



City of Farmington
354 W. Main Street
P.O. Box 150
Farmington, AR 72730
479-267-3865
479-267-3805 (fax)

PLANNING COMMISSION AGENDA

May 23, 2022

**A meeting of the Farmington Planning Commission will be held on
Monday, May 23, 2022, at 6:00 p.m. at City Hall
354 W. Main Street, Farmington, Arkansas.**

1. Roll Call
2. Approval of the minutes –April 25, 2022
3. Comments from Citizens – the Planning Commission will hear brief comments at this time from citizens. No action will be taken. All comments will be taken under advisement.
4. **PUBLIC HEARINGS**
 - A. **Conditional Use – Fireworks City**
Property owned by: Freedom Fireworks, LLC.
Property Location: 233 E. Main St
Presented by: Freedom Fireworks
 - B. **Variance – Variance of building setback**
Property owned by: Andy Slay
Property Location: 420 W. Tyler Rd.
Presented by: Andy Slay
 - C. **Variance – Variance of lot widths**
Property owned by: DRP Holdings, LLC
Property Location: West end of Wilson St.
Presented by: Jorgensen & Associates

Planning Commission Minutes
April 25, 2022 at 6 PM

1. ROLL CALL – Meeting which was available in person and with Zoom on-line service due to Corona Virus pandemic, was called to order by Chairman Robert Mann. A quorum was present.

PRESENT

Robert Mann, Chair
Gerry Harris, Vice Chair
Chad Ball
Judy Horne
Keith Macedo
Jay Moore
Howard Carter
Bobby Wilson

ABSENT

City Employees Present: Melissa McCarville, City Business Manager; Rick Bramall, City Building Inspector; Chris Brackett, City Engineer; Fire Chief, Bill Hellard

2. Approval of Minutes: March 28, 2022 meeting minutes were approved with the correction to page 1. The vote should have read 6-1 with Chad Ball voting no.

3. Comments from Citizens:

Jill Toering, 306 Claybrook – She asked why connectivity was needed for all neighborhoods? She said that the City will approve new subdivisions with nothing but a cul-de-sac but are OK with making through streets of old established neighborhoods. She further stated that the residents of Twin Falls bought homes in this subdivision because the street design is quiet and safe. Where the proposed connection is in Twin Falls she asked that a gate which Fire Department could access be built instead of putting the street through to the new Wagon Wheel Subdivision.

Norm Toering, 306 Claybrook – He asked why the cell tower behind the church on Main Street is showing the antennas since it is supposed to be a covered monopole. Rick Bramall will go investigate it and will reply back to Mr. Toering.

Public Hearings:

4A. Conditional Use- Fireworks City property owned by Meramec Specialty Co. located at 380 W. Main St as presented by Meramec Specialty Co.:

Dave Stewart was present to discuss the request on behalf of Kevin Bailey.

Public Comment: None.

Chairman Robert Mann called for question to approve the Conditional Use for 380 W. Main St. and upon roll call vote motion passed unanimously.

4B. Rezoning from R-2 to R-O property owned by Pops Holdings LLC; property location 175 W. Vine St.; presented by Mike Thompson:

Mike Thompson was present to discuss the request.

Melissa McCarville read the following memo recommending the approval of this Rezoning.

Item 4B:

Current zoning for this property is R-2; which allows smaller single family lots. The land use plan indicates Urban Residential for this area; these areas consist of higher density than in the Rural Residential and Medium Residential Future Land use categories. Their maximum densities range from 5.81-10.89 units per acre. Minimum lot sizes are between 0.16-0.09 acres. Homes in this category may be single-family residential or multifamily. These residential areas are often located closer to commercial areas because they usually need more utility and traffic infrastructure to handle the increased demands on these services from high development densities. So the request, while not directly in keeping with the future land use plan is compatible with the category, since parking lots would be required in areas where multi-family units are developed.

This area appears to be in zone A for FEMA flood plain. Zone A indicates areas subject to inundation by the 1-percent-annual-chance flood event generally determined using approximate methodologies. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply. So, development of this property for residential purposes would be difficult.

The only adjacent property owner comment received, was in favor of the rezoning. Staff recommends approval for this rezoning.

A Grading Permit must be obtained prior to construction. The parking area construction can't make any flooding problems worse and may actually improve the drainage/flooding in that area.

Mike Thompson said he has been talking with area property owners including Karen Murdock and also Allan Shannon who owns property at 162 Hill Street.

Public Comment:

The study by FEMA regarding floodways and floodplain has been finished but the report has not been done yet and sent to the City.

It was explained that the only issue tonight is rezoning and when a Large Scale Development is presented, it will be carefully reviewed by City Engineer Brackett. All this would be done before any work could be done. Rezoning the property from R-2 to R-O actually protects area residents more because multi-family housing can't be built in R-O zone. Also, the area is so small that nothing very large could be built there.

The City has an easement Mike Thompson would like to purchase if it can be vacated by the City.

Chairman Mann called for the question and upon roll call, the motion to allow a rezoning variance for 175 W. Vine St. passed unanimously.

4C. Final Plat for Summerfield Subdivision Phase I; Location - on the west side of Hunter St. and west of Summerfield Phase I; owned by DRP Holdings, LLC; Presented by Jorgensen & Associates:

Charles Zardin was present to discuss the request. Chris Brackett read his memo as follows:

“The Final Plat for the Summerfield Subdivision Phase I has been reviewed and it is our option that the Planning Commission’s approval should be conditional on the following comments.

1. On April 27, 2020 the Planning Commission approved this development with the following condition. "The Developer and City Staff have come to an agreement for the required offsite improvements for this development. This agreement is only binding if the Planning Commission agrees to the offsite improvements as follows.

- f. The City (Planning Commission) agrees to waive the payment in lieu for park land dedication for *all phases* of this development."

Due to this condition of Phase I, there will be no requirement for parkland dedication for this development.

2. All public improvements must be completed, and a Final Inspection scheduled. All punch list items must be completed and accepted prior to final approval of the final plat.
3. A one- year 100% Maintenance Bond to the City of Farmington for all public improvements with the exception to the water and sanitary sewer improvements must be provided prior to the signature on the Final Plat. The engineer must submit an itemized cost of these improvements for approval prior to obtaining the bond.
4. If the sidewalk construction is to be delayed until the home construction, then the developer shall provide an escrow account in accordance with Sec. 9.20.03. The engineer shall provide a cost estimate for the construction of the sidewalk for approval.
5. If the installation of the Street Lights has not been completed at the time of Final Plat signatures, then the developer shall provide the paid invoice from the electric company for these lights.
6. Provide one original and 6 copies of the recorded plat to the City."

Mr. Zardin had no issues with Mr. Brackett's requirements.

Chad asked what was covered under #2 in the memo. Mr. Brackett said they made all street improvements to Wilson St. and Hunter Street. Also, a new sidewalk was installed all the way to the bridge. The commissioners remembered that the developer had agreed to show a crosswalk and put up warning signs since there will be lots of pedestrians going to the park's west entrance. Also, the median island height near an entry was approved by the Fire Department for accessibility.

