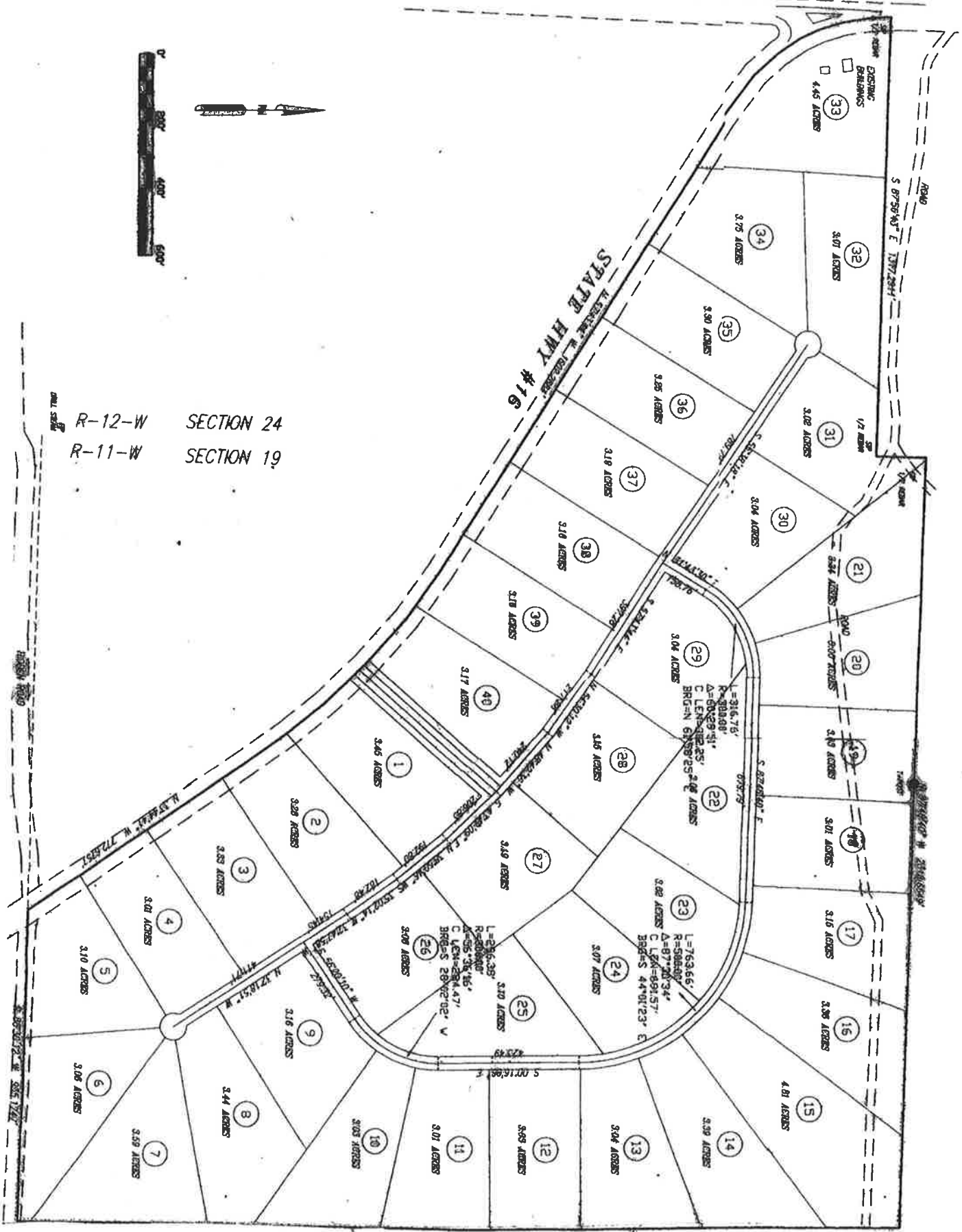


STATE HWY #225



R-12-W SECTION 24
R-11-W SECTION 19



S 00°16'06" E 1311.4375'

6448
5048



Certificate of Record
State of Arkansas, County of Cleburne
KAREN GILES, CIRCUIT CLERK
Filed & Recorded in Cleburne County
Date 06/22/2010, 08:46:24 AM
Fees \$85.00
DOC # 201006286
Karen Giles, Clerk

BILL OF ASSURANCE
Pryor Mountain Estates
An Unrecorded Subdivision

[Signature] D.C.

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, F.H. Properties, LLC ("Grantor") is the owner of the following described lands in Cleburne County, Arkansas, to-wit:

A part of the S1/2 NW1/4 and part of the N1/2 SW1/4, Section 19, T-10-N, R-11-W and also part of the SE1/4 NE1/4, Section 24, T-10-N, R-12-W, all in Cleburne County, Arkansas, more particularly described as beginning at the SW corner of the N1/2 SW1/4 Section 19, T-10-N, R-11-W; thence S 88 degrees 37 minutes 38 seconds E 1422.28 feet to the centerline of State Hwy #16, said being the point of beginning; thence along said centerline to a point N 33 degrees 52 minutes 07 seconds W 722.68 feet; thence to a point N 35 degrees 09 minutes 40 seconds W 184.20 feet; thence to a point N 38 degrees 58 minutes 12 seconds W 161.18 feet; thence to a point N 43 degrees 49 minutes 35 seconds W 159.46 feet; thence to a point N 48 degrees 50 minutes 02 seconds W 188.24 feet; thence to a point N 54 degrees 37 minutes 38 seconds W 174.56 feet; thence to a point N 57 degrees 51 minutes 10 seconds W 1602.27 feet; thence to a point N 62 degrees 50 minutes 21 seconds W 166.79 feet; thence to a point N 41 degrees 33 minutes 44 seconds W 97.20 feet; thence to a point N 33 degrees 33 minutes 24 seconds W 77.48 feet; thence to a point N 26 degrees 31 minutes 23 seconds W 81.74 feet; thence to a point N 18 degrees 18 minutes 52 seconds W 73.01 feet; thence to a point N 09 degrees 18 minutes 27 seconds W 96.18 feet; thence N 01 degrees 54 minutes 16 seconds W 63.37 feet to a point along North line of the SE1/4 NE1/4, thence along said North line S 88 degrees 04 minutes 09 seconds E 1317.28 feet to a point along the West line of the SW1/4 NW1/4 Section 19, T-10-N, R-11-W; thence along said West line N 01 degrees 21 minutes 41 seconds E 151.80 feet to the NW corner of the S1/2 NW1/4; thence along North line South 87 degrees 54 minutes 06 seconds East 2318.65 feet to the NE corner of the S1/2 NW1/4; thence S 00 degrees 23 minutes 32 seconds E 1311.44 feet; thence S 01 degrees 24 minutes 57 seconds W 1331.11 feet to the SE corner of the N1/2 SW1/4, thence along the South line N 88 degrees 37 minutes 38 seconds W 935.17 feet to the point of beginning, making a total of 135.68 acres, more or less.

AND, WHEREAS, it is desirable that all of the above described property be subdivided into tracts and streets and that such property be held, owned, and conveyed subject to protective covenants herein contained;

NOW, THEREFORE, WITNESSETH:

Grantor has caused said tract of land to be surveyed by Tim Tyler Surveying and Mapping, Inc., Registered Land Surveyors, and an unrecorded subdivision thereof made which is identified by the title Pryor Mountain Estates, Cleburne County, Arkansas and the Grantor does hereby make this Bill of Assurance.

