

**ADDENDUM TO THE  
BILL OF ASSURANCE AND RESTRICTIVE  
COVENANTS FOR  
CREEKSTONE SUBDIVISION**

Vancon, L.L.C., is the sole Owner and Developer of Phase III, referred to as "Creekstone Estates", more particularly described as:

**Lots 1-24 Creekstone Subdivision, Phase III, Benton County Arkansas as shown in Plat Record Book 2016 at Page 754.**

The owner hereby establishes and creates the following Addendum to reflect **amendment** to the Protective Covenants of the original Creekstone Subdivision, filed in the real estate records of Benton County, Arkansas, on August 5, 2004 in **Book 2004 at Page 36051** which shall amend and apply specifically to all of Phase III of said subdivision referred to as "Creekstone Estates" as per final plat filed of record in Benton County, Arkansas, on October 10, 2016 in Plat Record Book 2016 at Page 754; **LESS AND EXCEPT** Lot 25, Phase III which will not be encompassed in Creekstone Estates and therefore will fall under the original Bill of Assurance and be included within Phase I and Phase II guidelines. All other sections and sub-sections not specifically stated below shall remain the same for all Phases (I, II and III) of Creekstone Subdivision.

**1. BUILDING LIMITATIONS.**

- (b) Dwelling Size. No dwelling structure shall be constructed upon any lot within Creekstone Estates of any size less than three thousand five hundred (3,500) square feet of heated living space, with the minimum of two thousand two hundred (2,200) square feet on the first floor of two (2) story structures, without approval of the Architectural Control Committee (as hereinafter set forth and referred to as "ACC"). Further, each dwelling shall have a private garage for not less than three (3) cars with dimensions of not less than twenty two (22) feet by thirty two (32) feet, and shall have at minimum a concrete or asphalt driveway or other ACC approved material.
- (c) Architectural Control Committee Approval. Compliance with the City of Bentonville subdivision and building codes

shall be judged and determined by and require a prior approval of the ACC (as hereinafter set forth), which shall view all plans and specifications for all structures prior to construction and be given the power to amend or alter any such designs or specifications prior to approval for construction in Creekstone. The specifications and requirements of the above mentioned R 1 and RE zoning designations are designed as a minimum requirement for architectural and design specifications and may be supplemented from time to time, where not inconsistent, by the ACC, and such requirements shall be binding for prior approval of construction as required by these covenants. All approved builders and owners must contact the ACC prior to commencement of construction to be apprised of current requirements. Revisions to approved architectural plans are disallowed unless approved by the ACC.

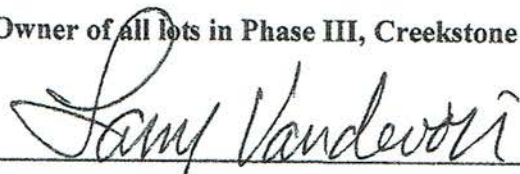
2. **BUILDING MATERIALS.** The exterior walls of each building constructed or placed on a lot shall be at least fifty percent (50%) brick, brick veneer, stone, stone veneer or masonry, and exterior portion of any fireplace chimney shall be one-hundred percent (100%) brick, stone or masonry. No concrete block shall be visible from any street, alley or adjoining lot. All siding used on exterior of building will be wood or cement, no vinyl siding shall be allowed. Variations in percentages must be approved by the ACC.
  
4. **PRE-DESIGNATED BUILDERS.** It is specifically understood and agreed between the Developer and the property owner that only approved building contractors shall be authorized to construct dwellings within Creekstone Estates. Neither an owner nor anyone not an approved builder may construct dwellings within Creekstone Estates. An owner cannot select a builder without such builder being approved by the ACC.
  
6. **CREEKSTONE PROPERTY OWNERS ASSOCIATION.** Additional assessments for maintenance of streets, street signs, street lights and all common areas including gate, gatehouse and fencing will be required of Creekstone Estates property owners.
  
19. **FENCES.** Fencing of front yards is prohibited except upon approval by the

ACC. Rear yard fences must be of a masonry, metal or decorative wood design. Chain link fences and other forms of wire fencing are specifically prohibited. No fence shall exceed six (6) feet in height. All fencing, of any kind or placement shall require ACC approval.

