

BENTON CITY COUNCIL MEETING

MAY 9, 2016

7:00 PM



AGENDA MEETING 6:30 PM



BENTON MUNICIPAL COMPLEX
114 SOUTH EAST STREET
COUNCIL CHAMBERS

DAVID MATTINGLY, MAYOR

REGULAR SESSION
May 9, 2016
7:00 PM
AGENDA

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| I. | Call to Order | Mayor Mattingly |
| II. | Invocation | |
| III. | Pledge of Allegiance | Alderman Hart |
| IV. | Roll Call | City Clerk |
| V. | Approval of Minutes | April 21, 2016
<i>Special Called Meeting</i> |
| VI. | Approval of Minutes | April 25, 2016
<i>Regular Meeting</i> |
| VII. | Service Award Presentation
<i>Jessica Teague – 10 Years of Service</i>
<i>John Richey – 20 Years of Service</i> | Mayor Mattingly |
| VIII. | COMMITTEE REPORTS & MOTIONS | |
| | 1. Finance Committee | Alderman Ponder |
| | A.) ORDINANCE NO. 20 OF 2016
<i>AN ORDINANCE AMENDING THE 2016 BUDGET FOR THE 911 OPERATIONS OF THE CITY AS ADOPTED IN ORDINANCE 64 OF 2015; APPROPRIATING FUNDS FOR CERTAIN COMMUNICATION UPGRADES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES</i> | |
| | B.) RESOLUTION NO. 30 OF 2016
<i>A RESOLUTION RECOGNIZING THE SERVICES OF LT. MICHAEL TREASITTI TO THE CITIZENS OF BENTON AND AWARDING HIM HIS BADGE AND SERVICE WEAPON IN RECOGNITION OF THOSE SERVICES</i> | |
| | C.) RESOLUTION NO. 31 OF 2016
<i>A RESOLUTION DECLARING CERTAIN PROPERTY AS SURPLUS; AND AUTHORIZING THE SALE OF THE SURPLUS PROPERTY AT AUCTION</i> | |
| | D.) RESOLUTION NO. 32 OF 2016
<i>A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH THE BENTON SCHOOL DISTRICT FOR THE PLACEMENT OF THE SCHOOL RESOURCE OFFICERS; AND FOR OTHER PURPOSES</i> | |
| | E.) RESOLUTION NO. 33 OF 2016
<i>A RESOLUTION TRANSFERRING FUNDS FROM THE SAFETY AND STABILITY FUND TO THE GENERAL FUND; AND FOR OTHER PURPOSES</i> | |
| | 2. Community Services/Animal Control | Alderwoman Reed |
| | A.) ORDINANCE NO. 21 OF 2016
<i>AN ORDINANCE REZONING CERTAIN LAND IN THE CITY OF BENTON, SALINE COUNTY, ARKANSAS, DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES</i> | |

B.) ORDINANCE NO. 22 OF 2016

AN ORDINANCE REZONING CERTAIN LAND IN THE CITY OF BENTON, SALINE COUNTY, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

C.) ORDINANCE NO. 23 OF 2016

AN ORDINANCE REZONING CERTAIN LAND IN THE CITY OF BENTON, SALINE COUNTY, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

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| 3. | Streets & Drainage Committee | Alderman Cunningham |
| 4. | Personnel/Health & Safety Committee | Alderman Donnor |
| 5. | Parks Committee | Alderman Lee |
| 6. | Public Utilities Commission | Alderman Herzfeld |
| 7. | A & P Commission | Alderman Donnor/Ponder |

ORDINANCE NO. 24 OF 2016

AN ORDINANCE AMENDING ORDINANCE 3 OF 2016 WHICH ESTABLISHED OPERATING PROCEDURES FOR PORTABLE FOOD TRUCKS; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

- IX. Unfinished Business**
- X. New Business**
- XI. Old Business**
- XII. Announcements**
- XIII. Adjourn**

MINUTES OF THE BENTON CITY COUNCIL
Special Session
April 21, 2016
Benton Municipal Complex

The Benton City Council was called to order for a special session at 6:30 pm.

The Mayor gave the invocation.

Alderman Ponder led the pledge of allegiance.

The Mayor stated that the purpose of the meeting was to consider the appeal of the March 8, 2016 decisions of denial by the Planning and Zoning Commission for conditional use permits for three properties, 1005 Brookview, 1912 Alcoa Road and 1617 Deerfield Road by Broken Chain Ministries, Inc. They are also requesting reasonable accommodations in accordance with the Fair Housing Act for each of the three properties. See attached appeal letter dated March 17, 2016 from Robert Cannon, Broken Chain Ministries, Inc. and Ferman Ward, Solution Houses. The council will hear the appeal tonight.

Roll was called.

The following persons were in attendance:

Alderman Frank Baptist	Alderman Evelyn Reed
Alderman Charles Cunningham	Alderman Bill Donnor
Alderman Jerry Ponder	Alderman Judd Hart
Alderman James Herzfeld	Alderman Steve Lee
Alderman Lori Terrell	Brent Houston, City Attorney
David Mattingly, Mayor	Cindy Stracener, City Clerk

When roll was called nine (9) council members were present. Alderman Kerry Murphy was absent. A quorum was declared.

Mr. Houston stated that we have two issues one is the request on appeal and two the request for reasonable accommodation on each of the three properties. Each property will be considered one at a time. The Mayor stated that the 3 minutes rule for comments will occur unless the council votes to change the time limit. No motion was made.