The Grantor does hereby certify that it has laid off and subdivided, and does hereby lay off and subdivide said real estate as Pryor Mountain Estates. The Grantor hereby dedicates to the public forever an easement on and over the streets as described here in ATTACHMENT A to be used as public streets.

Prepared By: Tim Tyler for Steven Hammond
Address: #240 Skyline Drive, Suite 3000
Conway, AR 72032

ATTACHMENT-A

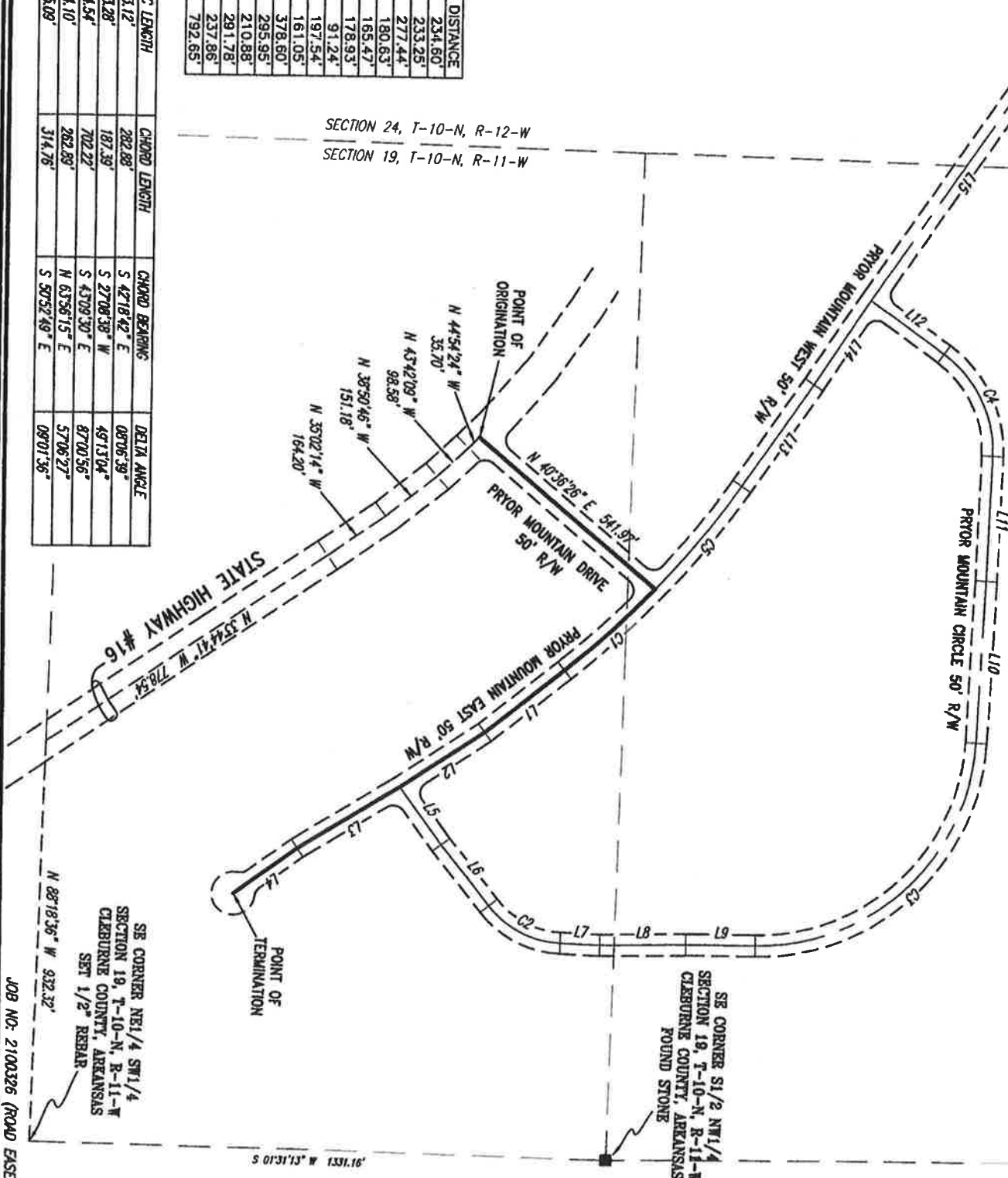
1 OF 6



LINE	BEARING	DISTANCE
L1	S 38°15'23" E	234.60'
L2	S 33°55'41" E	233.25'
L3	S 31°40'56" E	277.44'
L4	S 35°53'17" E	180.63'
L5	N 54°38'15" E	165.47'
L6	N 51°45'10" E	178.93'
L7	N 02°32'06" E	91.24'
L8	N 00°38'26" W	197.54'
L9	N 00°20'57" E	161.05'
L10	N 86°39'58" W	378.60'
L11	N 87°30'32" W	295.95'
L12	S 35°23'02" W	210.86'
L13	N 55°23'37" W	291.78'
L14	N 56°27'06" W	237.86'
L15	N 55°50'56" W	792.65'

SECTION 24, T-10-N, R-12-W
SECTION 19, T-10-N, R-11-W

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2000.00'	283.12'	282.88'	S 42°18'42" E	08°06'39"
C2	225.00'	193.28'	187.39'	S 27°08'38" W	49°13'04"
C3	510.00'	774.54'	702.22'	S 43°09'30" E	87°00'56"
C4	275.00'	274.10'	262.89'	N 63°56'15" E	57°06'27"
C5	2000.00'	315.09'	314.76'	S 90°52'49" E	09°01'36"



In addition to the said streets, there are certain easements for drainage and utilities upon these properties. Grantor hereby donates and dedicates such utility easements to and for the use of public utilities, the same being, without limiting the generality of the foregoing, electric power, gas, telephone, water and sewer, with the right hereby granted to the persons, firms or corporations engaged in the supplying of such utility services to use and occupy such easements and to have free ingress and egress therefrom for the installation, maintenance, repair and replacement of such utility services.

The filing of this Bill of Assurance for record in the Office of the Circuit Clerk and Recorder of Cleburne County, Arkansas shall be valid and complete delivery and dedication of the streets and easements and the streets in said Pryor Mountain Estates shall be known by the names designated on ATTACHMENT A. Said land herein and any interest therein shall be held, owned and conveyed subject to and in conformity with the following covenants which, subject to being amended or cancelled as hereinafter provided, shall be and remain in full force and effect until January 1, 2049, after which time said covenants and restrictions shall automatically be extended, subject to being cancelled or amended as set out in paragraph 22, for successive periods of ten (10) years from each termination.