23. **MAIL BOXES.** Must be a decorative metal or masonry mail box that coordinates with the exterior of the residence and is approved by the ACC.
24. **AMENDMENTS OF COVENANTS.** These covenants may be amended at any time with the written approval of two-third (2/3rds) of the lots within the Creekstone Estates. Further, no amendments shall be allowed which would be in violation of the zoning designation in effect at the time of the amendment.
25. **DURATION OF AMENDMENT TO COVENANTS.** This addendum to the covenants and restrictions shall run with the land and original Covenants filing date, until August 5, 2034, and will be automatically extended for successive periods of five (5) years without further action unless terminated by a majority of lot owners in the Phase III portion of the subdivision.
26. **SEVERABILITY .** Invalidation of any restriction set forth herein, or any party thereof, shall not invalidate or affect any of the other restrictions, but they shall remain in full force and effect.

Approved this 21 day of OCT, 2016.

Owner of all lots in Phase III, Creekstone Subdivision



Vancon, L.L.C.,

by Larry Vandevor, Managing Partner

ACKNOWLEDGEMENT

STATE OF ARKANSAS )  
 )ss.  
COUNTY OF BENTON )

BE IT REMEMBERED , that before me, a Notary Public, duly commissioned , qualified and acting, within and for the state and county aforesaid, personally appeared, **Larry Vandevor**, who stated that he is the **Managing Partner of Vancon L.L.C.**, and is duly authorized in that capacity to execute the foregoing instrument for and in the name and behalf of said company and further stated and acknowledged that he had so signed, executed and delivered said instrument for the consideration , uses and purposes therein mentioned and set forth.

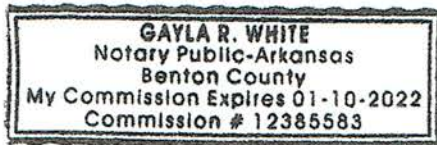
IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this

25<sup>th</sup> day of October, 2016.

*Gayla White*

My Commission Expires: 1-10-22

Notary Public



Tran: 400975  
Total Fees: \$30.00

Benton County, AR  
I certify that this instrument was Electronically filed  
on 10/21/2016 3:57:20PM  
in DEED Book 2016 Pages 64403 - 64407  
Brenda DeShields-Circuit Clerk





L202100266 1/4/2021 11:57:37 AM

Recorded - Benton County, AR

Brenda DeShields, Circuit Clerk

**AMENDMENT  
TO THE ADDENDUM TO THE BILL OF ASSURANCE AND RESTRICTIVE  
COVENANTS FOR CREEKSTONE SUBDIVISION**

Vancon, L.L.C., the 2/3rds majority Owner and Developer of Phase III, referred to as "Creekstone Estates", more particularly described as:

**Lots 1-24 Creekstone Subdivision, Phase III, Benton County, Arkansas as shown in Plat Record Book 2016 at Page 754.**

The owner hereby amends the Addendum filed for record in Benton County, Arkansas in Book 2016 Page 64403, to include the following requirements/limitations:

5. Architectural Control Committee

(d) Lot Splits are not allowable. Any Lot Conjoining requests shall be approved by the ACC prior to submission to the Bentonville Planning Commission for municipality approval.

Approved this 4<sup>th</sup> day of January, 2021 by owner of 16 lots in Phase III, Creekstone Subdivision.

Vancon, LLC

By Larry Vandevor, Managing Partner

ACKNOWLEDGEMENT

STATE OF ARKANSAS    )  
                                  )ss.  
COUNTY OF BENTON    )

BE IT REMEMBERED , that before me, a Notary Public, duly commissioned , qualified and acting, within and for the state and county aforesaid, personally appeared, Larry Vandevor, who stated that he is the Managing Partner of Vancon, LLC, and is duly authorized in that capacity to execute the foregoing instrument for and in the name and behalf of said company and further stated and acknowledged that he had so signed, executed and delivered said instrument for the consideration , uses and purposes therein mentioned and set forth.

4th IN WITNESS WHEREOF,, I have hereunto set my hand and seal of office this day of January, 2021.

My Commission Expires: 4/4/2029

  
\_\_\_\_\_  
Notary Public