In other discussion it was noted that there are at least two more phases planned. The developer has spent much more money on these improvements than a payment-in-lieu-of park.

There were no comments from the public.

Having no further discussion, Robert Mann called the question to approve the Final Plat subject to Chris Brackett's memo. Upon roll call, the motion was approved unanimously.

At the next work session, someone from the Chamber group that is promoting our area for medical technology development and manufacturing will suggest things the Planning Commission should be thinking about related to this.

Adjournment: Having no further business, the on-line/in-person Planning Commission meeting was adjourned at 6:30 PM.

Judy Horne - Secretary

Robert Mann - Chair

CITY OF FARMINGTON

APPLICATION FOR CONDITIONAL USE
FOR SALE OF FIREWORKS

Applicant's Name Freedom Fireworks, LLC Date 4. 19 . 2022

Address 233 E. Main Street, Farmington, AR 72730

Phone # 870-538-8093

Zoning Commercial

Description of proposed use: fireworks tent for the sale of fireworks for
Some of June and July of 2022.

The following information must be provided before you will be placed on the Farmington Planning Commission agenda.

- 1. Location approval by fire department. (form must be completed and signed by Farmington Fire Chief)
- 2. Payment of \$250.00 fee.
- 3. The applicant has provided proof that each adjacent property owner has been notified by return receipt mail or personal contact. If personal contact is used, a signed affidavit by the owner must be submitted. The affidavit must contain information notifying of the proposed intent and the date of the public hearing, at a minimum.
- 4. The applicant has provided a site plan showing adequate ingress, egress and parking. (No on street parking will be allowed.)
- 5. The applicant has provided proof that arrangements for waste collection services have been made.
- 6. The applicant has provided proof of premises liability insurance that covers the insured (Fireworks Manufacturer and/or Wholesaler), the Farmington property owner where the stand is located, the Fireworks Stand Owner and Operator; Sub-Operator, if applicable, and the City of Farmington, Arkansas for bodily injury and/or property damage arising out of the ownership, operation, use and maintenance of the insured retail premises, with a minimum coverage of \$1,000,000 for each occurrence and a minimum of \$3,000,000 in general aggregate coverage.
- 7. Must place signs in compliance with the City's sign ordinance.
- 8. If electricity is needed, an electrical permit must be obtained from City Building Inspector.
- 9. If site is not addressed contact Gunder Coaty at the City of Fayetteville 575-8380, he will assign an address to the site.
- 10. Must have a representative present at the Planning Commission Meeting (Public Hearing).

I, Cheslee Mahan, member of Freedom Fireworks, LLC, mailed the "Notice of a Public Hearing Before the Farmington Planning Commission on An Application for Conditional Use" to the two adjacent property owners of 233 E. Main Street, Farmington, AR 72730. Copies of the certified mail receipts to R. Justin Eichmann (the registered agent of Goldstein Farmington, LLC) and Marcus J. Nall and the previously mentioned Notice are attached. I can supplement this application with return cards hopefully shortly.

Cheslee Mahan member 4.27.2022

Cheslee Mahan, Member of Freedom Fireworks, LLC

LOCATION APPROVAL OF FIREWORKS STAND

The Farmington Fire Department must approve the location of the fireworks stand in accordance with the following requirements:

- X 1. The fireworks are not being stored or sold in a permanent structure in the city.
- X 2. The fireworks stand is in compliance with Arkansas and federal law and the 2000 International Fire code, and approved by the Farmington Fire Department.
- K 3. Fireworks stand is not located within 250 feet of a fuel dispensing facility and fireworks stand has a setback of a minimum of 50 feet from the nearest street or highway and 200 feet from school grounds.



Farmington Fire Chief

4/28/01

Date/

NOTICE OF A PUBLIC HEARING BEFORE THE FARMINGTON PLANNING COMMISSION ON AN APPLICATION FOR CONDITIONAL USE

COPY

To all Owners of land lying adjacent to the property at:

233 E. Main Street, Farmington, AR 72730
Location

Two Daughters Properties, LLC
Owned by

NOTICE IS HEREBY GIVEN THAT an application has been filed for CONDITIONAL USE at the above property.

The purpose of this request is to use this property for:

fireworks tent for the sale of fireworks for some of June and July of 2022.

A public hearing on said application will be held by the Farmington Planning commission in City Hall, 354 W. Main Street, on May 23, 2022 at 6:00 p.m.

All parties interested in this matter may appear and be heard at said time and place or may notify the Planning Commission of their views on this matter by letter. All persons interested in this request are invited to call or visit the city Business Manager in City Hall, 354 W. Main Street, 267-3865, and to review the application and discuss the same with the staff.

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Springdale, AR 72764

OFFICIAL USE

Certified Mail Fee \$3.75
 \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$ 0.00
 Return Receipt (electronic) \$ 0.00
 Certified Mail Restricted Delivery \$ 0.00
 Adult Signature Required \$ 0.00
 Adult Signature Restricted Delivery \$

0230
 14

Postmark
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Postage \$0.58
 \$
 Total Postage and Fees \$7.38
 \$

04/27/2022

Sent To *R. Justin Eichmann, registered agent for Giddstein Farmington LLC*
 Street and Apt. No., or PO Box No.
113 East Emma Ave
 City, State, ZIP+4®
Springdale, AR 72764

