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PULASKI CO, AR FEE \$45.00



FIFTH SUPPLEMENT TO COVENANTS AND RESTRICTIONS

This Fifth Supplement to Covenants and Restrictions executed this *15th* day of *October*, 2018, is made by POTLATCHDELTAIC 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 Declaration of Covenants and Restrictions of Wildwood Place, an addition to the City of Little Rock, Arkansas, on July 29, 2014, Instrument No. 2014043312 (the “Original Covenants and Restrictions”), creating the Wildwood Place Neighborhood, First Supplement to Covenants and Restrictions on April 14, 2015 as Instrument No. 2015021370, Second Supplement to Covenants and Restrictions on December 9, 2016 as Instrument No. 2016078093, Third Supplement to Covenants and Restrictions on May 25, 2017 as Instrument No. 2017033389, and Fourth Supplement to Covenants and Restrictions on November 8, 2017 as Instrument No. 2017071805 ;

WHEREAS, Article II, paragraph 2 of the Original Covenants and Restrictions specifically provides that the Developer has the right to bring within the plan and the Original Covenants and Restrictions, 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 Covenants and Restrictions necessary to reflect the different character, if any, of the added properties; and

WHEREAS, Developer files this Fifth Supplement to Covenants and Restrictions for the purpose of adding additional property to the Wildwood Place Neighborhood, which property is owned by the Developer and is described as follows:

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PART OF THE E1/2 OF SECTION 34, T-2-N, R-14-W, PULASKI COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE EASTERNMOST CORNER OF TRACT L, BLOCK 3, WILDWOOD PLACE, AN ADDITION TO THE CITY OF LITTLE ROCK, ARKANSAS; THENCE S34°01'06"E, A DISTANCE OF 526.75 FEET; THENCE S33°47'27"E, A DISTANCE OF 80.23 FEET; THENCE S01°14'17"E, A DISTANCE OF 242.46 FEET; THENCE N85°51'37"W, A DISTANCE OF 158.46 FEET; THENCE S04°08'23"W, A DISTANCE OF 37.17 FEET; THENCE N85°51'37"W, A DISTANCE OF 155.00 FEET; THENCE N04°08'23"E, A DISTANCE OF 58.93 FEET; THENCE N29°36'03"W, A DISTANCE OF 41.86 FEET; THENCE N34°23'22"W, A DISTANCE OF 71.39 FEET; THENCE S55°36'38"W, A DISTANCE OF 110.00 FEET; THENCE S34°23'22"E, A DISTANCE OF 8.80 FEET; THENCE S55°36'38"W, A DISTANCE OF 155.00 FEET; THENCE S49°37'06"W, A DISTANCE OF 50.27 FEET; THENCE N34°23'22"W, A DISTANCE OF 259.06 FEET; THENCE N57°28'14"W, A DISTANCE OF 85.54 FEET TO THE SOUTHEASTERLY CORNER OF TRACT K, BLOCK 3, SAID WILDWOOD PLACE ADDITION; THENCE N32°31'46"E, ALONG THE EASTERLY LINE OF SAID TRACT K AND ALONG THE EASTERLY LINE OF LOT 57, BLOCK 3, SAID WILDWOOD PLACE ADDITION, A DISTANCE OF 165.00 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF WILDCREEK CIRCLE; THENCE ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE N57°28'14"W, A DISTANCE OF 3.28 FEET TO THE SOUTHEAST CORNER OF LOT 27, BLOCK 7, SAID WILDWOOD PLACE ADDITION; THENCE N32°31'46"E, ALONG THE EAST LINE OF SAID BLOCK 7, A DISTANCE OF 335.72 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF WILDCREEK CIRCLE; THENCE ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE FOLLOWING THE ARC OF A 422.50 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF S32°36'02"E, 26.38 FEET; THENCE CONTINUE ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE S34°23'22"E, A DISTANCE OF 12.08 FEET; THENCE N55°36'38"E, A DISTANCE OF 255.00 FEET TO THE POINT OF BEGINNING. CONTAINING 9.1582 ACRES, MORE OR LESS.

shown on the Plat hereinafter mentioned, as Lots 24 and 55-56, Block 3, Lots 1-2, 19-26 and 33-43, Block 7, Lots 1-13 and 38-42, Block 8, Tract O, Block 8, Tract Q, Block 7 and Tract P, Block 3, Wildwood Place, an Addition to the City of Little Rock, Arkansas (which property together with the property described in the Original Covenants and Restrictions and First, Second, Third and Fourth Supplements thereto is hereinafter referred to as the "Wildwood Place Neighborhood"); and Developer has caused to be incorporated Wildwood Place Property Owners

