

426
Edward M. Ward, Sr. and Orene H. Ward

GRANTORS

TO

WARRANTY DEED

Allan P. Bowden, James F. Hokanson and Warner H. Bowden

GRANTEES

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good, legal, sufficient, and valuable considerations, the receipt of all of which is hereby acknowledged, we, EDWARD M. WARD, SR. and ORENE H. WARD, the undersigned Grantors, do hereby sell, convey and warrant unto the above Grantees, ALLAN P. BOWDEN, JAMES F. HOKANSON and WARNER H. BOWDEN, as tri-tenants with full rights of survivorship and not as tenants in common, the following described land and property situated in the County of DeSoto, State of Mississippi, being more particularly described as follows, to-wit:

Lot 509, in Section D, of Buena Vista Lakes Subdivision as shown on plat appearing of record in Plat Book 5, Pages 40-43, in the Chancery Court Clerk's Office of DeSoto County, Mississippi, to which recorded plat reference is made for a more particular description. Said lot being situated in Section 14, Township 4, Range 8 West.

The hereinabove described lot is conveyed to restrictive covenants of said subdivision as set out on said plat of said subdivision as recorded in the Chancery Clerk's office of DeSoto County, Mississippi, and further subject to the following covenants, limitations and restrictions which are to run with the land in the same manner and for the same time as the restrictions on said recorded plat of subdivision.

1. Each owner, corporate or otherwise, of any interest in land in the Buena Vista Lakes Subdivision shall have a membership in the Buena Vista Lakes Maintenance Association, a non-profit corporation created for the purpose of owning and maintaining the lake, dam site, drives and other common areas, which membership is subject to the bylaws and other rules and regulations thereof. Such land owner shall have the right to the use of the lakes in the subdivision only so long as he is a member of said Association.
2. No inboard or outboard motorboat having in excess of 5½ horsepower shall be used on any lake in the subdivision. Each boat shall be plainly marked "B.V." with the owner's lot number, in order that all boats may be identified. Any boat without a lot number will not be permitted on the lake.
3. The property herein conveyed is subject to an assessment by the Buena Vista Lakes Maintenance Association on an annual basis, when same is assessed, and thereafter for the same amount annually until changed by a majority of the total votes eligible to be cast by the members of the Association, such amounts to be used only for the maintenance of the lake, dam, dam site, drives and other common areas. Said assessments shall be due and payable as the Board of Directors shall determine, and if not so paid shall bear interest at the rate of 6% per annum from the due date until paid; such assessments shall be a lien on the property so assessed and collectible by proper action at law, or proceeding in Chancery for enforcement of such lien.
4. No pier shall extend more than 15 feet out into the lake from the shoreline, except such piers that may be erected in lake access areas by the Maintenance Association.
5. All residences in this subdivision shall have inside toilets. All septic tanks and septic tank fields must be constructed to standards of the Mississippi State Board of Health. No outside privies will be permitted. No septic tank field shall be allowed to drain into the lake.
6. No failure or neglect on the part of the grantor or any owner of lands embraced in said Buena Vista Lakes Subdivision, to demand or insist upon the observance of any provision, requirement, covenant, limitation, restriction or condition herein contained or referred to or to proceed for the restraint of violations thereof, shall be deemed a waiver of such violation or operate as an estoppel to restrain a continuance thereunder; nor shall a waiver thereof, in any particular be deemed a waiver of any other default thereunder, whether of the same or of a different nature; but any such provisions, requirement, covenant, limitation, restriction or condition, may be enforced at any time, notwithstanding violations thereof may have been suffered or permitted theretofore.

7. All lots in the subdivision will have a water service tap at the road property line and are subject to a water service charge by Trinity Water Company under its schedule of rates, terms and conditions on file with the Mississippi Public Service Commission. Any unpaid charge for water service shall be a lien on the property and collectible by proper action at law, or proceeding in Chancery for enforcement of such lien.

The Grantees herein by acceptance of this conveyance assume and agree to pay a pro-rata share of all ad valorem taxes for the year 1984.

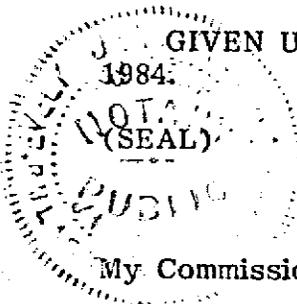
WITNESS the signature of the Grantors this the 1st day of May, 1984.

[Signature]
Edward M. Ward, Sr.
[Signature]
Orene H. Ward

STATE OF Arkansas
COUNTY OF Pulaski

PERSONALLY appeared before me, the undersigned authority of law in and for the jurisdiction aforesaid, the within named EDWARD M. WARD, SR. and ORENE H. WARD, who acknowledged that thye signed and delivered the foregoing instrument on the day and year therein mentioned.

GIVEN UNDER MY HAND and seal of office this the 1st day of May, 1984.



[Signature]
Notary Public

My Commission expires:
1-28-1992

GRANTORS' ADDRESS: 5415 TRENTON LANE Little Rock ARK 72209

GRANTEES' ADDRESS: 8437 Paget Ct., Germantown, TN 38138

Filed @ 9:25 A M, May 21, 1984
Recorded in Book 171 Page 426
H. G. Ferguson, Clerk