

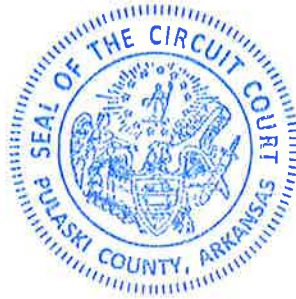


2019038266

PRESENTED: 06-21-2019 09:31:35 AM RECORDED: 06-21-2019 09:45:06 AM

In Official Records of Terri Hollingsworth Circuit/County Clerk

PULASKI CO, AR FEE \$90.00



Plat # 2019038267

SECOND SUPPLEMENT TO BILL OF ASSURANCE

This Second Supplement to Bill of Assurance executed this 14<sup>th</sup> day of June, 2019, 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. 2005097402, Amendment to Bill of Assurance on March 22, 2006 as Instrument No. 2006021703, Replat and Second Amendment to Bill of Assurance on November 9, 2012 as Instrument No. 2012074246, and Supplement to Bill of Assurance on November 12, 2015 as Instrument No. 2015071918 (collectively, the “Bill of Assurance”) creating the Hallen Court Neighborhood;

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, as amended, 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 Second Supplement to Bill of Assurance for the purpose of adding additional property to the Hallen Court Neighborhood, which property is owned by the Developer and is described as follows:

PART OF THE SE1/4 OF SECTION 27, T-2-N, R-14-W, LITTLE ROCK, PULASKI COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

BEGINNING AT THE NORTHWEST CORNER OF LOT 9, BLOCK 96, CHENAL VALLEY, AN ADDITION TO THE CITY OF LITTLE ROCK, ARKANSAS; THENCE ALONG THE WEST LINE OF SAID LOT 9, S18°03'45"W, A DISTANCE OF 140.21 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF HALLEN COURT; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N72°39'49"W, A DISTANCE OF 6.91 FEET; THENCE S16°36'37"W, A DISTANCE OF 45.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HALLEN COURT; THENCE S19°52'42"W, A DISTANCE OF 139.63 FEET TO THE SOUTHWEST CORNER OF LOT 78, BLOCK 96, CHENAL VALLEY; THENCE S02°23'17"W, A DISTANCE OF 80.86 FEET TO THE NORTHEAST CORNER OF LOT 28, BLOCK 101, CHENAL VALLEY; THENCE ALONG THE NORTHERLY LINE OF SAID BLOCK 101, CHENAL VALLEY, THE FOLLOWING COURSES: (1) N61°20'41"W, A DISTANCE OF 122.89 FEET; (2) S78°19'04"W, A DISTANCE OF 159.46 FEET; (3) S44°08'09"W, A DISTANCE OF 175.01 FEET; (4) N45°51'51"W, A DISTANCE OF 255.00 FEET; THENCE N42°28'39"W, A DISTANCE OF 82.29 FEET TO THE EASTERNMOST CORNER OF LOT 25, BLOCK 98, CHENAL VALLEY; THENCE ALONG THE EASTERLY LINE OF SAID BLOCK 98, CHENAL VALLEY, THE FOLLOWING COURSES: (1) N08°51'51"E, A DISTANCE OF 104.31 FEET; (2) N27°24'28"E, A DISTANCE OF 226.15 FEET; THENCE S87°36'12"E, A DISTANCE OF 372.30 FEET; THENCE S78°05'53"E, A DISTANCE OF 75.55 FEET; THENCE S85°02'26"E, A DISTANCE OF 134.28 FEET; THENCE S70°04'31"E, A DISTANCE OF 40.81 FEET TO THE POINT OF BEGINNING, CONTAINING 6.10 ACRES MORE OR LESS.

shown on the Plat hereinafter mentioned, as Lots 1 - 8, Block 96, Lots 79 - 84, Block 96, and Tract H, Block 96, Chenal Valley, an Addition to the City of Little Rock, Arkansas (which property together with the property described in the Bill of Assurance, as amended, is hereinafter referred to as the "Hallen Court Neighborhood"); and Developer has caused to be incorporated Hallen Court Property Owners Association, Inc., for the purpose of administering the maintenance of the common area tracts, roadways, and amenities in the Hallen Court 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 Hallen Court Neighborhood are members of Hallen Court Property Owners Association, Inc. 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, a tract 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 Bill of Assurance, as amended, in order to enhance the value of the Hallen Court 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 Daniel Havner, Registered Land Surveyor, dated \_\_\_\_\_, 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, a tract and streets (the "Plat").

