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PULASKI COUNTY CIRCUIT/COUNTY CLERK  
Fees \$45.00



FIRST SUPPLEMENT TO BILL OF ASSURANCE

This First Supplement to Bill of Assurance executed this 30<sup>th</sup> day of September, 2013, is made by Deltic Timber Corporation ("Deltic," also "Developer" or "Declarant") as hereinafter set forth:

WHEREAS, Developer caused to be filed in the office of the Circuit Clerk and Ex-Officio Recorder of Pulaski County, Arkansas, that certain Bill of Assurance to Chenal Valley, an addition to the City of Little Rock, Arkansas, on December 4, 2012, Instrument No. 2012079563 (the "Original Bill of Assurance") creating the Miramar Place Neighborhood;

WHEREAS, paragraph 1 of the Original Bill of Assurance specifically provides that the Developer has the right to bring within the plan and the Original Bill of Assurance, as amended, additional properties provided such properties are in accord with the general plan of development and may contain such complimentary additions and modifications of the provisions of the Original Bill of Assurance necessary to reflect the different character, if any, of the added properties; and

WHEREAS, Developer files this First Supplement to Bill of Assurance for the purpose of adding additional property to the Miramar Place Neighborhood, which property is owned by the Developer and is described as follows:

plat 2013073124

Prepared by:  
James C. Clark, Jr.  
Friday, Eldredge & Clark  
400 West Capitol, Suite 2000  
Little Rock, AR 72201

PART OF THE NW1/4 OF SECTION 27, T-2-N, R-14-W, LITTLE ROCK, PULASKI COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF TRACT A, BLOCK 98, CHENAL VALLEY, AN ADDITION TO THE CITY OF LITTLE ROCK, ARKANSAS, SAID CORNER LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF CHENAL VALLEY DRIVE; THENCE NORTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING: (1) N57°49'04"W, 17.89 FT.; (2) NORTHERLY ALONG THE ARC OF A 542.96 FT. RADIUS CURVE TO THE RIGHT, A CHORD BEARING AND DISTANCE OF N46°37'13"W, 210.87 FT.; (3) N35°25'23"W, 561.70 FT.; (4) NORTHERLY ALONG THE ARC OF A 542.96 FT. RADIUS CURVE TO THE RIGHT, A CHORD BEARING AND DISTANCE OF N17°29'08"W, 334.46 FT.; AND (5) N00°27'17"E, 76.66 FT. TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF MIRAMONT BLVD. AND THE POINT OF BEGINNING; THENCE EASTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND NORTHERLY ALONG THE WEST RIGHT-OF-WAY LINE OF MIRAMAR BLVD. THE FOLLOWING:

(1) SOUTHEASTERLY ALONG THE ARC OF A 25.00 FT. RADIUS CURVE TO THE LEFT, A CHORD BEARING AND DISTANCE OF S50°07'26"E, 39.35 FT.; (2) EASTERLY ALONG THE ARC OF A 350.00 FT. RADIUS CURVE TO THE RIGHT, A CHORD BEARING AND DISTANCE OF S83°59'38"E, 69.74 FT.; (3) S78°16'34"E, 119.29 FT.; (4) EASTERLY ALONG THE ARC OF A 225.00 FT. RADIUS CURVE TO THE LEFT, A CHORD BEARING AND DISTANCE OF N75°20'06"E, 200.01 FT.; (5) N48°56'47"E, 99.64 FT.; (6) EASTERLY ALONG THE ARC OF A 325.00 FT. RADIUS CURVE TO THE RIGHT, A CHORD BEARING AND DISTANCE OF N63°06'44"E, 159.07 FT.; (7) NORTHEASTERLY ALONG THE ARC OF A 25.00 FT. RADIUS CURVE TO THE LEFT, A CHORD BEARING AND DISTANCE OF N30°13'22"E, 36.60 FT.; (8) N16°49'57"W, 20.65 FT.; (9) NORTHERLY ALONG THE ARC OF A 57.00 FT. RADIUS CURVE TO THE RIGHT, A CHORD BEARING AND DISTANCE OF N07°20'44"W, 18.79 FT.; (10) N02°08'30"E, 63.63 FT.; (11) NORTHERLY ALONG THE ARC OF A 188.00 FT. RADIUS CURVE TO THE LEFT, A CHORD BEARING AND DISTANCE OF N07°20'44"W, 61.97 FT.; (12) N16°49'57"W, 103.46 FT.; (13) NORTHWESTERLY ALONG THE ARC OF A 25.00 FT. RADIUS CURVE TO THE LEFT, A CHORD BEARING AND DISTANCE OF N78°24'05"W, 43.97 FT.; (14) N49°58'12"W, 45.00 FT.; (15) N40°01'48"E, 62.02 FT.; (16) NORTHERLY ALONG THE ARC OF A 25.00 FT. RADIUS CURVE TO THE LEFT, A CHORD BEARING AND DISTANCE OF N11°35'55"E, 23.81 FT.; (17) N16°49'57"W, 17.06 FT.; (18) NORTHERLY ALONG THE ARC OF A 125.00 FT. RADIUS CURVE TO THE LEFT, A CHORD BEARING AND DISTANCE OF N25°02'22"W, 35.69 FT. AND (19) N33°14'48"W, 75.20 FT. TO THE SOUTHEAST CORNER OF TRACT C, BLOCK 109, SAID

