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Brenda DeShields-Circuit Clerk
Benton County, AR
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**AMENDMENTS TO
PROTECTIVE COVENANTS
OF
CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT
TO THE CITY OF ROGERS, ARKANSAS
GARDEN VILLAS**

This is an Amendment to the Protective Covenants of Champions Golf and Country Club Development to the City of Rogers, Arkansas, Garden Villas, executed by more than two-thirds of the existing lot owners.

WHEREAS, the Protective Covenants of Champions Golf and Country Club Development to the City of Rogers, Arkansas, Garden Villas, were filed for record on July 5, 1989, with the Clerk and Recorder of Benton County, Arkansas, at Book 705, Page 77 (herein the "Protective Covenants"); and

WHEREAS, seventy-five percent (75%) of the present and existing lot owners pursuant to Paragraph 25 of the Protective Covenants have voted to amend the Protective Covenants to provide a provision for assessment and payment per lot the sum of \$70.00 per month for security services provided by Sunrise Land Corporation, General Partner.

IT IS, THEREFORE, AGREED that the Protective Covenants be amended as follows:

1. **Assessments for Security.** Sunrise Land Corporation, General Partner of New Champions Golf and Country Club, a Limited Partnership (hereinafter "General Partner," shall be responsible for maintaining the security guard buildings, fences constructed by the developers, and security operations located at the club and the various subdivisions. The General Partner may, from time to time, require assessments, either monthly or annually, in the sole discretion of the General Partner to provide for the security services and maintenance of the fences, guard gate and the security operations. Such assessments shall be \$70.00 per month per lot, and shall increase thereafter, if necessary, in accordance with any changes in the Consumer Price Index.

2. **Liens for Assessments.**

(a) All sums assessed against any lot pursuant to this Protective Covenant Amendment, together with any late charges provided herein, shall be secured by a lien on such lot in favor of the General Partner. Such lien shall be superior to all liens and encumbrances on such lot except for: (i) Lien for ad valorem taxes; (ii) Lien for all sums unpaid on a first mortgage or construction mortgage duly recorded in the public records of Benton County, Arkansas, and all amounts advanced pursuant to such mortgage and secured thereby.

(b) Effect of Non-Payment of Assessments, Remedies of Sunrise Land Corporation, General Partner. Any assessments which are not paid when due shall be delinquent. Any assessment due for a period of ten (10) days shall incur a late charge in an amount of the amount the general partner may reasonably determine from time to time. General Partner shall cause a notice of delinquency to be given to any member has not paid within ten (10) days following the due date. If the assessment is not paid within thirty (30) days, a lien as herein provided shall

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attach, and, in addition, the lien shall include a late charge of a maximum allowable rate from the date due and payable, all costs of collections, reasonable attorney fees actually incurred, and any other amounts provided or permitted by law. In the event the assessment remains unpaid after sixty (60) days, the General Partner may, as its officers shall determine, institute suit to collect such amounts or to foreclose its lien. Each owner, by his or her acceptance of a deed to a lot, vests in the General Partner or its agents the right and power to bring all actions against him or her personally for the collection of such charges as a debt or to foreclose the aforesaid lien in the same manner as other liens shall for the improvement of real property. The lien provided for in this article shall be in favor of the General Partner. The General Partner shall have the power to bid on the lot at any foreclosure sale or to acquire, hold, lease, mortgage and convey the same. No owner may waive or otherwise escape liability for the assessment provided herein, including by way of illustration but not limitation, abandonment of his or her lot.

(c) All security assessments shall begin and run from the date of the start of the lot's proposed structures construction.

3. The original Protective Covenants, as amended by this instrument, constitutes the complete agreement between the parties, and any amendments or modifications shall be in writing.

4. This agreement shall be binding upon and shall inure to the benefit of each of the parties hereto, their heirs, successors and assigns.

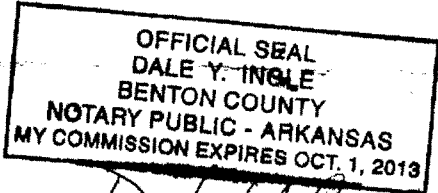
5. The Protective Covenants remain in full force and effect except as herein modified.

LOT OWNER SIGNATURE PAGES ATTACHED

LOT OWNERS' SIGNATURE PAGE FOR AMENDMENTS TO PROTECTIVE COVENANTS OF GARDEN VILLAS, CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT TO THE CITY OF ROGERS, ARKANSAS, FILED WITH THE CLERK AND RECORDER OF BENTON COUNTY, ARKANSAS, AT BOOK 705, PAGE 77

Lot Description

Lot A9-, Champions Garden Villas



Dale Y. Tingle

STATE OF ARKANSAS)

) SS.

