

**Amendment to the
Bill of Assurance and Restrictive Covenants for
Creekstone Subdivision**

(Amending a certain Bill of Assurance and Restrictive Covenants for Creekstone Subdivision, Phase I, Phase II, and Phase III, Bentonville, Arkansas, filed for record in the real estate records of the Circuit Clerk and Ex-Officio Recorder of Benton County, Arkansas, on August 5, 2004 at Book 2004 Page 36051, as amended)

THIS AMENDMENT TO THE BILL OF ASSURANCE AND RESTRICTIVE COVENANTS FOR CREEKSTONE SUBDIVISION PHASE I, PHASE II, AND PHASE III, BENTONVILLE, ARKANSAS (the "Amendment") is made and executed effective as of the 31st day of December, 2023 (the "Effective Date"), by the undersigned, Creekstone Property Owners Association, Inc., an Arkansas not for profit corporation (the "Association"), on behalf of the record owners of more than two-thirds (2/3) of the lots of Creekstone Subdivision, Phase I, Phase II, and Phase III, Bentonville, Arkansas.

RECITALS:

WHEREAS, the owners of the lots in Creekstone Subdivision, Phase I, Phase II, and Phase III, Bentonville, Arkansas, as more particularly described on Exhibit A attached hereto, adopted that certain Bill of Assurance and Restrictive Covenants for Creekstone Subdivision, Bentonville, Arkansas, dated and filed of record on August 5, 2004 with the Clerk of Benton County, Arkansas, Book 2004 Page 36051 (collectively, with any amendments thereto prior to the date hereof, the "Covenants");

WHEREAS, the Association was organized on January 12, 2022 as a non-profit corporation to act as a property owners' association on behalf of the lot owners of Creekstone Subdivision, Phase I, Phase II and Phase III, Bentonville, Arkansas;

WHEREAS, the owners of lots in Creekstone Subdivision Phase I, Phase II, and Phase III wish to further amend the Covenants;

WHEREAS, Section 24 of the Covenants provides for an amendment of the Covenants with the written approval of two-thirds (2/3) of the lots within Creekstone Subdivision;

WHEREAS, the Association has obtained written approval of two-thirds (2/3) of the lots within Creekstone Subdivision.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. **Incorporation of Recitals.** The recitals set forth above are not mere recitals of fact but are contractual in nature and incorporated in this Amendment by reference, except in the event of a conflict between the incorporated recitals and the numbered sections of this Amendment, the numbered sections of this Amendment shall control.

2. **Section 10 of the Covenants.** Section 10 of the Covenants is hereby deleted and replaced in its entirety with the following new Section 10:

“10. **Signs.** Small, temporary signs such as school achievement, birthday, or congratulatory announcements may be placed in one’s yard for a period of no more than fourteen (14) days, provided the signs are in good repair. Political signs that are no more than 18”x30” may be displayed but must be removed within two days of Election Day or within 14 days of placement, whichever is less. The ACC reserves the right to prohibit any sign which it deems to be offensive or in poor taste. A single sign not more than five (5) square feet in size may be permitted to advertise the same for sale or for construction site purposes.”

3. **Section 19 of the Covenants.** Section 19 of the Covenants is hereby deleted and replaced in its entirety with the following new Section 19:

“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.”

4. **Section 27 of the Covenants.** Section 27 of the Covenants is hereby deleted and replaced in its entirety with the following new Section 27:

“27. **Solar Panels.** Solar panels are permissible and must be placed outside of view from the street. Placement of solar panels shall require ACC approval.”

5. **Ratification.** All other terms and conditions of the Covenants, except as modified herein, remain in full force and effect without modification, with the owners of lots acknowledging and ratifying the terms and conditions thereof.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK. SIGNATURE PAGE TO FOLLOW.]

ASSOCIATION:

CREEKSTONE PROPERTY OWNERS ASSOCIATION, INC.
An Arkansas non-profit corporation



Brad Fisher, President

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1-26 C
EKS

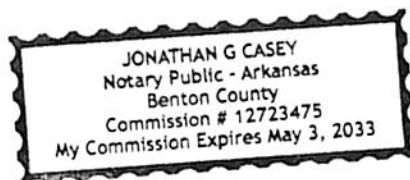
ACKNOWLEDGMENT

STATE OF ARKANSAS)
) ss.
COUNTY OF BENTON)

BE IT REMEMBERED, that on this day came before me, the undersigned, a Notary Public within and for the County aforesaid, duly commissioned and acting, **Brad Fisher** (being the person authorized by said nonprofit corporation to execute such instrument, stating his capacity in that behalf), to me personally well known (or satisfactorily proven to be such person), who stated that he was the President of the CREEKSTONE PROPERTY OWNERS ASSOCIATION, INC., an Arkansas nonprofit corporation, and was duly authorized in his respective capacity to execute the foregoing instrument for and in the name and behalf of said nonprofit corporation, and further stated and acknowledged he had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

Witness my hand and seal as such Notary Public on this 4th day of May, 2026 ^{JGC}
~~2025~~

SEAL





NOTARY PUBLIC

I certify under penalty of false swearing that at least the legally correct amount of documentary stamps has been placed on this instrument.

GRANTEE/AGENT

Send Tax Statements To:
Creekstone Property Owners Association, Inc.
C/O Jason Bales
3709 NW Riverbend Rd.

EXHIBIT A

CREEKSTONE SUBDIVISION, PHASE I

Lots 1-56 Creekstone Subdivision, Phase I, Benton County, Arkansas as shown in Plat Record Book 2002 at Page 52, Book 2004 at Page 257, Book 2004 at Page 365, and Book 2004 at Page 404.

AND

CREEKSTONE SUBDIVISION, PHASE II

Lots 1-32 Creekstone Subdivision, Phase II, Benton County, Arkansas as shown in Plat Record Book 2006 at Page 494.

AND

CREEKSTONE SUBDIVISION, PHASE III

Lots 1-50 Creekstone Subdivision, Phase III, Benton County, Arkansas as shown in Plat Record Book 2016 at Page 754.



User Name: CHELSEA
CERTIFICATE OF RECORD
STATE OF ARKANSAS, COUNTY OF BENTON
I hereby certify that this instrument was
Filed and Recorded in the Official Records
L202624961 5/4/2026 11:02:28 AM
Brenda DeShields, Circuit Clerk
BENTON CO, AR FEE \$30.00