



Pineview Estates
Property Owners Association
Mount Ida, Arkansas



Randy Carver, Pres.
Bob Lybrand, V. Pres.
Glenna Lybrand, Sec/Tres.

Construction Approval Committee:
Randy Carver Bob Lybrand
Gene Campbell Owen Danley

March 1, 2003

Action Realty
125 Highway 270 E
Mount Ida, AR 71957

Gentlemen:

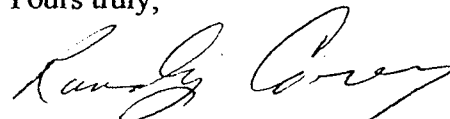
We are contacting all real estate agents in the area to inform you of changes in the restrictions of the subdivision known as Pineview Estates in Mount Ida, Arkansas.

Having recently formed the Property Owners Assn., we are concerned with carrying out the restrictions that are in effect. Some homes, not meeting the restrictions, have been built without the required signatures. We want realtors to be aware that, to build a house or any structure in Pineview Estates, the owner, or prospective owner, must have the building plans approved by the Construction Approval Committee, which may change from time to time. The original restrictions required the approval of Wade Abernathy and Mary Abernathy, the original owners and developers. However, since the Abernathys no longer own any property in Pineview Estates, we have obtained their permission to replace their names. This document is filed in the court house in deed record book 124 on page 189. A document to delete their names and add "Construction Approval Committee" has been drafted and will be filed at the court house within a few days.

The Property Owners Association is concerned that some buildings have been built without the proper obtaining of signatures. Our restrictions require that 2/3 of the lot owners must sign a petition to make any changes in the restrictions. Since there are 34 lots in the subdivision, this means that any changes in the restrictions would require the signatures of 23 lot owners, not 23 individuals. Some owners may have more than one lot, in which case, they would have additional votes.

Please be sure that any prospective buyer of lots or houses is provided with the restrictions and the amendments so that they may comply before they begin any construction. The POA will be happy to assist you in any way.

Yours truly,



Randy Carver, President

MOUNT IDA ABSTRACT & TITLE CO., INC.

P. O. Box 97

MOUNT IDA, ARKANSAS 71957

"We Appreciate Your Business"

No. HAD FROM DEED BOOK "68", PAGE 823

(1)

DECLARATION OF RESTRICTIONS AFFECTING
PINE VIEW ESTATES, A SUBDIVISION LOCATED IN THE
EAST ONE-HALF OF THE SOUTHEAST QUARTER IN
SECTION 29 AND THE NORTHEAST QUARTER OF THE
NORTHEAST QUARTER OF SECTION 32,
ALL IN TOWNSHIP 2 SOUTH, RANGE 24 WEST,
IN MONTGOMERY COUNTY, ARKANSAS

WHEREAS, WADE ABERNATHY and MARY ABERNATHY, his wife, have heretofore executed a Bill of Assurance of Pine View Estates Subdivision a subdivision located in the East One-Half of the Southeast Quarter of Section 29, and the Northeast Quarter of the Northeast Quarter of Section 32, all in Township 2 South, Range 24 West, in Montgomery County, Arkansas, and described as follows:

All that part of the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 29 lying South of the center line of U. S. Highway No. 270, containing 43 acres, more or less; AND, the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, containing 40 acres, more or less, All in Township 2 South, Range 24 West, and containing in the aggregate 83 acres, more or less;

which Bill of Assurance, together with the Plat attached hereto, has been recorded in Record Book 69⁸ at Page 821 et seq. of the Records of Deeds and Mortgages of Montgomery County, Arkansas; and

WHEREAS, WADE ABERNATHY and MARY ABERNATHY, his wife, now desire to place certain restrictions on the use of the lots in said Pine View Estates Subdivision for the benefit of the present owners and their

MOUNT IDA ABSTRACT & TITLE CO., INC.

