

**AMENDMENT TO BILL OF ASSURANCE  
HURRICANE LAKE ESTATES PHASE 1 & 2**

FILED  
SALINE COUNTY  
CLERK  
2005 MAY -6 AM 11:47

**WHEREAS** on May 26, 1999, the Bill of Assurance for Hurricane Lake Estates Phase 1 & 2 (the "Bill of Assurance") was filed for record by Hurricane Lake Estates Development Co. ("Developer") for the following property:

SEE EXHIBIT A

Saline County, Arkansas (Hurricane Lake Estates Phase 1 & 2); and

**WHEREAS**, Developer owns a boat dock with 26 boat slips currently located on Hurricane Lake within the boundaries of the property described above; and desires to convey the boat dock and sell the exclusive use of the boat slips subject to the terms of this amendment; and

**WHEREAS**, Developer and the Hurricane Lake Estates Property Owner's Association (HLE POA) have entered into an Agreement to Administer Boat Slips whereby they have agreed that Developer will convey the boat dock and two boat slips to HLE POA and convey the exclusive use of the remaining 24 boat slips subject to the terms of this amendment;

**NOW THEREFORE**, Developer and HLE POA for and in consideration of the benefits to accrue to it and to its successors and assigns agrees as follows:

1. Developer shall convey the dock and two boat slips to HLE POA retaining an easement for access to the remaining 24 boat slips by the owners thereof and shall sell the remaining 24 boat slips to individual members of the HLE POA. No boat slips shall be sold to individuals or entities who are not property owners of lots within Hurricane Lake Estates Phase 1 & 2 or future phases of Hurricane Lake Estates as provided for by the Bill of Assurance.

2. The boat slips shall be administered and managed by HLE POA and HLE POA and Developer shall create the HLE Boat Dock Association (the "HLE Boat Dock Association") for the purpose of administering and maintaining the boat docks. All owners of the boat slips sold pursuant to this amendment shall be members of the HLE Boat Dock Association. Developer shall be a member of the HLE Boat Dock Association for any unsold or otherwise retained boat slips and shall be subject to assessments as any other owner, except the POA itself. The HLE Boat Dock Association shall bear the cost of administering and maintaining the boat docks.

3. HLE POA shall have the right to dissolve the HLE Boat Dock Association at any time and distribute all accrued funds according to law.

4. Except as expressly modified and amended herein, the Bill of Assurance shall continue in full force and effect pursuant to the provisions thereof.

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EXECUTED THIS 6<sup>th</sup> day of April, 2005.

HURRICANE LAKE ESTATES DEVELOPMENT CO.

By: Michael D. Rogers  
Michael D. Rogers, President

HURRICANE LAKE ESTATES PROPERTY OWNER'S ASSOCIATION

By: Cheryl M. Etheridge  
Cheryl M. Etheridge, President

ACKNOWLEDGMENT

STATE OF ARKANSAS  
COUNTY OF SALINE

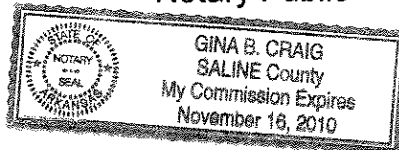
On this the 6<sup>th</sup> day of April, 2005, before me, the undersigned Notary Public, personally appeared Michael D. Rogers, known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Gina B. Craig  
Notary Public

My Commission Expires:

11/16/2010



ACKNOWLEDGMENT

STATE OF ARKANSAS  
COUNTY OF SALINE

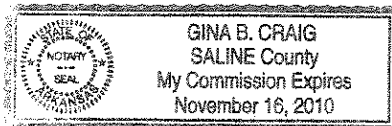
On this the 6<sup>th</sup> day of April, 2005, before me, the undersigned Notary Public, personally appeared Cheryl M. Etheridge known to me to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Gina B. Craig  
Notary Public

My Commission Expires:

11/16/2010



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EXHIBIT "A"

District 1, Phase I & II  
Hurricane Lake Estates  
Development Company  
Project No. 097-152  
10-10-98  
Tracts 1-3  
With Page Nos. 2-10-99

SURVEY DESCRIPTION - TRACT 1

Part of Sections 19, 20, and 29 all in Township 1 South, Range 14 West, the above said all in Saline County, Arkansas and being more particularly described as follows:

Beginning at the Southeast Corner of said Section 19 and being marked by a Found Concrete Monument; Thence North  $88^{\circ} 00' 41''$  West a distance of 655.99 Feet to a Found Concrete Monument; Thence North  $02^{\circ} 17' 43''$  East a distance of 659.35 Feet to a Found Concrete Monument; Thence North  $88^{\circ} 10' 37''$  West a distance of 343.68 Feet to a Set Iron Pin and Set Steel Guard Post marking the Southwest Corner of the East Three Quarters (E 3/4) of the North One Half (N 1/2) of the Southeast One Quarter (SE 1/4) of the Southeast One Quarter (SE 1/4) of said Section 19; Thence North  $87^{\circ} 55' 21''$  West a distance of 331.65 Feet to a Set Iron Pin and Set Steel Guard Post marking the Southwest Corner of the South One Quarter (S 1/4) of the West One Half (W 1/2) of the Northwest One Quarter (NW 1/4) of the Southeast One Quarter (SE 1/4) of the Southeast One Quarter (SE 1/4) of said Section 19; Thence North  $05^{\circ} 58' 32''$  West a distance of 117.73 Feet to a Found Iron Pin (1/2" Diameter); Thence North  $88^{\circ} 17' 42''$  East a distance of 139.26 Feet to a Found Iron Pin (1/2" Diameter); Thence North  $03^{\circ} 54' 05''$  East a distance of 38.89 Feet to a Set Iron Pin and Set Steel Guard Post; Thence South  $87^{\circ} 54' 15''$  East a distance of 223.29 Feet to a Found Concrete Monument; Thence North  $01^{\circ} 45' 22''$  East a distance of 1479.78 Feet to a Found Concrete Monument; Thence North  $87^{\circ} 08' 30''$  West a distance of 329.32 Feet to a Found Concrete Monument; Thence North  $01^{\circ} 30' 34''$  East a distance of 328.23 Feet to a Found Concrete Monument; Thence North  $87^{\circ} 24' 48''$  West a distance of 289.99 Feet to a Found Concrete Monument; Thence North  $02^{\circ} 10' 48''$  East a distance of 475.71 Feet to a Found Concrete Monument; Thence North  $86^{\circ} 21' 06''$  West a distance of 416.50 Feet to a Set Iron Pin and Set Steel Guard Post; Thence North  $02^{\circ} 24' 50''$  East a distance of 142.88 Feet to a Set Iron Pin and

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Set Steel Guard Post; Thence North 50° 25' 58" East a distance of 89.70 Feet to a Set Iron Pin and Set Steel Guard Post; Thence North 14° 30' 16" East a distance of 235.33 Feet more or less to a Point at an Elevation of 400, (Vertical Datum Based on top of the existing Spillway of Hurricane Lake as it lies within Section 20, Township 1 South, Range 14 West, which is Elevation 400); Thence following said Elevation 400 along the Shores of said Hurricane Lake in a Southerly direction as required, to a Point being South 88° 38' 48" East a distance of 197.83 Feet and North 02° 25' 09" East a distance of 754.12 Feet from the Southwest Corner of said Section 20, Township 1 South Range 14 West which is marked by a Found Concrete Monument; Thence South 29° 08' 07" East a distance of 10.19 Feet to a Point; Thence South 51° 32' 51" West a distance of 258.16 Feet to a Set Iron Pin and Set Steel Guard Post; Thence South 56° 23' 39" East a distance of 52.56 Feet to a Set Iron Pin and Set Steel Guard Post; Thence North 51° 32' 51" East a distance of 134.74 Feet to a Set Iron Pin and Set Steel Guard Post; Thence North 88° 47' 00" East a distance of 404.63 Feet to a Set Iron Pin and Set Steel Guard Post; Thence South 39° 27' 23" East a distance of 228.20 Feet to a Set Iron Pin and Set Steel Guard Post; Thence South 01° 29' 42" East a distance of 45.89 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Left having an Arc Length of 211.91 Feet, a Radius of 345.00 Feet, a Central Angle of 35° 11' 34" and a Chord Bearing and Distance of North 58° 35' 28" East - 208.60 Feet to a Set Iron Pin and Set Steel Guard Post; Thence North 40° 59' 40" East a distance of 394.90 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Right having an Arc Length of 107.70 Feet, a Radius of 380.00 Feet, a Central Angle of 16° 14' 20" and a Chord Bearing and Distance of North 49° 06' 50" East - 107.34 Feet to a Set Iron Pin and Set Steel Guard Post; Thence North 57° 14' 00" East a distance of 861.09 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Left having an Arc Length of 199.82 Feet, a Radius of 447.46 Feet, a Central Angle of 25° 35' 11" and a Chord Bearing and Distance of North 44° 26' 26" East - 198.16 Feet to a Set Iron Pin and Set Steel Guard Post; Thence North 58° 21' 08" West a distance of 252.29 Feet to a Set Iron Pin and Set Steel Guard Post; Thence North 59° 05' 59" East a distance of 331.59 Feet to a Set Iron Pin and Set Steel Guard Post; Thence North 02° 32' 48" East a distance of 201.65 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Left having an Arc Length of 192.47, a Radius of 447.46 Feet, a Central Angle of 24° 38' 43" and a Chord Bearing and Distance of North 09° 46' 33" West - 190.99 Feet to a Set Iron Pin and Set Steel Guard Post; Thence North 22° 05' 54" West a distance of 102.54 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Right, having an Arc Length of 29.69 Feet, a Radius of 507.46 Feet, a Central Angle of 3° 21' 08" and a Chord Bearing and Distance of North 20° 25' 20" West - 29.69 Feet to a Set Iron Pin

