

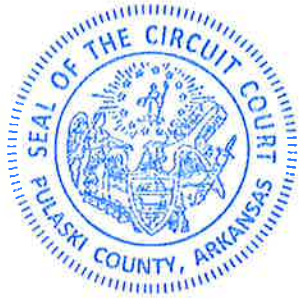


2019038264

PRESENTED: 06-21-2019 09:31:35 AM RECORDED: 06-21-2019 09:45:04 AM

In Official Records of Terri Hollingsworth Circuit/County Clerk

PULASKI CO, AR FEE \$40.00



Plat # 2019038265

This instrument prepared by:

James C. Clark, Jr.
Friday, Eldredge & Clark
400 West Capitol, Suite 2000
Little Rock, AR 72201

FIRST SUPPLEMENT TO BILL OF ASSURANCE

This First Supplement to Bill of Assurance executed this 14th day of June, 2019, 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 March 26, 2019, Instrument No. 2019018007 (the "Bill of Assurance") creating the Falstone 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 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 First Supplement to Bill of Assurance for the purpose of adding additional property to the Falstone Court Neighborhood, which property is owned by the Developer and is described as follows:

PART OF THE E1/2 OF SECTION 25, T-2-N, R-14-W, PULASKI COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 22, BLOCK 135, CHENAL VALLEY, AN ADDITION TO THE CITY OF LITTLE ROCK, PULASKI COUNTY, ARKANSAS; THENCE N01°01'30"W, A DISTANCE OF 100.02 FEET; THENCE N90°00'00"E, A DISTANCE OF 198.84 FEET; THENCE S45°43'28"E, A DISTANCE OF 1214.68 FEET; THENCE S01°05'42"W, A DISTANCE OF 695.84 FEET; THENCE N79°19'11"W, A DISTANCE OF 342.17 FEET; THENCE ALONG THE ARC OF A 375.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF S03°21'39"W, 95.55 FEET; THENCE S03°57'32"E, A DISTANCE OF 66.97 FEET; THENCE S86°02'28"W, A DISTANCE OF 50.00 FEET; THENCE N82°09'13"W, A DISTANCE OF 117.16 FEET; THENCE S87°06'18"W, A DISTANCE OF 173.04 FEET; THENCE N82°09'13"W, A DISTANCE OF 97.89 FEET; THENCE N65°59'54"W, A DISTANCE OF 244.87

FEET; THENCE N03°29'26"W, A DISTANCE OF 685.87 FEET; THENCE N01°29'30"W, A DISTANCE OF 496.16 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF FALSTONE DRIVE; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE FOLLOWING THE ARC OF A 275.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD BEARING AND DISTANCE OF N88°44'30"E, 2.24 FEET; THENCE N01°01'30"W, A DISTANCE OF 245.11 FEET TO THE POINT OF BEGINNING. CONTAINING 29.36 ACRES, MORE OR LESS.

shown on the Plat hereinafter mentioned, as Lots 23–39, Block 135, Lots 24–45, Block 136, Tract D, Block 135, and Tract E, Block 136, Chenal Valley, an Addition to the City of Little Rock, Arkansas (which property together with the property described in the Bill of Assurance is hereinafter referred to as the “Falstone Court Neighborhood”); and Developer has caused to be incorporated Falstone Court Property Owners Association, Inc., for the purpose of administering the maintenance of the common area tracts, roadways, and amenities in the Falstone 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 Falstone Court Neighborhood are members of Falstone 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, 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 Covenants and Restrictions and Bill of Assurance, as amended, in order to enhance the value of the Falstone 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 _____, 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 right-of-way on, over and under the streets and right-of-way reflected on said Plat to be used as public streets. There are certain easements for drainage, sanitary sewer and 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 First Supplement to Bill of

Assurance, the same being, without limiting the generality of the foregoing, electric power, gas, telephone, water, sanitary 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.

ALL DRAINAGE EASEMENTS ARE TO REMAIN UNOBSTRUCTED.

