

89-19984

612

C-759

89-19984

AMENDMENT TO BILL OF ASSURANCE

FILED & RECORDED

APR 18 1989

D. Clark
REGISTERED PROFESSIONAL ENGINEER
AND SURVEYOR

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

390 RR
391 RR
393

WHEREAS, Bailey, along with its affiliate, Bailey Holding Company, 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

Amendment

390 RR
391 RR

WHEREAS, Craig and Andrea Westbrook (Westbrook) are the owners of lot 391R; and

WHEREAS, Bailey and Westbrook desire, 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 17, 1989, bearing the title "Lots 390RR and 391RR, St. Charles, an Addition to the City of Little Rock, Arkansas, being a Replat of Lots 390R, 391R and 393; St. Charles, an Addition to the City of Little Rock, Arkansas," recorded in plat book C at page 759 (herein "the replat");

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

(I)



1. As to this replatting of Lots 390R, 391R and 393, paragraph 24, containing a prohibition on subdivision of lots, is waived.

2. The reference in the aforementioned Bill of Assurance to Lots 390R, 391R and 393, shall henceforth be deemed to refer to said area as Lots number 390RR and 391RR, to correspond with the replat of said three lots into two lots.

IN WITNESS WHEREOF, Bailey has caused this instrument to be executed by its duly authorized officers on this 12th day of April, 1989.

LITTLE ROCK PLANNING COMMISSION APPROVED

Van W. [Signature]

BAILEY CORPORATION

April 18, 1989

BY: Virginia M. Bailey
President

ATTEST:

J. D. Crabtree
Secretary

Lots Owned: 49

Unplatted Acreage Owned: .76

ACKNOWLEDGMENT

STATE OF ARKANSAS)
) ss.
COUNTY OF PULASKI)

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 Virginia M. Bailey and J. D. Crabtree to me personally well known, who stated that they were the 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 12th day of April, 1989.

[Signature]
Notary Public

My Commission Expires:

February 15, 1990

(S E A L)

620

1. As to this replatting of Lots 390R, 391R and 393, paragraph 24, containing a prohibition on subdivision of lots, is waived.

2. The reference in the aforementioned Bill of Assurance to Lots 390R, 391R and 393, shall henceforth be deemed to refer to said area as Lots number 390RR and 391RR, to correspond with the replat of said three lots into two lots.

IN WITNESS WHEREOF, Bailey has caused this instrument to be executed by its duly authorized officers on this 12th day of April, 1989.

LITTLE ROCK PLANNING COMMISSION APPROVED

Van W. Clark
April 18, 1989

BAILEY CORPORATION

By Virginia M. Bailey
President

ATTEST:

F. D. Crabtree
Secretary

Lots Owned: 49

Unplatted Acreage Owned: 76

ACKNOWLEDGMENT

STATE OF ARKANSAS)
)ss.
COUNTY OF PULASKI)

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 Virginia M. Bailey and F. D. Crabtree to me personally well known, who stated that they were the 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 12th day of April, 1989.

Arthur A. Kishner
Notary Public

My Commission Expires:

February 15, 1990
(S E A L)

501

By Craig Westbrook
Craig Westbrook

By Andrea Westbrook
Andrea Westbrook

Lot Owned: 391R

ACKNOWLEDGMENT

STATE OF ARKANSAS)
) ss.
COUNTY OF PULASKI)

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 Craig Westbrook and Andrea Westbrook to me personally well known and stated that they had executed the foregoing document for the consideration, uses and purposes therein mentioned and set forth.

WITNESS my hand and official seal on this 12th day of April, 1989.

Patricia A. Kishan
Notary Public

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