The following restrictions and limitations shall apply to this property, to-wit:

1. Land Use. Except for Tract 33 as described in ATTACHMENT B, each Tract shall be held, owned, and used only as a residential building site, and no Tract shall be used for commercial purposes. No structure shall be erected, altered, or placed or permitted to remain on such Tracts other than one detached single-family dwelling, a private garage containing no less than two parking spaces for the sole use of the owners or occupants of the dwelling, guest house, servant's quarters, and other outbuildings clearly incidental and related to residential use of the premises. Subject to the prior approval of Grantor, Tract 33 may be used for commercial purposes. These restrictions shall not prohibit the temporary maintenance of model homes for promotional purposes and sales offices by Grantor or professional builders.
2. Dwelling Size. With the exception of Tract 33 as described in ATTACHMENT B, no principal residential structure shall be erected on any Tract of land within Pryor Mountain Estates which contains less than 1,600 square feet of heated living area, exclusive of porches, terraces, garages, and outbuildings, whether attached or detached. No dwelling shall exceed two and one-half stories. Any construction of either residential or commercial buildings on Tract 33 as described in ATTACHMENT B will be subject to prior approval of Grantor.
3. Tract Area. No Tract may be subdivided into two or more ownerships or Tracts except by Grantor.
4. Architectural Requirements. All accessory buildings shall be located to the rear and/or side of the principal residence, and must be of the same material or compliment the dwelling and said Tract. Accessory buildings shall not encroach upon easements. All

foundation walls must be faced with brick veneer. Eighty percent (80%) of the exterior walls of all buildings constructed on the property shall be of brick, brick veneer, concrete, native stone, wood siding, log, wood shingles or shakes, or glass and of no other materials.

5. Building Location. No improvements shall be erected or constructed on any Tract nearer than 175 feet to the front property line and 150 feet to the back property line, or nearer than 50 feet to the side property lines. Tracts shall be deemed as fronting on a roadway adjoining same at the time of sale, except those corner Tracts having roadway frontage on at least two sides shall be deemed as fronting on either side of said roadway, and provided that all Tracts which adjoin Highway 16, except for Tract 33, shall be deemed as fronting Pryor Mountain East and Pryor Mountain West, respectively, and must establish ingress or egress from other than Highway 16. Any Tract which may have issue with these setbacks will be held to the nearest distance possible to these requirements and shall be established at time of sale.
6. Fences. No fences shall be erected on any part of the property conveyed which shall be a height greater than seventy-two (72) inches above the final finished grade at any point of erection. All fences shall be limited in styles to decorative wooden, rail, picket, brick, or stone fences. Privacy fences shall be shadow box style (finished on both sides) or if finished on one side only, then the finished side will be the outside of the fence and the unfinished side will face in toward the house. Decorative fence posts may be erected provided that they shall not be a height greater than ninety (90) inches above the final finished grade at point of erection.
7. Gas Storage and Septic Tanks. Gas storage tanks (for butane, etc.) shall be underground or enclosed in an approved structure. All septic tanks shall meet current minimum standard of the Arkansas State Board of Health at time of installation. No outside toilets shall be allowed on any lands within the subdivision.
8. Horses. No more than one (1) horse per 2 acres shall be kept on any Tract. All horses stabled, kept, or brought into any area comprising Pryor Mountain Estates must be in full compliance with all federal, state, and local statutes and regulations as to the health of the horse.
9. Livestock. No poultry, birds, livestock (other than horses permitted by this Bill of Assurance), or animals of any kind other than domesticated household pets shall be kept or maintained on any part of the property. Fully domesticated animals may be kept upon said property as pets provided that they are not kept, bred, or maintained for sale or any other commercial use or purpose. Penned animals shall be kept in a screened area that is not noticeable from the roads or any adjacent Tract.
10. Temporary Structures. No temporary building, trailer, basement, tent, shack, garage, barn or other type of temporary or partially finished building or structure shall be erected or placed upon the property.

11. Signs. No signs, advertisements, billboards, or advertising structures of any kind shall be erected or maintained on the property except for sale or rent signs of customary size and signage at entry identifying Pryor Mountain Estates.
12. Garbage. No part of the property shall be used or maintained as a dumping ground for rubbish, trash, garbage, or other wastes. If public authorities do not provide for the removal of such trash, garbage, or other wastes, each property owner hereby covenants to dispose of such items by arranging for the removal thereof from the premises to a public dump or other point of disposal at least once per week. Trash, garbage, or other wastes pending removal shall be kept in sanitary containers with tops and positioned in back of house or hidden from public view.
13. Construction. All dwellings must be completed within 12 months from the date construction begins and building debris must be removed within 16 days after construction is completed.
14. Trees. No more than 50% of the trees may be removed from any Tract without the prior consent of Grantor.
15. Vehicles. As homes are built, either a carport or garage shall be required and all vehicles shall be kept in said carport or garage or in an area of the property that will not be offensive to other owners in this subdivision.
16. Property Maintenance. All property shall be kept neat and attractive and no fire hazard or public nuisance activity shall be allowed at any time. No noxious or offensive activity shall be carried on upon any Tract. Nothing shall be done thereon which may become an annoyance or nuisance to the neighborhood.
17. Rubbish. No person shall burn trash, leaves, brush, or other combustible material in the open. Any such disposal shall only be done in incinerators.
18. Easements. An easement of 15 feet is retained on all property lines of each Tract for drainage, utility installation and maintenance, and associated guide wires, as required. This easement will be split to 7.5 feet per Tract on all shared property lines between Tracts. This 15 feet easement will run adjacent to the 25 feet road right of way easement on all Tracts road frontage sides and also adjacent to the 40 feet road right of way easement along HWY 16. Easements of 20 feet by 20 feet in the SW corner of Tract 1 as described in ATTACHMENT C and in the SE corner of Tract 40 as described in ATTACHMENT D are retained for signage purposes for Pryor Mountain Estates. Said easements are for these stated uses only and ownership remains with the individual Tract owner. No building, trees, fences, incinerators, paved driveways or any other permanent structure or improvement of any kind, whether herein specifically enumerated or not, shall be built or maintained within the area of any of the easements and no alteration including grading, filling, excavation, or other sitework may be done within the area of any of the easements described herein which may damage or interfere with the installation and maintenance of utilities or which may change the direction of flow of

drainage channels, or which may obstruct or retard the flow of water through drainage channels; and in the event any such obstruction is placed thereon in violation of the restriction and reservation, no public authority will be liable for destruction of same in maintaining or repairing its lines located within the area of said easement. Easements, including drainage channels shall be mowed and generally maintained by the owner of each Tract over which the easement or drainage channel exists except for improvements installed in those easements for which a public authority or utility is responsible.

19. Oil and Mineral Operations. No oil drilling, oil development operating, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any Tract, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any Tract. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained, or permitted upon any Tract.
20. Enforcement. In the event any of these restrictions are violated, enforcement shall be through legal proceedings of law or in equity to restrain violation or recover damages against any person or persons violating or attempting to violate any covenant. Any party not complying with these covenants shall be responsible for all attorney's fees and court costs incurred by grantor and/or property owners in order to enforce said covenants.
21. Binding Covenants. The covenants, agreements, and restrictions herein set forth shall run with the title to the Tracts in this subdivision and bind the present owners, their heirs, successors and assigns, future owners, their heirs, successors and assigns.
22. Amendment. These covenants and restrictions may be cancelled or amended if an instrument signed by the owners of at least fifty-one percent (51%) of the said area covered by this Bill of Assurance is placed of record agreeing to change the covenants and restrictions in whole or in part, and the provision of this instrument so executed shall be binding from the date it is duly filed for record in the Office of the Circuit Clerk and Recorder for Cleburne County, Arkansas; provided that if the Grantor owns any property within the area covered by this Bill of Assurance, the Grantor's approval to cancel or amend these covenants and restrictions must be first obtained. Any such instrument shall be effective and binding when it is filed for record in the Office of the Circuit Clerk and Ex-Officio Recorder for Cleburne County, Arkansas. The right to so amend, modify, extend, change and/or cancel as aforesaid shall exist at all times during the covenants, restrictions, requirements and provision of this Bill of Assurance exist.
23. Severability. Invalidity of any restrictions set forth herein, or any part thereof, by an order, judgment, or decree of any court, or otherwise shall not invalidate or affect any of the other restrictions, or any part thereof, as set forth herein, but they shall remain in full force and effect.

