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In Official Records of Terri Hollingsworth Circuit/County Clerk

PULASKI CO, AR FEE \$50.00

This instrument prepared by:

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

PLAT # 2022006477

FIRST SUPPLEMENT TO BILL OF ASSURANCE

This First Supplement to Bill of Assurance executed this 24th day of January, 2022, is made by PotlatchDeltic Real Estate, LLC ("PotlatchDeltic," 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 November 16, 2005, Instrument No. 2005097403 and Corrected Supplement to Bill of Assurance on December 1, 2005, as Instrument No. 2005100976, creating the Orle' Neighborhood (collectively, the "Bill of Assurance");

WHEREAS, paragraph 1 of the Bill of Assurance specifically provides that the Developer has the right to bring within the plan and the Bill of Assurance additional properties provided such properties are in accord with the general plan of development and may contain such complementary additions and modifications of the provisions of the 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 Orle' Neighborhood, which property is owned by the Developer and is described as follows:

BEING A PORTION OF SECTION 27, T-2-N, R-14-W, PULASKI COUNTY ARKANSAS;
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 54, BLOCK 113 OF CHENAL VALLEY (ORLE'), AS RECORDED IN INSTRUMENT NO. 2005097403, RECORDS OF PULASKI COUNTY ARKANSAS, SAID POINT ALSO BEING THE POINT OF BEGINNING. THENCE ALONG THE WEST LINE OF SAID LOT 54, BLOCK 113 A BEARING AND DISTANCE OF S18°25'42"E, 166.76 FEET TO A POINT LOCATED ON THE NORTHERN RIGHT OF WAY LINE OF ORLE' CIRCLE; THENCE S16°42'41"E, 50.00 FEET TO A POINT LOCATED ON THE SOUTHERN RIGHT OF WAY LINE OF ORLE' CIRCLE; THENCE CONTINUING EASTERLY ALONG SAID RIGHT OF WAY LINE AN ARC OF A 175.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF N76°12'02"E, 17.78 FEET TO A POINT BEING THE NORTHWEST CORNER OF LOT 1, BLOCK 116 OF CHENAL VALLEY (ORLE'); THENCE LEAVING SAID RIGHT OF WAY AND BEING THE WESTERN LINE OF BLOCK 116, A BEARING AND DISTANCE OF; S10°05'16"E, 148.01 FEET; THENCE CONTINUING ALONG THE WESTERN LINE OF SAID BLOCK 116, THE FOLLOWING COURSES; (1) S14°36'52"W, 303.52 FEET; (2) S13°22'31"E,

250.79 FEET; (3) S25°05'56"W, 85.22 FEET; (4) S10°44'43"E, 156.50 FEET TO A POINT ON THE NORTHERN RIGHT OF WAY LINE OF ORLE' CIRCLE, ALSO BEING THE SOUTHWEST CORNER OF LOT 8, BLOCK 116, CHENAL VALLEY (ORLE'); THENCE CONTINUING WESTERLY ALONG SAID RIGHT OF WAY LINE, S79°15'17"W, 46.34 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE, S10°44'43"E, 195.15 FEET TO A POINT BEING THE SOUTHWEST CORNER OF LOT 18, BLOCK 113, CHENAL VALLEY (ORLE'); THENCE ALONG THE SOUTH LINE OF SAID LOT 18 AND BEING THE SOUTHERN LINE OF BLOCK 113 OF CHENAL VALLEY (ORLE'), THE FOLLOWING COURSES; (1) N77°58'37"E, 178.46 FEET; (2) N52°02'59"E, 460.31 FEET; (3) N66°29'33"E, 72.45 FEET TO A POINT ON THE SOUTHERN LINE OF SAID BLOCK 113 ALSO BEING THE NORTHWEST CORNER OF CHENAL VALLEY GOLF COURSE; THENCE ALONG THE WESTERN LINE OF CHENAL VALLEY GOLF COURSE A BEARING AND DISTANCE OF S23°18'24"W, 134.25 FEET; THENCE LEAVING SAID WESTERN LINE OF CHENAL VALLEY GOLF COURSE S68°11'16"W, 46.89 FEET; THENCE S46°42'34"W, 156.23 FEET; THENCE S63°02'24"W, 149.20 FEET; THENCE S73°22'37"W, 69.92 FEET; THENCE S85°23'03"W, 93.31 FEET; THENCE S80°01'44"W, 218.31 FEET; THENCE N73°30'43"W, 118.03 FEET TO A POINT ON THE EASTERLY LINE OF BLOCK 109 CHENAL VALLEY (MIRAMAR PLACE), AS RECORDED IN INSTRUMENT NO. 2012079564, 2014000156 AND 2014069184, RECORDS OF PULASKI COUNTY ARKANSAS; THENCE ALONG THE EASTERLY LINE OF SAID BLOCK 109, THE FOLLOWING COURSES; (1) N22°45'04"W, 12.24 FEET; (2) N33°13'23"W, 196.54 FEET; (3) N09°49'57"W, 400.73 FEET; (4) N12°48'06"W, 63.07 FEET; (5) N23°36'46"W, 65.22 FEET; (6) N35°14'07"W, 70.11 FEET; (7) N47°18'20"W, 85.84 FEET; (8) N62°32'04"W, 443.25 FEET TO A POINT ON THE SOUTHERN RIGHT OF WAY LINE OF CHENAL VALLEY DRIVE; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE, N40°03'13"E, 106.89 FEET; THENCE ALONG THE ARC OF A 470.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD BEARING AND DISTANCE OF N60°04'41"E, 321.88 FEET; THENCE N80°06'10"E, 524.67 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE, S09°53'50"E, 30.00 FEET, BACK TO THE POINT OF BEGINNING, CONTAINING 16.38 ACRES, MORE OR LESS.