COUNTY OF BENTON)

Lot Owner

James T. Schnoes
JAMES T. SCHNOES
Robert Schnoes
Kelvin Schnoes

ACKNOWLEDGMENT

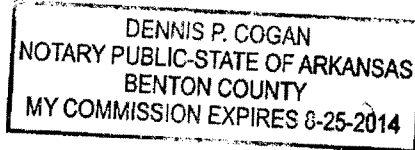
Be it remembered that before me, a Notary Public, duly commissioned, qualified and acting, within and for the state and county aforesaid, appeared JAMES T. SCHNOES, known to me to be the person(s) who executed the foregoing instrument, and did acknowledge that such had been so executed for the consideration and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 16th day of December, 2005.

8/25/2014

Commission Expires:

[Signature]
NOTARY PUBLIC



LOT OWNERS' SIGNATURE PAGE FOR AMENDMENTS TO PROTECTIVE COVENANTS OF GARDEN VILLAS, CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT TO THE CITY OF ROGERS, ARKANSAS, FILED WITH THE CLERK AND RECORDER OF BENTON COUNTY, ARKANSAS, AT BOOK 705, PAGE 77

Lot Description

Lot Owner

Lot A-15, Champions Garden Villas

Duane E. Bender, Jr.
DUANE E. BENDER, JR.

Laura K. Bender
LAURA K. BENDER

STATE OF ARKANSAS)
) ss.
COUNTY OF BENTON)

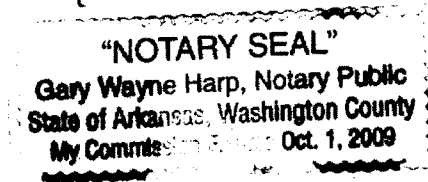
ACKNOWLEDGMENT

Be it remembered that before me, a Notary Public, duly commissioned, qualified and acting, within and for the state and county aforesaid, appeared DUANE E. BENDER, JR. and LAURA K. BENDER, known to me to be the person(s) who executed the foregoing instrument, and did acknowledge that such had been so executed for the consideration and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 32^D day of December, 2005.

Gary Harp
NOTARY PUBLIC

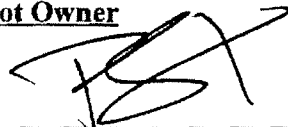
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Commission Expires:

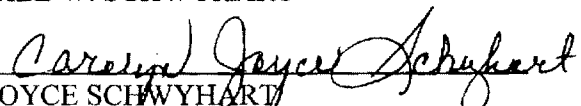


LOT OWNERS' SIGNATURE PAGE FOR AMENDMENTS TO PROTECTIVE COVENANTS OF GARDEN VILLAS, CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT TO THE CITY OF ROGERS, ARKANSAS, FILED WITH THE CLERK AND RECORDER OF BENTON COUNTY, ARKANSAS, AT BOOK 705, PAGE 77

Lot Description

Lot A-4A, Champions Garden Villas

Lot Owner


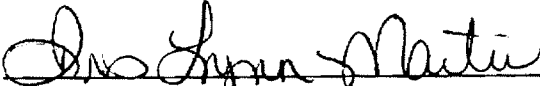
BILL W. SCHWYHART

JOYCE SCHWYHART

STATE OF ARKANSAS)
) ss.
COUNTY OF BENTON)

ACKNOWLEDGMENT

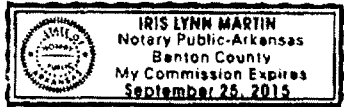
Be it remembered that before me, a Notary Public, duly commissioned, qualified and acting, within and for the state and county aforesaid, appeared BILL W. SCHWYHART and JOYCE SCHWYHART, known to me to be the person(s) who executed the foregoing instrument, and did acknowledge that such had been so executed for the consideration and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 15th day of November, 2005.



NOTARY PUBLIC

9-25-15
Commission Expires:



LOT OWNERS' SIGNATURE PAGE FOR AMENDMENTS TO PROTECTIVE COVENANTS OF GARDEN VILLAS, CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT TO THE CITY OF ROGERS, ARKANSAS, FILED WITH THE CLERK AND RECORDER OF BENTON COUNTY, ARKANSAS, AT BOOK 705, PAGE 77

Lot Description

Lot A-14, Champions Garden Villas

Lot Owner


DONALD DEAN MUNSELL


RAMONA JEAN MUNSELL

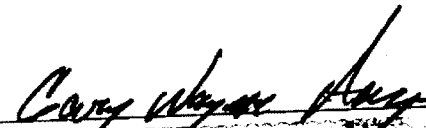
STATE OF ARKANSAS)
) ss.
COUNTY OF BENTON)

ACKNOWLEDGMENT


Be it remembered that before me, a Notary Public, duly commissioned, qualified and acting, within and for the state and county aforesaid, appeared DONALD DEAN MUNSELL and RAMONA JEAN MUNSELL, known to me to be the person(s) who executed the foregoing instrument, and did acknowledge that such had been so executed for the consideration and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 4th day of December, 2005.

