

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

PLANNING COMMISSION AGENDA December 18, 2017

A meeting of the Farmington Planning Commission will be held on Monday, December 18, 2017 at <u>6:00</u> p.m. at City Hall 354 W. Main Street, Farmington, Arkansas.

- 1. Roll Call
- 2. Approval of the minutes November 27, 2017
- **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.** Approve the 2018 schedule of Farmington Planning Commission meetings/submission deadlines.

5. PUBLIC HEARING

A. Variance Request: Request a variance from the front setback requirements

Property owned by: Alberta Investments, LLC **Property Location:** 246 E. Anabranch Court (Lot 5)

Presented by: Jessie Fulcher

B. Variance Request: Request a variance from the front setback requirements

Property owned by: Alberta Investments, LLC **Property Location:** 262 E. Anabranch Court (Lot 6)

Presented by: Jessie Fulcher

C. Rezone Request: 126.03 Acres on Double Springs Rd. from A-1 to R-1

Property owned by: Red Canyon Development, LLC.

Property Location: Double Springs Rd. Presented by: Jorgensen & Associates

6. NEW BUSINESS

A. Preliminary Plat: Hillside Estates

Property owned by: Lots 101, LLC.

Property Location: North Garland McKee **Presented by:** Blew & Associates, PA

Planning Commission Minutes November 27, 2017

1. ROLL CALL – Meeting was called to order by Chairman Robert Mann. A quorum was present.

PRESENT ABSENT
Howard Carter Toni Bahn

Jay Moore

Matt Hutcherson Robert Mann, Chair

Gerry Harris Judy Horne Bobby Wilson **City Employees Present:** Melissa McCarville, City Business Manager; Rick Brammall, City Inspector;

Steve Tennant, City Attorney

2. Approval of Minutes: October 23, 2017 Minutes were approved as written.

3. Comments from Citizens: No comments by citizens.

PUBLIC HEARING

4A. Rezoning Request from R-2 to MF-2 for Lot 17 on Rainsong Street, Grasslands Subdivision

Property owner is Southwinds Real Estate, Inc. Jason Young of Bates and Associates Engineers was present to discuss the request.

Representatives of the City had no comments.

At the October 2017 meeting, Mr. Jason Young asked to table the rezoning request until further review and study could be completed regarding covenants and restrictions on the property.

He explained that he had discovered there are no covenant restrictions on the property in question, therefore he was present to again ask for the rezoning from R-2 to MF-2. He said the area in question has not been subdivided into separate lots.

Nathan Ogden who wishes to develop the property was asked why he had not asked for a higher zoning designation such as MF-1 which would require 7,500 square feet per unit rather than the 6,000 square feet requirement of MF-2. This would reduce the number of units built and would result in less land being covered and less runoff from buildings. Mr. Ogden said he wished to maximize land use as much as possible to get as much out of it as he could. With MF-1 zoning, he said fewer units could be built. The MF-2 zoning classification would allow 14 units to be built.

Comments:

Gaylon Estopy, a property owner in the area (151 - 153 Rainsong) talked about the flooding and lack of good drainage at that location. He brought photos of the flooding which showed the entire street near the creek and property in question under water.

Janet Nordlie, Operating Manager of Peachtree Village, had sent a letter which had been provided to each Commissioner. A copy of the letter is attached to these minutes. She also was present at this meeting and spoke against the zoning request. She reiterated the main points of the letter:

- 1) The Farmington Planning Commission's purpose provides for resident safety and general welfare as well as for adequate public utilities and facilities.
- 2) The existing drainage system on Rainsong Street is inadequate and puts residents at risk during flooding.
- 3) MF-2 zoning allows for more building and parking coverage of the lot than R-2. More land coverage leaves less area for water absorption and causes more water drainage off the lot.

She concluded by noting that in April 2017 many Peachtree residents had to be moved to another area in the building due to flooding of their apartments. They could not be moved out of the building because the flooding blocked Rainsong Street in both directions.

Judy Horne said that e-mail messages from Daniel Kelsey and Cris Bartlett that expressed strong opposition to the rezoning would be attached to these minutes. Each Commissioner had received these e-mails prior to the meeting.

Melissa McCarville, City Business Manager, explained the process for appeal if Commission denies rezoning request. The next step would be to appeal to City Council at their December 11 meeting, which also is a public meeting. However, the City Council is not required to notify the people involved in the surrounding area.

Chairman Robert Mann called for question to rezone Lot 17 on Rainsong from R-2 to MF-2. Upon roll call vote, the vote was six "No" and zero "Aye". Motion failed.

Melissa McCarville told Mr. Young they have 15 days to appeal the decision.

4B. Rezoning Request from R-1 to R-3 for 65 North Double Springs Road – Home Star Rentals, LLC (Tom Sims) property owner

Ferdi Fourie of Civil Design Engineers, Inc. presented the request for the property located between Ridgedale St. and Wolfe Lane.

Melissa McCarville reminded that this property had been considered several months ago for multifamily zoning but they had pulled the request from the agenda to await the approval of new zone R-3.

Public Comment:

Barbara O'Brien, 336 Ridgedale, said increased density, transient renters, and increased traffic on Ridgedale and on the short stub street, Sugar Pine (when opened to the new development), would devalue the Ridgedale homeowners' property. She was also concerned about the drainage runoff onto current property owners, some who have spent considerable money to try and control the water flow. She said that she had seen Mayor Ernie Penn on TV and that he had stated Farmington was not like other communities. She felt that crowded housing would actually make Farmington just like surrounding cities.

Doug Falknor, 324 Ridgedale, also was opposed to the rezoning. He said that their area was zoned R-1; he further noted that with the R-3 zone, even more units could be built on the property than if it had been zoned for multi-family.

Pat Page, 315 Ridgedale, was concerned about a potential fire hazard due to the layout and close arrangement of the housing units. Also, she believed that rentals would deteriorate and cause a decline in the Ridgedale property values; she said the traffic on Double Springs would become very hazardous because the Middle School caused big traffic back-ups morning and afternoon; she was concerned about the increased water flow off of roofs and driveways that would flood the Ridgedale homes; and she was concerned about personal disagreement issues that might occur among renters in the proposed development.

Jay Moore asked about size of the proposed homes and Tom Sims of Trademark Homes said they would range from 1,400 to 1,800 square feet with room for 5 cars to be parked in back of each home. Jay Moore was concerned about traffic problems on Double Springs. Tom Sims said it was only a problem at the two peak times each weekday (morning and afternoon.)

Mr. Sims said that with R-3 zero-lot line designation, some of the single-family homes would be sold and would be in the \$155,000 to \$225,000 range. He felt this development would actually increase property value of homes in the area.

Chairman Mann called for question. Upon roll call, "Ayes" were Howard Carter, Judy Horne, and Bobby Wilson. "No" votes were Jay Moore, Matt Hutcherson, and Gerry Harris. With a tie vote of 3-3, Chairman Mann voted "Aye" to make the vote 4 "Aye" and 3 "No" and motion passed. This will go to City Council for their December 11, 2017 meeting.

4C. Request to reconsider rezoning prior to 12 months for Farmington Heights-Phase 2 S. 54th Street

Ferdi Fourie of Civil Design Engineers, Inc. was present to answer questions. He had presented a proposal recently, but Planning Commission had denied the rezoning request. The rule states that another request can't be made for one year. However, at that time, the R-3 zone was not available to be included in the rezoning proposal. That is why this request was being made prior to the one-year waiting period.

The City had no comments regarding the request.