CHENAL VALLEY; THENCE S40°01'48"W ALONG THE SOUTH LINE OF SAID TRACT C AND ALONG THE SOUTH LINE OF LOTS 12 THROUGH 17, SAID BLOCK 109, 576.94 FT. TO THE SOUTHWEST CORNER OF SAID LOT 17; THENCE S68°16'20"W ALONG THE SOUTH LINE OF TRACT A, SAID BLOCK 109, 145.33 FT. TO A POINT ON THE SAID EASTERLY RIGHT-OF-WAY LINE OF CHENAL VALLEY DRIVE; THENCE S00°27'17"W ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 149.92 FT. TO THE POINT OF BEGINNING, CONTAINING 5.5832 ACRES MORE OR LESS.

shown on the Plat hereinafter mentioned, as Lots 1-11, Block 109, and Tracts E and F, Block 109, Chenal Valley, an Addition to the City of Little Rock, Arkansas (which property together with the property described in the Original Bill of Assurance, as amended, is hereinafter referred to as the "Miramar Place Neighborhood"); and Developer has caused to be incorporated Miramar Place Property Owners Association, Inc., for the purpose of administering the maintenance of the common area tracts and amenities in the Miramar Place Neighborhood and Chenal Valley Property Owners Association, Inc. for the purpose of administering the maintenance of the common area tracts and amenities of Chenal Valley;

WHEREAS, all owners of lots within the Miramar Place Neighborhood are members of Miramar Place Property Owners Association, Inc. as provided for in the Original Bill of Assurance, and members of Chenal Valley Property Owners Association, Inc. as provided for in the Covenants and Restrictions filed November 22, 1989, in the Office of the Circuit Clerk of Pulaski County, Arkansas, as Instrument No. 89-61706, as amended (the "Covenants and Restrictions"); and

WHEREAS, it is deemed advisable that all of the property shown on the plat hereinafter mentioned be subdivided into building lots, tracts and streets as shown on the Plat filed herein, and that said property be held, owned and conveyed subject to the protective covenants contained in the Covenants and Restrictions and Original Bill of Assurance, in order to enhance the value of the Miramar Place Neighborhood.

NOW, THEREFORE, Developer for and in consideration of the benefits to accrue to it, its successors and assigns, which benefits it acknowledges to be of value has caused to be made a plat showing a survey made by Paul M. White, Registered Land Surveyor, dated 10/7/13, and bearing a Certificate of Approval executed by the Department of Comprehensive Planning of the City of Little Rock, and showing the boundaries and dimensions of the property now being subdivided into lots, tracts and streets (the "Plat").

Deltic hereby donates and dedicates to the public an easement of way on, over and under the streets and right of way on said Plat to be used as public streets. In addition to the said streets, there are shown on said Plat certain easements for drainage and/or utilities which Deltic hereby donates and dedicates, subject to other provisions of this First Supplement to Bill of Assurance.

to and for the use of utilities ("utilities"), the same being, without limiting the generality of the foregoing, electric power, gas, telephone, water, sewer and cable television with the right hereby granted to the persons, firms or corporations engaged in the supplying of such utilities to use and occupy such easements, and to have free ingress and egress therefrom for the installation, maintenance, repair and replacement of such utility services.

The use of the area designated on the Plat as Tracts E and F, Block 109, Chenal Valley, an addition to the City of Little Rock, Arkansas, is hereby donated and dedicated by Deltic to the owners, as they may exist from time to time, of lots within the Miramar Place Neighborhood with the right to use this area, upon being given prior written approval by Developer and Miramar Place Property Owners Association, Inc., for drainage, pedestrian paths, trails and landscaping. Miramar Place Property Owners Association, Inc. shall maintain such areas and improvements at its sole cost. ADDITIONALLY, DELTIC HEREBY GRANTS TO ANY UTILITY PROVIDER, AFTER RECEIVING WRITTEN CONSENT FROM DELTIC AND MIRAMAR PLACE PROPERTY OWNERS ASSOCIATION, INC., THE RIGHT TO USE THOSE PORTIONS OF THIS AREA WITHIN SAID TRACTS SPECIFICALLY DESIGNATED AND IDENTIFIED BY DELTIC AND MIRAMAR PLACE PROPERTY OWNERS ASSOCIATION, INC. FOR UTILITY AND DRAINAGE EASEMENTS PROVIDED SUCH IMPROVEMENTS ARE MAINTAINED BY SAID UTILITIES. No other improvements shall be placed on the area designated as Tracts E and F, Block 109, Chenal Valley, an addition to the City of Little Rock, Arkansas, unless first approved by the appropriate agencies of the City of Little Rock, Deltic, Miramar Place Property Owners Association, Inc. and the Architectural Control Committee established pursuant to the Covenants and Restrictions and By-Laws of Chenal Valley Property Owners Association, Inc. (the "Architectural Control Committee").