David Vondran representing the Planning and Zoning Commission stated that the submissions of two of the three properties failed to meet the notification requirement of the 300 feet. There are two methods of notification one is certified mail and the other is by signed petition. So the applicant has the opportunity to go door to door and get signatures from the property owner or they have the opportunity to send a certified letter by mail which we receive the return receipt from the Post Office. The data that we received from the Post Office that the applicant submitted to us indicated that there was one property owner on two of the properties that failed to receive certified notification or signed a petition. Now one of those properties a renter signed for the notification which does not meet the requirement, it has to be the owner. That was one of the review items that the P&Z Commission found short on two of the three properties. Now as a whole their view on the properties never was about who the occupants were in the structures. The city of Benton zoning ordinance currently does not have by right a location for boarding homes. Each case individually comes before the P&Z Commission for their review and each case must be

granted a conditional use regardless of which zone it is being applied to. The city of Benton does have boarding houses within the city limits but none of those boarding houses are in residential neighborhoods, they are in a different zone. So conditional uses have been considered for this purpose just not in a single family residential setting. So that was the bases for the denial by the Planning and Zoning Commission. Mr. Houston asked what zones boarding houses are situated in. Mr. Vondran stated that to his knowledge Birchtree facility is within an agricultural zone. Mr. Houston asked would we allow boarding homes with a conditional use in other areas of the city for instance multifamily. Mr. Vondran stated yes that would be considered by the P&Z Commission also within the different commercial zones that the city has within our zoning ordinance. Mr. Houston stated that one of the other deficiencies that the commission noted that night was the lack of a site plan. Mr. Vondran stated that was correct. Mr. Houston asked if a site plan had been given to the city on any of the three properties. Mr. Vondran stated that it has not. Mr. Houston asked what the importance was of the site plan. Mr. Vondran stated that the importance of the site plan would indicate the availability of parking, how they would handle the residents parking overnight versus in the street and so forth. It would also represent any setbacks along the perimeter that we could be concerned with due to the requirements of the adjacent single family zone. Mr. Houston asked if the submission of a site plan mandatory. Mr. Vondran stated yes.

Alderman Hart asked which two of the three were not in compliance. Mr. Vondran stated 1921 Alcoa Road and the property that did not receive notification was 926 Edgehill Drive. And the other property was 1005 Brookview and the property that did not receive notification was 816 Brookview Drive.

Mr. Houston stated that Ferman Ward was the applicant and asked if he was present. He was present. The Mayor asked him if he would like to speak. Mr. Ward stated no.

Mr. Robert Cannon was recognized. Mr. Houston asked if we could start with 1912 Alcoa Road. Mr. Cannon thanked the council for the opportunity. He stated that he wanted to tell the council who he was and his qualifications to do what he does. I am educated, past state president and national vice president of the Jaycees. I have travelled the country working with metropolitan groups. So I understand the business and working with these things. I do have some knowledge; I have been nationally recognized as an outstanding Arkansan. My life is dedicated to what I do. I serve a God that I love who called me to pick up my cross and I do. I work to help people that are incarcerated, I work with the reentry coalitions, I am vice president of the Freedom for Life Reentry Coalition that serves eight counties, and I am a parliamentarian for Central Arkansas Reentry Coalition. I teach recovery for addicts. I teach Celebrate Recovery. My job is to help these people that are oppressed and need this help. If I missed someone's address I did not know it happened. When I brought this to the city he said you might have missed a few here but then came back and said I didn't. So I assumed that I got everybody. So if a mistake was made like that it was a minor mistake. As far as the site plan for these homes, it says on the application do not leave it blank or we may have to returned it to you and if you do not feel that it applies then put does not apply. I wrote does not apply. I did not see the need. For parking you have a picture of the houses, you can see how big they are, you got the plots, you have the dimensions of the property, the side of the house, and everything is submitted there. So just ask how many people are you going to put in a house and see how many cars it takes for those people? One house has a long drive, a double garage. What is the problem? If he needed more property, he owns the property beside it. I answered those questions just like it said. I was told then that you have to answer all of them. I did. The application states that if you feel it does not apply then

write it does not apply. So if I failed that it is because I did not see where it applied. Was I called and told you might need to answer this? I was not given these things. The whole issue here in asking for consideration was because we wanted you to come and meet the reasonable accommodations. We can hear all the people argue tonight why we don't want that in our neighborhood but that would be doing this for the wrong reason. According to the joint statement of the Department of Justice of the Department of Housing and Urban Development, it tells us specifically if it is because of the fear factor not to allow these people to have a home that don't work. You cannot base this off of their fear. When this all came down we presented the city with the program that we call Fresh Start, which has a zero tolerance. In fair housing it states that if they are using drugs then they don't qualify. We run a home for men that are trying to recover. They are recovering addicts this includes alcoholics and they fall under disability and are protected by this in fair housing. We asked for accommodations. When this first went down we were told to have these 21 men out of there by Thanksgiving Eve. These guys had ten days to get out of the homes and find a new place to live. So we got with the owner, parole pulled their people out but we still had 12 people, 4 in each house. So they became residents. We quit doing the program. If they have a program it is among the people themselves. It is known that giving people a group home with a controlled environment gives them an opportunity to succeed in life. We wanted the city to partner with us. There is a need in our community and I am reaching out to you giving you the opportunity to partner with us. It doesn't cost you a thing but to be considerate enough to say we need to do this. There is no need to do all three properties separate. We either accept them or reject them. They all fall under the same thing and it does not matter the zoning area when we are looking at conditional use to have a group home. I can't get a straight answer what is a family – a family dwelling. Well that is people who are related by blood or marriage. Well then we have a lot of people living wrong out there. A lot of people don't qualify. 4, 5 or 6 what constitutes people who are not related. If I am fostering 8 children that is protected under law. Well the same thing goes for these people; they are protected under the law so why are not we willing to give them the opportunity. All doors are always open, police, parole are welcome because I want these houses to run the way they should. I want these people to live godly and get themselves where they can be productive citizens of this community again. It seems once we make a mistake we are going to be condemned the rest of our lives. I am at lost why we are not doing this to help these people. We have accommodations in the policies and laws and we asked for this and we were never given anything. We were totally ignored. Why? Are we trying to keep them out of the neighborhoods? Are we going with not in my backyard? Is that what this is about? Where is our love as Christ has told us to have? One out of three people of color will be locked up in prison and one out of seven if they are white. Are we going to help them where they have a chance? In neighborhoods you don't know your neighbors at least these you know what they are doing, they are trying to change their life. The house on Brookview has been there for six years and now we are being told to close it down. When they closed us down they went after me and another house which I don't run any more but is still on our website. So they closed that house down along with a women's house. We never heard that mentioned and I guess you folks didn't know either. They were closed because my name was brought into this. These that had no complaints why did we have to shut those down also. This just should have been about the Deerfield house. This can have nothing to do with the fear factor if you weigh that in because these people are afraid of our people being their neighbors and we have already told you that we put the safeguards up there and with the program that we run there is no reason for that. And that would be a violation of the law to do that. To say that I did not complete something well I completed it the way I was told to and I answered it just like it said. Nobody contacted me when I submitted and said you might want to look at this; no they waited until I got to the

meeting. It said I was offered the opportunity to withdraw it. The first time it was mentioned on the first house, I asked a question. Then all of a sudden we have a debate going on and the next thing it was voted and I was not asked again. So when it came to the second two, I said it does not matter you rejected the first one you might as well do the same thing because it is going to be on the same grounds. You are going to say that I did not answer your questions. I knew when we came in that night that this is what was going to happen. Now I am asking you to reconsider this and do something to help these people. If you look in your hearts you know this is what the Lord says that we ought to do.