Jay Moore questioned if it was possible to ask for two different zones (R-2 and R-3) in one tract of land. The answer was "Yes." Gerry Harris asked if the areas shown as R-2 could later be changed by the developer to R-3. The answer was "No. The developer would have to use the plan as presented."

There was no public comment.

Chairman Mann called for question and motion passed 6-0 in favor of allowing the request for rezoning prior to the one-year waiting period.

4D. Rezoning Request from A-1 to R-2 and R-3 for Farmington Heights-Phase 2 – S. 54th Street Property owned by Indian Territory, LLC

Ferdi Fourie of Civil Design Engineers, Inc. stated the first phase had been the property on West Sellers Road. The rezoning request now is for Phase 2 - land south of Phase 1 - and located on South 54th Street. The R-3 (zero-lot-line) area will include 9 acres and R-2 will include 21 acres.

Jay Moore asked who would maintain the lawn areas for the R-3 zero-lot-line homes. Mr. Fourie thought a POA would determine that. The homes in R-3 would range from 1,400 – 1,800 square feet.

Public Comment:

Ashley Swaffer, 558 Sellers Road (located just north of proposed Phase 2) said she was opposed to this rezoning. She said it does not fit in with the area nor specifically with the recently approved Phase 1 subdivision which is zoned R-1. She said she could support an R-1 zone for the entire area, but not this current proposal. She felt it was going to greatly increase traffic

Mr. Fourie said there were 125 lots (approximately 3 lots per acre) in Phase 1 that was approved previously.

Several Commissioners questioned the proposed rezoning request.

Chairman Mann called for guestion to rezone the property on S. 54th Street from A-1 to R-2 and R-3 however, due to the discussion, Mr. Fourie asked that this request be tabled until the December meeting. Request was granted.

4E. Variance Request - Lot Split – 814 Gibson Hill Road, Property owned by Barbara J. **Mashburn Revocable Trust**

The request was presented by Leonard Gabbard, surveyor for James Layout Services.

Melissa McCarville said the city had previously given three lot-splits for a total of four lots. That is why they now had to come to the Planning Commission for one additional lot split. After that, they would have to wait 10 years for any further lot splits OR they could submit subdivision plan prior to ten years.

The area in question is 75 acres with all lots greatly exceeding the R-E (Residential Estate) 2 acre minimum. These are small farms.

Public Comment:

Lance Poole, 910 Gibson Road said he was building a home on 12 acres there. He said he would have a well and a septic system; West Washington Water Authority is not allowing additional taps at this time. He was concerned about the impact on his land and also wanted clarification about the lot splitting.

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division requirements and allow a lot-split into 4 lo
meeting was adjourned.
Robert Mann - Chair
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FARMINGTON	FARMINGTON PLANNING COMMISSION 2018 Schedule		of Meetings and Submisison Deadlines	on Deadlines
SUBMISSION DEADLINE 12:00 Noon	TECHNICAL REVIEW MEETING DATES 2:00 P.M.	RESUBMISSION DEADLINE TR TO PC MEETING 12:00 Noon	PLANNING COMMISSION WORK SESSION DATES 6:00 P.M.	*PLANNING COMMISSION MEETING DATES 6:00 P.M.
December 19, 2017	January 2, 2018	January 9, 2018	January 16, 2018	January 22, 2018
January 23, 2018	February 6, 2018	February 13, 2018	February 20, 2018	February 26, 2018
February 20, 2018	March 6, 2018	March 13, 2018	March 19, 2018	March 26, 2018
March 20, 2018	April 3, 2018	April 10, 2018	April 16, 2018	April 23, 2018
April 17, 2018	May 1, 2018	May 8, 2018	May 14, 2018	May 21, 2018
May 22, 2018	June 5, 2018	June 12, 2018	June 18, 2018	June 25, 2018
June 19, 2018	July 3, 2018	July 10, 2018	July 16, 2018	July 23, 2018
July 24, 2018	August 7, 2018	August 14, 2018	August 20, 2018	August 27, 2018
August 21, 2018	September 4, 2018	September 11, 2018	September 17, 2018	September 24, 2018
September 18, 2018	October 2, 2018	October 9, 2018	October 15, 2018	October 22, 2018
October 23, 2018	November 6, 2018	November 13, 2018	November 19, 2018	November 26, 2018
November 13, 2018	November 27, 2018	December 4, 2018	December 10, 2018	December 17, 2018

and the December meeting which falls on Christmas Eve. **Work sessions** are normally the week before the meeting, this year in January we will meet on Tuesday January 16th, the Monday is MLK Day, and in February we will meet Tuesday, February 20th to avoid the third Monday which is President's Day *Planning Commission normally meets on the 4th (fourth) Monday of the month. In 2018 this will be adjusted for the May meeting which falls on Memorial Day

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.

Day phone: 301-4438				
⁻ ax:				
Day phone: 30\-6639				
Fax:				
Day phone: 301-6639				
⁼ ax:				
e one): Applicant Representative Owner				
Lot 5) Curt				
the property showing accurate lot lines, w is required.) Attach photos if they are				
Type of variance requested and reason for request:				

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 AND CONTRACTOR OF THE PROPERTY OF THE PROPER
A petition for a variance at the property described below has been filed with the City of Farmington on theday of, 20
day of
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 onday of, 20, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.
armington, Arkansas. An 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.
Applicant Signature Date 11/10/17
Applicant Signature
Property Owner/Authorized Agent: <i>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</i>
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.)
Owner/Agent Signature
Owner/Agent Signature

RECEIPT DATE 11/19/17	_No.
RECEIVED FROM ROLLISCH COLEGO	\$ 25.00
YUCAY, AN GOICES	DOLLARS
OFOR RENT VOLGO OR REQUEST 20	16 Andranch
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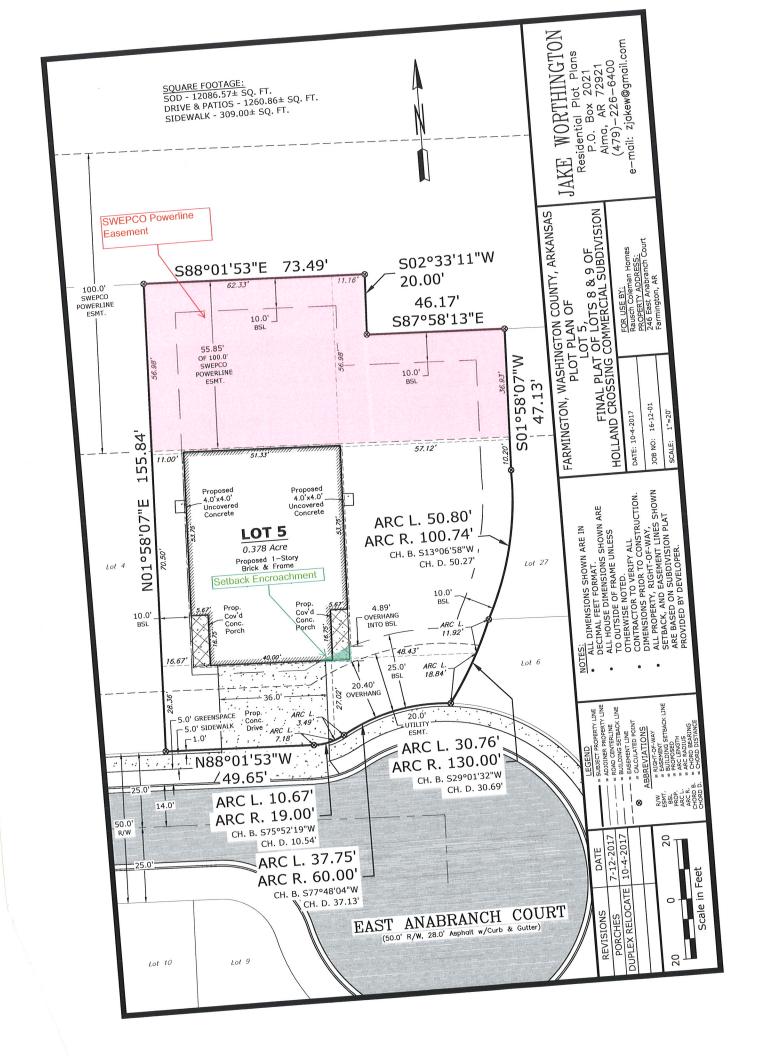
City of Farmington Board of Adjustment