7020 0640 0001 8565 5304

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OFFICIAL USE

7020 0640 0001 8565 5311

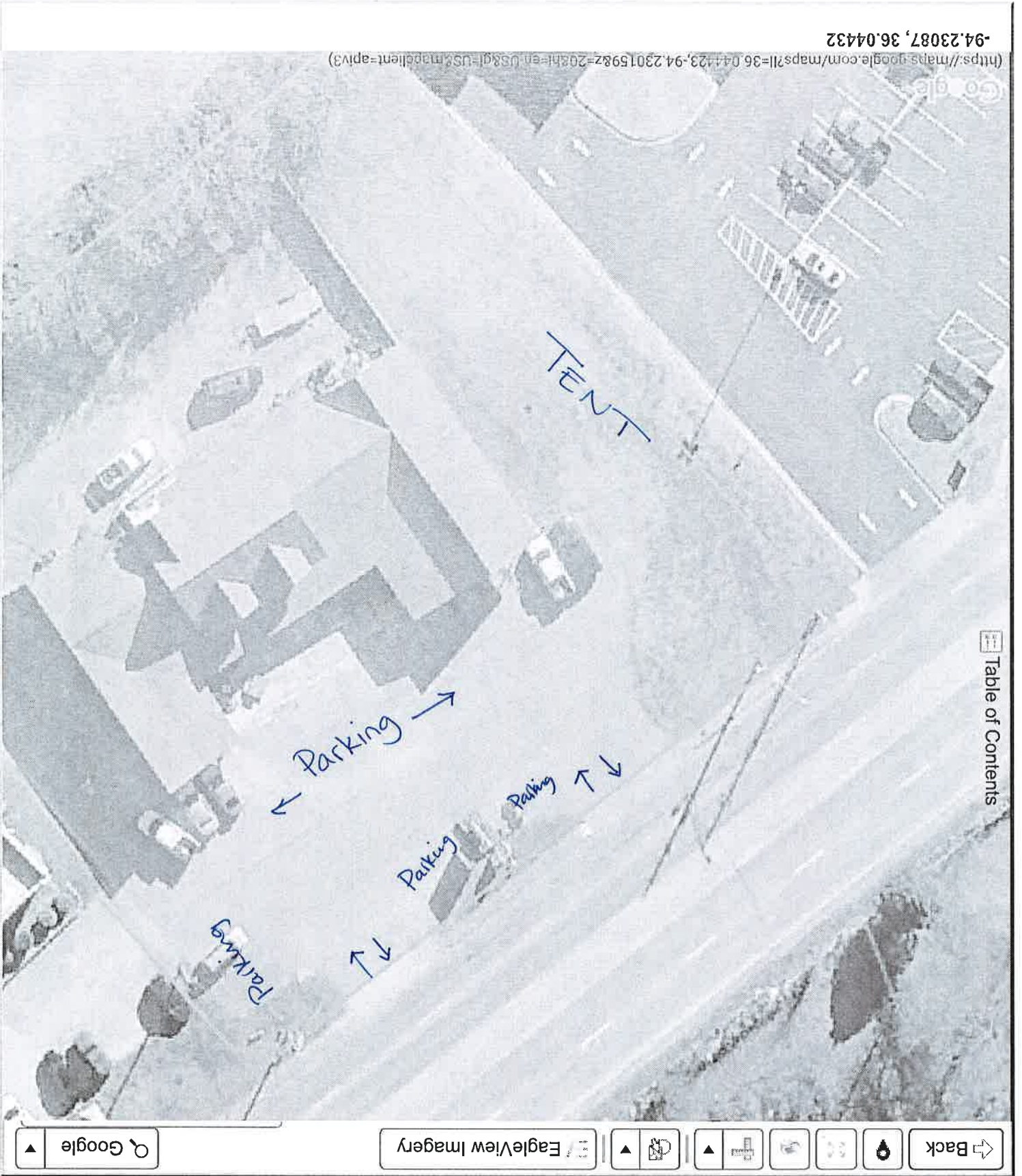
Certified Mail Fee \$3.75
\$ **3.05**
Extra Services & Fees (check box, add fee if appropriate)
 Return Receipt (hardcopy) \$ 0.00
 Return Receipt (electronic) \$ 0.00
 Certified Mail Restricted Delivery \$ 0.00
 Adult Signature Required \$ 0.00
 Adult Signature Restricted Delivery \$

0230
14
Postmark
Here

Postage \$0.58
\$
Total Postage and Fees \$3.63

04/27/2022

Sent To **Marcus J. Nall**
Street and Apt. No., or PO Box No.
P.O. Box 522
City, State, ZIP+4®
Prairie Grove AR 72753



-94.23087, 36.04432

(https://maps.google.com/maps?ll=36.044423,-94.230159&z=20&hl=en_US&gl=US&mapclient=apiv3)

Table of Contents

Google

EagleView Imagery

Navigation icons: Back, Home, Location, Street View, Map, and other standard map controls.

Two Daughters Properties, LLC, has a dumpster on the property at 233 E. Main Street that Freedom Fireworks, LLC is allowed to use.



Two Daughters Properties, LLC

Lee Dancer, Member

Freedom Fireworks, LLC, has secured access to a dump trailer that can be parked at 233 E. Main Street in Farmington during the proposed use of sale of fireworks. This can be used instead of, or in addition to, Two Daughters Properties, LLC's dumpster.

Cheslee Mahan, member
Cheslee Mahan, member of Freedom Fireworks, LLC



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/28/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Britton-Gallagher and Associates, Inc. One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME:	
	PHONE (A/C, No, Ext): 216-658-7100	FAX (A/C, No): 216-658-7101
	E-MAIL ADDRESS: info@brittongallagher.com	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A : Everest Indemnity Insurance Co.	
	INSURER B : Axis Surplus Ins Company	
INSURED 18166 Ingram Enterprises, Inc. dba Fireworks Over America 3010 North Ingram Drive Springfield MO 65803	NAIC #	
	10851	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES**CERTIFICATE NUMBER:** 46894835**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR \$2500 Deductible GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC		S18GL00655-211	12/31/2021	10/1/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$		P-001-000056744-04	12/31/2021	10/1/2022	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A				WC STATUTORY LIMITS OTH-ER E L EACH ACCIDENT \$ E L DISEASE - EA EMPLOYEE \$ E L DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.
 Stand Owner, Property Owner and Others listed below are named additional insured's.
 Property Owner: Two Daughters Properties, LLC.
 Additional Insured: City of Farmington AR, for Bodily Injury & or Property Damage arising out of the Ownership, Operation, Use & Maintenance of the Retail Premises; as well as Freedom Fireworks, LLC. Blake Wells; Ceslee Mahan, Joe Paul Mahan
 Location: 233 E Main Farmington AR 72730
 Operating Dates: June 15, 2022 thru July 15, 2022

CERTIFICATE HOLDER**CANCELLATION**
 Freedom Fireworks, LLC.
 49 E. Main St
 Farmington AR 72730

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

 AUTHORIZED REPRESENTATIVE

7020 0640 0001 8565 5311

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

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Certified Mail Fee	\$3.75
\$	\$3.05
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	
Postage	\$0.58
\$	
Total Postage and Fees	\$3.33
\$	

0230
14

Postmark
Here

04/27/2022

Sent To **Marcus J. Nail**
 Street and Apt. No., or PO Box No.
P.O. Box 522
 City, State, ZIP+4®
Prairie Grove, AR 72753

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Marcus J. Nail
P.O. Box 522
Prairie Grove, AR 72753



9590 9402 6374 0303 6538 82

2. Article Number (Transit from service label)
7020 0640 0001 8565 5311

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) **Marcus Nail**

C. Date of Delivery **5/2/22**

D. Is delivery address different from item 1? Yes
 No
 If YES, enter delivery address below:

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail
 - Insured Mail Restricted Delivery (over \$500)
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

Domestic Return Receipt

I, Cheslee Mahan, member of Freedom Fireworks, LLC, mailed the "Notice of a Public Hearing Before the Farmington Planning Commission on An Application for Conditional Use" to Osur Farmington LLC c/o R. Justin Eichmann (registered agent for Osur Farmington LLC). A copy of the certified mail receipt is attached. A copy of the previously mentioned notice has already been submitted. I hope to supplement this application with a return card shortly.

Cheslee Mahan, member 5/10/2022

Cheslee Mahan, Member of Freedom Fireworks, LLC

7020 0640 0001 8565 5328

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®.	
Springdale, AR 72764	
OFFICIAL USE	
Certified Mail Fee \$3.75	0230 14
\$	\$3.75
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.58
\$	\$7.38
Total Postage and Fees	\$7.38
\$	\$7.38
Postmark Here	
05/10/2022	
Sent To: <i>R. Justin Eichmann registered agent for Osur Farmington LLC</i>	
Street and Apt. No., or PO Box No. <i>113 East Emma Ave.</i>	
City, State, ZIP+4® <i>Springdale AR 72764</i>	
PS Form 3800, April 2015 PSN 7530-02-000-8047 See Reverse for Instructions	

May 10, 2022

City of Farmington Planning Department:

The purpose of this letter is to notify you that Freedom Fireworks, LLC, has permission to sell fireworks during June and July of 2022 on property owned by Two Daughters Properties LLC at 233 E. Main Street in Farmington, Arkansas.