Mr. Houston stated that he had a few questions. On the notification requirement to send certified mailings out on the ones that were hand delivered and the property owner signed, who did that work. Mr. Cannon stated that he personally did. Mr. Houston asked if Mr. Cannon actually had the property owners sign the signature page. Mr. Cannon stated that his understanding was that it is sent to the address. Mr. Houston stated that he was talking about the ones which were hand delivered. Mr. Cannon stated that whoever was there, I had them sign. Mr. Houston stated so you had these signed. Mr. Cannon stated right. Mr. Houston asked so where everybody signed this that was their signature. Mr. Cannon stated correct. Mr. Houston stated that this particular one signed for 1921 Edgehill which was projected on the screen. Mr. Cannon stated that he could not see it. Mr. Houston stated you see that signature and asked did you obtain that signature. Mr. Cannon stated that anyone that is signed I am the one who got the signature. Mr. Houston stated that he happens to know Jerry Ponder and I called him today and asked if he or his wife signed that particular document and they told me no. Mr. Cannon stated that if that is their house address and it is signed then I am sorry to tell you but they signed it. I don't have to fudge nothing. Mr. Houston point out Mr. Ponder who is actually Alderman Ponder who sits on the Benton City Council. Mr. Cannon stated Mr. Ponder someone from your house signed it. Mr. Cannon asked if that was Mr. Ponder's house where he lives. Alderman Ponder stated no sir. Mr. Cannon stated okay that is why, I tell people when I go to the door, I need the owner or whoever is the renter is here, I need someone to sign it and he signed it. Alderman Ponder stated that he and his wife are the property owners and the house has a mortgage which is under Cloud Family Trust. The tenants who live there have no knowledge that the trust exist and my wife is the trustee and the only person with any authority to acknowledge anything related to that property. The property owners not the tenants are the ones who are to be notified and we did not receive any notification. Mr. Cannon stated when we look up the addresses any time that it showed another address that is where we sent it. Mr. Houston stated but you have this petition and it is signed by supposedly the property owner and it is signed in the name of the trust but the trustee did not sign that document. Mr. Cannon stated if it was signed I would have gone to the house and told them what we were doing and gave them the paper on what was going on, so that they were notified that we were doing this and I had them sign. Mr. Houston stated but no one would have known who the mortgage holder was that lived there. That is who executed this document was the trust and the trustee doesn't live there. Mr. Cannon asked so are you saying that the trust signed it. Mr. Houston stated yes. Mr. Cannon stated that on this piece of paper it was a door I knocked at, it was not the trust company or anyone else. I looked up every parcel and did the 300 feet dimension, if it was barely touching I sent them one. I was trying to make sure everybody got one. I don't know how we missed one supposedly. I went and personally knocked at the doors and somebody signed it. I am thinking that we are supposed to give the occupant or owner notification. If I was renting the house and did not like it I would be the one wanting to know.

Mr. Houston stated that when the P&Z met they told you that you did not complete a site plan. You understand that is one of the reasons that they turned you down. Mr. Cannon stated that was correct, that is what they said. Mr. Houston stated that you have had over a month since the meeting and asked if Mr. Cannon has produced a site plan for the city for what you want to do. Mr. Cannon stated no, I don't understand what you want in a site plan, your rules do not specify. Mr. Houston asked if Mr. Cannon had produced a site plan on any of these houses. Mr. Cannon stated let's cut to the chase you know that is not why we were turned down, we know why we were turned down. Mr. Houston asked why he did not produce a site plan. Mr. Cannon stated because you did not tell us what it was. Mr. Houston asked does not the application itself specify what needs to be included. Mr. Cannon stated that he did not see where it applied and don't see where it applies still. If it is about parking I have already told you. Mr. Houston asked when they started operating the business on Alcoa. Mr. Cannon stated January. Mr. Houston asked why he did not obtain a privilege license to operate at that location. You were operating a business were you not? Mr. Cannon stated you call that a business I call it recovery. Mr. Houston stated are you saying that you are not a business? Mr. Cannon asked if you are doing the same to other houses or are you just picking on us? Mr. Houston asked again why did you not obtain a business license. Mr. Cannon stated that I did not need it for that. Mr. Houston asked if he was still operating at the Alcoa Road location. Mr. Cannon stated no. Mr. Houston asked if he was operating at any of these locations. Mr. Cannon stated no, if you see me there I manage them for Ferman. Mr. Houston stated you manage them. Mr. Cannon stated he manages the houses, he picks up the rent money for him. There is no program run in those houses. Mr. Houston asked if Mr. Cannon rents the houses. Mr. Cannon stated no, I never did. This is where there is a lot of confusion. We run a program, those are Ferman's houses and this is what he charged them. I took over for Brookview at one point and started doing this for him when he got the next house I managed for him again. I am actually just managing it and the benefits are actually about zero. This is not about money.

Mr. Houston stated that you understand under the Fair Housing Act that sex offenders are not considered as disabled and do not meet the definition. Mr. Cannon stated that was correct. Mr. Houston asked if he had any sex offenders residing in the houses. Mr. Cannon stated yes one that was a recovering addict. Was he a level 3, this is something else that people don't understand. He stated that he was on the sex offender's registry but it has nothing to do with me. I run a ministry, I serve God; you don't know my case or my history and I don't care, I am not worried about that. A level 2 can live anywhere they want to; level 3 no; we have never had any 3's in those houses. A 2 when he is a recovering addict and the courts call and ask if you can put this guy in a house, yes.

