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2014R003958

MARY PANKEY
MILLER COUNTY CIRCUIT CLERK
TEXARKANA, AR
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PAGES: 8

Prepared By:
SHAWN LYNN RUSSELL
408 MC 70
Texarkana, AR 71854

2nd REVISED PROTECTIVE AND
RESTRICTIVE COVENANTS
FOR
EAGLE RIDGE ESTATES

This Subdivision being the same property as Eagle Ridge Estates, Miller County, Arkansas,
Job #050417, date completed January 29, 2006

All that certain tract or parcel of land being 0.83 acres in the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4); 35.77 acres in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4); and 6.54 acres in the Southwest Quarter of the Northeast Quarter (SW 1/4 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: Northwesterly, 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, 147.99 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 shall be placed, erected, altered or permitted nearer than fifty (50) feet from the front street boundary line, twenty-five (25) feet from the rear boundary line and fifteen (15) 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 1200 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 not be allowed in the subdivision. Also modular homes of any type will not be permitted. 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 the covenants be declared invalid or unenforceable by any court of 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 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 (30) years from the date hereof and shall be automatically extended for successive periods of ten (10) 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 Circuit Clerk (called County Clerk in previous Restrictions) of Miller County, Arkansas.

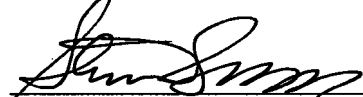
(6) Underground Utilities - THIS ITEM IS HEREBY DELETED

Executed this 27 day of June, 2013


SHAWN LYNN RUSSELL
Owner of Lots 1, 2, 7, 13 and Pt. 12

JERRY COLLMORGEN
Owner of Lots 3, 4, 5 and 6

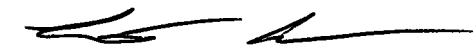

TYLER SMITH
Owner of Lot 8


STARLA SNODGRASS
Owner of Lot 9

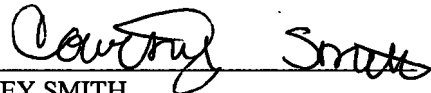
BARRY JAMES MOORE
Owner of Lot 10


CHARLES D. OAKES
Owner of Lot 11

MARION A. DAVIS
Owner of Pt. Lot 12

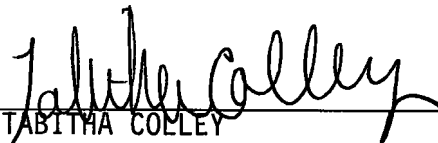

LESTER C. COLLEY
New Owner of Lot 8

CAROLYN S. COLLMORGEN
Owner of Lots 3, 4, 5 and 6


COURTNEY SMITH
Owner of Lot 8

JULIE ANN MOORE
Owner of Lot 10

SHAYLA OAKES
Owner of Lot 11


TABITHA COLLEY
New Owner of Lot 8

THIS PAGE EXECUTED IN DUPLICATE ORIGINALS

(6) Underground Utilities - THIS ITEM IS HEREBY DELETED

Executed this 19 day of April, ²⁰¹⁴~~2013~~

SHAWN LYNN RUSSELL
Owner of Lots 1, 2, 7, 13 and Pt. 12

Jerry Collmorgen
JERRY COLLMORGEN
Owner of Lots 3, 4, 5 and 6

Carolyn S. Collmorgen
CAROLYN S. COLLMORGEN
Owner of Lots 3, 4, 5 and 6

TYLER SMITH
Owner of Lot 8

COURTNEY SMITH
Owner of Lot 8

STARLA SNODGRASS
Owner of Lot 9

BARRY JAMES MOORE
Owner of Lot 10

JULIE ANN MOORE
Owner of Lot 10

CHARLES D. OAKES
Owner of Lot 11

SHAYLA OAKES
Owner of Lot 11

MARION A. DAVIS
Owner of Pt. Lot 12

THIS PAGE EXECUTED IN DUPLICATE ORIGINALS

STATE OF Arkansas
COUNTY OF Miller

ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared SHAWN LYNN RUSSELL, AN UNMARRIED PERSON, known to me to be the person(s) whose name(s) is/are subscribed on the foregoing instrument and acknowledged to me that he/she/they executed the same for the purpose and consideration therein expressed.

Given my hand and seal of office this 27 day of June, 2013.



Ronica Hatfield
Notary Public: _____

STATE OF _____
COUNTY OF _____

ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared JERRY COLLMORGEN AND CAROLYN S. COLLMORGEN, HIS WIFE, known to me to be the person(s) whose name(s) is/are subscribed on the foregoing instrument and acknowledged to me that he/she/they executed the same for the purpose and consideration therein expressed.

Given my hand and seal of office this _____ day of _____, 2013.