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and Set Steel Guard Post; Thence North  $81^{\circ} 33' 55''$  West a distance of 591.80 Feet more or less to a Point at an Elevation of 400, (said Vertical Datum as previously described); Thence following said Elevation 400 along the Shores of said Hurricane Lake, in a Northerly direction as required, to a Point being South  $89^{\circ} 06' 12''$  East a distance of 2320.21 Feet and South  $02^{\circ} 06' 30''$  West a distance of 169.78 Feet from the Northwest Corner of said Section 20, Township 1 South, Range 14 West which is marked by a Found Pipe (2" Diameter); Thence South  $65^{\circ} 42' 20''$  East a distance of 209.73 Feet to a Set Iron Pin and Set Steel Guard Post; Thence South  $39^{\circ} 19' 08''$  East a distance of 69.62 Feet to a Set Iron Pin and Set Steel Guard Post; Thence South  $88^{\circ} 11' 10''$  East a distance of 106.19 Feet to a Found Concrete Monument; Thence South  $02^{\circ} 06' 30''$  West a distance of 2948.87 Feet to a Found Concrete Monument; Thence South  $02^{\circ} 05' 17''$  West a distance of 80.01 Feet to a Set Iron Pin and Set Steel Guard Post; Thence South  $02^{\circ} 05' 18''$  West a distance of 619.58 Feet to a Found Concrete Monument; Thence North  $89^{\circ} 04' 35''$  West a distance of 331.17 Feet to a Found Concrete Monument; Thence South  $01^{\circ} 50' 56''$  West a distance of 329.68 Feet to a Found Concrete Monument; Thence South  $02^{\circ} 01' 21''$  West a distance of 659.54 Feet to a Found Concrete Monument; Thence South  $50^{\circ} 46' 52''$  East a distance of 235.02 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Left having an Arc Length of 125.10 Feet, a Radius of 925.00 Feet, a Central Angle of  $7^{\circ} 44' 56''$  and a Chord Bearing and Distance of South  $54^{\circ} 39' 20''$  East - 125.01 Feet to a Set Iron Pin and Set Steel Guard Post; Thence South  $58^{\circ} 31' 48''$  East a distance of 195.19 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Right having an Arc Length of 261.64 Feet, a Radius of 330.00 Feet, a Central Angle of  $45^{\circ} 25' 37''$  and a Chord Bearing and Distance of South  $35^{\circ} 48' 59''$  East - 254.84 Feet to a Set Iron Pin and Set Steel Guard Post; Thence South  $13^{\circ} 06' 09''$  East a distance of 32.26 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Left having an Arc Length of 94.33 Feet, a Radius of 60.00 Feet, a Central Angle of  $90^{\circ} 04' 43''$  and a Chord Bearing and Distance of South  $58^{\circ} 08' 29''$  East - 84.91 Feet to a Set Iron Pin and Set Steel Guard Post on the North Right-of-Way of Highway #5; Thence South  $76^{\circ} 49' 10''$  West along the said North Right-of-Way a distance of 230.15 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Left having an Arc Length of 96.35 Feet, a Radius of 60.00 Feet, a Central Angle of  $92^{\circ} 00' 27''$  and a Chord Bearing and Distance of North  $30^{\circ} 48' 49''$  East - 86.33 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Left having an Arc Length of 217.51 Feet, a Radius of 289.09 Feet, a Central Angle of  $43^{\circ} 06' 33''$  and a Chord Bearing and Distance of North  $36^{\circ} 44' 47''$  West - 212.41 Feet to Set Iron Pin and Set Steel Guard Post; Thence North  $58^{\circ} 18' 02''$  West a distance of 200.31 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Right having an Arc