Mr. Houston stated that with respect for your request for accommodations, do you have any proof or documentation that you can provide that shows that each of these individuals has a disability. Mr. Cannon stated that the courts could tell you that they were there and drug addicts. An addict is not just someone who has drugs and alcohol; we have people who are overeaters or has a problem. An addict is someone who has a hard time dealing with life on life's terms. One of the guys has not drank in a lot of years. One of the guys has not had a speeding ticket in 20 something years but he is still a recovering addict and has a right to live there. Yes some of these guys we can give you documentation real simple. I am a payee for one of them. Mr. Houston asked what do you mean by payee. Mr. Cannon stated that he helps control their money so they don't mess up and go blow it on dope. Yes every one of them can be verified. Also remember that a lot of these guys are on psychological medication, they go to the Counseling Clinic because they have issues dealing with life. The thing is what our society does not understand is reentry and working on the mental health

aspect. When you are an addict and you are dual diagnosed you have a problem and can get recovery in one of these 30 day programs and they will treat you for your substance abuse but they are not taking care of your mental problem. So as soon as they go back in society the depression hits and then they reach for the only thing they know because they have not learn to cope yet. So if we don't give them a place to live in a controlled environment, then they will be over there robbing your house. Mr. Houston asked what specifically are you asking for concerning accommodations. Mr. Cannon stated I would like for these houses to be approved so that we can help these people. I want the city to work with us not against us. We have an obligation to help people.

Alderman Hart asked so you are refusing to do a site plan even though you know you have not done one? Mr. Cannon asked are you saying that I won't do one, if that is what you say we are going to have to do in order to work together, if that will help you, I will do one. Alderman Hart asked if you really want one why have you not done one up to this point. Mr. Cannon stated because you are making us spend a lot of money that I don't have. I run a ministry on a shoe string, I have to go out and have yard sales to try to make money to run the ministry. Alderman Hart stated but you are not running that ministry in any of these houses right? Mr. Cannon stated no. Alderman Hart asked if he kept records on all the people who come into your facilities. Mr. Cannon stated yes. Alderman Hart stated but you don't want to keep disability records or show that they meet these requirements. Mr. Cannon stated first off you have to be careful on that; remember there is a HIPA law. You asked if I can verify them, yes. Alderman Hart stated you have been running one of these houses in a neighborhood for how many years now? Mr. Cannon stated that he has not been running it, it has been there for 6 years, I ran it for a little over a year before this went down in November. Alderman Hart asked so that is not required to have any notification to the city? That business is not supposed to be identified in any way? Mr. Cannon stated that he did not know. I took over managing them and nothing was ever said. There are other houses you will find there is a lot of these homes, others in this city that have not been addressed.

Alderman Hart asked if not knowing the law is that a reason to make the law not apply to you? For him not knowing that he has to let us know this information is that an acceptable excuse in the law? Mr. Houston stated no.

Alderman Herzfeld asked Mr. Cannon if he had any supervisory people beside yourself at these homes. Mr. Cannon stated that every house had a houseman back in November. Alderman Herzfeld asked if they did today. Mr. Cannon stated that they do not have a program. Two of the houses run them own selves. Alderman Herzfeld stated that you have people living in the houses and know that they have problems but you don't have a program? Mr. Cannon stated thanks to your city attorney, I was told that I could not do it. He said we were to cease all operations of Broken Chain. Some of them are still in systems where they have to go to meetings but can I tell them that they have to, I can't do that.

Mr. Houston asked Mr. Cannon if any of his professionals have any credentials or training. Mr. Cannon stated that the one that was at Deerfield was a certified counselor. Mr. Houston asked Mr. Cannon how many people that they intended on residing at the Alcoa location. Mr. Cannon stated 7. Mr. Houston asked Brookview, Mr. Cannon stated 6. Mr. Houston asked about Deerfield, Mr. Cannon stated 16. Alderman Ponder asked if each of the tenants have individual leases. Mr. Cannon stated yes. Alderman Ponder stated so it is a for profit entity. Mr. Cannon stated it is the owner's home. Alderman Ponder stated so the owner is making income there but it is not considered a business entity that needs a privilege license.

Mr. Cannon stated no there is not a program running, as far as him he has a rent house. Alderman Donnor asked if he received any government funding. Mr. Cannon stated no. Alderman Baptist asked how many counselors do you have for each home. Mr. Cannon stated that these guys go to counseling meetings, their own private counselors. When people come out we do a needs analysis so we can help them. I have been trained to help people get jobs. I have worked with the Feds on this; have gone to their training program. I have been to a lot of other training programs through the coalitions. When we got Deerfield we decided that we were going to do things a little different, we were going to be real strict. A man came to the house to live and the houseman saw him huffing so we called the police instead of hiding it or letting him drive away. We have a no tolerance program. Alderman Baptist asked how many people have you found employment. Mr. Cannon stated a lot. Alderman Baptist asked what a lot is. Mr. Cannon stated that he does not count them but dozens. A lot of the people who come into the houses have jobs already. Somebody came to me yesterday, today he is working. We work with the Good Grid, a resource program. Alderman Lee asked if part of the program was find these people jobs. Mr. Cannon stated yes unless they are disabled we can't. Alderman Lee stated that you said you found a job for a person who came to you but seven or so minutes ago you stated that you were not running a program. Mr. Cannon stated that has nothing to do with the house. I have a business Broken Chain, which has an office. People come from the parole office and ask me to help them and I do. Alderman Lee asked if he had a license of any kind to do medical or therapy work or whatever. Mr. Cannon stated my wife; and I do for job training. Alderman Lee asked for being a therapist and helping out these people. Mr. Cannon stated yes, I am a licensed ordained minister. I have been doing this for 16 years. I think I know what I do and I know how to counsel, I do marriage counseling. He stated that he went through a program through the federal prison system to help people get employment. Alderman Baptist asked what kind of program was that, he stated that he works in that field and has not heard of it. Mr. Cannon stated the federal bureau, you will have to check with them, and they run a program periodically. I went into the federal prison in Forest City for the training and they just got through doing one not too long ago in Little Rock. Alderman Baptist asked if he worked with any state agency. Mr. Cannon stated no, we have a memorandum of understanding that we sign with the Arkansas Community of Corrections in helping people. We have their computers in our office to help these people. Mr. Houston asked are you saying that this agency allows you to work with parolees or probationers. Mr. Cannon stated that he has been going into prison for a long time. Mr. Houston asked him to answer the question, Mr. Cannon stated yes. Mr. Houston asked him if he has requested a permit to work with parolees. Mr. Cannon stated that he has not had to have one yet. Mr. Houston asked if he has requested one. Mr. Cannon stated that he did not need to, I work with the Department of Corrections and ACC. The houses were called halfway houses which is incorrect, a halfway house means I can write a parole plan and move to your house. That is not true we never did that. Alderman Cunningham asked if there has been any attempt to qualify with the city of Benton for housing and the ordinance. It seems to me that we have skipped over the requirements of the city. It is part of the system that makes sure we accommodate the city at large. If we allow this to happen in one instance then it opens the door for everybody. That is where we talk about what the city requires to live in those houses. Are you willing to try to accommodate to these requirements. Mr. Cannon stated that he did not have a problem with that. Alderman Cunningham asked why it has taken so long. Mr. Cannon stated that the city has refused to deal with us. Alderman Cunningham asked when you say that the city would not deal with you does that mean accommodating or satisfying the laws. Mr. Cannon stated that we did ask for reasonable accommodations according the Fair Housing Act. Alderman Cunningham asked where these houses are located. Mr. Cannon stated that where every one of them are located they