Sincerely,

TWO DAUGHTERS PROPERTIES LLC

Lee Dancer, Jr., Member

A handwritten signature in blue ink, appearing to read "Lee Dancer, Jr.", is written over the printed name. The signature is stylized with a large loop and a horizontal line extending to the right.

City of Farmington, Arkansas

Application for Variance/Waiver



Please fill out this form completely, supply all necessary information to support your request. Your application will not be placed on the agenda for Planning Commission/Board of Adjustment until all information is furnished.

Applicant: Andy Stacy Day phone: 601-862-1605
 Address: 4200 W Tyler Rd Farmington AR 72730 Fax: no Fax
 Representative: Andy Stacy Day phone: 601-862-1605
 Address: 4200 W Tyler Rd Farmington AR 72730 Fax: no Fax
 Property Owner: Andy Stacy Day phone: 601-862-1605
 Address: 4200 W Tyler Rd Fax: no Fax

Indicate where the correspondence shall be sent (circle one): Applicant Representative Owner

Describe Proposed Property In Detail (Attach additional pages if necessary)

Property description: _____
 Site address: Lot 7 The Grove at Eagle Smith, Phase 1
 Current zoning: PUD 0024-00000376

Attach legal description and site plan (a scaled drawing of the property showing accurate lot lines, surrounding zoning, adjacent owners and a north arrow is required.) Attach photos if they are helpful in describing your request.

Type of variance requested and reason for request:

We are asking for a variant of the location of the building.
My husband started building before he checked into the codes.
Our building is closer than twenty feet from the fence. We need
a variant please. Thank you.

Responsibilities of the Applicant:

1. Complete application and pay a \$25.00 application fee.
2. Provide a copy of the deed for the property. If the property is rented, provide written permission from the owner that the variance is allowable.
3. Written authorization from the property owner if someone other than the owners will be representing the request.
4. Publish the following notice in a newspaper of general circulation in the City no later than 15 days prior to the meeting, A copy of the proof of publication from the newspaper must be provided to the City 3 days before the meeting:

Type: REAL ESTATE
Kind: WARRANTY DEED
Recorded: 4/27/2022 1:41:45 PM
Fee Amt: \$30.00 Page 1 of 4
Washington County, AR
Kyle Sylvester Circuit Clerk

File# 2022-00013994

COVER PAGE

INSTRUMENT: CORRECTED WARRANTY DEED

GRANTOR: RIVERWOOD HOMES, LLC

GRANTEES: ANDY SLAY AND SARAH SLAY, HUSBAND AND WIFE

Legal Description:

See Pages 1 of instrument.

Recorder's Note: This instrument is being re-filed to add day of signing when the conveyance instrument 2022-00002945 was originally filed for record.]

COVER PAGE

INSTRUMENT: CORRECTED WARRANTY DEED

GRANTOR: RIVERWOOD HOMES, LLC

GRANTEES: ANDY SLAY AND SARAH SLAY, HUSBAND AND WIFE

Legal Description:

See Pages 1 of instrument.

[Recorder's Note: This instrument is being re-filed to add day of signing when the conveyance instrument 2022-00002945 was originally filed for record.]



Please Return To:

Lenders Title Company
3761 N Mall Avenue, Suite 1
Fayetteville AR, 72703
Phone: 479-444-3333
Fax: 479-443-4256

File Number: 21-064394-500

This deed form prepared under the supervision of:
J. Mark Spradley, Attorney at Law
1501 N. University, Suite 155
Little Rock, AR 72202

Transactional data completed by Lenders Title Company

Warranty Deed - LLC (Letter).rtf

FOR RECORDER'S USE ONLY

WARRANTY DEED
(LIMITED LIABILITY COMPANY)

KNOW ALL MEN BY THESE PRESENTS:

That, Riverwood Homes, LLC, Grantor, organized under and by virtue of the laws of the State of Arkansas, by and through its Manager, duly authorized and empowered hereto by its Operating Agreement and law, for and in consideration of the sum of ---TEN AND 00/100--- DOLLARS---(\$10.00)--- and other good and valuable consideration in hand paid by, Andy Slay and Sarah Slay, husband and wife, Grantee(s), the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto the Grantee(s) and unto his heirs and assigns forever, the following described land, situated in the County of Washington and the State of Arkansas to-wit:

Lot 7, The Grove at Engles Mill, Phase I, to the City of Farmington, Washington County, Arkansas, as shown on plat recorded as Instrument No. 0024-00000376.

Subject to any recorded: assessments, building lines, easements, mineral reservations and/or conveyances, and restrictions, if any.

TO HAVE AND TO HOLD the above described lands unto the Grantee(s) and unto his heirs and assigns forever, with all tenements, appurtenances, and hereditaments thereunto belonging.

And the Grantor hereby covenants with the Grantee(s) that it will forever warrant and defend the title to the above described lands against all claims whatsoever.

IN TESTIMONY WHEREOF, The name of the Grantor is hereunto affixed by its Manager and its seal affixed this 21 day of **January, 2022**.

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument. Exempt or no consideration paid if none shown.

GRANTEE OR AGENT: Andy Slay *Agent*

GRANTEE'S ADDRESS: 420 W Tyler Rd
Farmington, Ar, 72730

Riverwood Homes, LLC

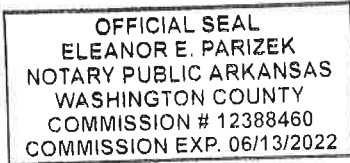
[Signature]
BY: Mark M. Marquess, Manager

ACKNOWLEDGMENT

STATE OF ARKANSAS)
) SS.
COUNTY OF WASHINGTON)

BE IT REMEMBERED that on this 21 day of **January, 2022**, came before me, the undersigned, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, Mark M. Marquess, to me personally well known (or satisfactorily proven to be), who stated that they were the Manager of Riverwood Homes, LLC, a limited liability company, and were duly authorized in their respective capacities to execute the foregoing instrument for and in the name and on behalf of said limited liability company, and further stated and acknowledged that they 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 21 day of **January, 2022**.



