

Dogwood Hills

DEED OF DEDICATION AND BILL OF ASSURANCE

WHEREAS, DARRELL WILSON AND FAYE WILSON, husband and wife,
and WAYNE WILSON AND JOANNE WILSON, husband and wife, are the owners
of the following described lands in Boone County, Arkansas, to-
wit:

SEE EXHIBIT "A" ATTACHED HERETO

NOW, THEREFORE, GRANTORS, for and in consideration of the benefits
to accrue to us which we acknowledge to be of value, having caused
to be made a plat hereto attached, showing a survey made MAR 24,
1984, signed by Jerry Young, registered land surveyor, State of
Arkansas, No. 789, whose seal and certificate appear thereon,
and showing the bounds and dimensions of the property now being
subdivided into lots and streets, and do hereby donate and dedicate
to the public hereafter, an easement of way on, over and under the
streets as shown on said plat to be used as public streets.

Easements for installation and maintenance of utilities and
drainage facilities are hereby reserved as shown on said plat. Within
these easements no structure, planting or other material shall be
placed or permitted to remain which may damage or interfere with
the installation or maintenance of said utilities. The easement
area of each lot shall be maintained by the owner of the lot, except
for those improvements for which a public authority or utility company
is responsible.

The filing of this plat and Deed of Dedication for record in
the Office of the Circuit Clerk and Recorder of Boone County, Arkansas,
will be a valid and complete delivery and dedication of the streets
and easements in said subdivision.

The lands in said subdivision shall be forever known as DOGWOOD
HILLS ESTATES and any and every Deed of conveyance for any lot in
said subdivision describing same by the number or numbers shown
on said plat shall always be deemed a sufficient description thereof.

Said lands herein platted and dedicated and any interest therein
shall be held, owned and conveyed subject to and in conformity with
the following restrictive covenants which shall run with the land and

For Amendment to Deed, see Deed Bk 209, p 127 2-18-80

be binding upon all owners, present or future or their heirs, successors, or assigns, for a term of 25 years from the date of filing hereof, with automatic successive renewals for terms of 10 years each, unless said renewals are suspended by a written instrument executed by a majority of the then existing land owners in said subdivision and filed with the office of the Circuit Clerk and Recorder, to-wit:

1. LAND USE: Lots shall not be sub-divided for the purpose of establishing more than one residence on each lot. This covenant shall not be construed as preventing the owner of two adjoining contiguous lots from building a single dwelling partially on both such lots, but in such event, the adjoining lots shall be considered as constituting a single lot for the application of these covenants.
2. USE RESTRICTIONS:
 - (a) All lots are restricted to use for single-family residential purposes only.
 - (b) Household pets shall be permitted, however, no animals, livestock or poultry of any kind shall be raised, bred or kept on any lot for commercial purposes.
 - (c) No trailers, tents, mobile homes or other temporary structures shall be used on any lot as a permanent or temporary residence.
 - (d) No signs or billboards shall be erected on any lots, except a single sign not to exceed 6 square feet advertising the property for sale or rent, or the sign of the builder during the construction of any dwelling.
 - (e) No public nuisances shall be permitted in or upon any lot.
 - (f) All lots shall be kept free and clear of all trash and rubbish with all garbage being kept in sanitary containers for that purpose.
 - (g) All septic tanks shall be of steel or concrete construction with the sewage disposal system located and built in accordance with the regulations and standards of the State Board of Health.
3. SETBACKS: No building shall be located on any lot nearer than 50 feet from road right of way. All buildings shall be at least 25 feet from the rear lot line, and no buildings shall be located closer than 25 feet to an interior lot line. Eaves and steps shall not be considered a part of

the building for purposes of this covenant; however, this shall not be considered or construed to allow any encroachments upon any lot or easements.

4. BUILDING TYPE: All dwellings shall be constructed of at least 50% stone or brick exterior. No fences shall be permitted except stone or brick walls, chain link, wooden rail fences or privacy board fences. No outbuildings shall be permitted unless attached to the dwelling by one continuous roof. There shall be no outdoor clotheslines permitted.
5. BUILDING OCCUPANCY: No building shall be occupied until 100% complete.
6. DWELLING SIZE: No building shall be built on any lot which has, exclusive of open porches and garages, less than 1600 square feet of ground floor area.
7. VEHICLES: No junk vehicles or unlicensed vehicles shall be permitted to remain on any lot.
8. LAND CLEARING AND TREE CUTTING: Large scale land clearing and tree cutting is prohibited. A limited number of trees may be removed to provide for construction, enhance a view, or clear out "scrub" growth to improve the appearance of a lot in general. Dead fall and brush piles shall be kept to a minimum to avoid unsightly appearance and fire hazard.
9. ENFORCEMENT: Enforcement (to include utilities owning facilities in this subdivision) shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant or restriction either to restrain violation or to recover damages. Said person or persons shall be liable for all legal fees and court costs necessary to enforce these covenants.
10. SEVERABILITY: Invalidation of any one of these covenants by judgment or court order shall in no wise effect any of the other provisions which shall remain in full force and effect.