can have a conditional use. It says in fair housing you can't discriminate against that. If I come and want more than the 6 in the house according to fair housing we have the right to petition to ask for reasonable accommodations. Alderman Cunningham asked petition who. Mr. Cannon stated the city. Alderman Cunningham asked why this was not done previously. Mr. Cannon stated that when this came down and we found out we were violating the city ordinance we asked. We took it to Mr. Houston's office and he never responded. When this came down we got a call from the Police Department and they asked us to come meet with them for a solution to this problem. We thought maybe we can work together but we get there Mr. Vondran comes in and gives us the paper to cease and desist and evacuate in ten days. Then I was told that they were doing an investigation on me. There was no call for that, treating me like I was criminal. We tried to come in here and do this reasonably and work together to help these people. There is nothing here to do that and it needs to be done. I want to work together to solve some of these problems. Do you not see how bad it is out there in our community? The drug abuse, the alcohol, they don't have to go to the county line anymore. The alcoholics can just go down the street and get it and hope they make it home. Alderman Cunningham stated that if the city has certain rules and certain ordinances to be fulfilled are you looking for the city to just change those for your situation and make everybody else comply with the law. Mr. Cannon stated that what we are asking for is for the city to meet the fair housing. Alderman Cunningham asked if the city was violating the law. Mr. Cannon stated yes it is. Alderman Cunningham asked why that has not been addressed from him to the city. Mr. Cannon stated that he sent it to Mr. Houston and he did not respond, since he represents the city, I don't know who I was supposed to go to. Mr. Houston stated that those were received and right after that back to back were the leases where he leased out the property so the city at that point considered those things mute because of the lease agreements that were in place that were provided. Once we learned that was not the case, we asked that it be addressed by the P&Z Commission and here again tonight. Mr. Houston read a note that was received from the Arkansas of Community Correction from the chief deputy director. It states that in the case of Bob Cannon's effort to establish housing in the city of Benton, we will not approve a license or contract with him or his company. Mr. Cannon states that he still works with ACC. They did back away from a lot that we are doing but we still have a memorandum of understanding with them. They went after me to attack me and see if I am in violation of anything so that they can prosecute me. Alderman Lee asked who was they and where. Mr. Cannon stated the Police Department and right here.

Mr. Houston stated that he would like to know if there is any type of public threat because that could be considered under the fair housing. If this is a danger in anyway. Chief Lane stated to clarify some false information that you received from Mr. Cannon, we did invite him down to the Police Department, and we have knowledge of him because he is a registered sex offender level 3. Under state guidelines typically an offender in this category has a history of repeat sexual offending and or strong antisocial violent predatory personality characteristics. How you get that was when he was convicted in 2006 as a sexual assault second degree two counts, a licensed counselor assessed him and those counselors put him in a category and that is how sex offenders get their levels. The city got a copy of that when he lived in the city and was a registered sex offender. He was difficult to deal with as you can see tonight. He manipulated the rules and regulations. He lived too close to a school and had to be removed by the police department. Now respectively I can't provide you with details of that sexual offense but they are provided to the police department. As a chief police officer of this jurisdiction, I am required to advise the public of that nature. I have the details but can't provide it to you but Mr. Cannon can if he wants to be completely visible. Chief Lane laid a large manila envelope on the top of the wall between the seats in

the council chambers and the podium. Mr. Cannon did come and pick the envelope up. Chief Lane stated that on the issues of inviting him down to the police department, yes we did open an investigation. From the police standpoint knowing that Mr. Cannon was difficult to deal with we thought that was a good location for Mr. Vondran to deliver the notice. We stood by and kept the peace while the notice was served.

The Mayor stated that as far as the Arkansas Community Corrections and how this came about. They contacted me. I did not call; I did not ask the city attorney or anyone else. They called me because they felt that as Mayor of this city, I should know what the attorney just read into the record. I find it very offensive for you to stand there and lecture me and all of us that you don't think we know anything about alcoholism, drug abuse or anything else. I can't speak for everyone but I can speak for my family and many of them that I know, we have these problems in our own families. We have had to deal with them, we deal with them the best we can and none of them that I know of have tried to open a boarding house which is what you are asking, conditional use in a single family residential area. We have all tried to do the best that we can with those issues in our individual families. Your inference that none of us know anything about any of those diseases or problems is personally offensive.

The Mayor asked for anyone who wants to speak for the appeal. Gary Ramsey stated that he has lived on Brookview now for 6 years. I think what these guys are doing is good they are good people. Without this I would be homeless. I am all for this. The Mayor asked if anyone else wanted to speak in support of Mr. Cannon's request to appeal the P&Z actions denying the conditional use on the 3 properties. The Mayor asked them to come forward or raise their hand. No one did.