There are certain easements for drainage and/or 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 Second Supplement to Bill of Assurance, the same being, without limiting the generality of the foregoing, electric power, gas, telephone, water, sanitary 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 Tract H, Block 96, 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 the Hallen Court Neighborhood with the right, subject to further terms and conditions of the Plat and this Second Supplement to Bill of Assurance, to use this area for utilities, pedestrian paths, golf cart paths, storm drainage, emergency access and landscaping. The Hallen Court Property Owners Association, Inc., to the extent the City of Little Rock, Arkansas is not responsible, shall maintain such area and improvements at its sole cost. **ADDITIONALLY, POTLATCHDELTC HEREBY GRANTS TO THE PUBLIC UTILITIES, AFTER RECEIVING WRITTEN CONSENT FROM POTLATCHDELTC, 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") AND THE HALLEN COURT PROPERTY OWNERS ASSOCIATION, THE NONEXCLUSIVE RIGHT TO USE THOSE SPECIFIC LOCATIONS WITHIN SAID TRACT SPECIFICALLY DESIGNATED, IDENTIFIED AND APPROVED BY POTLATCHDELTC AND HALLEN COURT PROPERTY OWNERS ASSOCIATION, INC. FOR UTILITY EASEMENTS PROVIDED SUCH IMPROVEMENTS ARE MAINTAINED BY SAID PUBLIC UTILITIES AND ARE IN COMPLIANCE WITH THE PLAT AND THIS SECOND SUPPLEMENT TO BILL OF ASSURANCE.** No improvements by any party shall be placed on the area designated as Tract H, Block 96, Chenal Valley, an addition to the City of Little Rock, Arkansas, unless first approved by PotlatchDeltic, the

appropriate agencies of the City of Little Rock, the Hallen Court Property Owners Association, Inc. and the Architectural Control Committee.

PRIOR TO THE COMMENCEMENT OF ANY INSTALLATION OF UTILITIES WITHIN THE UTILITY EASEMENTS REFLECTED ON THE PLAT OR WITHIN TRACT H, BLOCK 96, CHENAL VALLEY, AN ADDITION TO THE CITY OF LITTLE ROCK, ARKANSAS, 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 TRACT, INCLUDING, BUT NOT LIMITED TO, PEDESTRIAN PATHS, EMERGENCY ACCESS AND GOLF CART PATHS 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 Second 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 1 - 8, Block 96, Lots 79-84, Block 96 and Tract H, Block 96, Chenal Valley, an Addition to the City of Little Rock, Arkansas, and any and every deed of conveyance of any lot in the Hallen Court 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. No structures shall be erected, altered, placed or permitted to remain on any building site other than a single detached single-family residence.

2. Common Amenities and Roadways. The area designated on the Plat as Tract H, Block 96, and the roadways within the Hallen Court Neighborhood as designated on the Plat, and

all improvements thereon, including but not limited to all streets, walls, lighting, street lights, irrigation, gates, gatehouses and landscaped areas shall be maintained by the Hallen Court 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.

3. 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 six (6) feet. Unless provided for to the contrary on the Plat, 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.

4. Minimum Square Feet Area. No residence shall be constructed or permitted to remain on any building site in the Hallen Court 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	2,000	2,600

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

5. Easement for Golf Cart Traffic. In addition to the easements previously dedicated, an access easement for the residents within the Hallen Court Neighborhood, Varennes Court Neighborhood and Ensburry Place Neighborhood who are members in good standing of Chenal Country Club, Inc. is located upon Tract H, Block 96, as shown on the Plat, and such easement is hereby dedicated as a private easement for pedestrian and golf cart traffic for the use of owners of lots in the aforementioned Neighborhoods to be used for access to the adjacent golf course. The easement within the Hallen Court Neighborhood shall be maintained by the Hallen Court Property Owners Association, Inc.

6. Private Roadways. All roadways within Hallen Court Neighborhood are private access easements for vehicular traffic only for the use of the owners of lots in the Hallen Court 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. The Hallen Court 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.

7. Easements for Public Utilities and Drainage. Easements for the installation, maintenance, repair and replacement of utility services, sanitary sewer and drainage 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 or drainage 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 Hallen Court Property Owners Association, Inc. is only responsible for maintenance and replacement of drainage equipment and facilities existing within the easements and 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.

8. Emergency Access Easement. An easement is hereby granted to the public for access across Tract H, Block 96, as more particularly reflected on the Plat, 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. The Hallen Court Property Owners Association, Inc. shall maintain such private access easement and all private improvements thereon, including but not limited to roadway, irrigation, street lights, landscaping, gated entry and gatehouse.

9. Assumption of Risk. By acceptance of a deed or other conveyance of property, each owner of a lot assumes all risk for damages to persons or property arising from errantly struck golf balls by members and guests of the Chenal Country Club, Inc., and accepts title to such lot within knowledge of the possibility of errantly struck golf balls striking the lot and/or persons and improvements located thereon.

10. 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 Hallen Court 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 June 16, 2005, as Instrument No. 2005097402, and all supplements and amendments thereto, except for the provisions of Section 2D of the Bill of Assurance, all of which are incorporated herein by reference and made a part hereof.

EXECUTED this 14 day of June, 2019.

POTLATCHDELTA REAL ESTATE, LLC

BY:   
David Meghreblian, Vice President

ACKNOWLEDGMENT

STATE OF ARKANSAS

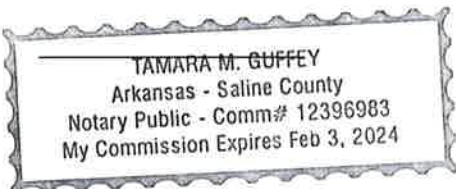
COUNTY OF PULASKI

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 POTLATCHDELTA REAL ESTATE, LLC, and was designated and duly authorized in such capacity by said POTLATCHDELTA REAL ESTATE, LLC to execute the above instrument for and in the name and behalf of said POTLATCHDELTA 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 14<sup>th</sup> day of June, 2019.

  
Notary Public

My Commission Expires: 02-03-2024



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.

  
City of Little Rock Planning Commission