Holland Crossing – Front Setback Variance (Lot 5)

Please accept this letter and the attached variance application as our request for a variance from the front setback requirement for a planned two-family unit located on Lot 5 of Holland Crossing. Lots 1-5 of Holland Crossing are platted along Alberta Street and all are impacted by a 100-foot wide overhead power line easement. Development of any structure within this easement is prohibited and the power company is unwilling to vacate any portion of the easement. In order to develop these lots, all of the homes have been constructed at or near the required 25-foot front setback along Anabranch Court.

Our plan is to construct the unit on Lot 5 in line with the units already constructed on Lots 1-4. However, Lot 5 is also adjacent to the cul-de-sac and therefore the right-of-way and front setback lines begin to curve rather than run in a continuous straight line. Placing the unit on Lot 5 in line with the previous units and outside of the 10-foot side building setback results in the front setback clipping the corner of

The 100-foot power line easement impacts over 35% of the lot and when combined with the curving the structure. setback line, creates a unique hardship that is a burden for this lot. A small reduction in the building setback is still in keeping with the spirit and intent of the zoning ordinance. Given the minimal encroachment into the front setback, which will be unnoticeable, we are requesting approval of a setback variance of approximately 4.60 feet for a width of approximately 6 feet.



WACO Title Company

WARO CLO 03-4330 (Rausch-Celeman)

TRUSTEE WARRANTY DEED

Déc ID: Odesgresoco2 Tyde: REL PROCESSE DE CORRES PROCESSE PROCESS

=	KNOW ALL MEN BY THESE PRESENTS:		
25	That Sam Ray Welborn and Nancy Ann Welborn, First Successor Co-Trustees of the Mary Holland Welborn Trust u/t/a dated November, 2000 File 2003-0005	0847	
	Welborn Trust u/t/a dated November, 2000 hereinafter called GRANTORS, for and in consideration of the sum of One (1.00 dollar and other good and valuable consideration, in hand paid by		
ゴラ	the receipt of which is hereby acknowledged, do hereby grant, bargain, sell, and convey unto Rausch-Coleman, Homes, LLC		
3	hereinafter called GRANTEE(S), and unto <u>its successors</u> and assigns forever, the following lands lying in <u>Washington County</u> . 10 3	51	
	The NW1/4 of the NW1/4, the E1/2 of the SW1/4 of the NW1/4, a part of the of the NW1/4, and a part of the N1/2 of the SW1/4, all in Section 24, Tow 16 North, Range 31 West, being more particularly described as follows: Beginning at a stone marking the Northwest corner of the NW1/4 of the NW1 said Section 24, and running thence S89'19'38"E 1323.86 feet to an iron plocated at the Northeast corner of said 40 acre tract; thence S0'18'48"W 1316.35 feet to an iron pin located at the Southeast corner of said 40 at tract; thence S89'46'28"E 825.0 feet along the North line of the SE1/4 of NW1/4 of said Section 24 to an iron pipe; thence leaving said North line running S0'33'55"E 1805.22 feet to the Northeast corner of the Stapleton Subdivision; thence S65'47'W 141.44 feet along the North line of said subdivision; thence S80'36'W 190.41 feet along said North line of the of said subdivision; thence leaving said North line and running North 25. feet, more or less, to the centerline of the North Fork of the Farmington	nship /4 of in re the and	
	Continued To have and to hold the same unto the said GRANTEE(S), and unto <u>its successors</u> and assigns with all appurtenances thereunto belonging.	forever,	
	And <u>we</u> hereby covenant with said GRANTEE(S) that <u>we</u> will forever warrant and defend the title to lands against all claims whatever.	he said	
	Witness our hand(s) and seal(s) as such GRANTORS, this 22nd day of September, 2003		
,	Sam Ray Melborn, co-trustee The Mark Holland Welborn Trust u/t/a dated November 2000	- Trisle	e
TH	THIS DEED IS BEING RE-RECORDED TO SCRIVENOR'S ERROR IN LEGAL DESCRIPTION.		ÿ-:
	ACKNOWLEDGMENT STATE OF _ARKANSAS COUNTY OF _Washington	1036	2
1	BE IT REMEMBERED, that on this day came before the undersigned, a Notary Public within and for the aforesaid, duly commissioned and acting, Sam Ray Welborn, co-trustee and Nancy Ann Welborn, co-trustee, in their capacity(ies) as Trustee of The Mary Holland Welborn Trust u/t/a dated November 2000	County	
	to me well known as the Grantors in the foregoing Deed, and stated that they had executed the same consideration and purposes therein mentioned and set forth.	for the	
	Witness my hand and seal as such Notary Public this 22nd day of September, 2003		
	My Commission Expires: January 2, 2009 Notary Public Le1a Reddekopp	angentik	
I	Prepared under the supervision of Walter P. Mayor Autorney Official Seal WACO Title Company 212 West Emma Avenue Springdale, AR 72764 Commission Expires 01-02-	9	

CONTINUATION OF LEGAL DESCRIPTION

Branch; thence Northwesterly along said centerline the following: West 20.0 feet, N46'43'26"W 112.52 feet, N80'00'W 30.0 feet, N40'00'W 50.0 feet, N75 00 W 35.0 feet, S82 00 W 20.0 feet, S61 00 W 55.0 feet, S45 00 W 45.0 feet, S77'50'28"W 160.9 feet, S62'25'57"W 15.12 feet, S62'25'58"W 49.88 feet, S40'00'W 20 feet, S30'00'W 35.0 feet, S47'00'W 15.0 feet, S80'00'W 20.0 feet, N75'00'W 75.00 feet, N65'00'W 30.0 feet, N36'34'42"W 94.92 feet, N48'00'W 80.0 feet, S75'00'W 33.0 feet, S55'00'W 25.0 feet, S25'0'W 25.0 feet, \$52.07'42"W 92.95 feet; thence leaving said centerline and running NO 24 36 W 550.0 feet to the South line of the E1/2 of the SW1/4 of the NW1/4 of said Section 24; thence N89 46'W 241.21 feet to the Southwest corner of said 20 acre tract; thence NO'19'29"W 1319.73 feet to the Northwest corner of said 20 acre tract; thence N89'46'22"W 651.68 feet to the Southwest corner of the NW1/4 of the NW1/4 of said Section 24; thence N0.34'15"W 1326.81 feet to the point of beginning, containing 99.41 acres, more or less, Washington County, Arkansas. Subject to the Arkansas Western Gas line easement running Southeasterly through the running East and West through the West side, the Arkansas Western Gas line and the SWEPCO transmission line easements running East and West through the South side, and any other easements and/or right of ways of record. AND