The Mayor asked for anyone that wanted to speak for the standing by of the P&Z ruling that the conditional use was denied. Gilbert Simmons stated that he lived next door to the house on Deerfield where he wants to put 16 people. One of Mr. Cannon's supervisor's was arrested for trying to steal a television from Walmart. The police searched his vehicle and found a loaded handgun and bag of meth and digital scales, cash and prescription drugs. They are wanting to put 16 people who potentially fit that description. Statistically they fit that description. He wants them next door to me, 50 ft. He has antagonized everybody on this board, everybody in every neighborhood that he is trying to deal in. It is a sad situation of someone who thinks he is above the law. Number one you need to deny the appeal and then you need to pay some attention to the zoning laws which needs to be corrected.

Kevin Simmons stated people have a right to police protection but that does not mean I want a police department in my neighborhood. I believe people have a right to healthcare but I don't want a hospital in my neighborhood. I believe children have a right to a good education but I don't want a school in the middle of my neighborhood especially in single family which this is. You are talking about putting a business in the middle of my neighborhood. The fair housing act specifically says that you can't override local zoning laws that are already in place. Local zoning laws already say that this cannot take place. You already have reasonable accommodations. If you look at the zoning map of the city of Benton, there are multifamily locations all over. That is reasonable accommodations. There are locations for this where this could be possible. He says he wants to work with the city, why was this not on the front end. You could have saved him the time and said no this is not the right zoning. He said there were no issues over on Brookview. Police reports state otherwise. He talks about God, love and the Bible but the Bible also say render unto Caesar

what is Caesar's, which means you have to follow local government laws. I ask that you enforce the local zoning laws as they are written now.

Marsha Fleming stated that she owns 8 properties on Deerfield. I was never made aware of the fact that this was coming in. One of my tenants who lives across the street went to take a picture to send to me and he had his phone knocked out of his hand. They think that this is not a money issue but on 3 rental properties, he is collecting \$12,000 a month. We want to make sure that these houses go back to a single family unit and not a bunch of people coming and going that we don't know.

Cindy Hill stated that she lives at 1906 Deerfield. Her major concern is that the school bus stops in front of her yard and children are being let off there, walking back and forth in front of this house. There is a potential to put children at risk in more ways than one.

Candace Kirkendoll stated that she lives on Fawn Drive right around the corner from Deerfield. One issue that has not been brought up is property values. I asked Mr. Cannon what were we going to do if we want to or try to sell our home, how is this going to affect it. He said nobody needs to know, don't tell anybody, realtors don't need to know, prospective buyers don't need to know, don't tell anybody. Bringing up the integrity of the neighbors and being harassed by the neighbors, there are no police reports filed for harassment. The only incident has been when someone was trying to take a picture. We ask that you deny his request.

Manuela Colic stated she was the neighbor right next door to the Deerfield property. We don't like to see people changing every week; it is just not a family. We have to call the police sometimes because of the noise. I asked Mr. Cannon the same question what if I want to sell my house. He told me nobody needs to know anything. Please deny his request.

Blake Owen stated that he lives at 1116 Brookview. I am catty-cornered across the street from the house and have lived in the neighborhood 25 years now. Because of the Howard Perrin Elementary School, there is a lot of kids and school activity in the area. I don't want a place that accommodates more than a small group or family. This will devalue the property and I don't want it commercialized and would like to keep it a family area.

Robert Vanderford who lives on Penland just down from the Brookview house. I am concerned with the people living in the houses not having adequate care by licensed individuals who are trained to handle certain situations like if someone were to relapse or overdose, go through withdrawals. Those are some of the concerns as well beside the people who live in these neighborhoods. If I was to try to sell my home then I would have to disclose this. These are just things to consider. Why not on the frontend if this was going to be a legitimate business were these things not told on the front end, why not get the proper permits, and apply for the proper zoning. You would think that would be something that would be done on the frontend, if it was legitimate.

The Mayor asked if anyone else would like to speak. No one else raised their hand.

Mr. Houston asked Mr. Vondran without a site plan on the properties as part of the application is the city in a position to determine whether or not there is a fundamental alteration to this area for zoning. Mr. Vondran stated no. We know that the parking requirement of the occupants would have an effect on the neighborhood, the site plan would enable us to determine if that could or could not be accommodated with on the parcel. Mr.

Houston stated for example with a number of people living there and parking is not adequate where would they park. Mr. Vondran stated without a site plan the answer to that would be in the street or parking in the yard illegally. Mr. Houston asked if that would be a fundamental alteration to these particular areas. Mr. Vondran stated yes.

Mr. Cannon was recognized to make a statement or rebuttal whatever he needed to say. He stated that he thanked everyone for the opportunity to be here. He apologized he is somebody who when he feels attacked personally then I get my feathers ruffled. It offends me when I am being attacked or being made an issue of. I was not by any means implying that you do not understand, I was expressing the fact that we do have a deep problem here. I know that every one of us have people in our families who suffer from these things. The recidivism rate is 47% that is why reenter is so important for these people by giving them a place to survive. If we don't give them a chance we are going to keep that high recidivism rate. This should not be about me; we are here to look at something for fair housing to make it possible for these people to have a place to live. I ask you to study fair housing laws and study what I have talked about tonight and see if it is not true and a need to have this or not. I am sorry if people feel that we should have had a site plan, I feel that we answered the questions enough. I don't see any reason for a site plan for parking. All the papers that we submitted showed the dimensions of the home, pictures of the property and gave the dimensions of the land. I thought that was adequate enough.

Mr. Houston asked Mr. Cannon since this started over the Alcoa location are there any other statements that you wish to make concerning Deerfield or Brookview or do you consider all of them. Mr. Cannon stated that he feels that what we have talked about applies to all properties. There is no sense on debating three separate ones when it is all about the same thing. To deny it because I did not do a site plan when I have expressed what the plan is and I thought it was covered through the papers submitted. Even David said that was the best set of plans that he had ever seen someone bring it. That was his compliment to us when we brought in the package. Maybe he did not mean it was all filled but the organization was impressive. We thought we did the right thing. I apologize to you and these people out here. I ask you to consider helping these people and taking a stand for them.