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Length of 129.27 Feet, a Radius of 985.00 Feet, a Central Angle of  $7^{\circ} 31' 10''$  and a Chord Bearing and Distance of North  $54^{\circ} 32' 27''$  West - 129.18 Feet to a Set Iron Pin and Set Steel Guard Post; Thence North  $50^{\circ} 46' 52''$  West a distance of 292.60 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Right having an Arc Length of 87.50 Feet, a Radius of 490.00 Feet, a Central Angle of  $10^{\circ} 13' 53''$  and a Chord Bearing and Distance of North  $45^{\circ} 39' 55''$  West - 87.38 Feet to a Set Iron Pin and Set Steel Guard Post Thence North  $40^{\circ} 32' 58''$  West a distance of 580.07 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Right Having an Arc Length of 62.44 Feet, a Radius of 490.00 Feet, a Central Angle of  $7^{\circ} 18' 04''$  and a Chord Bearing and Distance of North  $36^{\circ} 53' 55''$  West - 62.40 Feet to a Set Iron Pin and Set Steel Guard Post; Thence North  $33^{\circ} 14' 52''$  West a distance of 108.64 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Right having an Arc Length of 70.96 Feet, a Radius of 330.00 Feet, a Central Angle of  $12^{\circ} 19' 13''$  and a Chord Bearing and Distance of North  $27^{\circ} 05' 17''$  West - 70.82 Feet to a Set Iron Pin and Set Steel Guard Post; Thence North  $20^{\circ} 55' 42''$  West a distance of 23.56 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Left having an Arc Length of 45.06 Feet, a Radius of 230.00 Feet, a Central Angle of  $11^{\circ} 13' 30''$  and a Chord Bearing and Distance of North  $27^{\circ} 11' 49''$  West - 44.67 Feet to a Set Iron Pin and Set Steel Guard Post; Thence North  $32^{\circ} 46' 00''$  West a distance of 25.52 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Left having an Arc Length of 39.27 Feet, a Radius of 25.00 Feet, a Central Angle of  $90^{\circ} 00' 01''$  and a Chord Bearing and Distance of North  $77^{\circ} 46' 00''$  West - 35.36 Feet to a Set Iron Pin and Set Steel Guard Post; Thence South  $57^{\circ} 14' 00''$  West a distance of 320.35 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Left having an Arc Length of 90.69 Feet, a Radius of 320.00 Feet, a Central Angle of  $16^{\circ} 14' 17''$  and a Chord Bearing and Distance of South  $49^{\circ} 06' 50''$  West - 90.39 Feet to a Set Iron Pin and Set Steel Guard Post; Thence South  $40^{\circ} 59' 40''$  West a distance of 394.90 Feet to a Set Iron Pin and Set Steel Guard Post; Thence South  $35^{\circ} 43' 32''$  East a distance of 108.99 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Right having an Arc Length of 61.44 Feet, a Radius of 50.00 Feet, a Central Angle of  $70^{\circ} 24' 18''$  and a Chord Bearing and Distance of South  $00^{\circ} 31' 15''$  East - 57.65 Feet to a Set Iron Pin and Set Steel Guard Post; Thence South  $25^{\circ} 50' 56''$  East a distance of 201.15 Feet to a Set Iron Pin and Set Steel Guard Post; Thence South  $55^{\circ} 17' 38''$  West a distance of 150.00 Feet to a Set Iron Pin and Set Steel Guard Post; Thence North  $88^{\circ} 37' 09''$  West a distance of 54.80 Feet to a Found Pipe (1" Diameter); Thence North  $88^{\circ} 37' 09''$  West a distance of 925.53 Feet to a Found Pipe (1" Diameter); Thence South  $02^{\circ} 25' 09''$  West a distance of 101.07 Feet to the Point of Beginning. LESS and EXCEPT all Easements and Rights-of-Way of Record.