A part of the NW1/4 of the SW1/4 and a part of the NE1/4 of the SW1/4 all in Section 24 Township 16 North, Range 31 West, being more particularly described as follows: Beginning at a point that is NO'22'52"W 1460.67 feet from the Southeast corner of the SW/4 of the SW1/4 of said Section 24, said point of beginning being located on the North right of way line of East Main Street (U.S. Highway No. 62) and running thence S71'58'55"W 95.1 feet along said right of way to an iron pin; thence leaving said right of way and running N2'27'35"W 321.56 feet to an iron pin at a fence corner; thence S84'04'33"W 312.55 feet along a fence line to an iron pin; thence NO 24'36"W 415.0 feet, more or less, to the centerline of the North Fork of the Farmington Branch; thence Easterly along said centerline the following N52 07'42"E 92.95 feet, N25'00'E 25.0 feet, N55'00'E 25.0 feet, N75'00'E 33.0 feet, S48'00'E 80.0 feet, S36'34'42"E 94.92 feet, S65'00'E 30.0 feet, S75'00'E76.0 feet, N80'00'E 20.0 feet, N47'00'E 15.0 feet, N30'00'E 35.0 feet, N40'00'E 20.0 feet, N62°25'58"E 49.88 feet, N62°25'57"E 15.12 feet, N77°50'28"E 160.9 feet, N45°00'E 45.0 feet, N61°00'E 55.0 feet, N82°00'E 20.0 feet, S75°00'E 35.0 feet, S40'00'E 50.0 feet, S80'00'E 30.0 feet, S46'43'26'E 112.52 feet, East 20.0 feet; thence leaving said centerline and running South 25.0 feet to the Northwest corner of the Stapleton Subdivision; thence South 490.58 feet along the West line of said Subdivision to the North right of way of said East Main Street; thence Southwesterly along said right of way the following: \$73.40'50"W 30.5 feet, \$65.11'33"W 40.3 feet, \$73.40'50"W 459.6 feet more or less to the point of beginning.

Subject to easements, rights-of-way, and protective covenants of record, if

I certify under penalty of false swearing that at least the legally correct amount of documentary stamps have been placed on this instrument.

Subject to Protective Covenants and easements, if any.

7

This instrument prepared by: Charles Edward Young III, Attorney After recording, return to: Elite Title Company, Inc. 1526 Plaza Place Springdale, Arkansas 72764 (Reference #ETC 3-11731W)

TRUSTEE'S WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT I, MARILYN R. BURDETTE, TRUSTEE OF THE MARILYN R. BURDETTE TRUST U/T/D JANUARY 20, 1984, GRANTOR, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration paid by RAUSCH-COLEMAN HOMES, LLC, GRANTEE, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the said Grantees and unto its successors and assigns forever, the following described lands situated in the County of Washington, State of Arkansas:

THE WEST HALF (W 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY-ONE (31) WEST, WASHINGTON COUNTY, ARKANSAS.

ALSO: PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY-ONE (31) WEST, WASHINGTON COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS 528.0 FEET NORTH AND 176.0 FEET EAST OF THE SOUTHWEST CORNER OF SAID 40 ACRE TRACT, AND RUNNING THENCE NORTH 792.0 FEET, THENCE EAST 724.11 FEET, THENCE SOUTH 792.0 FEET, THENCE WEST 724.11 FEET TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, AND OTHER RESTRICTIONS OF RECORD, IF ANY.

To have and to hold the same unto the said Grantee and unto its successors and assigns forever, with all tenements, appurtenances and hereditaments thereunto belonging.

And Grantor hereby covenants with said Grantee that Grantor will forever warrant and defend the title to said lands against all lawful claims whatsoever.

And Grantor does hereby release and relinquish unto the said Grantee and unto its successors and assigns forever, all rights and possibility of homestead, statutory or otherwise, in and to the above-described real property.

WITNESS my official hand and seal this 13th day of November, 2003.

Marilyn R. Burdette, Trustee of the Marilyn R. Burdette Trust u/t/d January 20, 1984 - Grantor

I hereby certify under penalty of false swearing That the legally correct amount of documentary stamps have been placed on this instrument Rausch-Coleman Homes, LLC [Grantee] Post Office Box 23423 Barling, AR 72923

Mail Tax Statements to Addressee/Address above





Doc ID: 006703570002 Type: REL Recorded: 11/18/2003 at 11:26:16 AM Fee Amt: \$11.00 Pace 1 of 2 Washinaton County. AR Bette Stamps Circuit Clerk

COUNTY OF WASHINGTON

On this 13th day of November, 2003, before me, the undersigned officer, personally appeared, Marilyn R. Burdette, well known to me (or satisfactorily proven) to the person whose name is subscribed to the within instrument and acknowledged that she had executed the same for the consideration and purposes therein contained and that she was duly authorized and acting in her capacity as TRUSTEE OF THE MARILYN R. BURDETTE TRUST U/T/D JANUARY 20, 1984, to sign the above and foregoing instrument for and on behalf of said Trust entity and that her signature was sufficient to accomplish the intended conveyance on behalf of said Trust entity.

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

My Commission Expires:

2-21-2005

Charles E. Young, Ill, Notary Public Washington County, Arkansas My Commission Expires 2/21/2005

Certificate of Resolution Of Alberta Investments, LLC

The undersigned hereby certifies, that the member of Alberta Investments, LLC, a limited liability Company organized under the laws of the State of Arkansas, that a meeting of the Board of Managers of said Limited Liability Company was duly called and held on the 9th day of October, 2014, and the following Resolution was adopted, to wit: Rausch Coleman Homes, LLC is the only member of the company.

The following persons were present:

Name	Title	Signature
John R. Rausch David C. Frye	Manager Manager	Stephen

BE IT HEREBY RESOLVED, that any one of these individuals are authorized and directed as Managers to execute any and all instruments, deeds, mortgages, bonds, contracts, agreements, promissory notes, affidavits, and other documents necessary to carry out and further the overall business objectives of the limited liability company. Only one signature is required for these transactions.

WHEREAS, the Company desires to engage in various business activities including the purchase and sale of real property;

WHEREAS, these activities may require the Company to execute contracts, documents, agreements, leases, affidavits, and other documents from time to time;

IT IS HEREBY FURTHER RESOLVED, that the foregoing is a full and correct copy of the Resolution as it appears in the book of the Company and that the said Resolution has not been rescinded, modified or amended and is now in full force and effect.

In Witness Whereof, I hereby set my hand this 9th day of October, 2014.

John R. Rausch, Manager

Rausch Coleman Homes, LLC

(Member)

NOTICE OF PUBLIC HEARING

A petition for a variance at the property described below has been filed with the City of Farmington on the <u>14th day of November</u>, 2017.

Legal Description:

Lot 5 and Lot 6 of the Holland Crossing Subdivision

Variance Description:

The request is for a front setback reduction along Lot 5 and Lot 6, from 25 feet to 20 feet.