Mr. Houston stated that in any debate or what you should consider in this request. From the Joint Statement of the Department of Justice and the Department of Housing and Urban Development with respect to the request of modifications of rules or policies, first consider if the request imposes an undue burden or expense on local government and second does the proposed use create a fundamental alteration in the zoning scheme if the answer to either question is yes then the request to accommodation is unreasonable. I think that the issues that you should consider or focus on are the impact of the neighborhood as far as the type of structure and the type of request being made. Not who is in the house at all except with the request to reasonable accommodations. Consider a request based upon disability but you should not however consider any convicted felon or anything of that nature. You can also consider the fact that he has not provided a site plan because that is a fundamental consideration of whether or not there is a change to the zoning scheme of the property which Mr. Vondran addressed a few moments ago. Alderman Lee stated it seems that they are trying to make a single family dwelling into a boarding house, is this right. Mr. Houston stated that the city does not allow boarding houses in the city that is on a nondiscriminatory basis and includes fraternity or sorority houses those types of structures are not allowed. What you find is that you have to ask for a conditional use permit where places like Birchtree Communities can have group homes; which is similar to the type of thing that he is

asking for and the city has historically allowed those things in the proper zoned area. The Mayor stated that in 2014 this council voted to allow Birchtree to put a 16 bed facility off of Airline at Mary Kay Blvd to help take care of people who have had severe brain damage so there is a precedent that many of you as well as myself have supported the need for those kinds of things in the proper zoned areas.

Alderman Donnor made a motion to uphold the Planning and Zoning Commissions ruling and include denial of the accommodations request for the property located at 1912 Alcoa Road. Seconded by Alderman Herzfeld. The Mayor asked for any questions. Alderman Ponder stated that he would be abstaining due to the property that he and his wife own at 1921 Edgehill and believes that it would be a conflict of interest. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy absent, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder abstained, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion was approved to uphold the P&Z ruling with 8 affirmative, 1 abstained and 1 absent vote.

Alderman Ponder made a motion to uphold the Planning and Zoning Commissions ruling and include denial of the accommodations request for the property located at 1005 Brookview. Seconded by Alderman Cunningham. The Mayor asked for any comments. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy absent, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion was approved to uphold the ruling with 9 affirmative and 1 absent vote.

Alderman Cunningham made a motion to uphold the Planning and Zoning Commissions ruling and include denial of the accommodations request for the property located at 1617 Deerfield. Seconded by Alderman Baptist. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy absent, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion was approved with 9 affirmative and 1 absent vote.

The Mayor stated that all of us are affected by these issues and probably someone in your family has dealt with this. We have a very compassionate city and all of us volunteer for numerous things to provide help. Our heart is in the right place and there is a whole lot of love in Benton.

The meeting adjourned at 8:13 pm.

Cindy Stracener, City Clerk

David Mattingly, Mayor

BROKEN CHAIN MINISTRIES, INC.

P.O. BOX 855, BENTON, AR. 72018

PH. (501) 541-1810

March 17, 2016

Cindy Stracener
Benton City Clerk
City of Benton Municipal Complex
114 South East St., Benton AR 72015

RE: Denied Conditional Use Permit Requested for:

1005 Brookview Street
1912 Alcoa Road
1617 Deerfield Road

To Whom it may concern:

This letter serves as notice of our request to appeal the decision handed down by the Planning and Zoning Commission, on March 8, 2016. The Planning and Zoning Commission denied our request for a Conditional Use Permit as well as a request for reasonable accommodations in the city's policies and procedures in accordance with the Fair Housing Act, for the above referenced properties.

We humbly await for you to notify us of a scheduled time and date that this matter can be heard in front of the full City Council.

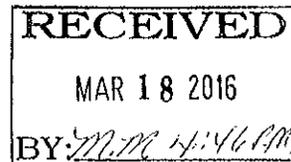
Sincerely



Robert Cannon
Broken Chain Ministries, Inc.



Ferman Ward
Solution Houses



NOTICE OF PUBLIC HEARING
 ON CONDITIONAL USE PERMIT FOR 1912 ALCOA RD., BENTON, AR.
 TO BE HELD ON MARCH 8, 2016, AT 6 PM
 MEETING TO BE HELD AT BENTON MUNICIPAL COMPLEX, 114 SOUTH EAST ST., BENTON, AR
 PURPOSE FOR CONDITIONAL USE PERMIT: GROUP HOME FOR MEN WITH DISABILITIES

Page 2

ADDRESS	PARCEL	NAME	SIGNATURE
914 Desoto Pl.	800-175-20-000 ✓	Peters, Kurt & Angie	_____
925 Edgehill Dr.	800-17452-000 ✓	Burks, Tony C & Teresa L	_____
923 Edgehill Dr.	80017453-000 ✓	Caple, Raymond B. Jr. & Sarah M.	_____
921 Edgehill Dr.	800-47380-000 ✓	Ponder, Jerry & Kristin C	_____
920 Edgehill Dr.	800-47379-000 ✓	Wood, Darrell & Nicole	_____
1914 Rosewood Dr.	800-47378-000 ✓	Mosley, William & Robyn	_____
1910 Rosewood Dr.	800-47377-000 ✓	Lane, Progress	_____

Sent from my iPhone

David Mattingly

From: Kevin Murphy <Kevin.Murphy@arkansas.gov>
Sent: Thursday, April 21, 2016 1:12 PM
To: David Mattingly
Cc: Carrie Williams; Richard Guy; Phillip Glover
Subject: Bob Cannon

Mayor,

*ACC
confidential*

Arkansas Community Correction is statutorily responsible for licensing any transitional or reentry housing in which individuals reside who are on probation or parole. Those prospective vendors must apply through our agency and must meet strict guidelines that deal with physical plant, daily operations, staffing, and programing. They must also have been approved for proper zoning. Once approved for a license, the vendor then must join in a contract with our agency.

In the case of Bob Cannon's efforts to establish transitional housing in the City of Benton, we will not approve a license or contract with him or his company.

If you should have any questions regarding this matter, please do not hesitate to contact me.

Kevin Murphy
Chief Deputy Director
Arkansas Community Correction
Two Union National Plaza
105 West Capitol
Little Rock, AR 72201
501-683-5793



MINUTES OF THE BENTON CITY COUNCIL
Regular Session
April 25, 2016
Benton Municipal Complex

The Benton City Council was called to order for a regular session at 7:00 pm.