The filing of this instrument in the office of the Circuit Clerk and Ex-Officio Recorder of Cleburne County, Arkansas, shall be a valid and complete delivery and dedication subject to the limitations set out in the Bill of Assurance of Pryor Mountain Estates.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed this 21st day of June, 2010.

F.H. PROPERTIES, LLC

By: Steven D. Hammond
Steven D. Hammond, Vice President

ACKNOWLEDGMENT

STATE OF ARKANSAS)
) ss:
COUNTY OF PULASKI)

On this day personally appeared before the undersigned, a Notary Public within and for the County and State aforesaid, duly qualified, commissioned and acting, the within named Steven D. Hammond, Vice President, of F.H. Properties, LLC, an Arkansas limited liability company, and stated that he was duly authorized in their capacity to execute the foregoing instrument for and in the name and behalf of said limited liability company, and further stated and acknowledged that he had so signed, executed and delivered the foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

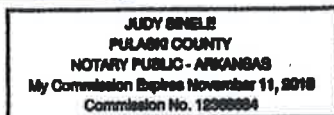
IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal
this 21st day of June, 2010.

Notary Public

Judy Smale

My commission expires:

11-11-2018
(SEAL)



ATTACHMENT-A

2 OF 6

Prepared for: F.H. Properties LLC

Date: June 17, 2010

Legal Description: (50' Road Easement)

(Pryor Mountain Drive & Pryor Mountain East)

Being a strip of land lying 25 feet either side of a centerline, being a part of Section 19, T-10-N, R-11-W, Cleburne County, Arkansas; more particularly described as beginning at the SE corner of the NE1/4 SW1/4; thence along the South line of said NE1/4 SW1/4 N88°18'36"W 932.32 feet to the centerline of State Highway #16; thence leaving said South line and along said centerline to a point N33°44'41"W 778.54 feet; thence to a point N35°02'14"W 164.20 feet; thence to a point N38°50'46"W 151.18 feet; thence to a point N43°42'09"W 98.58 feet; thence to a point N44°54'24"W 35.70 feet to the point of origination, said point being at the intersection of State Highway #16 and Pryor Mountain Drive; thence leaving the centerline of State Highway #16 and along the centerline of a 50 foot road easement being Pryor Mountain Drive, to a point N40°36'26"E 541.97 feet to the intersection of Pryor Mountain Drive and Pryor Mountain East; thence leaving the centerline of Pryor Mountain Drive and along the centerline of Pryor Mountain East along a curve to the right, having a radius of 2000 feet and a chord bearing and distance of S42°18'42"E 282.88 feet; thence to a point S38°15'23"E 234.60 feet; thence to a point S33°55'41"E 233.25 feet; thence to a point S31°40'56"E 277.44 feet; thence to a point S35°53'17"E 180.63 feet to the point of termination, said point being in the center of a 50 foot radius cal-de-sac of Pryor Mountain East.

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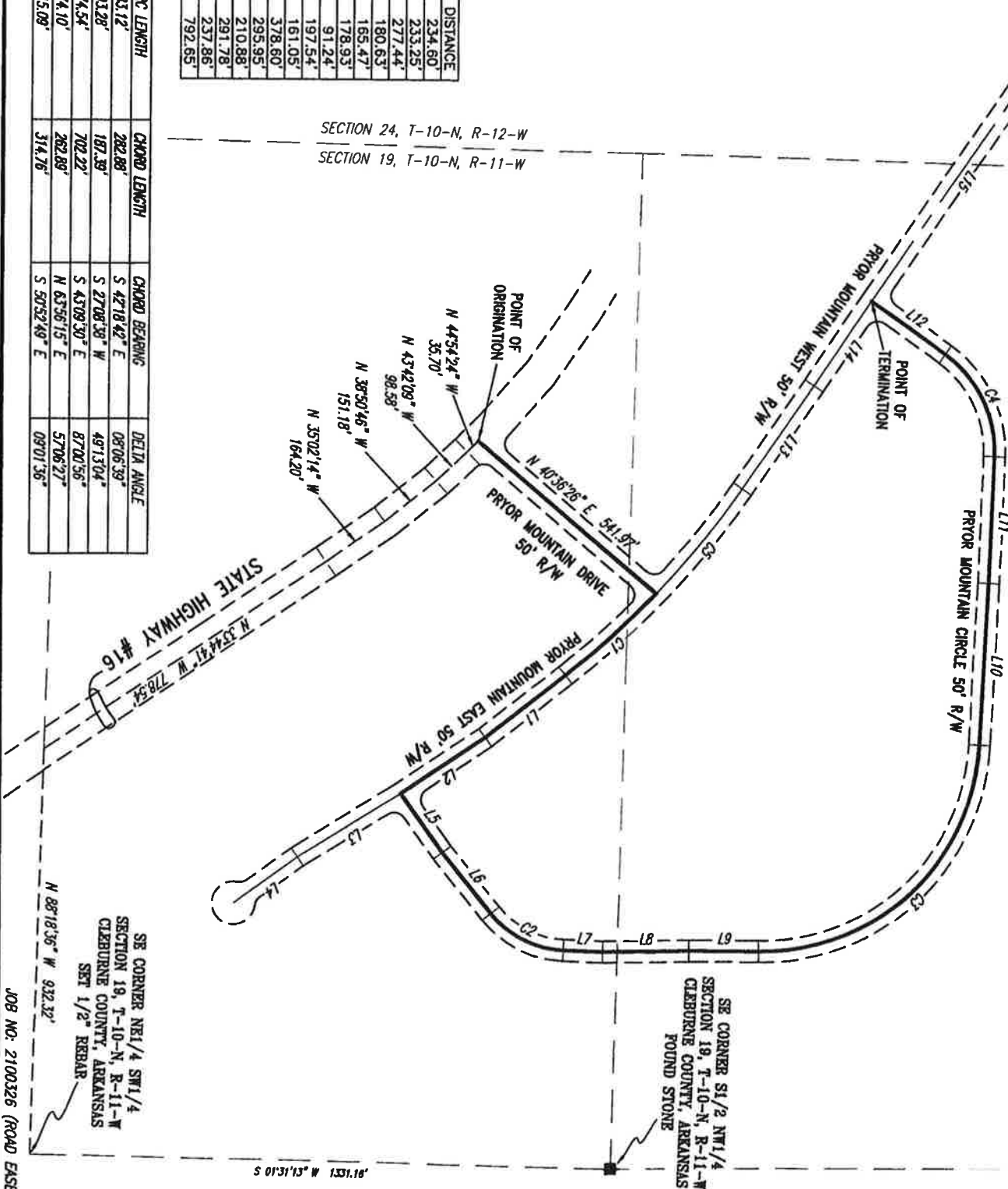
ATTACHMENT-A

