  
COUNTY OF BENTON ) SS.

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 Frank Morris and Clayton N. Little, to me personally well known, who stated that they were the Vice President and Secretary of BELLA VISTA COUNTRY CLUB, a non-

profit corporation organized under the laws of the State of Arkansas, 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 31st day of May, 1972.

My commission expires: 12-1-72

Betty Ann Baker  
Notary Public