P. O. Box 97

MOUNT IDA, ARKANSAS 71957

"We Appreciate Your Business"

No. HAD FROM DEED BOOK "68", PAGE 823-824

(2)

grantees;

NOW THEREFORE, in consideration of the premises, Pine View Estates Subdivision, binding its successors and assigns, hereby agrees and declares that all of the lots in Pine View Estates Subdivision shall be and they are hereby restricted as to their use in the manner hereinafter set forth:

SECTION ONE - USE OF LAND

None of the lots in said Pine View Estates Subdivision shall be improved, used or occupied for other than residential purposes and specifically none of the said lots shall be used for any commercial purposes, including but not limited to motels, tourist courts, motor hotels, garage apartments, mobile homes, house trailers, etc.

SECTION TWO - APPROVAL OF PLANS

No residence shall be erected on any of the lot or lots in said Pine View Estates Subdivision unless the plans for said residence, with garages and outhouses have first been approved by WADE ABERNATHY and MARY ABERNATHY, owners, and said approval will be granted only in the event said plans conform to the purpose and beauty of the entire property and the prior residences construced thereon.

SECTION THREE - SIZE OF BUILDINGS

All residences erected on any of said lot or lots in Pine View Estates Subdivision shall contain not less than 1,200 square feet of

MOUNT IDA ABSTRACT & TITLE CO., INC.

P. O. Box 97

MOUNT IDA, ARKANSAS 71957

"We Appreciate Your Business"

No. HAD FROM DEED BOOK "68", PAGE 824 (3)

of heated space and no residence shall be construed on any of said lot or lots if the size is less than the square footage above stated.

SECTION FOUR - CONSTRUCTION

All residences constructed on said lots or lot in said Pine View Estates Subdivision shall be constructed in such a manner so that at least one-half of the front of said residence shall contain or be constructed with brick or rock.

SECTION FIVE - SET BACK FROM STREET

No part of any residence, garage or outhouse shall be erected or maintained on any of said lots in Pine View Estates Subdivision nearer than thirty five (35) feet to any road as dedicated or nearer than thirty five (35) feet to any road which might be dedicated in the future in said subdivision.

SECTION SIX - DISTANCE FROM SIDE LINES

No part of any residence, garage or outhouse on any of said lot or lots in Pine View Estates Subdivision shall be nearer than fifteen (15) feet to the side lines of said lot or lots; provided however, if any person or two or more persons jointly shall become the owner or owners of two or more adjoining lots, the two or more adjoining lots owned by one person or two or more persons jointly may be considered as one lot within the meaning of this section.

SECTION SEVEN - MOBILE HOMES

MOUNT IDA ABSTRACT & TITLE CO., INC.

P. O. Box 97

MOUNT IDA, ARKANSAS 71957

"We Appreciate Your Business"

No. HAD FROM DEED BOOK "68", PAGES 824-825

(4)

No mobile homes, trailer houses or homes referred to as manufactured houses shall be built on any of said lot or lots in said Pine View Estates

SECTION EIGHT - KEEPING OF LIVESTOCK

No livestock, animals, fowl or fish, other than pets, shall be kept on any of said lands.

SECTION NINE - OFFENSIVE ACTIVITY

No noxious or offensive activity nor anything which shall be of annoyance or nuisance to the neighborhood shall be permitted on any of said lot or lots.

SECTION TEN - WAIVER

Any of the restrictions set out herein may be set aside and changed by the written and recorded agreement of two-thirds (2/3) of the owners of land in the said Pine View Estates Subdivision, which agreement must be acknowledged and recorded on the Records of Deeds and Mortgages of Montgomery County, Arkansas, before it becomes effective and shall set out specifically the modifications or changes which are desired.

SECTION ELEVEN - COVENANT

WADE ABERNATHY and MARY ABERNATHY, his wife, do hereby declare that the restrictions set out herein shall be considered both as covenants and conditions and that said covenants and conditions shall run with the land, and in the event of the breach of any such covenant

"We Appreciate Your Business"

/s/ Mary Abernathy
MARY ABERNATHY