AMENDMENT TO DEED OF DEDICATION AND BILL OF ASSURANCE
OF DOGWOOD HILLS ESTATES

WHEREAS, WAYNE A. WILSON and JOANNE WILSON, husband and wife, and DARRELL E. WILSON, a single person, on or about April 24th, 1984, executed the Deed of Dedication and Bill of Assurance of Dogwood Hills Estates.

AND, WHEREAS, Wayne A. Wilson and Joanne Wilson, husband and wife; Darrell E. Wilson, a single person; Phil Travis and Jean Travis, husband and wife; and Franklin D. Marks and Linda C. Marks, husband and wife, are the present owners of Dogwood Hills Estates, and desire to amend Paragraph No. 6 of said Deed of Dedication and Bill of Assurance which appears of record in Deed Record 203 at pages 450-454 in the office of the Circuit Clerk of Boone County, Arkansas.

NOW, THEREFORE, the aforesaid owners for and in consideration of the benefits to accrue to them which they acknowledge will be of value, hereby amend the aforesaid Paragraph No. 6 to read as follows:

6. DWELLING SIZE: No building shall be built on any lot which has, exclusive of open porches and garages, less than 1600 square feet of ground floor area for a single story dwelling, nor less than 2000 square feet of area for a two story dwelling.

WITNESS our hands and seals this 15th day of February, 1985.

Wayne A. Wilson
WAYNE A. WILSON

Joanne Wilson
JOANNE WILSON

Darrell E. Wilson
DARRELL E. WILSON

Phil Travis
PHIL TRAVIS

Jean Travis
JEAN TRAVIS

Franklin D. Marks
FRANKLIN D. MARKS

Linda C. Marks
LINDA C. MARKS

ACKNOWLEDGMENT

STATE OF ARKANSAS)
)SS.
COUNTY OF BOONE)

BE IT REMEMBERED, That on this day came before the undersigned, a Notary Public within and for the County aforesaid, duly commissioned and acting, Wayne A. Wilson and Joanne Wilson, husband and wife; Darrell E. Wilson, a single person; Phil Travis and Jean Travis, husband and wife; and Franklin D. Marks and Linda C. Marks, husband and wife, to me well known as the persons in the foregoing Amendment to Deed of Dedication and Bill of Assurance, and stated that they had executed the same for the consideration and purposes therein mentioned and set forth.

WITNESS MY HAND AND SEAL as such Notary Public this 15th day of February, 1985.

Cindy Talburt
NOTARY PUBLIC

My Commission Expires:

12-25-92

Filed for Record 18 Day of Feb
1985 at 1:00 o'clock P. M.
Helen Speer, Clerk
Helen Speer

EXHIBIT "A"

The Northwest quarter of the Northwest quarter of Section Twenty-five (25), Township Nineteen (19) North, Range Twenty-one (21) West; and the Southwest quarter of the Southwest quarter of Section Twenty-four (24), Township Nineteen (19) North, Range Twenty-one (21) West, EXCEPT THE FOLLOWING: Beginning at the Northwest corner of the Southwest quarter of said Section 24, thence South 81 degrees 11 minutes East along the North line thereof 1225.58 feet to a point on the proposed southwesterly right-of-way line of U.S. Highway No. 65 for the point of real beginning; thence South 81 degrees 11 minutes East along said North line 75.5 feet to a point, said point being the Northeast corner of the Southwest quarter of the Southwest quarter of section 24, thence South 04 degrees 25 minutes West along the East line thereof 30.3 feet to a point on said proposed right-of-way line, thence North 60 degrees 00 minutes 15 seconds West along said proposed right-of-way line 83.5 feet to the point of real beginning. EXCEPT A part of the Southwest quarter of the Southwest quarter of Section 24, Township 19 North, Range 21 West, Boone County, Arkansas, more particularly described as follows: Beginning at the Northeast corner of said forty, thence North 81 degrees 23 minutes 25 seconds West along the forty line 96.4 feet to the Westerly right-of-way of a fifty foot road easement, thence leave the forty line go South 16 degrees 27 minutes 25 seconds West along said right-of-way 147.55 feet to the center of a dry branch, thence leave said right-of-way and go along the center of said branch the following movements: North 71 degrees 47 minutes 45 seconds West 176.68 feet, South 82 degrees 44 minutes 35 seconds West 183.47 feet, North 74 degrees 11 minutes 35 seconds West 54.36 feet, North 12 degrees 56 minutes 25 seconds West 59.10 feet, North 58 degrees 16 minutes 30 seconds West 189.14 feet, North 16 degrees 40 minutes 15 seconds West 34.12 feet to the forty line, thence leave said branch go South 81 degrees 23 minutes 25 seconds East along the forty line 635.00 feet to the point of beginning. Subject to a utility easement 10 feet wide described as the Easternmost 10 feet of said tract.

Filed for Record 24 Day of April
19 84 at 10 o'clock AM.
Helen Spicer, Clerk
By Helen Spicer, G.

STATE OF ARKANSAS }
COUNTY OF BOONE } SS
I hereby certify that this instrument was filed
for record in my office the ___ day of ___ 19___
at ___ o'clock ___ M., and duly recorded in
Record Book No. ___ at page ___
Witness my hand and the court seal this ___
day of ___ 19___.

Circuit Clerk and Recorder
By _____ D.C.