

Josephine R. Heyland Clerk  
by Virginia Haley

500 PAGE 01

2,507

PROTECTIVE COVENANTS

FOR  
Lots 1 through 64 - TIMBER LAKE ESTATES

Location: Located in part of the  $W\frac{1}{2}$  of the  $SE\frac{1}{4}$ , Sec. 17, part of the  $S\frac{1}{2}$  of the  $NW\frac{1}{4}$ , Sec. 17, the  $SW\frac{1}{4}$  of Sec. 17, and in part of the  $E\frac{1}{2}$  of the  $SE\frac{1}{4}$ , Section 18 and in part of the  $SW\frac{1}{4}$  of the  $NW\frac{1}{4}$  of Section 18, all in Township 19 North, Range 28 West in Benton County, Arkansas

The undersigned Darrow Garner, Inc., being the sole owner of Lots 1 through 64, Timber Lake Estates, does hereby establish and create the following Protective Covenants which shall apply to the above named lots as shown on the recorded plat of Timber Lake Estates subdivision.

I. COVENANTS

- A. Land use and building type: No lot shall be used except for residential purposes.
- B. Dwelling Size: No dwelling shall be permitted on Lots 44 through 53, and on Lots 62, 63 and 64 with less than 1400 square feet of enclosed living area, and no dwelling shall be permitted on the remaining lots with less than 1200 square feet of enclosed living area, and at no time shall a mobile home be allowed to be placed on any lot.
- C. Nuisances: No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. No cattle, sheep, goats, or other farm animals may be kept on the premises, EXCEPT one horse only may be kept on lots less than 5 acres in area, and two horses and one steer may be kept on lots 5 acres or more in area. No breeding of pets for sale may be carried on upon these lots. No car, truck or other vehicle may be dismantled and left on the premises for more than 7 days.
- D. Barns: All barns on less than 5 acre tracts must be placed at least 125 feet from the front property line, and all barns on 5 acre tracts or larger must be placed at least 200 feet from the front property line.

II. GENERAL PROVISIONS

- A. Term: These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 25 years from the date these covenants are recorded, after which time said covenants will be automatically extended for successive periods of 10 years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change of said covenants in whole or any part.
- B. Enforcement: Enforcement shall be by proceedings at law or in equity against all persons violating or attempting to violate any covenant either to restrain violation or to recover damages.
- C. Severability: Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

- 1 -

FILED FOR RECORD

At 1:10 o'clock A. M.

JUN 17 1976

JOSEPHINE R. HEYLAND  
Clerk and Recorder  
BENTON COUNTY, ARK.

Return to Darrow Garner Inc  
PO Box 735 Rogers Ar 72756

PROTECTIVE COVENANTS  
Lots 1 through 64  
TIMBER LAKE ESTATES

WITNESSETH our hand and seal this 25th day of May, 1976.

DARROW GARNER, INC.

By Darrow Garner Pres.

Attest: Mary Ruth Garner Secy.

ACKNOWLEDGEMENT

STATE OF ARKANSAS )  
COUNTY OF BENTON ) ss

Sworn and subscribed to before me a Notary Public in the  
aforementioned State and County this 25th day of May 1976.

Ethel A Spaulst  
Notary Public

Commission expires: 3-5-77

A-75  
Amend  
7/20/76

AMMENDMENT TO PROTECTIVE COVENANTS  
Recorded at Book 500, Page 1

for

Lots 1 through 64 - TIMBER LAKE ESTATES

Location: Located in part of the  $W\frac{1}{2}$  of the  $SE\frac{1}{4}$ , Sec. 17, part of the  $S\frac{1}{2}$  of the  $NW\frac{1}{4}$ , Sec. 17, the  $SW\frac{1}{4}$  of Sec. 17, and in part of the  $E\frac{1}{2}$  of the  $SE\frac{1}{4}$ , Sec. 18, and in part of the  $SW\frac{1}{4}$  of the  $NW\frac{1}{4}$  of Sec. 18, all in Township 19 North, Range 28 West in Benton County, Arkansas

-----

The undersigned Darrow Garner, Inc., being the sole owner of more than 75% of Lots 1 through 64, Timber Lake Estates does hereby ammend the Protective Covenants recorded in Deed Record Book 500, page 1, Benton County, Arkansas, by deleting Section A, Land use and building type under Covenants and replacing it in its entirety to read as follows:

- A. Land use and building type: Lots 5 through 26 and Lots 28 through 64 shall be used only for residential purposes. Lots 1, 2, 3, 4, and 27 shall be used for residential purposes and/or light commercial purposes.

WITNESSETH our hand and seal this 30th day of July, 1976.

DARROW GARNER, INC.

By Darrow Garner Pres.

Attest: May Belle Garner Secy.

FILED FOR RECORD  
At 2:50 O'clock P.M.

ACKNOWLEDGMENT

OCT 21 1976

STATE OF ARKANSAS )  
                          ) ss  
COUNTY OF BENTON )

JOSEPHINE R. HEYLAND  
Clerk and Recorder  
BENTON COUNTY, ARK.

Sworn and subscribed to before me a Notary Public in the aforementioned State and County this 30th day of July, 1976.

Ethel C. Spaulst  
Notary Public

My commission expires: March 5, 1977