Eleanor E. Parizek
Notary Public

My commission Expires:
6/13/22



STATE OF ARKANSAS
DEPARTMENT OF FINANCE AND ADMINISTRATION
MISCELLANEOUS TAX SECTION
P.O. BOX 896, LITTLE ROCK, AR 72203-0896

Real Estate Transfer Tax Stamp

Proof of Tax Paid



File Number: 21-064394-500

Grantee: ANDY SLAY
Mailing Address: 420 W TYLER ROAD
FARMINGTON AR 727300000

Grantor: RIVERWOOD HOMES LLC
Mailing Address: 3420 N PLAINVIEW AVE
FAYETTEVILLE AR 727030000

Property Purchase Price: \$335,016.50
Tax Amount: \$1,108.80

County: WASHINGTON
Date Issued: 01/26/2022
Stamp ID: 632678400

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed): Jed Beach

Grantee or Agent Name (signature): Jed Beach Date: 1/26/2022

Address: 420 W Tyler Rd

City/State/Zip: Farmington, AR, 72730



STATE OF ARKANSAS
DEPARTMENT OF FINANCE AND ADMINISTRATION
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P.O. BOX 896, LITTLE ROCK, AR 72203-0896

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Mailing Address: 3420 N PLAINVIEW AVE
FAYETTEVILLE AR 727030000

Property Purchase Price: \$335,016.50
Tax Amount: \$1,108.80

County: WASHINGTON
Date Issued: 01/26/2022
Stamp ID: 632678400

Washington County, AR
I certify this instrument was filed on
4/27/2022 1:41:45 PM
and recorded in REAL ESTATE

File# 2022-00013994
Kvle Svlvester - Circuit Clerk

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed): Andy Slay

Grantee or Agent Name (signature): Andy Slay Date: 1/26/2022

Address: 420 W Tyler Rd

City/State/Zip: Farmington, AR, 72730

NORTHWEST ARKANSAS Democrat Gazette

P.O. BOX 1097 FARMINGTON, AR 72702 • 479-442-7100 • FAX 479-665-1175 • WWW.NWAGAZ.COM

AFFIDAVIT OF PUBLICATION

I, Brittany Smith, do solemnly swear that I am the Accounting Legal Clerk of the Northwest Arkansas Democrat-Gazette, a daily newspaper printed and published in said County, State of Arkansas; that I was so related to this publication at and during the publication of the annexed legal advertisement the matter of: Notice pending in the Court, in said County, and at the dates of the several publications of said advertisement stated below, and that during said periods and at said dates, said newspaper was printed and had a bona fide circulation in said County; that said newspaper had been regularly printed and published in said County, and had a bona fide circulation therein for the period of one month before the date of the first publication of said advertisement; and that said advertisement was published in the regular daily issues of said newspaper as stated below.

Andy Slay
Public Hearing

Was inserted in the Regular Edition on:
May 6, 2022

Publication Charges: \$42.90

Brittany Smith
Brittany Smith

Subscribed and sworn to before me
This 6 day of May, 2022.

Cathy Wiles
Notary Public
My Commission Expires: 2/20/24

Cathy Wiles
Benton COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires 02-20-2024
Commission No. 12397118

****NOTE****

Please do not pay from Affidavit.
Invoice will be sent.

NOTICE OF PUBLIC MEETING

A petition for a variance at the property described below has been filed with the City of

Farmington on the 5th day of April, 2022,

420 W. Tyler Rd. Farmington, AR.

Our storage room is to close to our fence. It is supposed to be 20ft. away which would be blocking our light from our window and placing it right next to our kitchen window. We need a variant for the distance to be closer to our fence please.

A public meeting to consider this request for variance at the above described property will be held on 23rd day of May 2022, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.
75550160 May 6, 2022

General Reference

Fayetteville, AR



(1 of 1)

[Clear](#)

Parcel

Parcel ID: 760-04341-000

Owner: SLAY, ANDY & SARAH

Acres: 0.2

URL: [More info](#)

[Zoom to](#)



General Reference

Fayetteville, AR

(1 of 1)

[Clear](#)

Parcel

PIN 760-04341-000

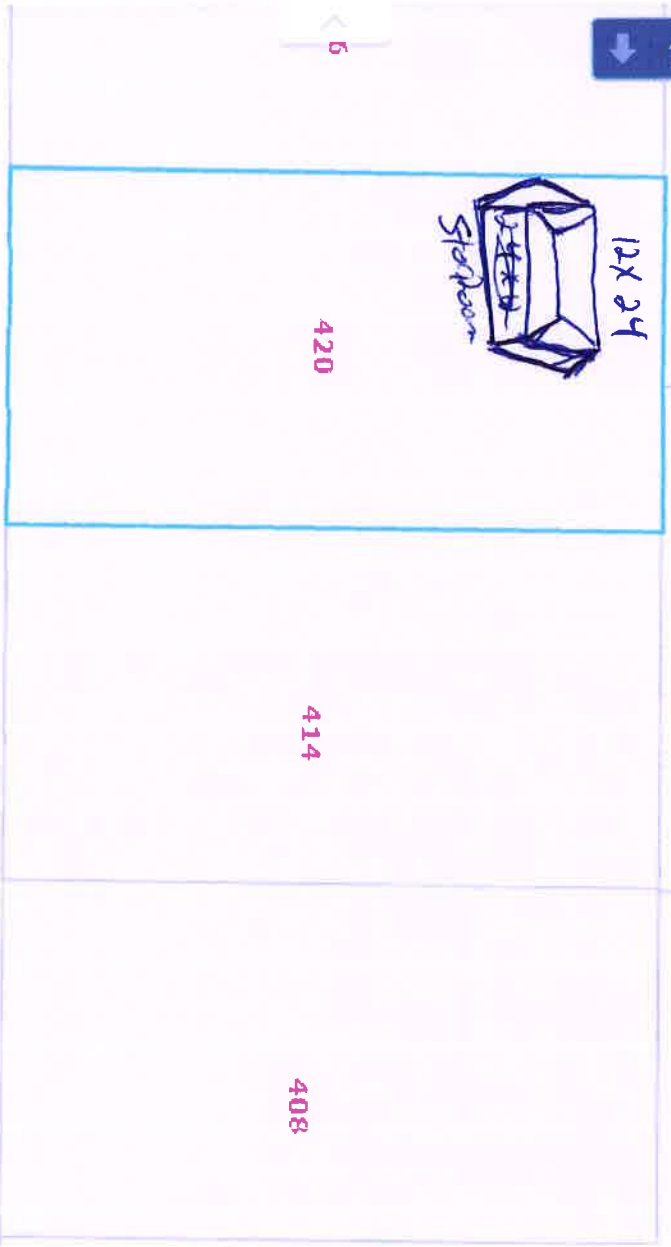
Owner SLAY, ANDY & SARAH

Acres 0.2

URL [More info](#)

[Zoom to](#)

Find address or place



W Tyler Rd

W

94.251 36.035 Degrees

40ft



CITY OF FARMINGTON

354 W Main ST, Farmington, AR 72730

TRANSACTION #	10950640-6154
DATE	05/04/2022 12:19 PM
RESULT	APPROVED
TRANSACTION METHOD	CASH
TRANSACTION TYPE	SALE
REFERENCE NUMBER	420 W TYLER VARIANCE

1 × Development Fee	\$25.00
Subtotal	\$25.00

TOTAL (USD)	\$25.00
-------------	----------------

Receipt sent via SwipeSimple, powered by CardFlight
© CardFlight, Inc. 2022

City of Farmington, Arkansas Application for Variance/Waiver



Please fill out this form completely, supply all necessary information to support your request. Your application will not be placed on the agenda for Planning Commission/Board of Adjustment until all information is furnished.