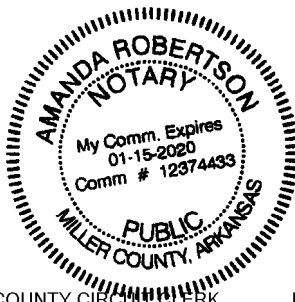
Notary Public: _____

STATE OF Arkansas
COUNTY OF Miller

ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared TYLER SMITH AND COURTNEY SMITH, HIS WIFE, known to me to be the person(s) whose name(s) is/are subscribed on the foregoing instrument and acknowledged to me that he/she/they executed the same for the purpose and consideration therein expressed.

Given my hand and seal of office this 12th day of September, 2013.



Amanda Robertson
Notary Public: _____

STATE OF _____

COUNTY OF _____

ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared SHAWN LYNN RUSSELL, AN UNMARRIED PERSON, known to me to be the person(s) whose name(s) is/are subscribed on the foregoing instrument and acknowledged to me that he/she/they executed the same for the purpose and consideration therein expressed.

Given my hand and seal of office this _____ day of _____, 2013.

Notary Public: _____

STATE OF Louisiana

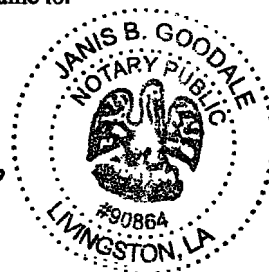
COUNTY OF Livingston

ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared JERRY COLLMORGEN AND CAROLYN S. COLLMORGEN, HIS WIFE, known to me to be the person(s) whose name(s) is/are subscribed on the foregoing instrument and acknowledged to me that he/she/they executed the same for the purpose and consideration therein expressed.

Given my hand and seal of office this 19 day of April, ~~2013~~ 2014

Janis B. Goodale
Notary Public: _____



STATE OF _____

COUNTY OF _____

ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared TYLER SMITH AND COURTNEY SMITH, HIS WIFE, known to me to be the person(s) whose name(s) is/are subscribed on the foregoing instrument and acknowledged to me that he/she/they executed the same for the purpose and consideration therein expressed.

Given my hand and seal of office this _____ day of _____, 2013.

Notary Public: _____

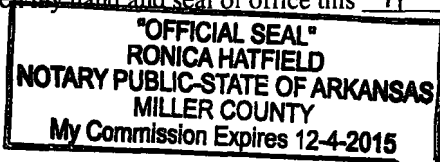
STATE OF Arkansas

COUNTY OF Miller

ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared STARLA SNODGRASS, AN UNMARRIED PERSON, known to me to be the person(s) whose name(s) is/are subscribed on the foregoing instrument and acknowledged to me that he/she/they executed the same for the purpose and consideration therein expressed.

Given my hand and seal of office this 11 day of April, 2014.



Ronica Hatfield
Notary Public: _____

STATE OF _____

COUNTY OF _____

ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared BARRY JAMES MOORE AND JULIE ANN MOORE, HIS WIFE, known to me to be the person(s) whose name(s) is/are subscribed on the foregoing instrument and acknowledged to me that he/she/they executed the same for the purpose and consideration therein expressed.

Given my hand and seal of office this _____ day of _____, 2013.

Notary Public: _____

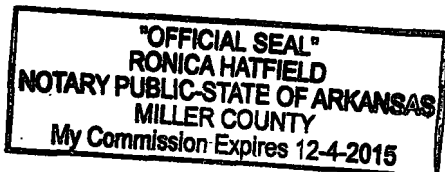
STATE OF Arkansas

COUNTY OF Miller

ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared CHARLES D. OAKES ~~AND SHAYLA OAKES, HIS WIFE~~ ^{RA}, known to me to be the person(s) whose name(s) is/are subscribed on the foregoing instrument and acknowledged to me that he/she/they executed the same for the purpose and consideration therein expressed.

Given my hand and seal of office this 22 day of April, 2014.



Ronica Hatfield
Notary Public: _____

STATE OF _____

COUNTY OF _____

ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared MARION A. DAVIS, AN UNMARRIED PERSON, known to me to be the person(s) whose name(s) is/are subscribed on the foregoing instrument and acknowledged to me that he/she/they executed the same for the purpose and consideration therein expressed.

Given my hand and seal of office this _____ day of _____, 2013.

Notary Public: _____

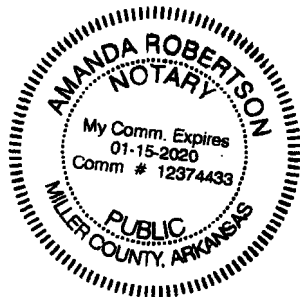
STATE OF Arkansas

COUNTY OF Miller

ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared LESTER C. COLLEY AND TABITHA COLLEY, HIS WIFE, known to me to be the person(s) whose name(s) is/are subscribed on the foregoing instrument and acknowledged to me that he/she/they executed the same for the purpose and consideration therein expressed.

Given my hand and seal of office this 12th day of September, 2013.



Amanda Robertson
Notary Public: _____