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In Official Records of Terri Hollingsworth Circuit/County Clerk

PULASKI CO, AR FEE \$45.00

Plat #  
2020054580  
Jm R

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

THIRD SUPPLEMENT TO BILL OF ASSURANCE

This Third Supplement to Bill of Assurance executed this 14<sup>th</sup> day of August, 2020, 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, Supplement to Bill of Assurance on November 12, 2015 as Instrument No. 2015071918, and Second Supplement to Bill of Assurance on June 21, 2019 as Instrument No. 2019038266 (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 Third 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 SECTION 27, T-2-N, R-14-W, LITTLE ROCK, PULASKI COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT LOCATED AT THE SOUTHWEST CORNER OF LOT 66, BLOCK 96 OF CHENAL VALLEY (HALLEN COURT) AN ADDITION TO LITTLE ROCK, ARKANSAS; SAID POINT ALSO BEING THE POINT OF BEGINNING. THENCE S58°23'55"E-185.00' TO A POINT

LOCATED ON THE EASTERN RIGHT OF WAY LINE OF HALLEN LANE; THENCE N31°36'05"E ALONG SAID RIGHT OF WAY 13.40' TO THE SW CORNER OF LOT 51R, BLOCK 96 OF CHENAL VALLEY (HALLEN COURT); THENCE S53°23'55"E ALONG THE SOUTHERN LINE OF SAID LOT 51R A DISTANCE OF 127.55' TO THE SE CORNER OF SAID LOT 51R; THENCE N17°40'25"E-10.57' TO THE SW CORNER OF TRACT A, CHENAL VALLEY (HALLEN COURT); THENCE S53°23'55"E ALONG THE SOUTH LINE OF SAID TRACT A, A DISTANCE OF 54.15' TO A POINT ON THE WESTERN RIGHT OF WAY LINE OF HALLEN BLVD.; THENCE ALONG SAID RIGHT OF WAY LINE THE FOLLOWING COURSES: (1) S04°06'51"W-142.35' (2) ALONG THE ARC OF A 445.00' RADIUS CURVE TO THE LEFT HAVING AN ARC LENGTH OF 113.17' AND CHORD OF S03°26'45"E-112.87'; (3) ALONG THE ARC OF A 25.00' RADIUS CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 34.10' AND A CHORD OF S28°20'54"W-31.52' TO A POINT ON THE NORTHERN RIGHT OF WAY LINE OF CHENAL VALLEY DRIVE; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING COURSES: (1) S67°26'57"W-182.38'; (2) ALONG THE ARC OF A 245.00' RADIUS CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 105.45' AND CHORD OF S79°46'53"W-104.64'; (3) N87°53'18"W-446.37' TO THE SE CORNER OF TRACT B, BLOCK 101 CHENAL VALLEY (ENSBURY PLACE); THENCE ALONG THE EASTERN LINE OF BLOCK 101, CHENAL VALLEY (ENSBURY PLACE) THE FOLLOWING COURSES: (1) N02°06'42"E-87.13' (2) N00°36'52"E-56.21' (3) N07°08'03"W-56.21' (4) N13°40'34"W-69.96' (5) N12°19'15"W-54.74' (6) N71°21'19"E-108.56' (7) N68°08'41"E-180.15' (8) N13°42'51"E-197.92' (9) N43°22'48"W-100.31' (10) N53°45'49"W-118.51' (11) N44°19'04"W-75.35' (12) N38°35'04"W-89.18' (13) N40°49'45"W-11.80' (14) N44°26'48"W-95.80' (15) N50°53'19"W-95.80' (16) N57°19'50"W-95.80' (17) N60°56'53"W-11.80'; THENCE N02°23'17"E-80.06' TO A POINT ON THE SE CORNER OF LOT 78, BLOCK 96 CHENAL VALLEY (HALLEN COURT); THENCE ALONG THE WESTERN LINE OF BLOCK 96 OF CHENAL VALLEY (HALLEN COURT) THE FOLLOWING COURSES; (1) S70°07'18"E-75.00' (2) S60°20'45"E-57.28' (3) S49°15'33"E-10.00' (4) S47°23'42"E-147.10' (5) S39°03'53"E-69.42' (6) S37°29'12"E-150.00' (7) S37°41'34"E-10.00' (8) S42°04'22"E-92.17' (9) S49°54'18"E-89.01' (10) S53°23'55"E-150.00' (11) S16°22'59"E-65.56' BACK TO THE POINT OF BEGINNING. CONTAINING 8.8738 ACRES, MORE OR LESS

shown on the Plat hereinafter mentioned, as Lots 52 - 65, Block 96, and Tract I, 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 8/14/2020, 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 Third Supplement to Bill of Assurance, the same being, without limiting the generality of the foregoing, electric power, gas, telephone, water, sanitary sewer, drainage 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 I, 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 Third Supplement to Bill of Assurance, to use this area for utilities, sanitary sewer, pedestrian paths, drainage 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, POTLATCHDELTAIC HEREBY GRANTS TO THE PUBLIC UTILITIES, AFTER RECEIVING WRITTEN CONSENT FROM POTLATCHDELTAIC, 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 POTLATCHDELTAIC 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 THIRD SUPPLEMENT TO BILL OF ASSURANCE. No improvements by any party shall be placed on the area designated as Tract I, 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 I, 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, 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 Third 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 52 - 65, Block 96 and Tract I, 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 I, 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, pedestrian paths 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. 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. 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.

6. 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. ALL LOTS, OTHER THAN LOTS 55, 56 AND 57, HAVE A 10 FOOT WIDE UTILITY EASEMENT ACROSS THE FRONT OF SAID LOT ADJACENT TO THE RIGHT OF WAY OF HALLEN LANE. LOT 56 HAS A 20 FOOT UTILITY EASEMENT ADJACENT TO THE RIGHT OF WAY OF HALLEN LANE. LOTS 55 AND 57 HAVE BETWEEN A 10 FOOT AND 20 FOOT UTILITY EASEMENT ADJACENT TO THE RIGHT OF WAY OF HALLEN LANE AS MORE PARTICULARLY REFLECTED ON THE PLAT. 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.

LOT 52 IS SUBJECT TO A 5 FOOT DRAINAGE PIPE FACILITY EASEMENT AS MORE PARTICULARLY REFLECTED ON THE PLAT. THE HALLEN COURT PROPERTY OWNERS ASSOCIATION, INC. IS SOLELY RESPONSIBLE FOR THE COST OF THE MAINTENANCE AND REPLACEMENT OF THE DRAINAGE PIPE EQUIPMENT AND FACILITY LOCATED THEREON.

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 pipes, equipment and facilities existing within the easements and Tract 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. 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<sup>th</sup> day of August, 2020.

POTLATCHDELTAIC REAL ESTATE, LLC

BY: *David Meghreblian*  
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 such 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 14 day of August, 2020.

*Betty Gammill*  
Notary Public

My Commission Expires:

*Feb 22, 2022*



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.  
8/25/20 *M. Johnson*  
City of Little Rock Planning Commission