A public meeting to consider this request for variance at the above described property will be held on 18th day of December, 2017, at 6:00 PM at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

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: Rouse coleman Homes	Day phone: 301-4439
Address: 4058. M. College Ave.	Fax:
Representative: Jesse Folcher	Day phone: 301-6639
Address:	Fax:
Property Owner: Alborte Investments, LLC	Day phone: 301-6639
Address: 4058 N. College Due.	Fax:
Indicate where the correspondence shall be sent (circ	cle one): Applicant Representative Owner
Describe Proposed Property In Detail (Attach addition Property description: 740-03870-006 Site address: 2026. Arebred Current zoning: MF-1	(Lot 6)
Attach legal description and site plan (a scaled drawing surrounding zoning, adjacent owners and a north arr helpful in describing your request.	
Type of variance requested and reason for request:	

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

NOTICE OF POBLIC MEETING
A petition for a variance at the property described below has been filed with the City of Farmington on theday of, 20
rainington on theday or, 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 onday 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.
Applicant Signature Date 11/10/17
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.)
Co C France 11-10-17
Owner/Agent Signature

RIE	CHIP	T DATE	11/14/17	No.	540320
RECEIVED	FROM RO	usch	Coleman	\$	<i>3.00</i>
1	Cue at	72-8:	ve Sollers	**	DOLLA
		Ų	n d Alexander		
OFOR REI	<u>" </u>	nu_	262: Boati	Cach	
	VOGC	CASH	<u> 1622 02.02</u> 1.	<u> </u>	
FOR	** VO GC	CASH CHECK MONEY ORDER	162'A 066	_то	*

City of Farmington Board of Adjustment

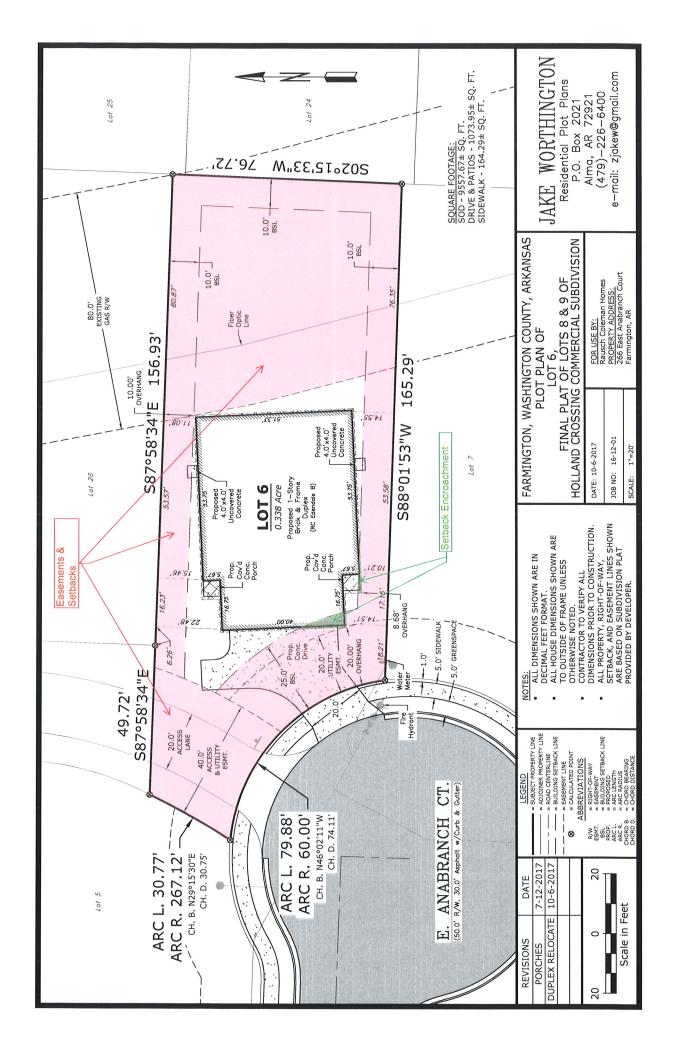
Holland Crossing – Front & Side Setback Variance (Lot 6)

Please accept this letter and the attached variance application as our request for a variance from the front and side setback requirements for a planned two-family unit located on Lot 6 of Holland Crossing. Lot 6 is severally impacted by an existing 80-foot wide high-pressure gas line easement. This easement eliminates approximately 6,400 square feet of usable area from the property, or about 43% of the property. The easement coupled with a 25-foot front setback results in 64% of the property being unbuildable. The gas company will not vacate any amount of the existing easement and no structures can be built within the easement.

The amount of lot area that is dedicated to easements and setbacks is an undue hardship that is unique to this property. Granting a setback variance to allow a minor encroachment of 1.32 feet into the side setback and approximately 5 feet into the front setback does not diminish the spirit and intent of the zoning ordinance. Adequate building setbacks will be provided and development will be in compliance with building codes.

Thanks,

Jesse Fulcher



WACO Title Company

TRUSTEE WARRANTY DEED

Dèc ID: Odes 765002 Tyde: REL PRESCRICTION OF THE PRESCRICTION OF

0		Yashington County. AR Washington County Clerk Bette Stamps Circuit Clerk
Ŕ		F11-2003-00056112
2	KNOW ALL MEN BY THESE PRESENTS:	
(6(That Sam Ray Welborn and Nancy Ann Welborn, First Successor Co-Trustees of the Mary Holland	F11-2003-00050847
1	Welborn Trust u/t/a dated November, 2000	• /
S	hereinafter called GRANTORS, for and in consideration of the sum of One (1.0) dollar and other good and valuable consideration, in hand paid by	· .
S.	Rausch-Coleman Homes, LLC	
WAGO CLO 03-4390 (Rausch-Coleman)	the receipt of which is hereby acknowledged, do hereby grant, bargain, sell, ar convey unto Rausch-Coleman Homes, LLC	d pocumentary
000	hereinafter called GRANTEE(S), and unto <u>its successors</u> and assign forever, the following lands lying in <u>Washington County</u> .	4 1 9 16 1 10 3 5 1
4.	10-Wit:	a NG1/A a part of the CD1/A
က်	The NW1/4 of the NW1/4, the E1/2 of the SW1/4 of the of the NW1/4, and a part of the N1/2 of the SW1/4,	•
\circ	16 North, Range 31 West, being more particularly de	
0	Beginning at a stone marking the Northwest corner o said Section 24, and running thence S89'19'38'E 132	
سا ر ا	located at the Northeast corner of said 40 acre tra	ct; thence S0°18'48"W
_	1316.35 feet to an iron pin located at the Southeas tract; thence S89'46'28"E 825.0 feet along the Nort	
9	NW1/4 of said Section 24 to an iron pipe; thence le	
#	running S0'33'55"E 1805.22 feet to the Northeast co	— .
	Subdivision; thence S65'47'W 141.44 feet along the subdivision; thence S80'36'W 190.41 feet along said	
	of said subdivision; thence leaving said North line	
	feet, more or less, to the centerline of the North	Fork of the Farmington
	Continued	
	To have and to hold the same unto the said GRANTEE(S), and unto <u>it</u> with all appurtenances thereunto belonging.	s successors and assigns forever,
	And $\underline{\ \ we}$ hereby covenant with said GRANTEE(S) that $\underline{\ \ we}$ will forever lands against all claims whatever.	or warrant and defend the title to the said
	Witness our hand(s) and seal(s) as such GRANTORS, this 22nd day	of September, 2003
	10,100	
	Sam Ray Melborn, co-trustee Nakey And The Mary Holland Welborn Trust u/t/a dated November	Ann Wellow to Trustee
TH	IIS DEED IS BEING RE-RECORDED TO SCRIVENOR'S ERROR IN	
	AOVACHI EDOMENT	
	ACKNOWLEDGMENT	
	STATE OF ARKANSAS	10850 103/83 103/52
	COUNTY OF Washington	
	BE IT REMEMBERED, that on this day came before the undersigned, a Naforesaid, duly commissioned and acting, Sam Ray Welborn, co-tra	istee and Nancy Ann
	Welborn, co-trustee In their capacity(ies) as Trustee of The Trust u/t/a dated November 2000	Mary Holland Welborn
	to me well known as the Grantors in the foregoing Deed, and stated that	t they had executed the same for the
	consideration and purposes therein mentioned and set forth.	
	Witness my hand and seal as such Notary Public this 22nd day of	September, 2003
	My Commission Expires: January 2, 2009	I Kell deho D
		Notary Public
	Prepared under the supervision of Walter P. Mayo	Lela Reddekopp
	WACO Title Company	LELA BEDDEKOPP
	212 West Emma Avenue 🖁	Notary Public Arkaneae
	Springdale, AR 72764	MAGHINGTON OCCUPATION OF THE STATE OF THE ST

