with Miles

512 PAGE 273

FILED FOR RECORD

At 8,30 O'Clock A M.

MAY 1 0 1977

JOSEPHINE R. HEYLAND

Clork 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, which is there recorded in Book 373, Page 08, et seq.;

WHEREAS, Bella Vista Village Property Owners Association, formerly Bella Vista Country Club, a nonprofit corporation organized under the laws of the State of Arkansas, hereinafter referred to as "Association", 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. 257 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tract No. 257 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 Association is agreeable that said lands here-inafter described as Tract No. 257 shall be covered and included under the terms, provisions, assessments and liens as provided in the Declaration above referred to.

NOW THEREFORE, the Developer, in compliance with ARTICLE II, Section 2, of the Declaration aforesaid, hereby declares and provides that the following lands are hereby subject to said Declaration to the extent that same shall constitute additional lands thereunder and shall be a part of the existing properties, and that said lands shall be Tract No. 257 under and in said Declaration and covered by same as fully as though said lands had been included in said Declaration at the time same was executed, the lands referred to lying and being situate in the County of Benton, State of Arkansas, to-wit: '*

TRACT NO. 257: BRUNSWICK SUBDIVISION, Blocks 1-5, Plat Book $\frac{\omega}{as}$, Page $\frac{2S}{as}$, being more particularly described as follows:

A parcel of land lying in the Southeast Quarter of the Southeast Quarter (2.494 acres +), in the Northeast Quarter of the Southeast Quarter (1.733 acres +) and in the Southeast Quarter of the Northeast Quarter (0.002 acres+) of Section 4 and in the Southwest Quarter of the Northwest Quarter (0.774 acres +), in the Southeast Quarter of the Northwest Quarter (0.313 acres +) in the Southwest Quarter of the Northeast Quarter (0.002 acres +) in the Northwest Quarter of the Southeast Quarter (0.173 acres +) in the Northeast Quarter of the Southwest Quarter (31.714 acres +) in the Northwest Quarter of the Southwest Quarter (40.295 acres +) and in the Southwest Quarter of the Southwest Quarter (5.852 acres +) of Section 3, all in Township

PREPARED BY: COOPER COMMUNITIES, INC. LEGAL DEPT. P.O. BOX 868 BENTONVILLE, ARK. 72712

Return: LLMIN

20 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, more particularly described as follows:

Beginning at a point 383.333 feet West and 1,112.915 feet North of the Southwest corner of said Section 3 (Arkansas State Plane Coordinates of North 771,090.100 feet and East 1,331,080.900 feet) thence N23°55'11"E 224.876 feet; thence N39°49'00"E 228.000 feet; thence N65°04'08"E 227.941 feet; thence N04°35'05"E 1,032.145 feet; thence S87°15'41"E 758.485 feet; thence N41°59'06"E 90.090 feet; thence S62°54'00"E 97.150 feet; thence S89° 30'04"E 86.110 feet; thence N68°34'54"E 154.540 feet; thence S23°52'27"E 107.710 feet; thence S87°15'42"E 1048.560 feet; thence N11°32'11"E 18.266 feet; thence Southeastwardly 41.000 feet along the arc of a curve to the left, said curve having a radius of 60.000 feet and a delta angle of 39°09'00"; thence S11°32'11"W 8.030 feet; thence S87°15'42"E 387.530 feet; thence S00°49' 53"W 11.860 feet; thence S03°26'07"W 750.000 feet; thence S68°01'32"W 1,297.230 feet; thence N52°56'10"W 180.000 feet; thence S55°17'51"W 516.947 feet; thence S85°03'15"W 1,043.887 feet; thence N66°04'49"W 352.727 feet to the point of beginning, containing 83.352 acres, more or less.

The Association joins in this Supplemental 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 Association 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 May _____, 1977.

COOPER COMMUNITIES, INC.

ATTEST:

By

President

BELLA VISTA VILLAGE PROPERTY
OWNERS ASSOCIATION

By

BY

BELLA VISTA VILLAGE PROPERTY
OWNERS ASSOCIATION

BY

President

STATE OF ARKANSAS)
) SS ACKNOWLEDGEMENT
COUNTY OF BENTON)

On this day before me, the undersigned, a Notary Public duly qualified, commissioned and acting within and for the said state and county, appeared in person the within named John A.

Cooper, Jr. and David Beattie , to me well known, who stated that they were President and Assistant Secretary of COOPER COMMUNITIES, INC., a corporation, and were duly authorized in their respective capacities to execute the foregoing instrument for and in 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.

of _	Witness my hai May	nd and Notarial _, 1977.	Seal on this	9th day	
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