

Amenendment
For release hereof see Record 497

Page 310 4-12-76

Josephine R. Heyland
By Virginia Pulsey, Jr.

PROTECTIVE COVENANTS FOR BOOK **400** PAGE **369**
RIVER CLIFF VIEW ADDITION
LAKELAND HILLS ESTATES

The undersigned, Lakeland Hills Estates, being the owners of all Lakeland Hills Estates do hereby establish and create the following protective covenants which shall apply to all lots and parcels as shown on the recorded plat of the above addition.

I. COVENANTS

A. Land Use and Building Type: No lot shall be used except for residential purposes. Dwellings shall not be less than 1000 square feet enclosed area.

B. Temporary Structures: No structure such as trailer, tent, shack, or other temporary structure shall be used as a residence.

C. Nuisances: No noxious or offensive activity shall be carried on, nor shall anything be done which may become an annoyance or nuisance to ordinary residential usage.

II. GENERAL PROVISIONS

A. Terms: These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 25 years from date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years unless instruments signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or any part.

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

C. Severability: Invalidation of any one of these covenants shall in no wise affect the other provisions which shall remain in full force and effect.

D. All footings and foundations must meet FHA specification.

E. Septic tanks and laterals must meet Arkansas State Health Department standards.

F. Building plans and specifications must be approved by the developers.

LAKELAND HILLS ESTATES:
By Forest Park, Inc.

By C. Ray Young
Pres.

Att: Wilma R. Young
Secy

FILED FOR RECORD
At 2:45 O'Clock P. M.

SEP 6 1968

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

By Blackburn Creek Development, Inc.

By S. Rex Spivey
Pres.

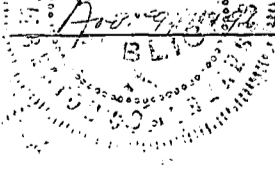
Att: Adeline H. Spivey
Secy

State of Arkansas
County of Benton

Be it remembered that before me a Notary Public within and for the county and state aforesaid appeared C. Ray Young and Wilma Young, President and Secretary, respectively, of Forest Park, Inc., and S. Rex Spivey and Adeline H. Spivey, President and Secretary, respectively, of Blackburn Creek Development, Inc. and after being duly sworn did state they had executed the above and foregoing for and on behalf of said corporations for the purposes therein expressed.

Witness my hand and seal this 6th day of September, 1968.

My Commission expires:



Margaret L. Lattie
Notary Public

Claude Williams, Agent

225
Amended

FILED FOR RECORD

At 8:30 O'clock P.M.

APR 12 1976

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

AMENDMENT OF PROTECTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, International Village, Rivercliff View, and Rivercliff Summit are subject to the Protective Covenants found at Plat Record K, Page 185, Book 400, Page 369, Book 399, Page 300; and

WHEREAS, the Developer is desirous of obtaining a statutory exemption pursuant to Section 1710.10 of the Interstate Land Sales Act; and

WHEREAS, in order to obtain the statutory exemption, Paragraph 3 of the Protective Covenants which provides: "Building plans and specifications must be approved by Developers" must be deleted; and

WHEREAS, Developer is desirous of establishing an architectural control committee whose members shall be lot owners;

NOW, THEREFORE, in consideration of the premises:

1. Restrictive Covenant No. 3 and the Protective Covenants for International Village, Rivercliff View and Rivercliff Summit is deleted in its entirety and shall be replaced by the following:

"a. An architectural control committee shall be established consisting of five committee members, all of whom are lot owners and shall be elected by the lot owners in the three subdivisions. The term of membership on the committee shall be for ten (10) years, at the expiration of which time the lot owners shall select five (5) new committee members. This process shall continue until all lots contain residences thereon.

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b. At the initial meeting of the architectural control committee, there shall be devised and formulated by-laws regulating the conduct of the committee. These initial by-laws shall not be modified or changed in any manner without the approval of the majority of the lot owners.

c. The Developer of these subdivisions shall have no control regarding the conduct of this committee or the acceptance or disapproval of any plan submitted to the committee.

d. Prior to the construction of a house on any lot on the above-described subdivisions, plans shall be submitted to the architectural control committee for acceptance or rejection, and if the committee does not act within thirty days, the plans so submitted shall be deemed to have been accepted.

2. In all other respects, the protective covenants remain in full force and effect and unmodified except as herein provided.

BLACKBURN CREEK DEVELOPMENT, INC.

BY: Calvin J. Spivey
CALVIN J. SPIVEY, President

ACKNOWLEDGMENT

STATE OF ARKANSAS)
COUNTY OF BENTON) ss.

BE IT REMEMBERED that on this day came before me, the undersigned, a Notary Public within and for the County aforesaid, dully commissioned and acting, CALVIN J. SPIVEY, who stated to me that he was the President of Blackburn Creek Development, Inc., and stated that he had executed the foregoing Amendment of Protective Covenants for the purposes and considerations therein set forth.

WITNESS MY HAND AND SEAL as such Notary Public, this 16 day of March, 1976.

Ronald Boyer
NOTARY PUBLIC

My Commission Expires:

8-29-79