shown on the Plat hereinafter mentioned, as Lots 19-23, Block 113, Lots 42-53, Block 113, Lots 9-17, Block 116, Tracts E, F and I, Block 113 and Tracts G & H, Block 116, Chenal Valley, an Addition to the City of Little Rock, Arkansas (which property together with the property described in the Bill of Assurance is hereinafter referred to as the "Orle' Neighborhood"); and Developer has caused to be incorporated Orle' Property Owners Association, Inc., for the purpose of administering the maintenance of the common area tracts, private roadways and amenities in the Orle' 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 Orle' Neighborhood are members of Orle' Property Owners Association, Inc. ("POA") as provided for in the Bill of Assurance, as amended, 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 private roadways 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 Bill of Assurance, as amended, in order to enhance the value of the Orle' 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 Marion Scott Foster, Registered Land Surveyor, dated 1/24/2022, 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 private roadways (the "Plat").

There are certain easements for drainage, sanitary sewer and utilities as reflected more particularly on the Plat which PotlatchDeltic hereby donates and dedicates to and for the use of public utilities in accordance with further terms and conditions of this First Supplement to Bill of Assurance, the same being, without limiting the generality of the foregoing, electric power, gas, water, sanitary sewer and telecommunications 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.

ALL DRAINAGE EASEMENTS ARE TO REMAIN UNOBSTRUCTED.

The use of the areas designated on the Plat as Tracts E & I, Block 113 and Tracts G & H, Block 116, Chenal Valley, an addition to the City of Little Rock, Arkansas, are hereby donated and dedicated by PotlatchDeltic to the owners, as they may exist from time to time, of lots within the Orle' Neighborhood with the right, subject to further terms and conditions of the Plat and the Bill of Assurance, as amended, to use this area for landscaping, pedestrian paths, water features, drainage, storm drainage ditches, storm drains, and storm drainage overflow and the Orle' Property Owners Association, Inc. shall maintain such areas and improvements at its sole cost. No improvements by any party shall be placed on the areas designated as Tracts E & I, Block 113 and Tracts G & H, Block 116, an addition to the City of Little Rock, Arkansas, unless first approved by PotlatchDeltic, the appropriate agencies of the City of Little Rock, if necessary, Orle' Property Owners Association, Inc. and the Architectural Control Committee established pursuant to the Covenants and Restrictions of Chenal Valley.

The use of the area designated on the Plat as Tract F, Block 113, Chenal Valley, an addition to the City of Little Rock, Arkansas, is hereby donated and dedicated by PotlatchDeltic to the owners, as they may exist from time to time, of lots within Orle' Neighborhood with the right, subject to further terms and conditions of the Plat and the Bill of Assurance as amended to use the area for landscaping, and pedestrian paths. **IN ADDITION THERETO, AN EASEMENT IS**