10-1-09
Commission Expires:


NOTARY PUBLIC
"NOTARY SEAL"
Gary Wayne Harp, Notary Public
State of Arkansas - Washington County
My Commis: Oct. 1, 2009

LOT OWNERS' SIGNATURE PAGE FOR AMENDMENTS TO PROTECTIVE COVENANTS OF GARDEN VILLAS, CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT TO THE CITY OF ROGERS, ARKANSAS, FILED WITH THE CLERK AND RECORDER OF BENTON COUNTY, ARKANSAS, AT BOOK 705, PAGE 77


<u>Lot Description</u>	<u>Lot Owner</u>
Lot A-11, Champions Garden Villas	 WILLIAM B. BENTON

STATE OF ARKANSAS)
) ss.
COUNTY OF BENTON)

ACKNOWLEDGMENT

Be it remembered that before me, a Notary Public, duly commissioned, qualified and acting, within and for the state and county aforesaid, appeared WILLIAM B. BENTON, known to me to be the person(s) who executed the foregoing instrument, and did acknowledge that such had been so executed for the consideration and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 7th day of November, 2005.


NOTARY PUBLIC

2-08-2011
Commission Expires:

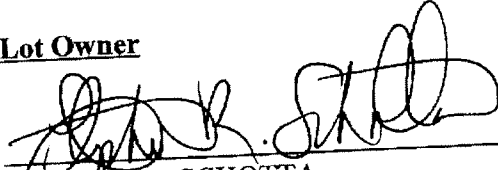


LOT OWNERS' SIGNATURE PAGE FOR AMENDMENTS TO PROTECTIVE COVENANTS OF GARDEN VILLAS, CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT TO THE CITY OF ROGERS, ARKANSAS, FILED WITH THE CLERK AND RECORDER OF BENTON COUNTY, ARKANSAS, AT BOOK 705, PAGE 77

Lot Description

Lot A-10, Champions Garden Villas

Lot Owner


STEPHEN R. SCHOTTA

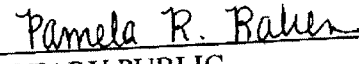

ELIZABETH T. SCHOTTA

STATE OF ARKANSAS)
) ss.
COUNTY OF BENTON)

ACKNOWLEDGMENT

Be it remembered that before me, a Notary Public, duly commissioned, qualified and acting, within and for the state and county aforesaid, appeared STEPHEN R. SCHOTTA and ELIZABETH T. SCHOTTA, known to me to be the person(s) who executed the foregoing instrument, and did acknowledge that such had been so executed for the consideration and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 8th day of November, 2005.


NOTARY PUBLIC

9-1-2011
Commission Expires:

PAMELA R. RABEN
NOTARY PUBLIC-STATE OF ARKANSAS
BENTON COUNTY
My Commission Expires 9-01-2011

LOT OWNERS' SIGNATURE PAGE FOR AMENDMENTS TO PROTECTIVE COVENANTS OF GARDEN VILLAS, CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT TO THE CITY OF ROGERS, ARKANSAS, FILED WITH THE CLERK AND RECORDER OF BENTON COUNTY, ARKANSAS, AT BOOK 705, PAGE 77

Lot Description
Lot A-1, Champions Garden Villas

Lot Owner
DECEASED
JOHN BAUM
Juanita Baum TTEE
JUANITA BAUM

STATE OF ARKANSAS)
) ss.
COUNTY OF BENTON)

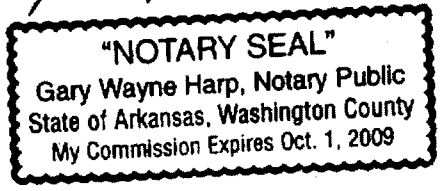
ACKNOWLEDGMENT

Be it remembered that before me, a Notary Public, duly commissioned, qualified and acting, within and for the state and county aforesaid, appeared JOHN BAUM and JUANITA BAUM, kown to me to be the person(s) who executed the foregoing instrument, and did acknowledge that such had been so executed for the consideration and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 8th day of November, 2005.

