

Brenda DeShields-Circuit Clerk
Benton County, AR
Book/Pg: 2008/3186
Term/Cashier: CASH5/SWINZENBURG
01/28/2008 9:12:10AM
Tran: 25215
Total Fees: \$25.00
Book 2008 Page 3186
Recorded in the Above
DEED Book & Page
01/28/2008

This Instrument Prepared By
and When Recorded Return to:
Jason N. Bramlett
Friday, Eldredge & Clark, LLP
3425 North Futrall Drive, Suite 103
Fayetteville, Arkansas 72703-4811

**FIRST AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS
For
BRAEMAR SUBDIVISION**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS (this "Amendment") is made effective this 13th day of August, 2007.

WHEREAS, that certain document entitled DECLARATION OF COVENANTS AND RESTRICTIONS for BRAEMAR SUBDIVISION (the "Subdivision") was filed of record in the real property records of Benton County, Arkansas on July 7, 2006 in Deed Book 2006 Page 33703 (the "Declaration") establishing certain covenants, conditions, restrictions and obligations governing the Subdivision and the use and development thereof;

WHEREAS, pursuant to Section 14.3 of the Declaration, the City of Centerton has given its approval of the amendment made herein;

WHEREAS, by its terms, Section 14.2 of the Declaration permits the Declaration to be amended by written instrument duly executed and acknowledged by seventy-five percent (75%) of the then current lot owners; and

WHEREAS, the undersigned owner, being the owner of one hundred percent (100%) of the lots in the Subdivision now desires to amend the Declaration as set forth herein by executing this Amendment.

NOW THEREFORE, the undersigned owner hereby amends the Declaration as follows:

1. Section 4.6 is hereby amended and restated as follows:

"4.6 DWELLING QUALITY AND SIZE. All Buildings, Dwellings, Structures and Improvements erected upon a Lot shall be constructed in accordance with the applicable governmental building and zoning codes and with such additional standards that may be required by the Covenants and Restrictions and the Architectural Control Committee; and no Dwelling shall be constructed or permitted to remain on any Lot in Braemar Subdivision unless the finished heated living area, exclusive of porches, patios, garages, breezeways, exterior stairways, porte cocheres, storage areas and outbuildings, shall equal or exceed one thousand seven hundred fifty (1,750) square feet."

2. Except as otherwise expressly amended herein, the remaining provisions of the Declaration are hereby restated and the terms and provisions therein are ratified and affirmed.

IN WITNESS WHEREOF, the undersigned owner has executed this Amendment as of the day and year first set forth above.

COMMUNITY DEVELOPMENT OF ARKANSAS, LLC, Owner of All
Lots Within Braemar Subdivision

By: 
Chris Gregory, Authorized Member

APPROVAL BY THE CITY OF CENTERTON:

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01/28/2008


Judy Coffelt, Planning Chairperson 1-17-08
Date

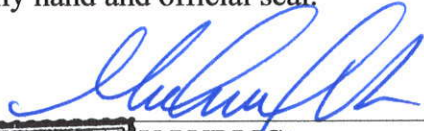
ACKNOWLEDGMENT

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Recorded in the Above
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STATE OF ARKANSAS)
) ss.
COUNTY OF BENTON)

On this the 3rd day of DECEMBER 2007, before me, the undersigned officer, personally appeared Chris Gregory known to me (or satisfactorily proven) to be the Authorized Member of COMMUNITY DEVELOPMENT OF ARKANSAS, LLC, an Arkansas limited liability company, and stated that he subscribed his name to the within instrument in his capacity as such Authorized Member for the consideration, uses, and purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.



My Commission Expires:

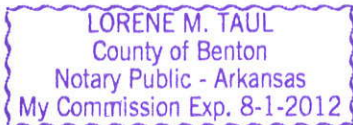


ACKNOWLEDGMENT

STATE OF ARKANSAS)
) ss.
COUNTY OF Benton)

On this the 17 day of January 2008, before me, the undersigned officer, personally appeared Judy Coffelt known to me (or satisfactorily proven) to be the Planning Chairperson for the City of Centerton, Arkansas, and stated that she subscribed her name to the within instrument in such capacity for the consideration, uses, and purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.



Lorene M. Taul
NOTARY PUBLIC

My Commission Expires:

08/01/2012

Benton County, AR
I certify this instrument was filed on
01/28/2008 9:12:27AM
and recorded in DEED Book
2008 at pages 0003186 - 0003188
Brenda DeShields-Circuit Clerk