3 OF 6



LINE	BEARING	DISTANCE
L1	S 38°15'23" E	234.60'
L2	S 35°55'41" E	233.25'
L3	S 31°40'56" E	277.44'
L4	S 35°53'17" E	180.63'
L5	S 54°38'15" E	165.47'
L6	N 51°45'10" E	178.93'
L7	N 02°32'06" E	91.24'
L8	N 00°36'26" W	197.54'
L9	N 00°20'57" E	161.05'
L10	N 86°39'58" W	378.60'
L11	N 87°30'32" W	295.95'
L12	S 35°23'02" W	210.88'
L13	N 35°23'37" W	291.78'
L14	N 56°27'06" W	237.86'
L15	N 55°50'56" W	792.65'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2000.00'	283.12'	282.88'	S 42°18'42" E	08°06'39"
C2	225.00'	193.28'	187.39'	S 27°08'30" W	49°13'04"
C3	510.00'	774.54'	702.22'	S 43°09'30" E	87°00'56"
C4	275.00'	274.10'	262.89'	N 63°56'15" E	57°06'27"
C5	2000.00'	315.09'	314.76'	S 50°52'49" E	09°01'36"



ATTACHMENT-A

4 OF 6

Prepared for: F.H. Properties LLC

Date: June 17, 2010

Legal Description: (50' Road Easement)

(Pryor Mountain Drive & Pryor Mountain Circle and part of Pryor Mountain East)

Being a strip of land lying 25 feet either side of a centerline, being a part of Section 19, T-10-N, R-11-W, Cleburne County, Arkansas; more particularly described as beginning at the SE corner of the NE1/4 SW1/4; thence along the South line of said NE1/4 SW1/4 N88°18'36"W 932.32 feet to the centerline of State Highway #16; thence leaving said South line and along said centerline to a point N33°44'41"W 778.54 feet; thence to a point N35°02'14"W 164.20 feet; thence to a point N38°50'46"W 151.18 feet; thence to a point N43°42'09"W 98.58 feet; thence to a point N44°54'24"W 35.70 feet to the point of origination, said point being at the intersection of State Highway #16 and Pryor Mountain Drive; thence leaving the centerline of State Highway #16 and along the centerline of Pryor Mountain Drive to a point N40°36'26"E 541.97 feet to the intersection of Pryor Mountain Drive and Pryor Mountain East; thence leaving the centerline of Pryor Mountain Drive and along the centerline of Pryor Mountain East to a point along a curve to the right, having a radius of 2000 feet and a chord bearing and distance of S42°18'42"E 282.88 feet; thence to a point S38°15'23"E 234.60 feet; thence to a point S33°55'41"E 233.25 feet to the intersection of Pryor Mountain East and Pryor Mountain Circle; thence leaving the centerline of Pryor Mountain East and along the centerline of Pryor Mountain Circle to a point N54°38'15"E 165.47 feet; thence to a point N51°45'10"E 178.93 feet; thence to a point along a curve to the left, having a radius of 225.0 feet and a chord bearing and distance of N27°08'38"E 187.39 feet; thence to a point N02°32'06"E 91.24 feet; thence to a point N00°38'26"W 197.54 feet; thence to a point N00°20'57"E 161.05 feet; thence to a point along a curve to the left, having a radius of 510.0 feet and a chord bearing and distance of N43°09'30"W 702.22 feet; thence to a point N86°39'58"W 378.60 feet; thence to a point N87°30'32"W 295.95 feet; thence to a point along a curve to the left, having a radius of 275.0 feet and a chord bearing and distance of S63°56'15"W 262.89 feet; thence to a point S35°23'02"W 210.88 feet to the point of termination, said point being at the intersection of Pryor Mountain West and Pryor Mountain Circle.

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ATTACHMENT-A

5 OF 6



POINT OF
TERMINATION

LINE	BEARING	DISTANCE
L1	S 36°15'23" E	234.60'
L2	S 35°55'41" E	233.25'
L3	S 31°40'56" E	277.44'
L4	S 36°53'17" E	180.63'
L5	N 54°38'15" E	166.47'
L6	N 51°45'10" E	178.93'
L7	N 02°32'06" E	91.24'
L8	N 00°38'26" W	197.54'
L9	N 00°20'57" E	161.05'
L10	N 86°39'58" W	378.60'
L11	N 87°30'32" W	295.95'
L12	S 36°23'02" W	210.88'
L13	N 56°23'37" W	291.78'
L14	N 56°27'06" W	237.86'
L15	N 55°50'56" W	792.65'

SECTION 24, T-10-N, R-12-W

SECTION 19, T-10-N, R-11-W

PRIOR MOUNTAIN CIRCLE 50' R/W

PRIOR MOUNTAIN DRIVE
50' R/W

PRIOR MOUNTAIN EAST 50' R/W

STATE HIGHWAY #16
N 35°44'41" W 778.54'

SE CORNER S1/2 NW1/4
SECTION 19, T-10-N, R-11-W
CLERBURN COUNTY, ARKANSAS
FOUND STONE

SE CORNER NE1/4 SW1/4
SECTION 19, T-10-N, R-11-W
CLERBURN COUNTY, ARKANSAS
SET 1/2" REBAR

N 88°18'36" W 932.32'

JOB NO: 2100326 (ROAD EASEMENT)

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2000.00'	283.12'	282.88'	S 42°18'42" E	08°08'39"
C2	225.00'	193.28'	187.39'	S 27°08'38" W	49°13'04"
C3	510.00'	774.54'	702.22'	S 43°09'30" E	87°00'56"
C4	275.00'	274.10'	282.89'	N 63°56'15" E	57°08'27"
C5	2000.00'	315.09'	314.76'	S 50°52'40" E	08°01'36"

ATTACHMENT-A

6 OF 6

Prepared for: F.H. Properties LLC
Date: June 17, 2010

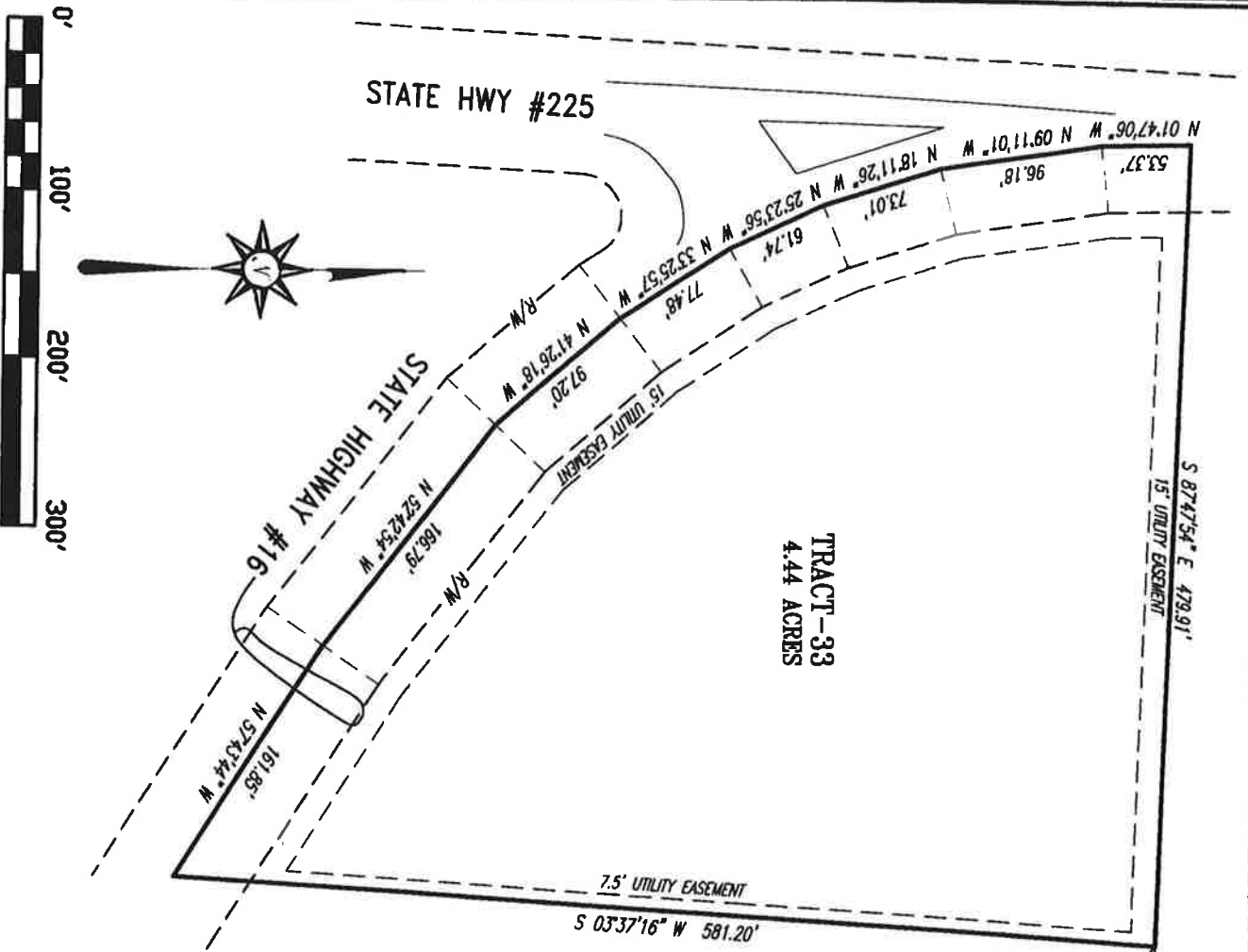
Legal Description: (50' Road Easement)