Applicant: DRP Holdings LLC Day phone: 479-872-3824

Address: 2790 S. Thompson St. Springdale, AR 72764 Fax: _____

Representative: Jorgensen & Associates Day phone: 479-442-9127

Address: 124 W. Sunbridge Dr. Suite 5 Fax: _____

Property Owner: DRP Holdings LLC Day phone: 479-872-3824

Address: 2790 S. Thompson St. Springdale, AR 72764 Fax: _____

Indicate where the correspondence shall be sent (circle one): Applicant Representative Owner

Describe Proposed Property In Detail (Attach additional pages if necessary)

Property description: Summerfield Subdivision Phase 2

Site address: West end of Wilson Street

Current zoning: R-1 & R-2

Attach legal description and site plan (a scaled drawing of the property showing accurate lot lines, surrounding zoning, adjacent owners and a north arrow is required.) Attach photos if they are helpful in describing your request.

Type of variance requested and reason for request:

Request a variance from Section 15.08.02 of the Code or Ordinances to allow for lot widths less than 75 feet when measured along the right-of-way arc. This is for Lots 211, 212 & 213 of Summerfiled Ph. 2

Responsibilities of the Applicant:

1. Complete application and pay a \$25.00 application fee.
2. Provide a copy of the deed for the property. If the property is rented, provide written permission from the owner that the variance is allowable.
3. Written authorization from the property owner if someone other than the owners will be representing the request.
4. Publish the following notice in a newspaper of general circulation in the City no later than 7 days prior to the meeting, A copy of the proof of publication from the newspaper must be provided to the City 3 days before the meeting:


NOTICE OF PUBLIC MEETING

A petition for a variance at the property described below has been filed with the City of Farmington on the _____ day of _____, 20____.

PLACE LEGAL DESCRIPTION HERE AND DESCRIPTION OF THE VARIANCE HERE

A public meeting to consider this request for variance at the above described property will be held on _____ day of _____, 20____, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

Applicant/Representative: I certify under penalty of perjury that the foregoing statements and answers herein made, all data, information and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incomplete, incorrect or false information is grounds for invalidation of the application. I understand that the City of Farmington may not approve my application or may set conditions on approval.

 _____ Date 4/11/2022
Applicant Signature

Property Owner/Authorized Agent: I certify under penalty of perjury that I am the owner of the property that is the subject of this application and that I have read this application and consent to its filing. (If signed by the authorized agent, a letter from the property owner must be provided indicating the agent is authorized to act on their behalf.)

 _____ Date 4/8/2022
Owner/Agent Signature

NORTHWEST ARKANSAS Democrat Gazette

P.O. BOX 700, FARMINGTON, AR 72702 • 479-642-1100 • FAX 479-655-1118 • WWW.NW-AGG.COM

AFFIDAVIT OF PUBLICATION

I, Brittany Smith, do solemnly swear that I am the Accounting Legal Clerk of the Northwest Arkansas Democrat-Gazette, a daily newspaper printed and published in said County, State of Arkansas; that I was so related to this publication at and during the publication of the annexed legal advertisement the matter of: Notice pending in the Court, in said County, and at the dates of the several publications of said advertisement stated below, and that during said periods and at said dates, said newspaper was printed and had a bona fide circulation in said County; that said newspaper had been regularly printed and published in said County, and had a bona fide circulation therein for the period of one month before the date of the first publication of said advertisement; and that said advertisement was published in the regular daily issues of said newspaper as stated below.

Jorgensen & Associates
PH City of Farmington

Was inserted in the Regular Edition on:
May 8, 2022

Publication Charges: \$267.52

Brittany Smith
Brittany Smith

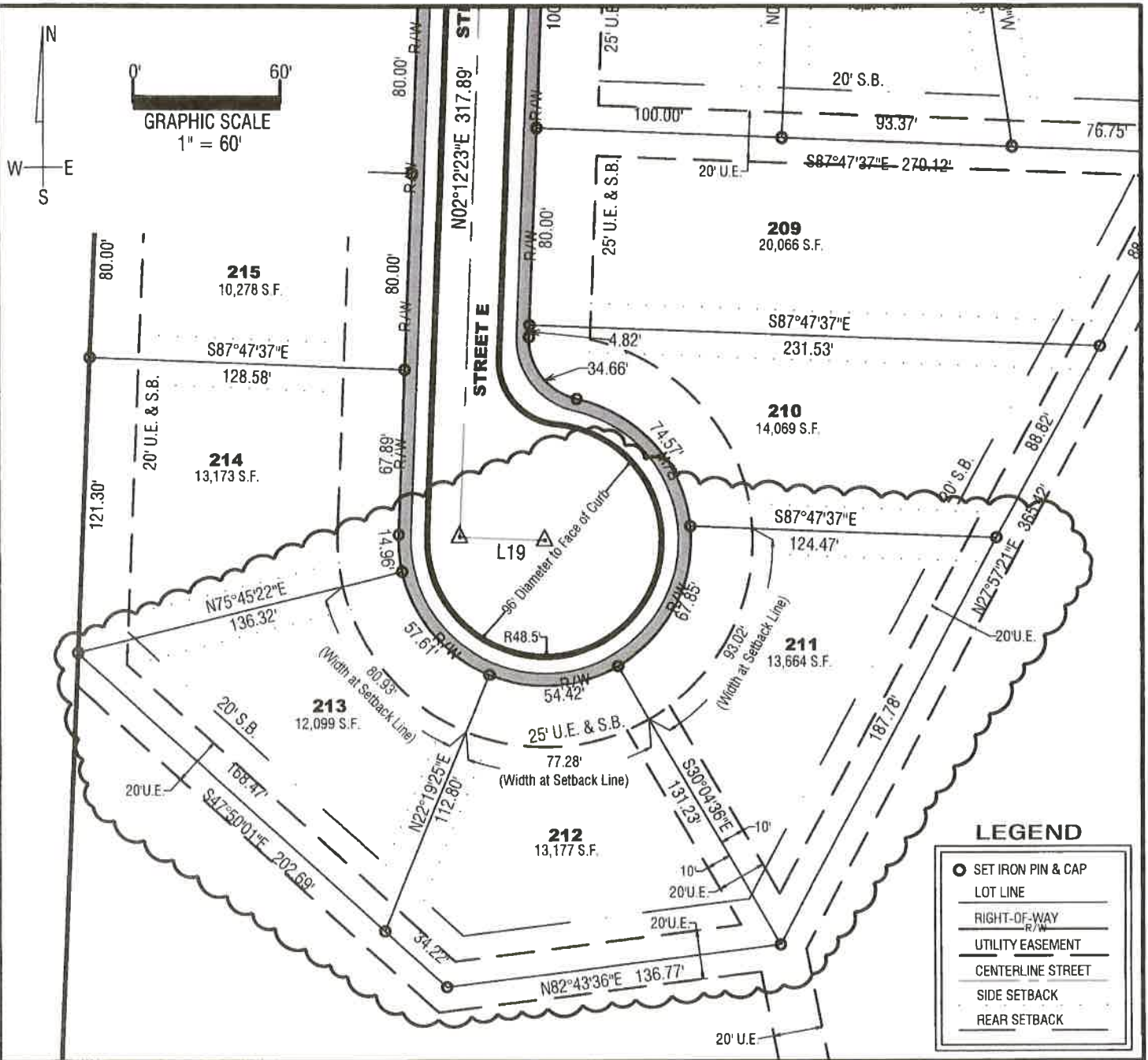
Subscribed and sworn to before me Cathy Wiles
This 9 day of May, 2022, Benton COUNTY
My Commission Expires 02-20-2024
Commission No. 12397118