Association, Inc. ("POA"), for the purpose of administering the maintenance of the common area tracts and amenities in the Wildwood Place Neighborhood;

WHEREAS, all owners of lots within the Wildwood Place Neighborhood are members of the POA as provided for in the Original Covenants and Restrictions, as amended; 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 Original Covenants and Restrictions, the First, Second, Third and Fourth Supplements to Covenants and Restrictions, and this Fifth Supplement to Covenants and Restrictions, in order to enhance the value of the Wildwood 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 Daniel W. Havner, Registered Land Surveyor, dated 10/15/2018, 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").

PotlatchDeltic 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 sanitary sewer, drainage, storm drainage overflow and/or utilities which PotlatchDeltic hereby donates and dedicates, subject to other provisions of this Fifth Supplement to Covenants and Restrictions, 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. As reflected on the Plat, all lots have at least a 10 foot wide utility easement adjacent to the street right-of-way. Drainage easements may be used for storm drainage and storm drainage overflow.

THE CITY OF LITTLE ROCK, ARKANSAS SHALL MAINTAIN, REPAIR AND REPLACE ALL UNDERGROUND IMPROVEMENTS LOCATED WITHIN THE DRAINAGE EASEMENTS REFLECTED ON THE PLAT WITH THE EXCEPTION OF THE "10' DRAINAGE PIPE EASEMENT TO BE MAINTAINED BY THE P.O.A." REFLECTED ON THE PLAT.

No trees, shrubbery, structures, fences or similar improvements shall be grown, built or maintained within the area of such utility and/or drainage easements. In the event any trees, shrubbery, structures, 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.

All tracts designated on the Plat are hereby donated and dedicated by PotlatchDeltic to the owners, as they may exist from time to time, within the Wildwood Place Neighborhood with the right, subject to further terms and conditions of the Plat and this Fifth Supplement to Covenants and Restrictions, to use these areas for landscaping. No improvements by any party shall be placed on any tract unless first approved by PotlatchDeltic, the appropriate agencies of the City of Little Rock, Arkansas, the POA, and the Architectural Control Committee of Wildwood Place.

Subject to any restrictions of the U.S. Army Corps of Engineers described hereafter on Tract O, Block 8, the use of the area designated on the Plat as Tract O, Block 8, Wildwood Place, an addition to the City of Little Rock, Arkansas (herein "tract" or "Tract") is hereby donated and dedicated by PotlatchDeltic to the owners, as they may exist from time to time, of lots within the Wildwood Place Neighborhood with the right, subject to further terms and conditions of the Plat and this Fifth Supplement to Covenants and Restrictions, to use this area for drainage, storm drainage overflow, landscaping, pedestrian paths and for use by emergency and public services, to include utilities, for ingress and egress to Wildwood Place Neighborhood. The POA shall maintain the above ground areas and improvements of such tract, including landscaping, drainage swales and overflow, at its sole cost. The City of Little Rock, Arkansas shall maintain, replace and repair all underground improvements located within such tract. No improvements by any party shall be placed on the area designated as Tract O, Block 8, Wildwood Place, an addition to the City of Little Rock, Arkansas, unless first approved by PotlatchDeltic, the appropriate agencies of the City of Little Rock, Arkansas, the POA, and the Architectural Control Committee of Wildwood Place.

THE USE AND DEVELOPMENT OF PORTIONS OF TRACT O, BLOCK 8, AS REFLECTED ON THE PLAT, ARE FURTHER RESTRICTED PURSUANT TO U.S. ARMY CORPS OF ENGINEERS SECTION 404 PERMIT NO. 2010-00682 AND THE PLAT. A COPY OF SUCH PERMIT MAY BE ACQUIRED FROM THE LITTLE ROCK, ARKANSAS DISTRICT OFFICE OF THE U.S. ARMY CORPS OF ENGINEERS. THE UNIMPROVED TRACT MAY NOT BE ALTERED OR IMPROVEMENTS CONSTRUCTED OR PLACED THEREON EXCEPT IN ACCORDANCE WITH THE AFOREMENTIONED PERMIT.