(Pryor Mountain Drive & Pryor Mountain West)

Being a strip of land lying 25 feet either side of a centerline, being a part of Section 19, T-10-N, R-12-W, and also a part of Section 24, T-10-N, R-12-W, Cleburne County, Arkansas; more particularly described as beginning at the SE corner of the NE1/4 SW1/4; thence along the South line of said NE1/4 SW1/4 N88°18'36"W 932.32 feet to the centerline of State Highway #16; thence leaving said South line and along said centerline to a point N33°44'41"W 778.54 feet; thence to a point N35°02'14"W 164.20 feet; thence to a point N38°50'46"W 151.18 feet; thence to a point N43°42'09"W 98.58 feet; thence to a point N44°54'24"W 35.70 feet to the point of origination, said point being at the intersection of State Highway #16 and Pryor Mountain Drive; thence leaving the centerline of State Highway #16 and along the centerline of Pryor Mountain Drive to a point N40°36'26"E 541.97 feet to the intersection of Pryor Mountain Drive and Pryor Mountain West; thence leaving the centerline of Pryor Mountain Drive and along the centerline of Pryor Mountain West to a point along a curve to the left, having a radius of 2000 feet and a chord bearing and distance of N50°52'49"W 314.76 feet; thence to a point N55°23'37"W 291.78 feet; thence to a point N56°27'06"W 237.86 feet; thence to a point N55°50'56"W 792.65 feet to the point of termination, said point being in the center of a 50 foot radius cul-de-sac of Pryor Mountain West.

X:\Current Jobs\210-0326\PRYOR MOUNTAIN ESTATES\DRAWINGS\PRYOR MT ROAD EASEMENT.dwg

ATTACHMENT-B



P.O.B.

N 87°47'54" W 838.56'

NE CORNER SE1/4 NE1/4
SECTION 24, T-10-N, R-12-W
CLEBURNE COUNTY, ARKANSAS

Prepared for: F.H. Properties LLC

Date: June 17, 2010

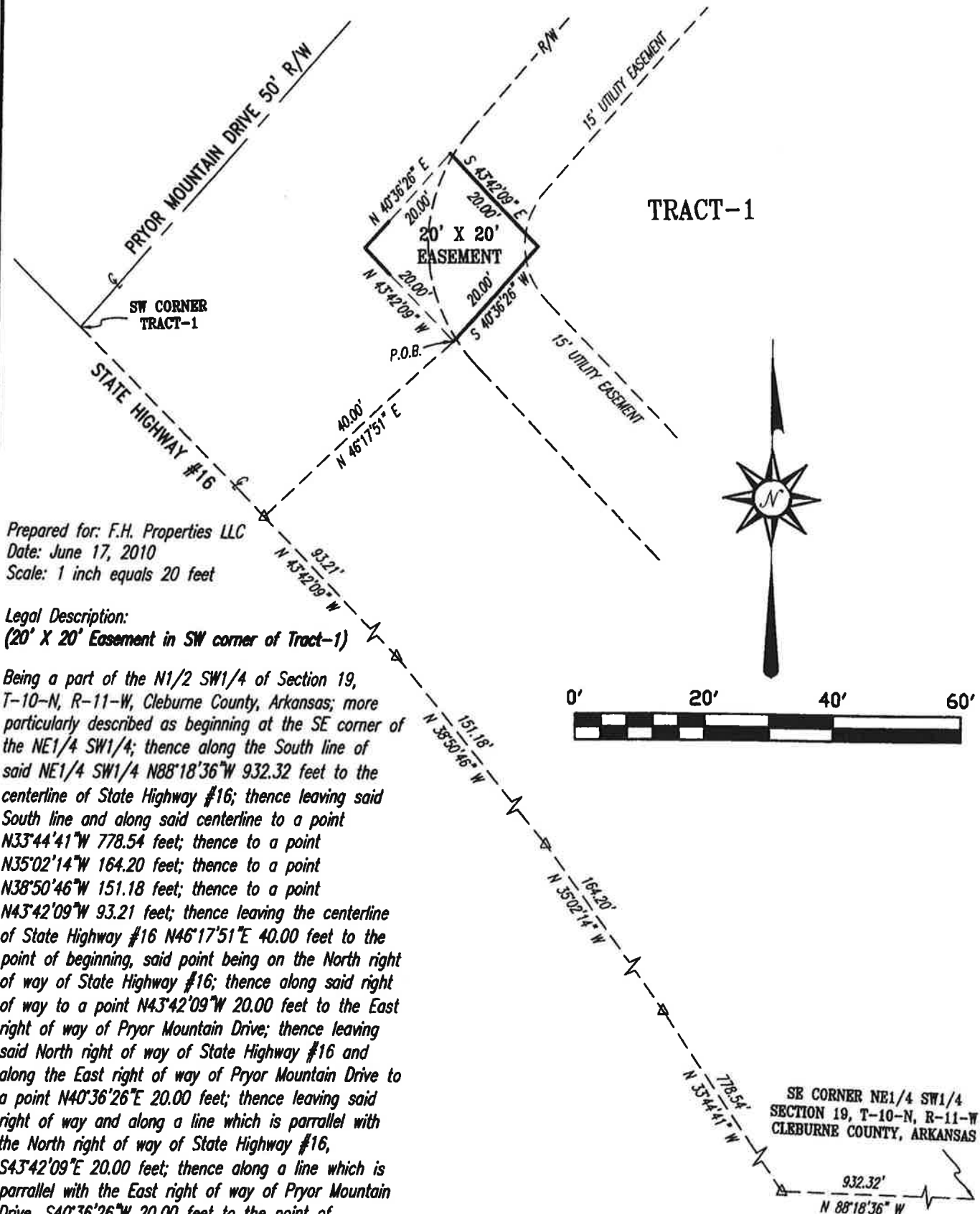
Scale: 1 inch equals 100 feet

Legal Description: (Tract-33)

