

FILED
SALINE COUNTY
CIRCUIT CLERK

2008 NOV 26 AM 10:38

DECLARATION AND DEDICATION OF
MIDTOWN BRYANT, PHASE 2



PART A. PREAMBLE

WHEREAS, TND DEVELOPERS, LLC, an Arkansas Limited Liability Company (hereinafter referred to as the "Founder"), by virtue of Instrument #07 095827, of the following land situated in Saline County, Arkansas, to wit:

MIDTOWN BRYANT, PHASE 2

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:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SAID SECTION 16, A FOUND 2 1/2" ALUMINUM CAP IN THE PAVEMENT OF HILLTOP ROAD; THENCE S02°34'40"W 2648.52 FEET TO A FOUND 2 1/2" ALUMINUM CAP AT THE NORTHWEST CORNER OF THE SAID NE/4 SE/4 OF SECTION 16; THENCE S64°15'57"E 256.15 FEET TO A SET 5/8" REBAR AND CAP; THENCE S30°59'30"E 109.46 FEET; THENCE S65°31'14"W 99.25 FEET TO A SET 5/8" REBAR AND CAP; THENCE ALONG THE EAST LINE OF "COURT" STREET, ALONG A NON-TANGENT CURVE TO THE SOUTHEAST, CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 172.00' AND LENGTH OF 43.59' FOR A CHORD OF N31°44'21"W 43.47 FEET TO A SET 5/8" REBAR AND CAP; THENCE S51°00'04"W 82.02 FEET TO A SET 5/8" REBAR AND CAP; THENCE N88°51'44"W 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 109.65 FEET TO A SET REBAR AND CAP; THENCE N01°08'16"E 16.00 FEET TO A SET REBAR AND CAP; THENCE N88°51'44"W 80.00 FEET TO A SET REBAR AND CAP; THENCE S01°08'16"W 16.00 FEET TO A SET REBAR AND CAP; THENCE N89°07'52"W 73.65 FEET TO A SET REBAR AND CAP AND THE POINT OF BEGINNING; THENCE S01°08'16"W 138.65 FEET TO A SET REBAR AND CAP; THENCE S53°12'03"W 84.58 FEET TO A SET REBAR AND CAP; THENCE S01°08'16"W 113.05 FEET TO A SET REBAR AND CAP; THENCE S12°57'17"E 24.64 FEET TO A SET REBAR AND CAP; THENCE S01°08'16"W 113.05 FEET TO A SET REBAR AND CAP TO A SET REBAR AND CAP; THENCE S35°49'58"W 63.25 FEET TO A SET REBAR AND CAP; THENCE S01°08'16"W 154.39 FEET TO A SET REBAR AND CAP; THENCE N88°51'44"W 326.65 FEET TO A SET REBAR AND CAP;

140660 80

08 099042
240660 80

THENCE N58°03'43"W 69.85 FEET TO A SET REBAR AND CAP; THENCE N88°51'38"W 135.27 FEET TO A SET REBAR AND CAP; THENCE N01°08'16"E 130.62 FEET TO A SET REBAR AND CAP; THENCE N88°51'44"W 86.51 FEET TO A SET REBAR AND CAP; THENCE N01°08'16"E 340.00 FEET TO A SET REBAR AND CAP; THENCE S88°51'44"E 222.51 FEET; THENCE ON AN ARC OF CURVE TO THE LEFT, HAVING A RADIUS OF 10.00 FEET, A DELTA ANGLE OF 90°00'00", AN ARC LENGTH OF 15.71 FEET, AND WHOSE LONG CHORD BEARS N46°08'16E A DISTANCE OF 14.14 FEET TO A SET REBAR AND CAP; THENCE N01°08'16"E 114.65 FEET TO A SET REBAR AND CAP; THENCE S88°51'44"E 297.00 FEET TO A SET REBAR AND CAP; THENCE N68°02'47"E 39.14 FEET TO A SET REBAR AND CAP; THENCE S89°07'52"E 139.62 FEET TO THE POINT OF BEGINNING ENCLOSING 8.280 ACRES, OR 360692 SQ. FEET.

WHEREAS, Founder has caused said land to be surveyed and a plat thereof made, dividing said land into lots as shown on said plat filed hereto attached and made a part hereof, said plat showing the dimensions of each lot and the width of the streets, and being known as MIDTOWN BRYANT, PHASE 2, SALINE COUNTY, ARKANSAS.

NOW THEREFORE, TND DEVELOPERS, LLC, in consideration of the purposes herein stated, does hereby designate said land and make part hereof to be known as MIDTOWN BRYANT, PHASE 2. SALINE COUNTY, ARKANSAS as shown on plat filed hereto attached and made a part hereof., and that hereafter any conveyance by the owners of said land by lot number shall forever be held to be good and legal description and the streets shown on said plat in said Subdivision are hereby and will become a public road to be accepted by the City of Bryant for maintenance. The property owners will become a part of the establish MIDTOWN BRYANT PROPERTY OWNER'S ASSOCIATION for the purpose of maintaining and ownership of common areas and appurtenants belonging thereto and said property is subject to an Assessment for the Bryant Municipal Property Owners' Multipurpose Improvement District No. 84-Midtown.

The use of the land in said Subdivision being subject to the following Protective and Restrictive Covenants:

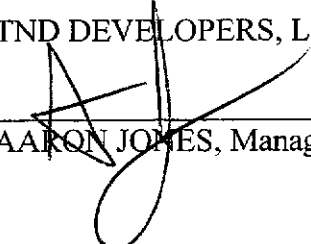
PART B. AREA OF APPLICATION

All lands described as MIDTOWN BRYANT, PHASE 2 is bound and abiding to the Declaration of Governance, Covenants, Easements, Conditions, and Restrictions for MIDTOWN BRYANT as filed of record in Instrument #08 085630, and to all future filings and terms and conditions which apply for said development.

IN WITNESS WHEREOF, the name of Founder is hereby affixed by its Member this 24th day of November 2008.

Approved this 24 day of NOVEMBER, 2008.


BRYANT PLANNING COMMISSION

TND DEVELOPERS, LLC
BY: 
AARON JONES, Manager

ACKNOWLEDGEMENT

STATE OF ARKANSAS)
)ss
COUNTY OF SALINE)

On this day appeared before me, a Notary Public, Aaron Jones, known to me to be the Manager of TND Developers, LLC and acknowledged that he was authorized to execute the foregoing on its behalf and that he had executed same for the consideration and purpose therein mentions and set forth.

WITNESS my hand and seal this 24th day of November, 2008.

Martha Gilbert
Notary Public

My commission expires
3-2012



08 099043

FILED FOR RECORD
In Doc Book 08 Page 99041
NOV 26 2008
at 10:38 o'clock A M
DOUG KIDD, CIRCUIT CLERK
BY Jana Davis DC