Cathy Wiles
Notary Public
My Commission Expires: 2/20/24

****NOTE**** Please do not pay from Affidavit Invoice will be sent.

A petition for a variance at the property described below was filed with the City of Farmington on the 19th day of April, 2022.
PART OF THE SW1/4 AND PART OF THE NW1/4 ALL IN SECTION 23, T16N, R31W IN WASHINGTON COUNTY, ARKANSAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;
BEGINNING AT THE NE CORNER OF SAID SW1/4 OF SECTION 23, THENCE N87°43'31"W 30.00 FEET TO THE WEST RIGHT-OF-WAY OF HUNTER STREET, THENCE ALONG SAID RIGHT-OF-WAY S02°09'17"W 1,250.00 FEET, THENCE LEAVING SAID RIGHT-OF-WAY N87°43'31"W 150.00 FEET, THENCE S02°09'17"W 150.00 FEET, THENCE N87°43'31"W 300.00 FEET, THENCE S02°09'17"W 334.00 FEET, THENCE S89°49'31"E 300.18 FEET, THENCE S02°09'17"W 123.00 FEET, THENCE S67°56'26"E 102.03 FEET, THENCE N74°46'06"E 56.65 FEET TO THE WEST RIGHT-OF-WAY OF HUNTER STREET, THENCE ALONG SAID RIGHT-OF-WAY S02°09'17"W 223.97 FEET, THENCE LEAVING SAID RIGHT-OF-WAY N36°56'09"W 165.75 FEET ALONG THE SOUTH TOP OF BANK OF FARMINGTON BRANCH OF GOOSE CREEK, THENCE CONTINUING ALONG THE TOP OF BANK N86°58'52"W 159.65 FEET, THENCE S77°31'14"W 103.14 FEET, THENCE S72°08'15"W 58.16 FEET, THENCE LEAVING SAID TOP OF BANK S09°19'43"E 65.59 FEET TO THE NORTHEAST CORNER OF A LOT SPLIT FILE NO. 2008-35086, THENCE ALONG THE NORTH LINE OF SAID LOT SPLIT S68°37'54"W 13.18 FEET, THENCE S43°26'38"W 28.67 FEET, THENCE S23°47'43"W 37.29 FEET, THENCE S84°44'56"W 58.41 FEET TO A FOUND IRON PIN, THENCE CONTINUING ALONG SAID NORTH LINE S75°12'02"W 107.00 FEET, THENCE N28°25'17"W 68.20 FEET, THENCE N83°49'56"W 54.76 FEET, THENCE LEAVING SAID NORTH LINE N78°01'21"W 52.62 FEET TO A FOUND IRON PIN, THENCE ALONG THE NORTH LINE OF SOUTH BANK SUBDIVISION N49°22'27"W 104.06 FEET, THENCE N45°19'47"W 45.70 FEET, THENCE N28°15'06"W 165.39 FEET TO A FOUND IRON PIN, THENCE CONTINUING ALONG SAID NORTH LINE N82°43'28"W 210.52 FEET, THENCE LEAVING SAID NORTH LINE N75°46'10"W 210.90 FEET TO A POINT ON THE NORTH LINE OF HAMBLENS SUBDIVISION, THENCE ALONG SAID NORTH LINE N23°35'43"W 54.50 FEET,

THENCE N73°50'43"W 169.00 FEET, THENCE S71°09'17"W 148.50 FEET, THENCE N63°50'43"W 287.10 FEET, THENCE N73°20'43"W 162.40 FEET, THENCE N47°50'43"W 184.80 FEET, THENCE S42°09'17"W 37.60 FEET, THENCE N64°20'43"W 368.32 FEET, THENCE LEAVING SAID NORTH LINE N02°21'14"E 1,465.65 FEET TO A FOUND IRON PIN, THENCE N02°20'55"E 883.47 FEET TO A FOUND IRON PIN, THENCE S87°35'37"E 1,319.46 FEET, THENCE N02°27'31"E 442.07 FEET TO A FOUND IRON PIN, THENCE S87°44'24"E 1,322.05 FEET TO A FOUND IRON PIN, THENCE S02°26'59"W 1,109.98 FEET TO A FOUND IRON PIN, THENCE N88°05'29"W 28.75 FEET, THENCE S02°04'01"W 198.05 FEET TO A FOUND IRON PIN, THENCE S87°58'19"E 28.08 FEET TO A FOUND IRON PIN, THENCE S02°15'30"W 20.02 FEET TO THE POINT OF BEGINNING, CONTAINING 176.18 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND RIGHT OF WAYS OF RECORD; PART OF THE ABOVE DESCRIBED PROPERTY ALSO BEING LOTS 1-6 IN BLOCK 1, LOTS 1-14 IN BLOCK 2, LOTS 1-14 BLOCK 3, LOTS 1-14 IN BLOCK 4, LOTS 2-9 IN BLOCK 5, LOTS 5-12 AND A PART OF LOT 13 IN BLOCK 6, LOTS 15 IN BLOCK 7 ALL BEING A PART OF THE FARMINGTON ESTATES ADDITION TO THE CITY OF FARMINGTON, ARKANSAS AS RECORD PLAT BOOK 3 AT PAGE 439 AND PLAT BOOK 3 AT PAGE 457 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDS OF WASHINGTON COUNTY, ARKANSAS AND SAID LOTS/BLOCKS BEING REPLATED INTO SUMMERFIELD SUBDIVISION PHASE 1 AS SHOWN HEREON.
A public meeting to consider this variance at the above described property will be held on the 23rd day of May, 2022, at six o'clock p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.
75549999 May 8, 2022



**JORGENSEN
+ ASSOCIATES**
Civil Engineering + Surveying

124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703
Office: 479.442.9127
www.jorgensenassoc.com
Established 1985

124 WEST SUNBRIDGE, SUITE 5 • FAYETTEVILLE, ARKANSAS 72703 • (479) 442-9127 • FAX (479) 582-4807

SCALE: 1"=60'
DATE: 03/30/2022

DATE REVISED

CHECKED BY:
DLJ

DRAWN BY: CAZ
Z:\SUBDIVISIONS\2021158

SUMMERFIELD PHASE II VARIANCE EXHIBIT

File# 2020-00026148

Prepared by:
Joshua B. Hite, Attorney
Hite Law Firm, PLLC
1450 E. Zion Road, Suite 7
Fayetteville, AR 72703

GENERAL WARRANTY DEED

File No. 20-4757

KNOW ALL BY THESE PRESENTS:

That, **Darrin G. Pitts**, as **Trustee of the Pitts Dynasty Trust #3**, dated **April 13, 2006**, hereinafter called Grantor, for and in consideration of the sum of One and No/100-----Dollars---(\$1.00) and other good and valuable consideration in hand paid by **DRP Holdings, LLC**, an **Arkansas limited liability company**, hereinafter called Grantee, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto said Grantee and unto Grantee's successors and assigns, forever, the following described land, situated and being in the County of Benton, State of Arkansas, to-wit (the "Property"):

SEE EXHIBIT "A"

TO HAVE AND TO HOLD the same unto said Grantee and unto the successors and assigns of Grantee, forever, with all appurtenances thereunto belonging. And Grantor hereby covenants with said Grantee that Grantor will forever warrant and defend the title to the Property against all claims whatsoever.

