

2006 3525  
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01-19-2006 08:36:53 AM  
Brenda DeShields-Circuit Clerk  
Benton County, AR  
2006/3525  
Term/Dashier: CIRCLK01 / driver  
Tran: 3783.113464.315821  
Recorded: 01-19-2006 08:36:59  
OFF Deed  
REC Recording Fee  
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**AMENDMENTS TO  
PROTECTIVE COVENANTS  
OF  
CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT  
TO THE CITY OF ROGERS, ARKANSAS  
PHASE I (ESTATE LOTS)**

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

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**

2006 3527

Recorded in the Above

Deed Book & Page

01-13-2006 08:34:53 AM

**LOT OWNER SIGNATURE PAGE FOR AMENDMENTS TO PROTECTIVE COVENANTS OF PHASE I (ESTATE LOTS), CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT TO THE CITY OF ROGERS, ARKANSAS, FILED FOR RECORD MAY 1, 1989, WITH THE CLERK AND RECORDER OF BENTON COUNTY, ARKANSAS, AT BOOK 705, PAGE 77.**

Lot Description

Lot Owner

Lot 26A Champions Golf and Country Club, Rogers

*Michael T. Hudson*

MICHAEL T. HUDSON

*Linda Hudson*

LINDA HUDSON

STATE OF ARKANSAS )  
                                  ) ss.  
COUNTY OF BENTON )

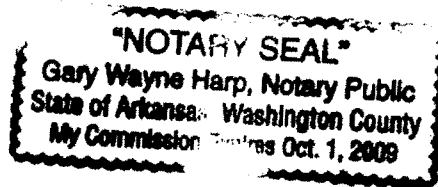
ACKNOWLEDGMENT

Be it remembered that before me, a Notary Public, duly commissioned, qualified and acting, within and for the state and county aforesaid, appeared MICHAEL T. HUDSON and LINDA HUDSON, 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 17th day of December, 2005.

10-1-09  
Commission Expires:

*Gary Wayne Harp*  
NOTARY PUBLIC



2006 3528

Recorded in the Above

Deed Book & Page

2006 05:30:53 AM

**LOT OWNER SIGNATURE PAGE FOR AMENDMENTS TO PROTECTIVE COVENANTS OF PHASE I (ESTATE LOTS), CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT TO THE CITY OF ROGERS, ARKANSAS, FILED FOR RECORD MAY 1, 1989, WITH THE CLERK AND RECORDER OF BENTON COUNTY, ARKANSAS, AT BOOK 705, PAGE 77.**

**Lot Description**

**Lot Owner**

**Lot 1-A Champions Golf and Country Club, Rogers**

**PINNACLE COUNTRY CLUB LTD PARTNERSHIP**

BY: Michael J. Hudson

Title: Gen. Manager

STATE OF ARKANSAS )  
                                  ) ss.  
COUNTY OF BENTON )

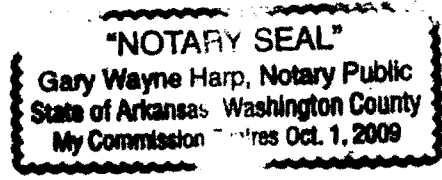
**ACKNOWLEDGMENT**

Be it remembered that before me, a Notary Public, duly commissioned, qualified and acting, within and for the state and county aforesaid, appeared  
of PINNACLE COUNTRY CLUB LTD PARTNERSHIP, 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 20th day of December, 2005.

10-1-09  
Commission Expires:

Gary Wayne Harp  
NOTARY PUBLIC



2006 3529

Recorded in the Above

Seed Book & Page


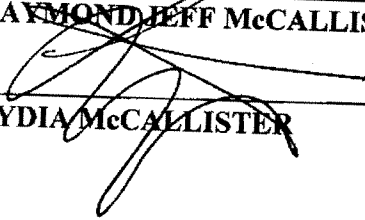
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**LOT OWNER SIGNATURE PAGE FOR AMENDMENTS TO PROTECTIVE COVENANTS OF PHASE I (ESTATE LOTS), CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT TO THE CITY OF ROGERS, ARKANSAS, FILED FOR RECORD MAY 1, 1989, WITH THE CLERK AND RECORDER OF BENTON COUNTY, ARKANSAS, AT BOOK 705, PAGE 77.**

**Lot Description**

**Lot 21 Champions Golf and Country Club, Rogers**

**Lot Owner**

  
\_\_\_\_\_  
**RAYMOND JEFF McCALLISTER**  
  
\_\_\_\_\_  
**LYDIA McCALLISTER**


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 RAYMOND JEFF McCALLISTER and LYDIA McCALLISTER, 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 30th day of November, 2005.

10-1-09  
Commission Expires:

  
\_\_\_\_\_  
NOTARY PUBLIC

"NOTARY SEAL"  
Gary Wayne Harp, Notary Public  
State of Arkansas, Washington County  
My Commission Expires Oct. 1, 2010

2006 3530

Recorded in the Above

Deed Book & Page

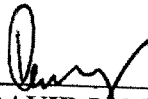
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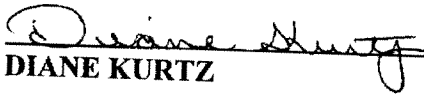
**LOT OWNER SIGNATURE PAGE FOR AMENDMENTS TO PROTECTIVE COVENANTS OF PHASE I (ESTATE LOTS), CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT TO THE CITY OF ROGERS, ARKANSAS, FILED FOR RECORD MAY 1, 1989, WITH THE CLERK AND RECORDER OF BENTON COUNTY, ARKANSAS, AT BOOK 705, PAGE 77.**

Lot Description

Lot Owner

**Lot 28A; All of Lot 28 and the South 20 feet of Lot 27, Champions Golf and Country Club, Rogers**

  
\_\_\_\_\_  
DAVID L. KURTZ

  
\_\_\_\_\_  
DIANE KURTZ


STATE OF ARKANSAS    )  
                                  )    ss.  
COUNTY OF BENTON    )

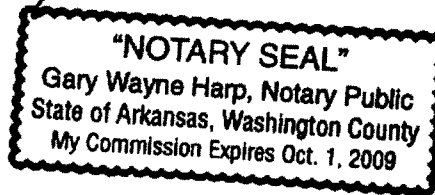
ACKNOWLEDGMENT

Be it remembered that before me, a Notary Public, duly commissioned, qualified and acting, within and for the state and county aforesaid, appeared DAVID L. KURTZ and DIANE KURTZ, 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 November, 2005.

10-1-2009  
Commission Expires:

  
\_\_\_\_\_  
NOTARY PUBLIC



**LOT OWNER SIGNATURE PAGE FOR AMENDMENTS TO PROTECTIVE COVENANTS OF PHASE I (ESTATE LOTS), CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT TO THE CITY OF ROGERS, ARKANSAS, FILED FOR RECORD MAY 1, 1989, WITH THE CLERK AND RECORDER OF BENTON COUNTY, ARKANSAS, AT BOOK 705, PAGE 77.**

Lot Description

Lot Owner

Lot 23 Champions Golf and Country Club, Rogers

J. B. HUNT, LLC

BY: J. B. Hunt

Title: Manager

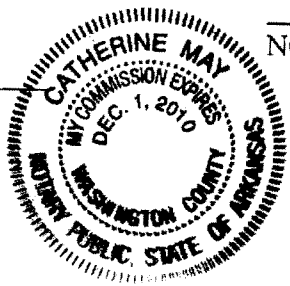
STATE OF ARKANSAS )  
                                  ) ss.  
COUNTY OF BENTON )

ACKNOWLEDGMENT

Be it remembered that before me, a Notary Public, duly commissioned, qualified and acting, within and for the state and county aforesaid, appeared J. B. Hunt, MANAGER of J. B. HUNT, 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 7 day of November, 2005.

