

87-21648

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C-164

AMENDMENT TO BILL OF ASSURANCE

KNOW ALL PERSONS BY THESE PRESENTS:

THAT, WHEREAS Bailey Corporation ("Bailey") caused to be filed a Bill of Assurance dated October 15, 1986, which is recorded as Instrument No. 86-68759 in the office of the Recorder for Pulaski County, Arkansas, and which subdivided and referred to a plat of certain real property mentioned in the aforementioned Bill of Assurance, said property being platted as Lots 217-222; 225; 226; 364-366; 389-398; 408 and 409; and 465-474, inclusive, St. Charles, an Addition to the City of Little Rock, Arkansas; and

WHEREAS, Bailey owns more than 50% of the combined total area of land in St. Charles Addition and all additional property which Bailey, by preliminary plat approval, reserved the right to plat as a part of St. Charles Addition, as contemplated by paragraph number 26 of the Bill of Assurance above referenced; and

WHEREAS, Bailey desires, pursuant to paragraph number 26, to amend the Bill of Assurance, to effect a replat of certain lots; and

WHEREAS, Bailey has caused to be prepared a plat by White-Daters & Associates, Inc., by Timothy E. Daters, Registered Professional Engineer, dated March 21, 1987, bearing the title "Lots 390R and 391R, St. Charles, an Addition to the City of Little Rock, Arkansas, being a Replat of Lots 390, 391 and 392, St. Charles, an Addition to the City of Little Rock, Arkansas," recorded in plat book C at page 164 (herein "the replat");

NOW THEREFORE, the aforementioned Bill of Assurance is hereby amended as follows:

1. As to this replatting of Lots 390, 391 and 392, paragraph 24, containing a prohibition on subdivision of lots, is waived.

Amendment 390 R, 391 R

TO AMENDS 390R & 391R FROM 390, 391, & 392

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2. The reference in the aforementioned Bill of Assurance to Lots 390, 391 and 392, shall henceforth be deemed to refer to said area as Lots number 390R and 391R, to correspond with the replat of said three lots into two lots.

3. Owners of Lots 391R, 393, 394 and 395 shall take title thereto subject to a reciprocal easement for ingress and egress across the area designated "easement" on the replat, in favor of the owners of the remaining four lots and Lots 19, 20 and 21, Block 23, Neimeyer Grove Addition to the City of Little Rock, Arkansas.

4. The "easement" shall be maintained by the owners of Lots 391R, 393, 394 and 395, and Lots 19, 20 and 21, Block 33, Neimeyer Grove Addition to the City of Little Rock, Arkansas, at their equal expense.

IN WITNESS WHEREOF, Bailey has caused this instrument to be executed by its duly authorized officers on this 2nd day of April, 1987.

LITTLE ROCK, ARKANSAS
G.M.
Van McLeod
April 3, 1987

BAILEY CORPORATION
BY *Jack R. McCray*
Vice President

ATTEST:
Leah Casadine
Out. Secretary

Lots Owned: 57
Unplatted Acreage Owned: 85

STATE OF ARKANSAS)
) ss.
COUNTY OF PULASKI)

ACKNOWLEDGMENT

On this day personally appeared before me the undersigned, a Notary Public within and for the County and State aforesaid, duly qualified, commissioned and acting, the within named Jack R. McCray and Leah Casadine to me personally well known, who stated that they were the Vice President and Secretary respectively, of Bailey Corporation, a corporation, and acknowledged that they were duly authorized in their respective capacities to execute the foregoing instrument for and in the name and behalf of said corporation, and further stated and acknowledged that they had so signed, executed and delivered said foregoing instrument for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and official seal on this 2nd day of April, 1987.

Patricia A. Kirshen
Notary Public

My Commission Expires:
February 15, 1990
(S E A L)

1017-11-10