[Signature Page Follows]

WITNESS our hands and seals on this 30th day of July, 2020.

GRANTOR:

Pitts Dynasty Trust #3, dated April 13, 2006

By: 
Darrin G. Pitts, Trustee

ACKNOWLEDGMENT

STATE OF Arkansas)
) SS
COUNTY OF Washington)

On this day before the undersigned, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, appeared in person the within named **Darrin G. Pitts**, to me personally known (or satisfactorily proven), who stated that he was the **Trustee of the Pitts Dynasty Trust #3, dated April 13, 2006**, and stated that he was duly authorized in such capacity to execute the foregoing instrument for and in the name and behalf of said trust and further stated and acknowledged that he had so signed, executed and delivered said 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 30 day of July, 2020.


Notary Public

My Commission Expires: 2/24/27

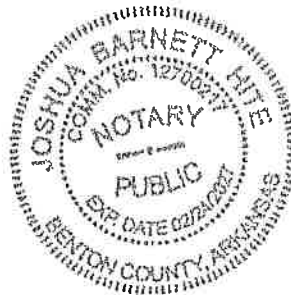


EXHIBIT "A"

Tract 1:

A part of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section 23, Township 16 North, Range 31 West, Washington County, Arkansas and being described as follows: Commencing at the Southwest corner of said SW 1/4 NW 1/4, thence North 02°17'44" East 441.78, thence South 87°36'42" East 1320.33 feet, thence South 02°18'07" West 441.78 feet, thence North 87°36'42" West 1320.29 feet to the point of beginning, containing 13.39 acres, more or less.

Tract 2:

A part of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section 23, Township 16 North, Range 31 West, Washington County, Arkansas and being described as follows: Commencing at the Southwest corner of said SW 1/4 NW 1/4, thence North 02°17'44" East 441.78 feet to the point of beginning, thence North 02°17'44" East 441.78 feet, thence South 87°39'54" East 1320.38 feet, thence South 02°18'07" West 443.01 feet, thence North 87°36'42" West 1320.33 feet to the point of beginning, containing 13.41 acres, more or less.

Tract 3:

Lots 1 through 6 in Block 1; Lots 1 through 14 in Block 2; Lots 1 through 14 in Block 3; Lots 1 through 14 in Block 4; Lots 2 through 9 in Block 5; Lots 5 through 12 in Block 6; and Lots 1 through 5 in Block 7. All of the foregoing being located in the Farmington Estates Addition to the City of Farmington, Arkansas, as record in Plat Book 3 at Page 439 and Plat Book 3 at Page 457 in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

Tract 4:

A part of the SW 1/4 of Section 23 in Township 16 North, Range 31 West of the 5th P.M. and being more particularly described as follows, to-wit: Beginning at a point which is 28 rods North of the SE corner of said 1/4 section, and running, thence North 132 rods to the Northeast corner of said quarter section; thence West 160 rods to the NW corner of said 1/4 section, thence South 88.80 rods to the bluff; thence South 66 1/2° E 5.58 chains; thence North 40° E 0.57 of a chain; thence South 50° E 2.80 chains, thence South 75 1/2° E 2.46 chains; thence South 66° E 4.35 chains, thence North 69° E 2.25 chains; thence South 76° E 2.56 chains; thence South 25 3/4° E 0.84 of a chain; thence South 72 1/2° E 3.28 chains to a point of the South bank of a creek, thence South with the South bank following its meanderings in a Easterly direction to the place of beginning, containing in all 115 1/2 acres, more or less, and LESS the following described 37.18 acres: A part of the SW 1/4 of Section 23, Township 16 North, Range 31 West in the City of Farmington, Washington County, Arkansas, described as follows: Beginning at a point 462 feet North of the SE corner of said Section and running thence North 2189 feet to the NE corner of said Section, thence West 780 feet along the Quarter Section line, thence South 1920 feet, thence East 200 feet, thence South 327 feet, to a point on South bank of creek, thence following the South bank of creek and its meanderings to the point of beginning, containing 37.18 acres, more or less.

Tract 5:

A part of the Southeast 1/4 of the Northwest 1/4 of Section 23, Township 16 North, Range 31 West, Washington County, Arkansas, more particularly described as follows: Beginning at the NW corner of said forty acre tract and running thence South 87°45'34" East 1322.17 feet to the NE corner of said forty acre tract, thence South 02°23'42" East 1110.16 feet, thence North 87°46'43" West 30.00 feet, thence South 01°48'45" West 198.05; thence South 87°45'42" East 27.90 feet, thence South 02°09'23" West 20.03 feet to the SE corner of said forty acre tract, thence North 87°44'07" West 1321.01 feet to the SW corner of said forty acre tract, thence North 02°20'42" East 1327.68 feet to the point of beginning, more or less. Subject to that portion in the right of way of E. Wilson Avenue.

Subject to easements, covenants, restrictions, reservations and rights of way of record.

Subject to all prior mineral reservations and oil and gas leases.



STATE OF ARKANSAS
DEPARTMENT OF FINANCE AND ADMINISTRATION
MISCELLANEOUS TAX SECTION
P.O. BOX 896, LITTLE ROCK, AR 72203-0896

Affidavit of Compliance



File Number: 20-4757

Grantee: DRP HOLDINGS, LLC
Mailing Address: 2790 S. THOMPSON ST. STE 102
SPRINGDALE AR 727640000

Grantor: THE PITTS DYNASTY TRUST #3, DATED APRIL 13, 2006
Mailing Address: 2790 S. THOMPSON ST. STE 102
SPRINGDALE AR 727640000

Property Purchase Price: \$0.00
Tax Amount: \$0.00
County: WASHINGTON
Date Issued: 07/31/2020
Affidavit ID: 1280018432

The grantee/grantor claims the following exemption to the Real Estate Transfer Tax:

An instrument conveying land between corporations, partnerships, limited liability companies, or other business entities or between a business entity and its shareholder, partner, or member incident to the organization, reorganization, merger, consolidation, capitalization, asset distribution, or liquidation of a corporation, partnership, limited liability company, or other business entity.

Washington County, AR
I certify this instrument was filed on
7/31/2020 11:28:27 AM
and recorded in REAL ESTATE

File# 2020-00026148

Kyle Submaster, Circuit Clerk

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed): City Title & Closing LLC as Grantee's Agent
Grantee or Agent Name (signature): [Signature] **Date:** 7/31/20
Address: 2790 S. Thompson St., Suite 102
City/State/Zip: Springdale, AR 72764