PRIOR TO THE COMMENCEMENT OF ANY INSTALLATION OF UTILITIES WITHIN THE UTILITY EASEMENTS REFLECTED ON THE PLAT OR WITHIN TRACTS E AND F, BLOCK 109, CHENAL VALLEY, AN ADDITION TO THE CITY OF LITTLE ROCK, ARKANSAS, THE UTILITIES PROVIDER MUST SUBMIT WRITTEN PLANS AND SPECIFICATIONS OF THE PROPOSED IMPROVEMENTS TO THE ARCHITECTURAL CONTROL COMMITTEE OF CHENAL VALLEY FOR REVIEW AND APPROVAL.

ALL UTILITIES TO BE INSTALLED BY UTILITIES PROVIDERS AFTER PLATTING OF THE RIGHTS-OF-WAY MUST BE APPROVED PRIOR TO COMMENCEMENT OF CONSTRUCTION BY THE PUBLIC WORKS DEPARTMENT OF THE CITY OF LITTLE ROCK AND IF SUBSEQUENTLY INSTALLED IN THE RIGHTS-OF-WAY OR IN ANY EASEMENT ADJACENT TO THE RIGHTS-OF-WAY SUCH INSTALLATION MUST BE AT A DEPTH OF AT LEAST 30" BELOW THE ELEVATION OF THE ADJACENT STREET.

The filing of this First Supplement to Bill of Assurance and Plat for record in the office of the Circuit Clerk and Ex-Officio Recorder of Pulaski County shall be a valid and complete delivery and dedication of the streets and easements subject to the limitations herein set out.

The lands embraced in the Plat shall be forever known as Lots 1-11, Block 109, and Tracts E and F, Block 109, Chenal Valley, an Addition to the City of Little Rock, Arkansas, and any and every deed of conveyance of any lot in the Miramar Place Neighborhood, describing the same by the number shown on said plat shall always be deemed a sufficient description thereof.

Said lands herein platted and any interest therein are hereby added to and made a part of the Miramar Place Neighborhood and shall, on and after the date hereof, be subject to all of those certain terms, covenants and restrictions contained in the Covenants and Restrictions filed November 22, 1989 as Instrument No. 89-61706, and the Original Bill of Assurance filed November 12, 2009, as Instrument No. 2009075892, and all supplements and amendments thereto, all of which are incorporated herein by reference and made a part hereof and Deltic Timber Purchasers, Inc. executes this First Supplement to Bill of Assurance for the purpose set forth in paragraph 28 of the Original Bill of Assurance.

EXECUTED this 30<sup>th</sup> day of September, 2013.

DELTIC TIMBER CORPORATION

BY: Ray C. Dillon  
Ray C. Dillon, President

Attest: Jim F. Andrews, Jr.  
Jim F. Andrews, Jr., Secretary

ACKNOWLEDGMENT

STATE OF ARKANSAS

COUNTY OF Union

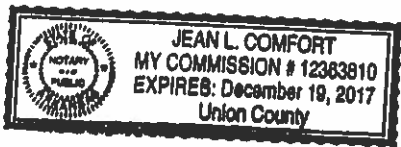
On this day before me, a Notary Public, duly commissioned, qualified and acting within and for said county and state, appeared the within named Ray C. Dillon and Jim F. Andrews, Jr., to me well known, who stated that they were the President and Secretary, respectively, of DELTIC TIMBER CORPORATION and were designated and duly authorized in their respective capacities by said DELTIC TIMBER CORPORATION to execute the above instrument for and in the name and behalf of said DELTIC TIMBER CORPORATION and further 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 seal this 30<sup>th</sup> day of September, 2013.

Jean L. Comfort  
Notary Public

My Commission Expires:

12-19-2017



Reviewed only for inclusion of minimum standards required by the City of Little Rock subdivision regulations Bill of Assurance provisions established by the developer may exceed minimum regulations of the Little Rock subdivision and zoning ordinances

[Signature] 10/2/13  
City of Little Rock Planning Commission

DELTIC TIMBER PURCHASERS, INC.

By: Ray C. Dillon  
Ray C. Dillon, President

Attest:

Jim F. Andrews, Jr.  
Jim F. Andrews, Jr., Secretary

ACKNOWLEDGMENT

STATE OF ARKANSAS

COUNTY OF Union

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Jean L. Comfort  
NOTARY PUBLIC

My commission expires:

12-19-2017