Gary Wayne Harp
NOTARY PUBLIC

10-1-09
Commission Expires:



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Lot Description

Lot A-19, Champions Garden Villas

Lot Owner

THE REAVES TRUST

BY: 

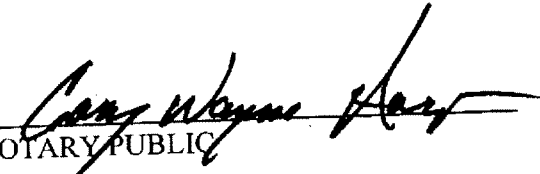
Title: TRUSTEE

STATE OF ARKANSAS)
) ss.
COUNTY OF BENTON)

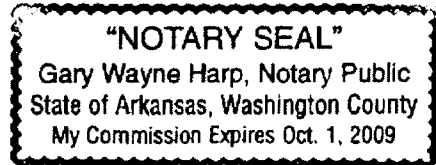
ACKNOWLEDGMENT

Be it remembered that before me, a Notary Public, duly commissioned, qualified and acting, within and for the state and county aforesaid, appeared of THE REAVES TRUST, known to me to be the person(s) who executed the foregoing instrument, and did acknowledge that such had been so executed for the consideration and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 12th day of November, 2005.


NOTARY PUBLIC

10-1-09
Commission Expires:



LOT OWNERS' SIGNATURE PAGE FOR AMENDMENTS TO PROTECTIVE COVENANTS OF GARDEN VILLAS, CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT TO THE CITY OF ROGERS, ARKANSAS, FILED WITH THE CLERK AND RECORDER OF BENTON COUNTY, ARKANSAS, AT BOOK 705, PAGE 77

Lot Description

Lot A-18, Champions Garden Villas

Lot Owner

AVIATION MANAGEMENT, LLC

DENNIS D. DAVIS

BY: [Signature]

Title: PRESIDENT

STATE OF ARKANSAS)
) ss.
COUNTY OF Benton)

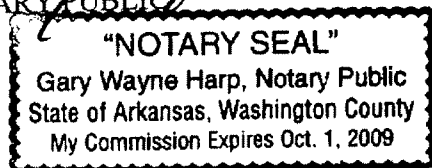
ACKNOWLEDGMENT

Be it remembered that before me, a Notary Public, duly commissioned, qualified and acting, within and for the state and county aforesaid, appeared of AVIATION MANAGEMENT, LLC, known to me to be the person(s) who executed the foregoing instrument, and did acknowledge that such had been so executed for the consideration and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 12th day of November, 2005.

[Signature]
NOTARY PUBLIC

10-1-09
Commission Expires:



LOT OWNERS' SIGNATURE PAGE FOR AMENDMENTS TO PROTECTIVE COVENANTS OF GARDEN VILLAS, CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT TO THE CITY OF ROGERS, ARKANSAS, FILED WITH THE CLERK AND RECORDER OF BENTON COUNTY, ARKANSAS, AT BOOK 705, PAGE 77

Lot Description
Lot A-2A, Champions Garden Villas

Lot Owner
G. Wayne Callahan
G. WAYNE CALLAHAN
Diane F. Callahan
DIANE F. CALLAHAN

STATE OF ARKANSAS)
) ss.
COUNTY OF BENTON)

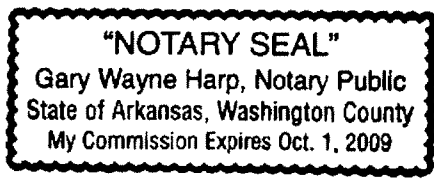
ACKNOWLEDGMENT

Be it remembered that before me, a Notary Public, duly commissioned, qualified and acting, within and for the state and county aforesaid, appeared G. WAYNE CALLAHAN and DIANE F. CALLAHAN, known to me to be the person(s) who executed the foregoing instrument, and did acknowledge that such had been so executed for the consideration and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 12th day of November, 2005.

Gary Wayne Harp
NOTARY PUBLIC

10-1-09
Commission Expires:



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 Brenda DeShields-Circuit Clerk
 Benton County, AR

LOT OWNERS' SIGNATURE PAGE FOR AMENDMENTS TO PROTECTIVE COVENANTS OF GARDEN VILLAS, CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT TO THE CITY OF ROGERS, ARKANSAS, FILED WITH THE CLERK AND RECORDER OF BENTON COUNTY, ARKANSAS, AT BOOK 705, PAGE 77

Lot Description

Lot A-20, Champions Garden Villas

Lot Owner

John Allan Huskins
 JOHN ALLAN HUSKINS

Lisabeth Ann Huskins
 LISABETH ANN HUSKINS

Benton County, AR
 I certify this instrument was filed on
 01-19-2006 09:08:25 AM
 and recorded in Deed Book
 2006 at pages 3665 - 3677
 Brenda DeShields-Circuit Clerk

STATE OF ARKANSAS)
) ss.
 COUNTY OF BENTON)

ACKNOWLEDGMENT

Be it remembered that before me, a Notary Public, duly commissioned, qualified and acting, within and for the state and county aforesaid, appeared JOHN ALLAN HUSKINS and LISABETH ANN HUSKINS, known to me to be the person(s) who executed the foregoing instrument, and did acknowledge that such had been so executed for the consideration and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 12th day of November, 2005.

Gary Wayne Harp
 NOTARY PUBLIC

10-1-09
 Commission Expires:

