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.; and

WHEREAS, the Developer desires to make an addition to the existing property by adding thereto as Tract No. 390 the hereinafter described land; and

WHEREAS, it is the desire of the Developer that the properties hereinafter described as Tract No. 390 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

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. 390 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. 390: QUEENSPERRY SUBDIVISION, Blocks 1-8, Plat Book 9, Page 235, being more particularly described as follows:

A PARCEL OF LAND LYING IN THE NE 1/4 OF THE SE 1/4 (10.581 ACRES +), IN THE SW 1/4 OF THE SE 1/4 (2.037 ACRES +) AND IN THE SE 1/4 OF THE SE 1/4 (39.406 ACRES ±) OF SECTION 31; IN THE NW 1/4 OF THE SW 1/4 (0.460 ACRES +), IN THE SW 1/4 OF THE SW 1/4 (38.134 ACRES +) AND IN THE SE 1/4 OF THE SW 1/4 (9.087 ACRES +) OF SECTION 32, TOWNSHIP 21 NORTH, RANGE 31 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

At S O'clock A_M.

JAN241986

JOSEPHINE R. HEYLAND

Clerk and Recorder

COUNTY, ARK

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTON 31 (ARKANSAS STATE PLANE COORDINATES OF NORTH 776,881.707 FEET AND EAST 1,320,911.615 FEET); THENCE, N 87° 10' 18" W 1525.61 FEET; THENCE, NORTHEASTWARDLY ALONG THE ARC OF A CURVE TO THE RIGHT 155.30 FEET, SAID CURVE HAVING A RADIUS OF 1490.47 FEET AND A DELTA ANGLE OF 05° 58' 12"; THENCE, N 19° 11' 56" E 785.96 FEET; THENCE, N 19° 11' 56" E 785.96 FEET; THENCE, N THE LEFT 362.62 FEET, SAID CURVE HAVING A RADIUS OF 1178.05 FEET AND A DELTA ANGLE OF 17° 38' 12"; THENCE, N 01° 33' 44" E 75.40

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Enth.

FEET; THENCE, N 86° 52' 55" W 77.98 FEET; THENCE, N 03° 07' 20" E 633.97 FEET; THENCE, THENCE, N U3 U/ 20" E 033.9/ FEET; THENCE, S 80° 46' 40" E 228.16 FEET; THENCE, N 82° 31' 20" E 64.61 FEET; THENCE, S 45° 46' 23" E 90.08 FEET; THENCE, S 36° 24' 04" E 221.58 FEET; THENCE, S 59° 51' 05" E 459.51 FEET; THENCE, S 74° 34' 09" E 2089.01 FEET; THENCE, S 74° 34' 09" E 2089.01 FEET; THENCE, S 74° 34' 09" E 2089.01 FEET; THENCE, S 15° 25' 51" W 100.00 FEET; THENCE, S 07° 05' 57" E 717.64 FEET; THENCE, N 87° 51' 36" W 59.84 FEET; THENCE, S 02° 08' 24" W 249.38 FEET; THENCE, N 87° 23' 44" W 1692.94 FEET TO THE POINT OF BEGINNING, CONTAINING 99.705 ACRES, MORE OR LESS.

IN WITNESS WHEREOF, this instrument is executed by the Developer through its corporate officers who are duly authorized to so execute same in multiple counterparts, any one of which shall be deemed an original this 23rd day of January , 1986.

COOPER COMMUNITIES, INC.

Secretary

President

STATE OF ARKANSAS

SS

ACKNOWLEDGMENT

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 Richard H. Smith and Joe E. Yates to me well known, who stated that they were Vice Secretary of Cooper Communi-President and Assistant ties, 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.

Witness my hand and Notarial Seal on this 23rd day of <u>January</u>, 1986.

My Commission Expires:

OFFICIAL SEAL FLSIE FLORES NOTARY PUBLIC - ARKANSAS BENTON COUNTY

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