CONTINUATION OF LEGAL DESCRIPTION

Branch; thence Northwesterly along said centerline the following: West 20.0 feet, N46'43'26"W 112.52 feet, N80'00'W 30.0 feet, N40'00'W 50.0 feet, N75'00'W 35.0 feet, S82'00'W 20.0 feet, S61'00'W 55.0 feet, S45'00'W 45.0 feet, S77'50'28"W 160.9 feet, S62'25'57"W 15.12 feet, S62'25'58"W 49.88 feet, \$40.00'W 20 feet, \$30.00'W 35.0 feet, \$47.00'W 15.0 feet, \$80.00'W 20.0 feet, N75'00'W 75.00 feet, N65'00'W 30.0 feet, N36'34'42"W 94.92 feet, N48'00'W 80.0 feet, S75'00'W 33.0 feet, S55'00'W 25.0 feet, S25'0'W 25.0 feet, \$52.07.42.W 92.95 feet; thence leaving said centerline and running $N0^{\circ}24'36"W$ 550.0 feet to the South line of the E1/2 of the SW1/4 of the NW1/4 of said Section 24; thence N89 46'W 241.21 feet to the Southwest corner of said 20 acre tract; thence NO'19'29"W 1319.73 feet to the Northwest corner of said 20 acre tract; thence N89'46'22"W 651.68 feet to the Southwest corner of the NW1/4 of the NW1/4 of said Section 24; thence NO.34'15"W 1326.81 feet to the point of beginning, containing 99.41 acres, more or less, Washington County, Arkansas. Subject to the Arkansas Western Gas line easement running Southeasterly through the running East and West through the West side, the Arkansas Western Gas line and the SWEPCO transmission line easements running East and West through the South side, and any other easements and/or right of ways of record. AND

A part of the NW1/4 of the SW1/4 and a part of the NE1/4 of the SW1/4 all in Section 24 Township 16 North, Range 31 West, being more particularly described as follows: Beginning at a point that is NO'22'52"W 1460.67 feet from the Southeast corner of the SW/4 of the SW1/4 of said Section 24, said point of beginning being located on the North right of way line of East Main Street (U.S. Highway No. 62) and running thence S71'58'55"W 95.1 feet along said right of way to an iron pin; thence leaving said right of way and running N2'27'35"W 321.56 feet to an iron pin at a fence corner; thence S84'04'33"W 312.55 feet along a fence line to an iron pin; thence NO 24'36"W 415.0 feet, more or less, to the centerline of the North Fork of the Farmington Branch; thence Easterly along said centerline the following N52'07'42"E 92.95 feet, N25'00'E 25.0 feet, N55'00'E 25.0 feet, N75'00'E 33.0 feet, S48'00'E 80.0 feet, S36'34'42"E 94.92 feet, S65'00'E 30.0 feet, S75'00'E76.0 feet, N80'00'E 20.0 feet, N47'00'E 15.0 feet, N30'00'E 35.0 feet, N40'00'E 20.0 feet, N62°25'58"E 49.88 feet, N62°25'57"E 15.12 feet, N77°50'28"E 160.9 feet, N45'00'E 45.0 feet, N61'00'E 55.0 feet, N82'00'E 20.0 feet, S75'00'E 35.0 feet, S40'00'E 50.0 feet, S80'00'E 30.0 feet, S46'43'26'E 112.52 feet, East 20.0 feet; thence leaving said centerline and running South 25.0 feet to the Northwest corner of the Stapleton Subdivision; thence South 490.58 feet along the West line of said Subdivision to the North right of way of said East Main Street; thence Southwesterly along said right of way the following: \$73.40.50 W 30.5 feet, \$65.11.33 W 40.3 feet, \$73.40.50 W 459.6 feet more or less to the point of beginning.

Subject to easements, rights-of-way, and protective covenants of record, if any.

I certify under penalty of false swearing that at least the legally correct amount of documentary stamps have been placed on this instrument.

Grantees RAUSCH COLEMAN Home

Address P.D. Box 23422

BARling, AR 72923

Subject to Protective Covenants and easements, if any.

7

This instrument prepared by: Charles Edward Young III, Attorney After recording, return to: Elite Title Company, Inc. 1526 Plaza Place Springdale, Arkansas 72764 (Reference #ETC 3-11731W)

TRUSTEE'S WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT I, MARILYN R. BURDETTE, TRUSTEE OF THE MARILYN R. BURDETTE TRUST U/T/D JANUARY 20, 1984, GRANTOR, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration paid by RAUSCH-COLEMAN HOMES, LLC, GRANTEE, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the said Grantees and unto its successors and assigns forever, the following described lands situated in the County of Washington, State of Arkansas:

THE WEST HALF (W 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY-ONE (31) WEST, WASHINGTON COUNTY, ARKANSAS.

ALSO: PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY-ONE (31) WEST, WASHINGTON COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS 528.0 FEET NORTH AND 176.0 FEET EAST OF THE SOUTHWEST CORNER OF SAID 40 ACRE TRACT, AND RUNNING THENCE NORTH 792.0 FEET, THENCE EAST 724.11 FEET, THENCE SOUTH 792.0 FEET, THENCE WEST 724.11 FEET TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, AND OTHER RESTRICTIONS OF RECORD, IF ANY.

To have and to hold the same unto the said Grantee and unto its successors and assigns forever, with all tenements, appurtenances and hereditaments thereunto belonging.

And Grantor hereby covenants with said Grantee that Grantor will forever warrant and defend the title to said lands against all lawful claims whatsoever.

And Grantor does hereby release and relinquish unto the said Grantee and unto its successors and assigns forever, all rights and possibility of homestead, statutory or otherwise, in and to the above-described real property.

WITNESS my official hand and seal this 13th day of November, 2003.

Marylin K to undette TE &
Marilyn R. Burdette, Trustee of the
Marilyn R. Burdette Trust 11/1/d

Marilyn R. Burdette Trust u/t/d January 20, 1984 - Grantor

I hereby certify under penalty of false swearing That the legally correct amount of documentary stamps have been placed on this instrument Rausch-Coleman Homes, LLC
[Grantee]
Post Office Box 23423
Bariing, AR 72923
Mail Tax Statements to Addressee/Address above



Doc ID: 006703570002 Type: REL Recorded: 11/18/2003 at 11/26:16 AM Fee Amt: \$11.00 Page 1 of 2 Washington County. AR Bette Stamps Circuit Clerk

COUNTY OF WASHINGTON

On this 13th day of November, 2003, before me, the undersigned officer, personally appeared, Marilyn R. Burdette, well known to me (or satisfactorily proven) to the person whose name is subscribed to the within instrument and acknowledged that she had executed the same for the consideration and purposes therein contained and that she was duly authorized and acting in her capacity as TRUSTEE OF THE MARILYN R. BURDETTE TRUST U/T/D JANUARY 20, 1984, to sign the above and foregoing instrument for and on behalf of said Trust entity and that her signature was sufficient to accomplish the intended conveyance on behalf of said Trust entity.

