

PREPARED BY:  
SHAWN LYNN RUSSELL  
408 MC 70  
TEXARKANA, AR 71854

2006 99  
Recorded in the Above  
Misc Book & Page  
01-26-2006 04:10:37 PM  
Wanda Davis-Circuit Clerk  
Miller County, AR

**PROTECTIVE AND RESTRICTIVE COVENANT  
FOR  
EAGLE RIDGE ESTATES**

**This subdivision being the same property as Eagle Ridge Estates, Miller County  
Arkansas, job #050417, date completed August 15, 2005**

**DESCRIPTION OF PROPERTY:**

All that certain tract or parcel of land being 0.83 acres in the SW 1/4 of the NW 1/4, 35.77 acres in the SE 1/4 of the NW 1/4, and 6.54 acres in the SW 1/4 of the NE 1/4; all in Section Twenty-nine (29), Township Fifteen (15) South, Range Twenty-seven (27) West, Miller County, Arkansas, and the subject tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron pin found for corner at a point on the North line of the SE 1/4 of the NW 1/4 of Section 29, Township 15 South, Range 27 West, Miller County, Arkansas, located S 88°15'05" W, 57.22 feet from the Northeast corner of same;

THENCE: S 00°36'09" E, 714.69 feet with a fence line to a 1" iron pipe found for corner;

THENCE: N 85°10'33" E, 1371.27 feet to a 1" iron pipe found for corner on the West side of Miller County Road No. 70;

THENCE: S 00°08'59" W, 219.12 feet along the West side of Miller County Road No. 70 to a t post found for corner;

THENCE: S 85°13'41" W, 1368.29 feet to an iron pin set for corner;

THENCE: S 00°36'09" E, 386.71 feet to an iron pin set for corner;

THENCE: S 88°16'36" W, 752.45 feet to an iron pin set for corner;

THENCE: Northwestery, the following courses:

N 52°30'08" W, 187.16 feet to an iron pin set for corner;

N 37°10'14" W, 214.48 feet to an iron pin set for corner;

N 38°07'23" W, 420.09 feet to an iron pin set for corner;

N 15°12'38" W, 420.09 feet to an iron pin set for corner;

and N 08°03'35" W, 544.67 feet to an iron pin set for corner on the North line of the SW 1/4 of the NW 1/4 of said Section 29; THENCE: N 88°15'05" E, 1391.97 feet to the POINT OF BEGINNING and containing 43.14 acres of land, more or less.

**(1) Land Use and Building Type**

No lot shall be used for any purpose other than residential construction. No dwelling house shall be placed, erected, altered or permitted nearer than fifty feet from the front street boundary line, twenty-five feet from the rear boundary line, and fifteen feet from the side yard boundary line.

**(2) Dwelling Size and Construction Requirement**

The heated area of any site built home, exclusive of porches and garages, shall be no less than 1,350 square feet. Garages, although not required, if constructed, shall permit entry only from the side or rear of the dwelling house. Garages may be attached to or detached from the dwelling. Any detached garage or outbuilding shall be of similar construction so as to have the exterior appearance match that of the primary dwelling. Log home construction will be allowed. Manufactured housing will be allowed in the subdivision. All manufactured homes must be no older than 7 years of manufacture date, and no less than 1600 sq. ft; no singlewides permitted. All manufactured homes must be underpinned and presentable in appearance; no torn underpinning or siding, no broken or rotted boards, etc., In addition to the main residential structure, outbuildings will be permitted.

**(3) Livestock and Poultry**

No animals, livestock or poultry of any kind shall be raised, bred or kept on any part of the property except for ordinary household pets belonging to the household, provided that said household pets are not kept, bred or maintained for any commercial purposes and further provided that such household pets are not a nuisance to the owners of surrounding property. Notwithstanding the foregoing provisions, goat, sheep, swine, and exotic animals are prohibited on the property. Horses and cattle will be permitted.

**(4) Easements**

Utility, drainage and access easements are reserved over the herein described property as shown by the recorded master plat of subdivision.

**(5) Severability**

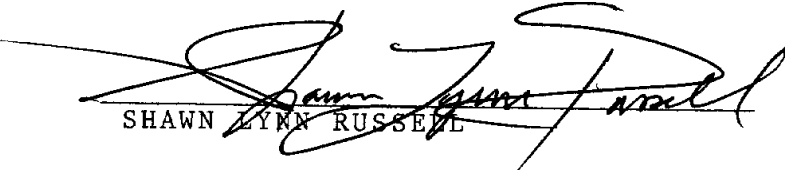
Should any part or parts of these covenants be declared invalid or unenforceable by any court or competent jurisdiction, such decision shall not affect validity of the remaining covenants.

These restrictions are for the mutual benefit of each owner of each lot in Eagle Ridge Estates. If any owner of any lot or building site shall hereafter violate or attempt to violate any of the restrictions and covenants set forth above, it shall be lawful for any person owning any interest in any of the other lots or building sites, to prosecute any proceeding at law or in equity against the person or persons violating or attempting to violate such covenants or restrictions and either prevent him, her, or them from so doing or to recover damages from such violation. If the party complaining of such violation is successful in such legal action against the person or persons violating or attempting to violate such covenants or restrictions shall pay the attorney's fees of the complaining party and court costs in connection with such proceeding. These restrictions shall be for a term of thirty years from the date hereof, and shall be automatically extended for successive periods of ten years unless a majority of the then owners of the lots or building sites shall execute a document agreeing to cancel these restrictions or any part thereof and have such document duly recorded in the Office of the County Clerk of Miller County, Arkansas.

**(6) Underground Utilities**

Only underground utilities will be permitted in Eagle Ridge Subdivision Phase 1.

2006 101  
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Miller County, AR

  
SHAWN LYNN RUSSELL

STATE OF ARKANSAS

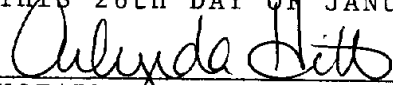
ACKNOWLEDGMENT

COUNTY OF MILLER

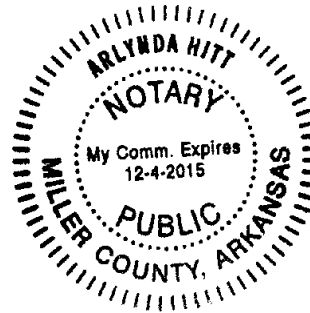
BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED SHAWN LYNN RUSSELL, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED ON THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

GIVEN MY HAND AND SEAL OF OFFICE.

THIS 26th DAY OF JANUARY, 2006.



NOTARY PUBLIC  
STATE OF ARKANSAS  
COUNTY OF MILLER



Miller County, AR  
I certify this instrument was filed on  
01-26-2006 04:10:37 PM  
and recorded in Misc Book  
2006 at pages 99 - 101  
Wanda Davis-Circuit Clerk 