12-1-10  
Commission Expires:

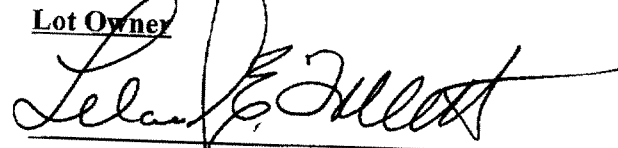


Catherine May  
NOTARY PUBLIC

**LOT OWNER SIGNATURE PAGE FOR AMENDMENTS TO PROTECTIVE COVENANTS  
 OF PHASE I (ESTATE LOTS), CHAMPIONS GOLF AND COUNTRY CLUB  
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 1, 1989, WITH THE CLERK AND RECORDER OF BENTON COUNTY, ARKANSAS, AT  
 BOOK 705, PAGE 77.**

Lot Description

Lot 20 Champions Golf and Country  
 Club, Rogers

Lot Owner  


LELAND E. TOLLETT

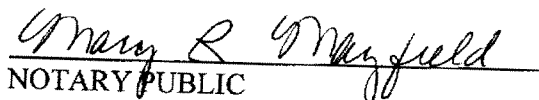
  
 BETTY TOLLETT

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 LELAND E. TOLLETT and BETTY TOLLETT, 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 9th day of November, 2005.

  
 NOTARY PUBLIC

3-1-11  
 Commission Expires:



2006 3533  
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Deed Book & Page

**LOT OWNER SIGNATURE PAGE FOR AMENDMENTS TO PROTECTIVE COVENANTS OF PHASE I (ESTATE LOTS), CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT TO THE CITY OF ROGERS, ARKANSAS, FILED FOR RECORD MAY 1, 1989, WITH THE CLERK AND RECORDER OF BENTON COUNTY, ARKANSAS, AT BOOK 705, PAGE 77.**

Lot Description

Lot Owner

Lot 17 Champions Golf and Country Club, Rogers

THE JACK AND ARDIS MOSER REVOCABLE TRUST DATED MAY 17, 1990

BY: Jack A Moser  
JACK A. MOSER, Trustee

BY: Ardis E. Moser  
ARDIS E. MOSER, Trustee

FLORIDA )  
STATE OF ~~ARKANSAS~~ )  
                  Collier ) 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 Jack A. Moser and Ardis E. Moser, Trustees, The Jack and Ardis Moser Revocable Trust Dated May 17, 1990, 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 24th day of NOVEMBER, 2005.



Priscilla F. Mullvain  
Commission #DD187496  
Expires: Apr 01, 2007  
Bonded Thru  
Atlantic Bonding Co., Inc.

Priscilla F. Mullvain  
NOTARY PUBLIC

Commission Expires:

2006 3534  
Recorded in the Above

DEED BOOK & PAGE  
01-19-2006 08:36:53 AM  
Brenda DeShields Circuit Clerk  
Benton County, AR

**LOT OWNER SIGNATURE PAGE FOR AMENDMENTS TO PROTECTIVE COVENANTS OF PHASE I (ESTATE LOTS), CHAMPIONS GOLF AND COUNTRY CLUB DEVELOPMENT TO THE CITY OF ROGERS, ARKANSAS, FILED FOR RECORD MAY 1, 1989, WITH THE CLERK AND RECORDER OF BENTON COUNTY, ARKANSAS, AT BOOK 705, PAGE 77.**

Lot Description

Lot Owner

Lot 27A; All of Lot 27 Except the South 20 feet, Survey 27-48, Champions Golf and Country Club, Rogers

DALE WEBSTER  
  
CAROLYN JANE WEBSTER

STATE OF ARKANSAS    )  
                                      )    ss.  
COUNTY OF BENTON    )

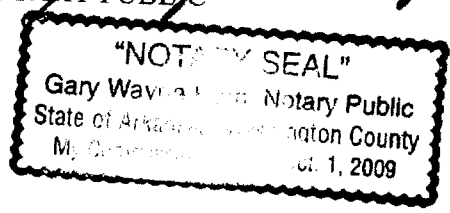
ACKNOWLEDGMENT

Be it remembered that before me, a Notary Public, duly commissioned, qualified and acting, within and for the state and county aforesaid, appeared DALE WEBSTER and CAROLYN JANE WEBSTER, 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 12<sup>th</sup> day of November, 2005.

10-1-09  
Commission Expires:

NOTARY PUBLIC



Benton County, AR  
I certify this instrument was filed on  
01-19-2006 08:36:53 AM  
and recorded in Deed Book  
2006 at pages 3525 - 3534  
Brenda DeShields-Circuit Clerk