The use of the areas designated on the Plat as Tract D, Block 135, and Tract E, Block 136, Chenal Valley, an addition to the City of Little Rock, Arkansas, is further hereby donated and dedicated by PotlatchDeltic to the owners, as they may exist from time to time, of lots within the Falstone Court Neighborhood with the right, subject to further terms and conditions of the Plat and the Bill of Assurance, to use the area for landscaping, drainage, storm drains and storm drainage overflow. The Falstone Court Property Owners Association, Inc. shall maintain such above ground areas and improvements at its sole cost. The City of Little Rock shall maintain, repair and replace all underground improvements. No improvements by any party shall be placed on the area designated as Tract D, Block 135, or Tract E, Block 136, 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, Falstone Court Property Owners Association, Inc. and the Architectural Control Committee established pursuant to the Covenants and Restrictions of Chenal Valley.

PRIOR TO THE COMMENCEMENT OF ANY INSTALLATION OF UTILITIES WITHIN THE UTILITY EASEMENTS REFLECTED ON THE PLAT, 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 PUBLIC STREETS MUST BE APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE PRIOR TO COMMENCEMENT OF CONSTRUCTION AND IF SUBSEQUENTLY INSTALLED IN THE PUBLIC STREETS OR IN ANY EASEMENT ADJACENT TO THE PUBLIC STREETS, 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 TRACTS 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 First 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 23-39, Block 135, Lots 24-45, Block 136, Tract D, Block 135, and Tract E, Block 136, Chenal Valley, an Addition to the City of Little Rock, Arkansas, and any and every deed of conveyance of any lot in the Falstone 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. Architectural Control. No improvements shall be constructed or maintained upon any lot or Tract and no alteration or repainting to the exterior of any improvement, including, but not limited to, walls, retaining walls and swimming pools, shall be made and no landscaping performed unless approved by the Architectural Control Committee as provided for in the Covenants and Restrictions and the Bill of Assurance.

3. Common Amenities. The areas designated on the Plat as Tract D, Block 135 and Tract E, Block 136, and all improvements thereon, and landscaped areas shall be maintained by the Falstone 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.

4. 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 eight (8) feet. Unless provided for to the contrary on the Plat, 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 Falstone 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	2,200	2,600

Finished heated living area shall be measured in a horizontal plane to the face of the outside wall on each level.

5. Easements for Public Utilities and Drainage. Easements for the installation, maintenance, repair and replacement of utility services, sanitary sewer, drainage and storm drainage overflow 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. 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, drainage or storm drainage overflow 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.

The Owner of a lot is solely responsible for the existing drainage course across his lot. The Falstone Court Property Owners Association, Inc. is only responsible for maintenance and replacement of drainage equipment and facilities existing within the easements 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.

6. Right-of-Way for Road. Prior to the recording of this First Supplement to Bill of Assurance, a portion of Lots 42, 43, 44 and 45, Block 136, and the public street, Falstone Drive, were subject to a Right-of-Way For Road recorded as document No. 88-63282 in the real estate records of Pulaski County, Arkansas.

Contemporaneously with the recording of this First Supplement to Bill of Assurance, documents executed by Central Arkansas Water, successor to Little Rock Municipal Waterworks, and PotlatchDeltic, successor to Deltic Farm & Timber Co., Inc., will be executed and recorded in the real estate records of Pulaski County, Arkansas releasing and excluding the aforementioned lots and public street from the terms and conditions of the Right-of-Way for Road.

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 Falstone 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 March 26, 2019, as Instrument No. 2019018007, and all supplements and amendments thereto, all of which are incorporated herein by reference and made a part hereof.

EXECUTED this 14 day of June, 2019.

POTLATCHDELTIC REAL ESTATE, LLC

BY: David Meghreblian
David Meghreblian, Vice President

ACKNOWLEDGMENT

STATE OF ARKANSAS

COUNTY OF PULASKI

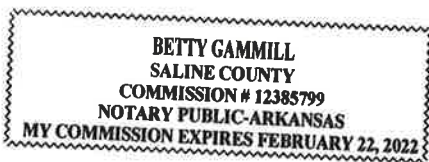
On this day before me, a Notary Public, duly commissioned, qualified and acting within and for said county and state, appeared the within named David Meghreblian, to me well known, who stated that he was the Vice President of POTLATCHDELTIC REAL ESTATE, LLC and was designated and duly authorized in that capacity by said POTLATCHDELTIC REAL ESTATE, LLC to execute the above instrument for and in the name and behalf of said POTLATCHDELTIC 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 June, 2019.

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.

Dana Carney
City of Little Rock Planning Commission