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

My Commission Expires:

2-21-2005

Oharles E. Young, Ill, Notary Public Washington County, Arkansas My Commission Expires 2/21/2005

Certificate of Resolution Of Alberta Investments, LLC

The undersigned hereby certifies, that the member of Alberta Investments, LLC, a limited liability Company organized under the laws of the State of Arkansas, that a meeting of the Board of Managers of said Limited Liability Company was duly called and held on the 9th day of October, 2014, and the following Resolution was adopted, to wit: Rausch Coleman Homes, LLC is the only member of the company.

The following persons were present:

Name	Title	Signature
John R. Rausch David C. Frye	Manager Manager	Sicher

BE IT HEREBY RESOLVED, that any one of these individuals are authorized and directed as Managers to execute any and all instruments, deeds, mortgages, bonds, contracts, agreements, promissory notes, affidavits, and other documents necessary to carry out and further the overall business objectives of the limited liability company. Only one signature is required for these transactions.

WHEREAS, the Company desires to engage in various business activities including the purchase and sale of real property;

WHEREAS, these activities may require the Company to execute contracts, documents, agreements, leases, affidavits, and other documents from time to time;

IT IS HEREBY FURTHER RESOLVED, that the foregoing is a full and correct copy of the Resolution as it appears in the book of the Company and that the said Resolution has not been rescinded, modified or amended and is now in full force and effect.

In Witness Whereof, I hereby set my hand this 9th day of October, 2014.

John R. Rausch, Manager

Rausch Coleman Homes, LLC

(Member)

NOTICE OF PUBLIC HEARING

A petition for a variance at the property described below has been filed with the City of Farmington on the 14th day of November, 2017.

Legal Description:

Lot 5 and Lot 6 of the Holland Crossing Subdivision

Variance Description:

The request is for a front setback reduction along Lot 5 and Lot 6, from 25 feet to 20 feet.

A public meeting to consider this request for variance at the above described property will be held on 18th day of December, 2017, at 6:00 PM at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

City of Farmington Application for Rezoning

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 until all information is furnished.

<u></u>
Applicant: Red Canyon Dev LLC Day Phone:
Address: 1204 E. Joyce Fayetherai 72703
Representative: Jaggeron France Day Phone: 442-9127
Address: 124 W. Surbvidge Fax:
Property Owner: Red Canen Dev UC Day Phone:
Address: 1204 E. Joyce Fax:
Indicate where correspondence should be sent (circle one): Applicant – Representative Owner
Describe Proposed Property In Detail (Attach additional pages if necessary)
Property Description Site Address See Attached Current Zoning A-I Proposed Zoning R-I
Attach legal description and site plan (a scaled drawing of the property to be rezoned showing accurate lot lines, surrounding zoning, adjacent owners and a north arrow is required.)
Type of zoning requested and reason for request: R-I Single Family For A Subdivision

Responsibilities of the Applicant:

1. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit (see attached), that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the City of Farmington has accepted the application and the date of the public hearing has been confirmed. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy

NOTICE OF PUBLIC HEARING

A petition to rezone the property as described below has been filed with the City of Farmington on the day of, 201_7
PLACE LEGAL DESCRIPTION OF PROPERTY HERE
A public hearing to consider this request to rezone the above described property from will be held on the
The City will post a sign on the property at a location visible to the public, notifying the public of the intent to rezone the property.
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 of may set conditions on approval. Date Date Property Owner/Authorized Agent: I certify under penalty of perjury that I am the owner of the property that I the subject of this application and that I have read this application and consent to its filing. (If signed by the subject of this application and that I have read this application that the agent is authorized to
the subject of this application and that I have read this application and consent to its ning. (It significantly the subject of this application and that I have read this application and consent to its ning. (It significantly the subject of this application and consent to its ning. (It significantly the subject of this application and consent to its ning. (It significantly the subject of this application and that I have read this application and consent to its ning. (It significantly the subject of this application and that I have read this application and consent to its ning. (It significantly the subject of this application and consent to its ning. (It significantly the subject of this application and that I have read this application and consent to its ning. (It significantly the subject of this application and that I have read this application and consent to its ning. (It significantly the subject of this application and that I have read this application and consent to its ning. (It significantly the subject of this application and consent to its ning.)
Owner/Agent Signature

RECEIPT DATE.	
RECEIVED FROM Adgen	sen & assoc \$25.00
/ wenter live	DOLLARS
FOR RENT ROZDO	Red Canyon Grop.
ACCOUNT CASH	
PAYMENT 25 07 CHECK OMONEY ORDER	FROM TO
BAL. DUE CREDIT	BY D. Olemer

.

AGENT AUTHORIZATION

I (We), Kevin Riggins Red Conyon	the owner(s) of the real
property described in the attached applicat	tion, do authorize as my (our) agont(s),
Davis Tario	to represent me (us) regarding the
attached application and to appear on my (our)	behalf before any administrative or legislative
body in the City of Farmington considering this a in matters pertaining to the attached application.	application and to act in all respects as our agent
Property Owner – Signature	Property Owner - Print
Property Owner – Signature	Property Owner - Print

AFFIDAVIT

I hereby certify that I Kevin Riagns Red Conyon LLC'! Print name
acting as agent/owner, have provided notice to affected parties in accordance with the requirements set forth in the instruction given with the application and that the notice information provided is to the best of my knowledge true and factual. I am hereby enclosing the following supporting documents: copy of the notice, mailing receipts, list of property owners of record, return cards, and any notices that were undeliverable.
Signature:

This instrument prepared by: Charles Edward Young III, Attorney After recording, return to: Elite Title Company, Inc. 1526 Plaza Place Springdale, Arkansas 72764 (Reference #ETC 3-135063W)



TRUSTEE'S WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, BILL G. SELLERS, TRUSTEE OF THE BILL G. SELLERS INTER VIVOS REVOCABLE TRUST (U/T/D 10-16-1990) AND RUTH ANN SELLERS, TRUSTEE OF THE RUTH ANN SELLERS INTER VIVOS REVOCABLE TRUST (U/T/D 10-16-1990), GRANTORS, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration paid by RED CANYON DEVELOPMENT, L.L.C., GRANTEE, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the said Grantee and unto its successors and assigns forever, the following described lands situated in the County of Washington, State of Arkansas:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY ITS REFERENCE.

SUBJECT TO ANY AND ALL RIGHTS-OF-WAY, EASEMENTS, RESTRICTIVE COVENANTS AND OTHER RESTRICTIONS OF RECORD, IF ANY.

To have and to hold the same unto the said Grantee and unto its successors and assigns forever, with all tenements, appurtenances and hereditaments thereunto belonging.

And Grantors hereby covenant with said Grantee that Grantors will forever warrant and defend the title to said lands against all lawful claims whatsoever.

And Granters do hereby release and relinquish unto the said Grantee and unto its successors and assigns forever, all rights and possibility of homestead, statutory or otherwise, in and to the abovedescribed real property.

WITNESS our official hands and seals this 23rd day of June, 2004.

Bill G. Sellers, Trustee of the Bill G.

