

E-274

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AMENDMENT TO BILL OF ASSURANCE
OF GREENBRIER SUBDIVISION

FILED AND RECORDED
95 MAR -8 PM 1:36
JH
CAROLYN STALEY
CIRCUIT COUNTY CLERK

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, Edgar K. Riddick and June Riddick, Robert V. Light and Cherry Light, Jackson T. Stephens, Jr. and Nancy Stephens, Garland Streett and Sandra K. Streett, Randall Byars and Janice Byars, Sheffield Nelson and Mary Lynn Nelson, Thomas F. McLarty, III and Donna McLarty, and Jack Lamar Tyler are the owners of all of the Plots (1-11) in Greenbrier Subdivision to the City of Little Rock, the plat for which had been previously filed in Plat Book 9, Page 1 (hereafter "Original Plat") and the Bill of Assurance of which had been previously filed in Book 746, Page 543-551 of the Land Records of Pulaski County, Arkansas (hereafter "Original Bill of Assurance") and

WHEREAS, the Chancery Court of Pulaski County in Streett, et al v. Riddick, et al, Pulaski Chancery No. 89-5601 on June 14, 1991, ordered a replat, of such subdivision which Order was affirmed as modified by the Supreme Court of Arkansas in Supreme Court No. 92-211 on July 5, 1993.

WHEREAS, the Court has prepared and will enter a Final Judgment and Decree ("Final Judgment") pursuant to the Supreme Court mandate.

NOW, THEREFORE, pursuant to such Final Judgment a revised plat has been prepared, which plat is identified by the title of "Greenbrier Subdivision", Little Rock, Arkansas, dated November 3, 1994 showing the survey of said lands by Joe D. White, Arkansas Registered Land Surveyor No. 534, and signed by said surveyor on November 2, 1994, and a certificate of approval executed by Bobby F. Sims on behalf of the Planning Commission of the City of Little Rock and is of record in the office of the Circuit Clerk and Ex-Officio



95 13557

1057 - 417

of Pulaski County, Arkansas, as Document No. E-224. This plat shows the bounds and dimensions of the realty hereby subdivided into plots, streets, ways and easements, including specifically the following easement:

The owners of Plots 2, 3, 4, 5, 7, 8 and 9 have and are vested with an easement for ingress and egress to these respective plots over the private drive as shown on the Official Replat. Plots 4, 5, 7, 8 and 9 are burdened by the easement of the private drive as shown on the Official Replat and as described in the preceding sentence. Such easements are in perpetuity and run with the land.

Should Greenbrier Drive be hereafter abandoned as a public thoroughfare, or converted to any use or purpose other than that for which it is hereby dedicated, the same shall immediately revert to the then current assigns of the grantor under the Original Plat and Bill of Assurance.

The utility easements as shown on said plat shall be forever held for the purpose of affording access, ingress and egress to and from said plots by the public utilities designated thereon to install and continuously maintain public utility services to and from said plots. Excepting as hereafter provided no structures of a permanent nature shall be erected and maintained upon, over, within or across said utility easements, excepting those constructed and maintained by the respective utility companies for the purpose of servicing the plots in this subdivision.

The filing of this Amendment to Bill of Assurance and the aforesaid plat for record in the office of the Circuit Clerk and Ex-Officio Recorder for Pulaski County, Arkansas, shall be a valid and complete delivery and dedication of the streets, ways and easements, subject to the conditions and limitations of the original Bill of Assurance unless necessarily modified by this Amendment.

The lands embraced in and shown by said plat, as above described, shall be known forever as Greenbrier Subdivision in Little Rock, Arkansas, and any and every contract, deed or other instrument affecting or conveying the title to any plot shown on said plat, describing the same by the numbers therein designated, shall always be deemed a sufficient description thereof.

The streets and ways in Greenbrier Subdivision shall be known by the names as shown on said plat. The plots in Greenbrier Subdivision shall be owned, conveyed, ascend, descend and acquired subject to the conditions, restrictions and limitations of the Original Bill of Assurance unless necessarily modified by this Amendment.

IN WITNESS WHEREOF, I do hereunto set my hand and official seal on this the 1st day of April, 1995.

Annabelle Clinton Imber
Annabelle Clinton Imber, Chancellor

ACKNOWLEDGMENT

STATE OF ARKANSAS)
 JEFFERSON)^{ss.}
COUNTY OF PULASKI)

On this 1st day of MARCH, 1995, before me, the undersigned a Notary Public, personally appeared The Honorable Annabelle Clinton Imber, known to me to be the Chancellor whose name is subscribed to the foregoing instrument, and stated to me that she had executed the same for the purposes and consideration therein expressed.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Marcia A. Lafferty
Notary Public

My Commission Expires:
10-1-95

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