Being a part of the SE1/4 NE1/4 of Section 24, T-10-N, R-12-W, Cleburne County, Arkansas; more particularly described as beginning at the NE corner of said SE1/4 NE1/4, thence along the North line of said SE1/4 NE1/4 N87°47'54" W 838.56 feet to the point of beginning; thence leaving said North line S03°37'16" W 581.20 to the centerline of State Highway #16; thence along said centerline to a point N57°43'44" W 161.85 feet; thence to a point N52°42'54" W 166.79 feet; thence to a point N41°26'18" W 97.20 feet; thence to a point N33°25'57" W 77.48 feet; thence to a point N25°23'56" W 61.74 feet; thence to a point N18°11'26" W 73.01 feet; thence to a point N09°11'01" W 96.18 feet; thence to a point N01°47'06" W 53.37 feet to the North line of said SE1/4 NE1/4; thence along said North line S87°47'54" E 479.91 feet to the point of beginning containing 4.44 acres more or less. This tract may also be referred to as Tract 33 of an unrecorded subdivision of Pryor Mountain Estates. Reserving the Southwestern 40.0 feet for public road easement purposes for State Highway #16. Reserving the North 15.0 feet, the East 7.5 feet and the Northeastern 15.0 feet adjacent to the Northeastern right of way of State Highway #16 for utility easement purposes.

ATTACHMENT-C

TRACT-1



Prepared for: F.H. Properties LLC
Date: June 17, 2010
Scale: 1 inch equals 20 feet

Legal Description:

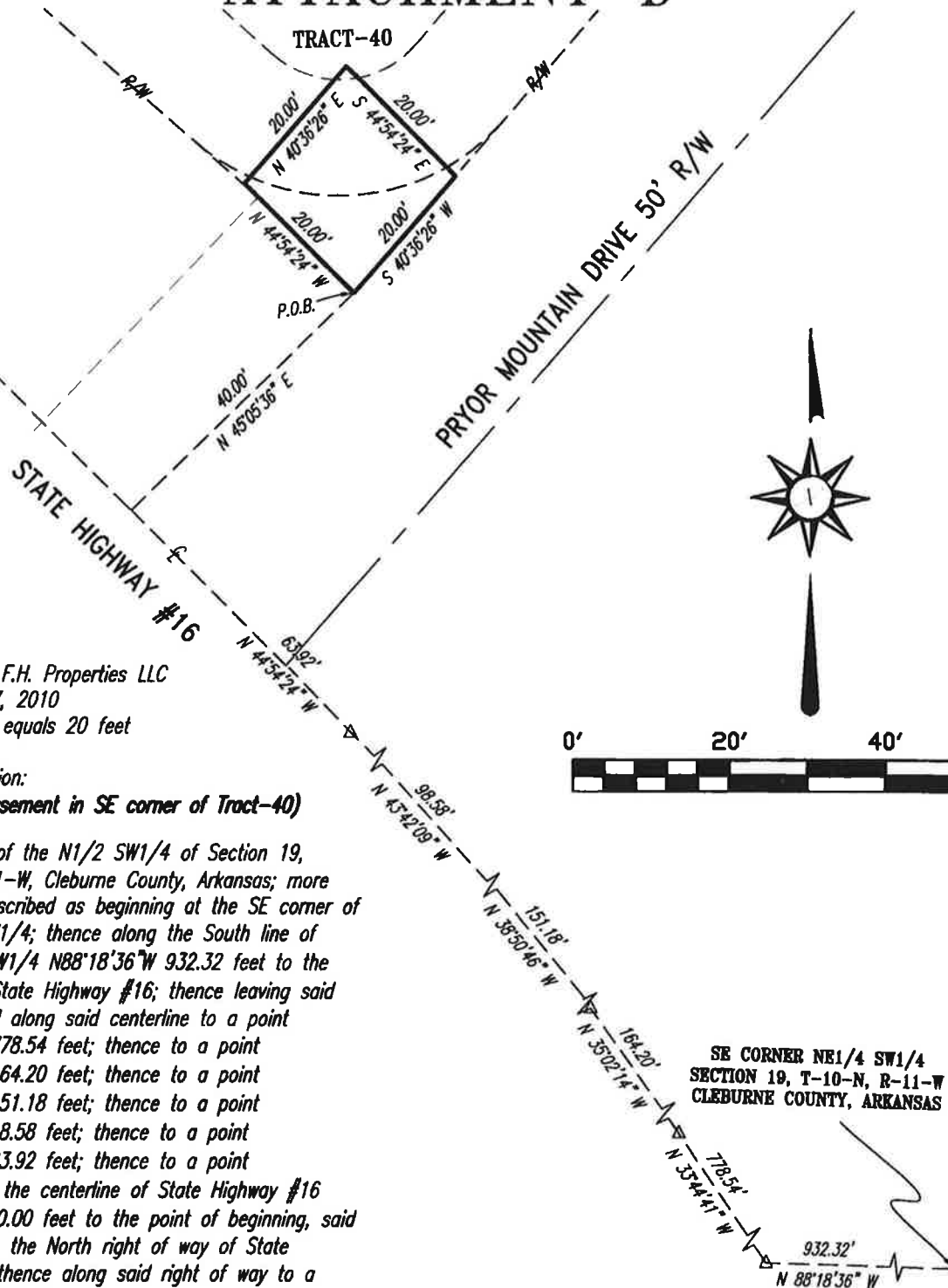
(20' X 20' Easement in SW corner of Tract-1)

Being a part of the N1/2 SW1/4 of Section 19, T-10-N, R-11-W, Cleburne County, Arkansas; more particularly described as beginning at the SE corner of the NE1/4 SW1/4; thence along the South line of said NE1/4 SW1/4 N88°18'36"W 932.32 feet to the centerline of State Highway #16; thence leaving said South line and along said centerline to a point N33°44'41"W 778.54 feet; thence to a point N35°02'14"W 164.20 feet; thence to a point N38°50'46"W 151.18 feet; thence to a point N43°42'09"W 93.21 feet; thence leaving the centerline of State Highway #16 N46°17'51"E 40.00 feet to the point of beginning, said point being on the North right of way of State Highway #16; thence along said right of way to a point N43°42'09"W 20.00 feet to the East right of way of Pryor Mountain Drive; thence leaving said North right of way of State Highway #16 and along the East right of way of Pryor Mountain Drive to a point N40°36'26"E 20.00 feet; thence leaving said right of way and along a line which is parallel with the North right of way of State Highway #16, S43°42'09"E 20.00 feet; thence along a line which is parallel with the East right of way of Pryor Mountain Drive, S40°36'26"W 20.00 feet to the point of beginning, said point being on the North right of way of State Highway #16.

