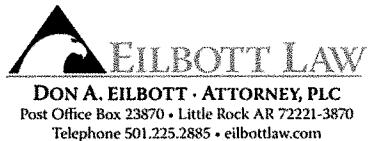


This Instrument Prepared By:***Recording Information:***Pages: 5
ER

**DECLARATION OF GOVERNANCE,
COVENANTS AND RESTRICTIONS,
MIDTOWN BRYANT, PHASE III,
SALINE COUNTY, ARKANSAS**

This DECLARATION OF GOVERNANCE, COVENANTS, AND RESTRICTIONS, MIDTOWN BRYANT, PHASE III, SALINE COUNTY, ARKANSAS is executed this 19th day of November, 2024, and is made by **GRAHAM SMITH CONSTRUCTION, LLC**, an Arkansas Limited Liability Company, by Robert Graham Smith, its authorized member, duly authorized by appropriate resolution of the members of Graham Smith Construction, LLC, hereinafter referred to as "Developer":

1. City of Bryant, Arkansas Municipal Property Owner's Multipurpose Improvement District No. 84 (Midtown Project) caused to be filed in the Office of the Circuit Clerk and Ex-Officio Recorder of Saline County, Arkansas, a certain **AMENDED AND RESTATED DECLARATION OF GOVERNANCE, COVENANTS AND RESTRICTIONS, MIDTOWN**

BRYANT, SALINE COUNTY, ARKANSAS, as Instrument No. 2021-010225 on April 22, 2021, same is hereafter referred to as "Original Declaration" and;

2. Developer hereby dedicates and declares the property described in Exhibit A attached hereto and made a part hereof and incorporated herein as though specifically set forth word for word, shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements and charges as set forth in the Original Declaration, and that same are hereby incorporated herein as though set forth word for word.

3. Developer has caused to be made a **PLAT** hereinafter referred to as "the "Plat", filed herewith in the Plat Record Book as Instrument No. 2024-021127, prepared by Hope Consulting. and showing a Certificate of Surveying Accuracy by Jonathan L. Hope, Registered Professional Land Surveyor, No. 1762, and a Certificate of Engineering Accuracy, by William W. McFadden, Registered Professional Engineer, No. 14048, dated the 18 day of November, 2024, and bearing a Certificate of Approval executed by the Planning Commission of the City of Bryant Arkansas, and showing the boundaries and dimensions of the property now being subdivided into lots, tracts and streets.

4. Developer, to the extent required, hereby donates, and dedicates to the public an easement of way on, over and under the streets and rights of way on the Plat to be used and utilized as public streets. In addition to the streets that are shown on the Plat, certain easements for drainage and/or utilities which Developer hereby donates and dedicates to and for the use of public utilities, without limiting the generality of the foregoing; specifically, electric power, gas, telephone, water, sewer and cable television with a right hereby granted to the persons, firms and corporations engaged in supplying the utilities to use and occupy the easements and to have ingress and egress therefrom for the installation, maintenance, repair and replacement of the utility services.

5. The filing of this **DECLARATION OF GOVERNANCE, COVENANTS, AND RESTRICTIONS, MIDTOWN BRYANT, PHASE III, SALINE COUNTY, ARKANSAS** and Plat for record in the office of the Circuit Clerk and Ex-Officio Recorder of Saline County, Arkansas, shall be a valid and complete delivery and dedication of the streets and easements subject to the limitations herein set out.

6. The lands and property embraced in the PLAT shall be forever known as:

BLOCK 7, LOTS 11 THROUGH 14

BLOCK 17, LOTS 1 THROUGH 4

BLOCK 17, LOTS, 14, 15, 16, 21, 22, AND 23

BLOCK 18, LOTS 1 AND 12

BLOCK 19, LOTS 1 THROUGH 7

BLOCK 19, LOTS 12 THROUGH 17

ALL IN MIDTOWN BRYANT, PHASE III,

SALINE COUNTY, ARKANSAS

and any and every deed of conveyance of any lot so described shall be deemed to contain a sufficient description thereof.

EXECUTED the date first mentioned above.

GRAHAM SMITH CONSTRUCTION, LLC

BY


**ROBERT GRAHAM SMITH,
AUTHORIZED MEMBER**

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Be it remembered that on this 19 day of November^{4JR}, 2022, before me, a notary public within and for the county and state aforesaid, duly qualified and acting, appeared **ROBERT GRAHAM SMITH**, to me well known, who stated he was a Member of **GRAHAM SMITH CONSTRUCTION, LLC**, an Arkansas Limited Liability Company, and was duly authorized in that capacity to execute the foregoing for and on behalf of the Limited Liability Company, and stated he had executed and delivered the foregoing for the considerations and purposes therein mentioned and set forth.

WITNESS my hand and seal this 19 day of November, 2024.

Jennice Ratley
Notary Public

My Commission Expires:

11-29-33

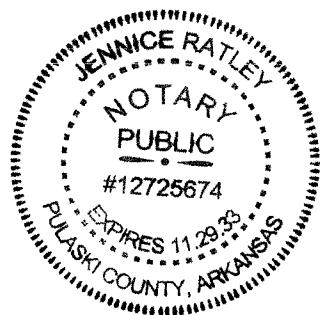


EXHIBIT A

PROPERTY DESCRIPTION:

PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW/4 SW/4) OF SECTION 15, AND PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE/4 SE/4), OF SECTION 16; ALL BEING IN TOWNSHIP 1 SOUTH, RANGE 14 WEST, IN SALINE COUNTY, ARKANSAS, AND ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SAID SECTION 16, A FOUND 2 1/2" ALUMINUM CAP;

THENCE S64°15'57"E 256.15 FEET TO A FOUND 5/8" REBAR AND CAP; THENCE S30°59'30"E 109.46 FEET TO A SET 5/8" REBAR AND CAP ON THE NORTH LINE OF MIDTOWN BRYANT SUBDIVISION, PHASE 1;

THENCE S65°31'14"W 99.25 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF COURT STREET;

THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 172.00 FEET AND LENGTH OF 43.59 FEET AND A CHORD OF N31°44'21"W 43.47 FEET TO A SET 5/8" REBAR AND CAP;

THENCE LEAVING SAID EAST LINE S51°00'04"W 82.02 FEET TO A SET 5/8" REBAR; THENCE S88°51'44"E 264.00 FEET TO A SET 5/8" REBAR AND CAP;

THENCE S01°08'16"W 59.00 FEET TO A SET 5/8" REBAR AND CAP; THENCE N88°51'44"W 263.29 FEET TO A SET REBAR AND CAP; THENCE N01°08'16"E 24.00 FEET TO A SET REBAR AND CAP; THENCE N88°51'44"W 12.00 FEET TO A SET REBAR AND CAP; THENCE S88°42'49"W 23.64 FEET TO A SET REBAR AND CAP; THENCE N88°51'44"W 90.00 FEET TO A SET REBAR AND CAP; THENCE N01°04'10"W 318.00 FEET TO A SET REBAR AND CAP; THENCE S88°55'31"E 537.96 FEET TO A SET REBAR AND CAP;

TO THE POINT OF BEGINNING, ENCLOSING 4.97 ACRES OR 2161,344 SQ. FEET.