**SURVEY DESCRIPTION - TRACT 2**

Part of the Southwest One Quarter (SW 1/4) of the Northeast One Quarter (NE 1/4) of Section 19, Township 1 South, Range 14 West, Saline County Arkansas more particularly described as follows:

Commencing at the Northwest corner of Section 19 and being marked by a Found Concrete Monument; Thence South 87° 55' 16" East a distance of 1095.15 Feet to a Found Concrete Monument; Thence South 02° 12' 03" West a distance of 659.20 Feet to a Found Concrete Monument; Thence South 88° 20' 44" East a distance of 494.38 Feet to a Found Concrete Monument; Thence South 02° 02' 41" West a distance of 657.14 Feet to a Found Concrete Monument; Thence South 88° 22' 21" East a distance of 384.26 Feet to a Found Concrete Monument; Thence South 01° 50' 41" East a distance of 328.84 Feet to a Found 2 Inch Diameter Pipe; Thence South 86° 50' 41" West a distance of 162.32 Feet to a Found Concrete Monument; Thence North 02° 32' 29" East a distance of 166.33 Feet to a Found Concrete Monument; Thence South 86° 28' 26" West a distance of 329.99 Feet to a Found Concrete Monument; Thence South 01° 50' 03" West a distance of 651.80 Feet to a Found Concrete Monument; Thence South 86° 21' 06" East a distance of 241.26 Feet to a Set Iron Pin and Set Steel Guard Post; Thence North 02° 24' 50" East a distance of 142.88 Feet to a Set Iron Pin and Set Steel Guard Post and being the Point of Beginning; Thence along a Curve to the Right having an Arc Length of 211.33 Feet and a Radius of 50.00 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Left having an Arc Length of 27.13 Feet and a Radius of 25.00 Feet to a Set Iron Pin and Set Steel Guard Post; Thence South 50° 25' 58" West a distance of 89.70 Feet to the Point of Beginning and containing 0.17 Acres more or less. LESS and EXCEPT all Easements and Rights-of-Way of Record.

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SURVEY DESCRIPTION - TRACT 3

Part of the Northeast One Quarter (NE 1/4) OF THE Northwest One Quarter (NW 1/4) of Section 20, Township 1 South, Range 14 West, Saline County Arkansas more particularly described as follows:

Commencing at the Northwest corner of Section 20 and being marked by a Found 2 Inch Diameter Pipe; Thence South  $01^{\circ} 53' 02''$  West along the West Line of the Northwest One Quarter (NW 1/4) of said Section 20 a distance of 253.07 Feet to a Point; Thence South  $89^{\circ} 06' 12''$  East a distance of 2513.47 Feet to a Set Iron Pin and Set Steel Guard Post and being the Point of Beginning; Thence along a Curve to the Right having an Arc Length 249.52 Feet and a Radius of 50.00 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a Curve to the Left having an Arc Length of 28.99 Feet and a Radius of 788.51 Feet to a Set Iron Pin and Set Steel Guard Post; Thence North  $39^{\circ} 19' 08''$  West a distance of 69.62 Feet to the Point of Beginning and containing 0.19 Acres more or less. LESS and EXCEPT all Easements and Rights-of-Way of Record.

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Survey Description - Tract 4

Part of the Northeast One Quarter (NE 1/4) of the Southwest One Quarter (SW 1/4) of the Section 20, Township 1 South, Range 14 West, Saline County Arkansas more particularly described as follows:

Commencing at the Northwest corner of said Section 20 and being marked by a Found Iron Pipe; Thence South 01° 53' 02" West along the West line of said Section 20 a distance of 3691.48 Feet to a Point; Thence South 88° 42' 03" East a distance of 1658.99 Feet to a Set Iron Pin and Set Steel Guard Post and being the Point of Beginning; Thence South 58° 21' 08" East a distance of 308.89 Feet to a Set Iron Pin and Set Steel Guard Post; Thence North 57° 14' 00" East a distance of 2.20 Feet to a Set Iron Pin and Set Steel Guard Post; Thence along a curve to the Left having a Central Angle of 25° 35' 08", and Arc Length of 199.82', a Radius of 447.46 Feet and Chord Bearing and Distance of North 44° 26' 26" East - 198.16 Feet to a Set Iron Pin and Set Steel Fence Post; Thence North 58° 21' 08" West a distance of 252.29 Feet to a Set Iron Pin and Set Steel Guard Post; Thence South 59° 05' 59" West a distance of 220.00 Feet to a Point of Beginning and containing 1.29 Acres more or less. LESS and EXCEPT all Easements and Rights - of - Way of Record.

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in Doc Book 05 Page 45528

MAY 06 2005

at 11:47 o'clock AM

DOUG KIDD, CIRCUIT CLERK

BY [Signature] DC