SE CORNER NE1/4 SW1/4
SECTION 19, T-10-N, R-11-W
CLEBURNE COUNTY, ARKANSAS

JOB NO: 210-0326 (TRACT 1 & 40)

ATTACHMENT-D



Prepared for: F.H. Properties LLC

Date: June 17, 2010

Scale: 1 inch equals 20 feet

Legal Description:

(20' X 20' Easement in SE corner of Tract-40)

Being a part of the N1/2 SW1/4 of Section 19, T-10-N, R-11-W, Cleburne County, Arkansas; more particularly described as beginning at the SE corner of the NE1/4 SW1/4; thence along the South line of said NE1/4 SW1/4 N88°18'36"W 932.32 feet to the centerline of State Highway #16; thence leaving said South line and along said centerline to a point N33°44'41"W 778.54 feet; thence to a point N35°02'14"W 164.20 feet; thence to a point N38°50'46"W 151.18 feet; thence to a point N43°42'09"W 98.58 feet; thence to a point N44°54'24"W 63.92 feet; thence to a point thence leaving the centerline of State Highway #16 N45°05'36"E 40.00 feet to the point of beginning, said point being on the North right of way of State Highway #16; thence along said right of way to a point N44°54'24"W 20.00 feet; thence leaving said North right of way of State Highway #16 to a point N40°36'26"E 20.00 feet; thence along a line which is parallel with the North right of way of State Highway #16, S44°54'24"E 20.00 feet to a point being on the West right of way of Pryor Mountain Drive; thence along the West right of way of Pryor Mountain Drive, S40°36'26"W 20.00 feet to the point of beginning, said point being on the North right of way of State Highway #16.

SE CORNER NE1/4 SW1/4
SECTION 19, T-10-N, R-11-W
CLEBURNE COUNTY, ARKANSAS

This Instrument Prepared By:
Michael B. Childers
Friday, Eldredge & Clark, LLP
400 W. Capitol, Suite 2000
Little Rock, AR 72201



Certificate of Record
State of Arkansas, County of Cleburne
KAREN GILES, CIRCUIT CLERK
Filed & Recorded in Cleburne County
Date 05/13/2011, 09:28:40 AM
Fees \$35.00
DOC # 201104512
Karen Giles, Clerk

Seather Smith D. C.

FIRST AMENDMENT TO BILL OF ASSURANCE

Pryor Mountain Estates An Unrecorded Subdivision

This First Amendment to Bill of Assurance ("***Amendment***") is made and entered into as of the 9th day of September, 2010, by F.H. PROPERTIES, LLC, an Arkansas limited liability company ("***Developer***") and ROBERT E. SMITH, SR., an individual and resident of the State of Arkansas ("***Smith***").

WHEREAS, on June 22, 2010, Developer filed of record a certain Bill of Assurance in the real property records of Cleburne County, Arkansas as Instrument No. 201006286 (the "***BOA***") which covers all of the real property described on Exhibit "A" hereof (the "***Property***");

WHEREAS, Developer is presently the owner of all the Property except those 2 lots conveyed by Developer to Smith by the General Warranty Deeds recorded as Instrument Nos. 201006386 and 201006388 in the real property records of Cleburne County, Arkansas; and

WHEREAS, Developer and Smith, as the record owners of all of the Property, desire to amend the BOA pursuant to paragraph 22 thereof, as set forth in this Amendment.

NOW, THEREFORE, the parties hereby amend the BOA as follows:

1. **Oil and Mineral Operations.** Paragraph 19 of the BOA is hereby deleted in its entirety and replaced with the following:

No exploration, drilling or other operations of any kind for the exploration and/or production of oil, natural gas, minerals, hydrocarbons, or any combination of the foregoing, shall be conducted on the Property, including, without limitation, drilling operations, development and production operations, refining, quarrying or mining operations; provided, however, that the foregoing restriction shall not prohibit underground operations for oil and/or natural gas (such as horizontal drilling and hydraulic fracturing) which do not require operations on the surface of the Property. No above ground structures, including, without limitation, derricks, drilling rigs, storage tanks and compression facilities shall be permitted on the Property for or in support of any oil, natural gas, mineral or hydrocarbon production. Notwithstanding the foregoing, Developer

and Smith acknowledge that some portion of the Property is subject to that certain Oil and Gas Lease dated March 14, 2003, and recorded in Book OL28, Pages 549-551 of the real estate records of Cleburne County, Arkansas (the "*Lease*"). All purchasers of all or any part of the Property are hereby placed on notice of the existence of the Lease and, by accepting a deed to all or any part of the Property, shall be deemed to have purchased with notice of the Lease. Developer and Smith reserve the right to grant one or more oil or gas pipeline rights-of-way (whether voluntarily, by court order, or due to the actual or threatened exercise of the right of eminent domain) to the lessee (or such lessee's successors or assigns) under the Lease, and in such event shall not be deemed to have violated the restrictions contained in the BOA or this Amendment. All future oil, gas and/or mineral leases shall, however, be subject to the restrictions contained herein.

2. No Further Amendment. Except as expressly amended by this Amendment, the terms and conditions of the BOA shall remain in full force and effect.
3. Binding Effect. This Amendment shall be binding upon and inure to the benefit of the parties hereto and their heirs, successors and assigns, and shall run with title to the Property.
4. Execution in Counterparts. This Amendment may be executed in counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

[Remainder of page intentionally left blank – signature pages follow]

EXHIBIT "A"

Description of the Property

A part of the S1/2 NW1/4 and part of the N1/2 SW1/4, Section 19, T-10-N, R-11-W and also part of the SE1/4 NE1/4, Section 24, T-10-N, R-12-W, all in Cleburne County, Arkansas, more particularly described as beginning at the SW corner of the N1/2 SW1/4 Section 19, T-10-N, R-11-W, thence S 88 degrees 37 minutes 38 seconds E 1422.28 feet to the centerline of State Hwy #16, said being the point of beginning; thence along said centerline to a point N 33 degrees 52 minutes 07 seconds W 722.68 feet; thence to a point N 35 degrees 09 minutes 40 seconds W 184.20 feet; thence to a point N 38 degrees 58 minutes 12 seconds W 151.18 feet; thence to a point N 43 degrees 49 minutes 35 seconds W 159.46 feet; thence to a point N 48 degrees 50 minutes 02 seconds W 188.24 feet; thence to a point N 54 degrees 37 minutes 38 seconds W 174.56 feet; thence to a point N 57 degrees 51 minutes 10 seconds W 1602.27 feet; thence to a point N 52 degrees 50 minutes 21 seconds W 166.78 feet; thence to a point N 41 degrees 33 minutes 44 seconds W 97.20 feet; thence to a point N 33 degrees 33 minutes 24 seconds W 77.48 feet; thence to a point N 25 degrees 31 minutes 23 seconds W 81.74 feet; thence to a point N 18 degrees 18 minutes 52 seconds W 73.01 feet; thence to a point N 09 degrees 18 minutes 27 seconds W 96.18 feet; thence N 01 degrees 54 minutes 16 seconds W 63.37 feet to a point along North line of the SE1/4 NE1/4, thence along said North line S 88 degrees 04 minutes 09 seconds E 1317.26 feet to a point along the West line of the SW1/4 NW1/4 Section 19, T-10-N, R-11-W; thence along said West line N 01 degrees 21 minutes 41 seconds E 151.60 feet to the NW corner of the S1/2 NW1/4; thence along North line South 87 degrees 54 minutes 06 seconds East 2318.65 feet to the NE corner of the S1/2 NW1/4; thence S 00 degrees 23 minutes 32 seconds E 1311.44 feet; thence S 01 degrees 24 minutes 57 seconds W 1331.11 feet to the SE corner of the N1/2 SW1/4, thence along the South line N 88 degrees 37 minutes 38 seconds W 935.17 feet to the point of beginning, making a total of 135.68 acres, more or less.