

FILED FOR RECORD  
At 10:30 O'Clock A M.

BOOK 420 PAGE 405

SEP 28 1970

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

323  
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 apart 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. 140 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tract No. 140 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. 140 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. 140 under and in said Declaration and covered

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

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. 140 : BLENHEIM SUBDIVISION, Blocks 1 through 3, inclusive, Plat Book L, Page 95, being more particularly described as follows:

A parcel of land lying in the SE 1/4 of the SE 1/4 (1.7139 acres) of Section 27, Township 21 North, Range 31 West of the Fifth Principal Meridian and lying in the SW 1/4 of the SW 1/4 (27.8024 acres), the SE 1/4 of the SW 1/4 (3.3322 acres) of Section 26, Township 21 North, Range 31 West of the Fifth Principal Meridian and lying in the NW 1/4 of the NW 1/4 (9.8210 acres) the NE 1/4 of the NW 1/4 (4.2197 acres) of Section 35, Township 21 North, Range 31 West of the Fifth Principal Meridian, all being in Benton County, Arkansas, being more particularly described as follows:

Beginning at a point 133.844 feet West and 97.727 feet North of the Southwest corner of Section 26, Township 21 North, Range 31 West, (Arkansas State Plane Coordinate = North 781,462.273, feet, East 1,336,903.844 feet); thence North 4° 49' 09" West 198.875 feet; thence North 44° 54' 38" West 80.000 feet; thence North 45° 05' 22" East 456.512 feet; thence Northeasterly on a curve to the right, having a radius of 788.875 feet, an arc distance of 411.755 feet; thence North 74° 59' 42" East 404.241 feet; thence Northeasterly, on a curve to the left, having a radius of 380.355 feet, an arc distance of 195.000 feet; thence South 45° 13' 22" East 646.853 feet . thence South 7° 17' 39" East 630.099 feet; thence South 41° 06' 44" East 365.000 feet; thence South 42° 27' 19" West 318.512 feet; thence South 81° 05' 06" West 258.118 feet; thence South 87° 16' 25" West 210.237 feet; thence North 77° 28' 16" West 184.390 feet; thence North 73° 36' 38" West 443.001 feet; thence North 44° 05' 26" West 445.533 feet; thence North 63° 06' 14" West 386.846 feet to the point of beginning, containing 46.8892 acres.

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 28th day of September, 1970.

ATTEST  
*[Signature]*  
Asst. Sec.  
(Title)

JOHN A. COOPER COMPANY  
By *[Signature]*  
Vice-President  
(Title)

Signature of Country Club on next page....)

ATTEST:

BELLA VISTA COUNTRY CLUB

Clayton N. Little  
Secretary

By John A. Cooper, Jr.  
President

ACKNOWLEDGMENT

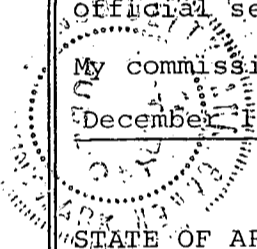
STATE OF ARKANSAS )  
                                  )SS.  
COUNTY OF BENTON )

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. Billingsley and C. E. Daggett, 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 28th day of September, 1970.

My commission expires:  
December 1, 1972.

Betty Ann Baker  
Notary Public



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, 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 28th day of September, 1970.

My commission expires:  
December 1, 1972.

Betty Ann Baker  
Notary Public