THE AREAS SHOWN ON THE PLAT AS MITIGATION SITES SHALL BE PRESERVED FOR WETLANDS, STREAMS, RIPARIAN BUFFER AND WILDLIFE HABITAT MITIGATION, AND MAY NOT BE CONVERTED TO ANOTHER USE, INCLUDING, BUT NOT LIMITED TO, CLEARING, LOGGING, BUSH HOGGING, MOWING, SPRAYING WITH HERBICIDES, FILLING, LEVELING, DRAINING AND DUMPING. CONSTRUCTION OF ANY STRUCTURE OR ANY OTHER ACTIVITY THAT

WOULD ADVERSELY IMPACT THE NATURAL STATE OF THE AREA IS PROHIBITED IN THE AREAS SHOWN AS MITIGATION SITE. REFER TO U.S. ARMY CORPS OF ENGINEERS SECTION 404 PERMIT NO. 210-00682.

The use of the area designated on the Plat as Tract Q, Block 7, Wildwood Place, 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 Wildwood Place Neighborhood with the right to use these areas, upon being given prior written approval by Developer and the POA, for drainage, storm drainage overflow, landscaping and pedestrian path. The POA shall maintain the above ground area and improvements of such tract, including landscaping, drainage swales and overflow, at its sole cost. The City of Little Rock, Arkansas shall maintain, replace and repair all underground improvements located within such tract. No improvements by any party shall be placed on the area designated as Tract Q, Block 7, Wildwood Place, an addition to the City of Little Rock, Arkansas, unless first approved by PotlatchDeltic, the appropriate agencies of the City of Little Rock, Arkansas, the POA and the Architectural Control Committee of Wildwood Place.

The use of the area designated on the Plat as Tract P, Block 3, Wildwood Place, 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 Wildwood Place Neighborhood with the right to use the area, upon being given prior written approval by Developer and the POA, for drainage, storm drainage overflow and landscaping. The POA shall maintain the above ground area and improvements of such tract, including landscaping, drainage swales and overflow, at its sole cost. The City of Little Rock, Arkansas shall maintain, replace and repair all underground improvements located within such tract. No improvements by any party shall be placed on the area designated as Tract P, Block 3, Wildwood Place, an addition to the City of Little Rock, Arkansas, unless first approved by PotlatchDeltic, the appropriate agencies of the City of Little Rock, Arkansas, the POA and the Architectural Control Committee of Wildwood Place.

PRIOR TO THE COMMENCEMENT OF ANY INSTALLATION OF UTILITIES WITHIN THE UTILITY EASEMENTS REFLECTED ON THE PLAT, THE UTILITIES PROVIDER MUST SUBMIT WRITTEN PLANS AND SPECIFICATIONS OF THE PROPOSED IMPROVEMENTS TO THE ARCHITECTURAL CONTROL COMMITTEE OF WILDWOOD PLACE AND DEVELOPER 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 Fifth Supplement to Covenants and Restrictions 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 24 and 55-56, Block 3, Lots 1-2, 19-26 and 33-43, Block 7, Lots 1-13 and 38-42, Block 8, Tract O, Block 8, Tract Q, Block 7 and Tract P, Block 3, Wildwood Place, an Addition to the City of Little Rock, Arkansas, and any and every deed of conveyance of any lot in the Wildwood Place Neighborhood, describing the same by the number shown on said plat shall always be deemed a sufficient description thereof.

1. Assignment of Rights. Declarant reserves the right to: (a) execute and record documentation confirming and defining the rights of any third person maintaining facilities in easement areas, and (b) to assign its rights hereunder, all of which acts shall be binding upon each Lot in Wildwood Place.

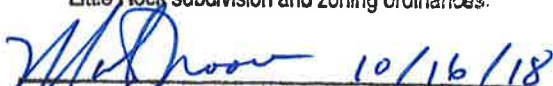
2. Covenants and Restrictions. Said lands herein platted and any interest therein are hereby added to and made a part of the Wildwood Place Neighborhood and shall, on and after the date hereof, be subject to the Original Covenants and Restrictions and all supplements thereto.

EXECUTED this 15th day of October, 2019.

POTLATCHDELTIC REAL ESTATE, LLC

BY: 
David Meghreblian, Vice President

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.

 10/16/18
City of Little Rock Planning Commission

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 15 day of October, 2018.


Notary Public

My Commission Expires:

Feb. 22, 2022