GRANTED TO THE PUBLIC OVER THE AREA DESIGNATED ON TRACT F AS 20' EMERGENCY ACCESS EASEMENT FOR ACCESS TO THE LOTS IN CASE OF A REASONABLE NEED CREATED BY FIRE, PUBLIC SAFETY OR OTHER OCCURRENCE NECESSITATING ACCESS TO A LOT BY ANY UTILITY, SANITATION DEPARTMENT, FIRE DEPARTMENT, POLICE DEPARTMENT, UNITED STATES POSTAL SERVICE OR OTHER PUBLIC AGENCY. ANY IMPROVEMENTS CONSTRUCTED OR PLACED WITHIN THE EMERGENCY ACCESS EASEMENT SHALL BE MAINTAINED, REPLACED OR REPAIRED BY THE ORLE' PROPERTY OWNERS ASSOCIATION, INC., AT ITS SOLE COST, ALL IN ACCORDANCE WITH THE PLAT, ORIGINAL COVENANTS AND RESTRICTIONS, AND THE BILL OF ASSURANCE, AS AMENDED. The Orle' Property Owners Association, Inc. shall maintain such above ground area and improvements, at its sole cost. No improvements by any party shall be placed on the area designated as Tract F, Block 113, an addition to the City of Little Rock, Arkansas, unless first approved by PotlatchDeltic, the appropriate agencies of the City of Little Rock, if necessary, Orle' Property Owners Association, Inc. and the Architectural Control Committee established pursuant to the Covenants and Restrictions of Chenal Valley.

PRIOR TO THE COMMENCEMENT OF ANY INSTALLATION OF UTILITIES WITHIN THE UTILITY EASEMENTS REFLECTED ON THE PLAT, THE PUBLIC UTILITIES MUST SUBMIT WRITTEN PLANS AND SPECIFICATIONS OF THE PROPOSED IMPROVEMENTS TO THE ARCHITECTURAL CONTROL COMMITTEE FOR REVIEW AND APPROVAL.

ALL UTILITIES TO BE INSTALLED BY PUBLIC UTILITIES AFTER PLATTING OF THE PRIVATE ROADWAYS MUST BE APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE PRIOR TO COMMENCEMENT OF CONSTRUCTION AND IF SUBSEQUENTLY INSTALLED IN THE PRIVATE ROADWAYS OR IN ANY EASEMENT ADJACENT TO THE PRIVATE ROADWAYS, SUCH INSTALLATION MUST BE AT A DEPTH OF AT LEAST 30" BELOW THE ELEVATION OF THE ADJACENT STREET.

DEVELOPER, ITS SUCCESSORS OR ASSIGNS, HAS NO DUTY TO MAINTAIN, REPAIR OR REPLACE ANY IMPROVEMENTS LOCATED WITHIN THE TRACTS, PRIVATE ROADWAYS OR WITHIN OTHER EASEMENT AREAS REFLECTED ON THE PLAT. ALL COSTS ASSOCIATED WITH ANY SUCH MAINTENANCE, REPAIR OR REPLACEMENT OF SUCH IMPROVEMENTS, AND ALL LANDSCAPING TREATMENTS, IS THE SOLE AND EXCLUSIVE RESPONSIBILITY OF THE ASSOCIATION, TO THE EXTENT SUCH COSTS ARE NOT A RESPONSIBILITY OF THE CITY OF LITTLE ROCK, ARKANSAS.

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 easements subject to the limitations herein set out.

The lands embraced in the Plat shall be forever known as Lots 19-23, Block 113, Lots 42-53, Block 113, Lots 9-17, Block 116, Tracts E, F & I, Block 113 and Tracts G & H, Block 116, Chenal Valley, an Addition to the City of Little Rock, Arkansas, and any and every deed of conveyance of any lot in the Orle' Neighborhood, describing the same by the number shown on said plat shall always be deemed a sufficient description thereof.

1. Use of Land. The land herein platted shall be held, owned and used only as residential building sites, private roadways and tracts. No structures shall be erected, altered, placed or permitted to remain on any residential building site other than a single detached single-family residence.

2. Architectural Control. No improvements shall be constructed or maintained upon any lot or Tract and no alteration or repainting to the exterior of any improvement, including, but not limited to, walls, retaining walls and swimming pools, shall be made and no landscaping performed unless approved by the Architectural Control Committee as provided for in the Covenants and Restrictions and the Bill of Assurance.

3. Common Amenities. The areas designated on the Plat as Tracts E, F & I, Block 113, Tracts G & H, Block 116, all improvements thereon, and landscaped areas shall be maintained by the Orle' Property Owners Association, Inc., to the extent they are not the responsibility of the City of Little Rock, except for public utility improvements, which are maintained by such public utilities.