Sellers Inter Vivos Revocable Trust (u/t/d 10-16-1990) - Grantor

Ruth Ann Sellers, Trustee of the Ruth Ann Sellers Inter Vivos Revocable Trust

(u/t/d 10-16-1990) - Grantor

Exhibit "A" [legal description]

THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, AND A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15; THENCE NORTH 88 DEGREES 48' 02" WEST-197.28 FEET TO THE POINT OF BEGINNING; THENCE NORTH 42 DEGREES 23' 07" WEST- 1,629.86 FEET; THENCE NORTH 01 DEGREES 13' 46" EAST- 1,456.41 FEET; THENCE SOUTH 89 DEGREES 41' 28" EAST-1,327.99 FEET; THENCE SOUTH 89 DEGREES 10' 19" EAST-1,321.57 FEET; THENCE SOUTH 01 DEGREES 27' 04" WEST-1,126.81 FEET; THENCE NORTH 87 DEGREES 36' 15" WEST-463.25 FEET; THENCE SOUTH 03 DEGREES 07' 21" WEST-1,292.65 FEET; THENCE SOUTH 67 DEGREES 22' 09" WEST-148.32 FEET; THENCE SOUTH 00 DEGREES 22' 09" WEST-193.40 FEET; THENCE NORTH 89 DEGREES 07' 26" WEST-294.91 FEET; THENCE NORTH 00 DEGREES 51' 45" EAST-144.66 FEET; THENCE NORTH 89 DEGREES 11' 35" WEST-591.11 FEET; THENCE SOUTH 00 DEGREES 42' 13" EAST-142.88 FEET TO THE POINT OF BEGINNING, CONTAINING 126.03 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND/OR RIGHTS-OF-WAY.

TOGETHER WITH:

A PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15; THENCE SOUTH 01 DEGREES 01' 48" WEST-214.50 FEET; THENCE NORTH 41 DEGREES 29' 52" WEST-291.86 FEET; THENCE SOUTH 88 DEGREES 48' 02" EAST-197.28 FEET TO THE POINT OF BEGINNING, CONTAINING 0.49 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND/OR RIGHTS-OF-WAY.

DEED RESTRICTION: ANY SUBDIVISION DEVELOPED UPON THE AFOREMENTIONED LANDS BY THE GRANTEE, ITS SUCCESSORS OR ASSIGNS SHALL BE ACCOMPANIED BY RECORDED PROTECTIVE COVENANTS FOR SAID SUBDIVISION REQUIRING AT LEAST 70% OF ANY HOMES BUILT THEREON TO BE NO LESS THAN 2,000 SQUARE FEET WITH THE REMAINING 30% OF ANY HOMES BUILT THEREON TO BE NO LESS THAN 1,850 SQUARE FEET. ADDITIONALLY, TO THE EXTENT NOT PRECLUDED BY ANY GOVERNMENTAL BODIES HAVING AUTHORITY TO APPROVE THE DEVELOPMENT AND ESTABLISHMENT OF ANY SUCH SUBDIVISION ON THE AFOREMENTIONED LANDS, THE SUBDIVISION SHALL (I) BE NAMED "SELLERS" OR AS PROVIDED BY GRANTORS AND APPROVED BY GRANTEE AND ANY GOVERNMENTAL BODIES HAVING AUTHORITY OVER THE SAME, AND (II) ALL STREET NAMES SHALL BE NAMED AFTER THE CHILDREN AND GRANDCHILDREN OF BILL G. SELLERS AND RUTH ANN SELLERS OR AS PROVIDED BY GRANTORS AND APPROVED BY GRANTEE AND ANY GOVERNMENTAL BODIES HAVING AUTHORITY OVER THE SAME.

POWER POLE

△ CENTERLINE MAF SEWER MANHOLE

- ODV# TFIRE HYDRAN STREET LIGHT

> EXISTING 8" S EX SS-8

PROPOSED 8" (-**S**S-8

EXISTING W/ PROPOSED 8"

-WL-8 CENTERLINE

BUILDING SI

UTILITY EAS

NEW 5' SIDE

> **UTILITY CRC** UTX

EXISTING CO

FINISHED CO

PROJECT D

(IN FEET) 1 inch = 150 ft.

ADJOINING PROPERTY OWNERS:

PARCEL: 760-02350-000 297 N. DOUBLE SPRINGS RD. 297 N. DOUBLE SPRINGS RD. FARMINGTON, AR 72730

PARCEL: 760-02350-800 THERESA McDERMOTT 117 N. DOUBLE SPRINGSRD. FARMINGTON, AR 72730

PARCEL: 760-02351-200 DAVID & MICHELE McCONNELL 14489 DRAIN RD. **FARMINGTON, AR 72730-8707**

PARCEL: 760-02358-000 ROGER & DOLLIE McCRATIC 434 GOOSE CREEK RD. **FARMINGTON, AR 72730-8505**

PARCEL: 760-02382-000 GOOSE CREEK PROPERTIES LLC P.O. BOX 1346 **FAYETTEVILLE, AR 72702**

PARCEL: 760-02743-000 MOHAMMAD & ROSHAN ISMAIL 471 W. HYDRANGEA DR. FARMINGTON, AR 72730

PARCEL: 760-02747-000 SHANNON SHRUM 429 W. HYDRANGEA DR. FARMINGTON, AR 72730

PARCEL: 765-16214-000 PFALZGRAF FAMILY TRUST **KELLYE & CHARLOTTE PFALZGRAF** 20 N. DOUBLE SPRINGS RD. FARMINGTON, AR 72730

PARCEL: 765-16225-500 **GARY & KELLE HAMBLEN** 102 S. DOUBLE SPRINGS RD. **FARMINGTON, AR 72730**

PARCEL: 760-02350-700 25 N. DOUBLE SPRINGS RD. 25 N. DOUBLE SPRINGS RD. **FARMINGTON, AR 72730-2515**

PARCEL: 760-02351-000 & 765-02352-000 PHYLLIS YOUNG 546 GOOSE CREEK RD. **FARMINGTON, AR 72730-8506**

PARCEL: 760-02356-000 MATTHEW & LORI BURNS 464 W. GOOSE CREEK RD. FARMINGTON, AR 72730

PARCEL: 760-02360-000 JOHN & AMY PURIFOY 585 N. COUNTGRY FARM RD FAYETTEVILLE, AR 72704

PARCEL: 760-02741-000 JAY & HAVEN PEARCY 483 W. HYDRANGEA DR. **FARMINGTON, AR 72730**

PARCEL: 760-02745-000 **BEAU THOMPSON** 433 W. HYDRANGEA DR. **FARMINGTON, AR 72730**

PARCEL: 760-02748-000 **KEVIN & KRISTEN KIGORE** 592 M. MCLEOD DR. **FARMINGTON, AR 72730-2951**

PARCEL: 765-1625 -400 GHOST RIDER DEVELOPMENT INC. 9524 WEY BRIDGE DR. FORT SMITH, AR 72916

PARCEL: 765-16225-600 WALTER BURNETT II 62 S. DOUBLE SPRINGS RD. FARMINGTON, AR 72730

PARCEL: 765-16225-800 PURETT FAMIYL TRUST GARY PURETT, KEVIN PURETT, STEPHEN PURETT 438 RIVER PARK DR. REDDING, CA 96003



124 W Sunbridge Drive, Suite 5 Fayetteville, AR 72703

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11/8/17

To Whom It May Concern;

On behalf of the owners of property located on the west side of Double Springs Rd and south of Silverthorne, we are requesting to rezone the property from A-1 to R-1 single family. This is for 126 acres. This will be reviewed by the Farmington Planning Commission on Dec 18 at 6:00 at City Hall. You are welcome to attend.

Thank you

David L. Jorgensen, P.E.



