

6.25  
FILED FOR RECORD

At 9:20 O'Clock A M.

449 PAGE 553

OCT 9 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. 219 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tract No. 219 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. 219 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

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

lands under the Declaration aforesaid and shall be a part of the existing properties, and said lands referred to shall be Tract No. 219 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. 219 : BROMPTON SUBDIVISION, Blocks 1 thru 5, inclusive, Plat Book J, Page 241, being more particularly described as follows:

A parcel of land lying in the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  (4.21 acres, more or less), of Section 26, Township 21 North, Range 31 West of the Fifth Principal Meridian Benton County, Arkansas, and the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  (29.51 acres, more or less), the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  (5.01 acres, more or less), the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  (0.01 acres, more or less), of Section 27, Township 21 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, and the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  (8.19 acres, more or less), the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  (24.91 acres, more or less), of Section 34, Township 21 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, being more particularly described as follows:

Commencing at the SE Corner of Section 27, Township 21 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, run South 104.847 feet to a point, thence West 338.346 feet to the point of beginning, thence South 13° 03' 11" East 305.822 feet, thence along the arc of a curve to the right 457.613 feet, said curve having a radius of 719.767 feet, thence South 23° 22' 27" West 42.748 feet, thence along the arc of a curve to the left 170.000 feet, said curve having a radius of 615.269 feet, thence North 87° 00' 00" West 678.094 feet, thence North 81° 30' 03" West 185.939 feet, thence North 82° 41' 56" West 19.704 feet, thence North 67° 18' 14" West 54.719 feet, thence North 59° 43' 37" West 150.680 feet, thence North 54° 46' 24" West 124.041 feet, thence North 71° 42' 47" West 71.608 feet, thence North 62° 01' 50" West 159.159 feet, thence North 39° 24' 53" West 69.601 feet, thence North 18° 10' 32" West 51.172 feet, thence North 00° 59' 17" East 93.065 feet, thence North 17° 05' 16" East 59.554 feet, thence North 10° 20' 22" East 104.197 feet, thence North 22° 45' 36" East 250.879 feet, thence North 13° 49' 11" East 73.008 feet, thence North 35° 10' 47" East 52.937 feet, thence North 64° 56' 02" East 119.756 feet, thence North 86° 07' 12" East 145.066 feet, thence North 89° 40' 55" East 98.737 feet, thence North 75° 17' 34" East 80.767 feet, thence South 85° 19' 46" East 173.755 feet, thence North 72° 32' 24" West 65.432 feet, thence North 69° 20' 07" West 106.152 feet, thence North 82° 44' 22" West 176.365 feet, thence North 78° 44' 12" West 108.613 feet, thence North 67° 39' 04" West 118.072 feet, thence North 43° 53' 52" West 102.551 feet, thence North 00° 11' 34" West 159.666 feet, thence North 14° 54' 46" East 252.610 feet, thence North 29° 52' 59" East 142.544 feet, thence

(Description continued.)

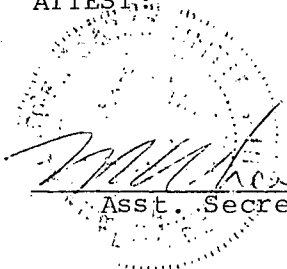
North 66° 23' 45" East 101.887 feet, thence North 81° 06' 50" East 56.128 feet, thence South 69° 24' 53" East 40.890 feet, thence North 45° 50' 42" East 34.469 feet, thence North 65° 58' 08" East 60.827 feet, thence North 76° 17' 36" East 168.974 feet, thence South 87° 46' 16" East 46.129 feet, thence North 79° 26' 45" East 31.278 feet, thence South 66° 10' 56" East 44.700 feet, thence North 02° 39' 38" East 51.248 feet, thence North 51° 09' 11" East 73.327 feet, thence North 60° 04' 20" East 228.990 feet, thence North 69° 17' 59" East 117.376 feet, thence North 69° 19' 33" East 517.911 feet, thence South 66° 00' 00" East 736.484 feet, thence South 48° 03' 06" East 80.000 feet, thence along the arc of a curve to the right 122.379 feet, said curve having a radius of 1253.911 feet; thence South 74° 59' 42" West 75.967 feet, thence along the arc of a curve to the left 411.755 feet, said curve having a radius of 788.873 feet, thence South 45° 05' 22" West 456.512 feet, thence along the arc of a curve to the left 496.929 feet, said curve having a radius of 489.692 feet to the point of beginning and containing 71.84 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 9th day of October, 1972.

ATTEST:

COOPER COMMUNITIES, INC.

  
*M. M. [Signature]*  
 Asst. Secretary

BY *J. Bellupky*  
 Vice-President

ATTEST:

BELLA VISTA COUNTRY CLUB

*C. [Signature]*  
 Secretary

By *Frank Mervin*  
 Vice-President

(Acknowledgments on

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ACKNOWLEDGMENT

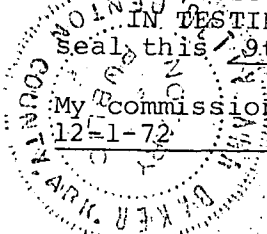
STATE OF ARKANSAS )SS.  
COUNTY OF BENTON )

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 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 9th day of October, 1972.

My commission expires: 12-1-72

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 Frank Morris 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 9th day of October, 1972.

My commission expires: 12-1-72

Betty Ann Baker  
Notary Public