4. Setback Requirements. No residence shall be located on any lot nearer to the front lot line or the side street line than twenty-five (25) feet. No building shall be located nearer to an interior lot side line than ten (10) feet, except for Lots 21, 22, 23, 46 & 49, Block 113, which shall have an interior lot side line of not less than eight (8) feet. No principal dwelling shall be located on any lot nearer than twenty-five (25) feet to the rear lot line. For the purposes of this covenant, eaves, steps and porches not under roofs shall not be considered as a part of the building. Where two or more lots are acquired as a single building site, the site building lines shall refer only to those bordering the adjoining property owners.

5. Minimum Square Feet Area. No residence shall be constructed or permitted to remain on any building site in the Orle' Neighborhood unless the finished heated living area, exclusive of porches, patios, garages, breezeways, exterior stairways, porte cocheres, storage areas and outbuildings, shall be equal to or exceed that shown in the following schedule:

| <u>Lot Number</u> | <u>One Story Minimum Sq. Ft.</u> | <u>Multi-Story Minimum Sq. Ft.</u> |
|-------------------|----------------------------------|------------------------------------|
| All Lots | 2,800 | 3,800 |

Finished heated living area shall be measured in a horizontal plane to the face of the outside wall on each level.

6. Easements for Public Utilities and Drainage. Easements for the installation, maintenance, repair and replacement of utility services, sanitary sewer, drainage, storm drains, storm drainage overflow and storm drainage ditches have heretofore been donated and dedicated, said easements being of various widths, reference being hereby made to the Plat filed herewith for a more specific description of type, width and location thereof. Except as otherwise provided herein, no trees, shrubbery, incinerators, structures, buildings, fences or similar improvements shall be grown, built or maintained within the area of such utility, drainage or storm drainage overflow easement. In the event any trees, shrubbery, incinerators, structures, buildings, fences or similar improvements shall be grown, built or maintained within the area of such easement, no person, firm or corporation engaged in supplying public utility services shall be liable for the destruction of same in the installation, maintenance, repair or replacement of any utility service located within the area of such easement.

The Owner of a lot is solely responsible for the existing drainage course across his lot. The Orle' Property Owners Association, Inc. is only responsible for maintenance and replacement of drainage equipment and facilities existing within the easements or tracts granted herein and described on the Plat that are not the responsibility of the City of Little Rock, and has no responsibility for the maintenance and repair of any drainage course or equipment located upon those areas of the lot outside the easement.

7. Private Roadways. All roadways within Orle' Neighborhood are private access easements for vehicular traffic only for the use of the owners of lots in Orle' Neighborhood. An easement is also hereby granted to the public for access to the lots in the case of an emergency created by fire, public safety, or other occurrence necessitating access to a lot by any public utility, fire department, police department or other public agency. Additionally, PotlatchDeltic hereby grants to the public utilities the right to use the areas for utility and drainage easements provide such public improvements are maintained by said public utilities. Orle' Property Owners Association, Inc. shall maintain such private access easement including all private improvements thereon, including but not limited to roadway, irrigation, street lights, gated entry and gatehouse.

8. Incorporation of Terms of Bill of Assurance. Said lands herein platted and any interest therein are hereby added to and made a part of the Orle' 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 described herein and the Bill of Assurance filed November 16, 2005, as Instrument No. 2005097403, and all supplements and amendments thereto, all of which are incorporated herein by reference and made a part hereof.

EXECUTED this 24th day of January, 2022.

POTLATCHDELTIC REAL ESTATE, LLC

BY: 
David Meghreblian, Vice President

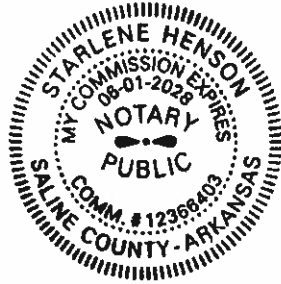
ACKNOWLEDGMENT

STATE OF ARKANSAS

COUNTY OF PULASKI

On this day before me, a Notary Public, duly commissioned, qualified and acting within and for said county and state, appeared the within named David Meghreblian, to me well known, who stated that he was the Vice President of POTLATCHDELTAIC REAL ESTATE, LLC and was designated and duly authorized in that capacity by said POTLATCHDELTAIC REAL ESTATE, LLC to execute the above instrument for and in the name and behalf of said POTLATCHDELTAIC REAL ESTATE, LLC, and further acknowledged that he 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 24 day of February 2022.



Starelne Henson
Notary Public

My Commission Expires:

6-1-2028