The Mayor gave the invocation.

Alderman Donnor led the pledge of allegiance.

Roll was called.

The following persons were in attendance:

Alderman Frank Baptist	Alderman Kerry Murphy
Alderman Charles Cunningham	Alderman Evelyn Reed
Alderman Bill Donnor	Alderman Jerry Ponder
Alderman Judd Hart	Alderman James Herzfeld
Alderman Steve Lee	Alderman Lori Terrell
Brent Houston, City Attorney	Cindy Stracener, City Clerk
David Mattingly, Mayor	

When roll was called ten (10) council members were present. A quorum was declared.

The Mayor requested approval for the March 28, 2016 city council meeting minutes. Alderman Ponder made a motion to approve the minutes, seconded by Alderman Hart. The Mayor called for a voice vote on the approval of the minutes. All aldermen replied in the affirmative. The minutes for the March 28, 2016 council meeting were approved with 10 affirmative votes.

The Mayor read a proclamation declaring the week of May 1st through May 7th as Goodwill Industries Week. See attached.

Mr. Houston read a proclamation declaring the month of May as “National Mental Health Awareness Month” in the city of Benton. See attached.

The city clerk read a proclamation declaring the month of May as “National Preservation and Arkansas Heritage Month” in the city of Benton. See attached.

Austin Colclasure was recognized by MYAC as the April youth of the month.

Daniel Baxley was honored as the March employee of the month.

Wade Marshall was recognized for 20 years of service with the city.

Alderman Ponder made a motion to adopt Resolution 26 of 2016 – A Resolution Accepting the Lowest Acceptable Bid for the Purchase of a Light Rescue Truck for the Fire Department; and For Other Purposes. Seconded by Alderman Terrell. The resolution was read by the city clerk. The Mayor asked for any comments. None. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder

yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Resolution 26 of 2016 was adopted with 10 affirmative votes.

The next item on the agenda was committee reports and motions. Alderman Ponder was recognized for the Finance Committee report. He stated that he had nothing to report.

Alderman Reed was recognized for a report from the Community Service/Animal Control Committee. Alderman Reed made a motion to adopt Resolution 27 of 2016 – A Resolution Authorizing the Mayor and City Clerk to Execute an Agreement with EVOGO.COM; and For Other Purchases. Seconded by Alderman Donnor. The Mayor asked for any comments. None. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Resolution 27 of 2016 was adopted with 10 affirmative votes.

Alderman Reed asked for the first reading of Ordinance 15 of 2016 – An Ordinance Authorizing the City to Enter into a Preannexation Agreement with Thomas D.B. Collins, LTD For The Kirkpatrick Place Subdivision; Declaring an Emergency; and For Other Purposes. Seconded by Alderman Donnor. The ordinance was read by the city clerk. The Mayor asked for any comments. None. Alderman Reed made a motion to suspend the rules. Seconded by Alderman Cunningham. The Mayor asked that the roll be called on the motion to suspend. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend was approved with 10 affirmative votes. Alderman Reed made a motion to adopt Ordinance 15 of 2016 on its second and third readings. Seconded by Alderman Ponder. The ordinance was read by title only. Alderman Lee asked where this property was located. He was told off of Scott Salem Road adjacent to The Maples and The Oaks Subdivisions. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Ordinance 15 of 2016 was adopted with 10 affirmative votes. Alderman Reed made a motion to adopt the emergency clause. Seconded by Alderman Donnor. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. The emergency clause was approved with 10 affirmative votes.

Alderman Reed asked for the first reading of Ordinance 18 of 2016 – An Ordinance Amending Section 6.04 of Ordinance 46 of 2009 Removing All References to an Annual Fee and Methods for Its Institution; Declaring an Emergency and For Other Purposes. Seconded by Alderman Cunningham. This removes the annual fee for off premise signs from the Sign Ordinance. The Mayor asked for any comments. None. Alderman Reed made a motion to suspend the rules. Seconded by Alderman Terrell. The Mayor asked that the roll be called on the motion to suspend. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend was approved with 10 affirmative votes. Alderman Reed made a motion to adopt Ordinance 18 of 2016 on its second and third readings. Seconded by Alderman Lee. The ordinance was read by title only. The Mayor

asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Ordinance 18 of 2016 was adopted with 10 affirmative votes. Alderman Reed made a motion to adopt the emergency clause. Seconded by Alderman Lee. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. The emergency clause was approved with 10 affirmative votes.

Alderman Cunningham was recognized for a report from the Streets and Drainage Committee. He stated that he had nothing to report.

Alderman Donnor was recognized for a report from Personnel/Health & Safety Committee. He stated that he had nothing to report.

Alderman Lee was recognized for a report from the Parks Committee. Alderman Lee made a motion to adopt Resolution 28 of 2016 – A Resolution Authorizing Exempting the Saline County Relay for Life Activities from Ordinance 29 of 2007; And For Other Purposes. Seconded by Alderman Murphy. The resolution was read by the city clerk. The Mayor asked for any comments. None. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Resolution 28 of 2016 was adopted with 10 affirmative votes.

Alderman Lee made a motion to adopt Resolution 29 of 2016 – A Resolution Accepting the Lowest Acceptable Bid for the Purchase and Installation of Kitchen Equipment for Riverside Park; Awarding the Contract to Supreme Fixture Company, Inc; and For Other Purposes. Seconded by Alderman Herzfeld. The resolution was read by the city clerk. The Mayor asked for any comments. None. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Resolution 29 of 2016 was adopted with 10 affirmative votes.

Alderman Lee asked for the first reading of Ordinance 19 of 2016 – An Ordinance Amending the 2016 Budget for the Parks and Recreation Fund as Adopted in Ordinance 64 of 2015; Appropriating Funds for the Purchase of Kitchen Equipment for Riverside Park; Declaring an Emergency; and For Other Purposes. Seconded by Alderman Herzfeld. The ordinance was read by the city clerk. The Mayor asked for any comments. None. Alderman Lee made a motion to suspend the rules for the second and third readings. Seconded by Alderman Donnor. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend was approved with 10 affirmative votes. Alderman Lee made a motion to adopt Ordinance 19 of 2016 on its second and third readings. Seconded by Alderman Herzfeld. The ordinance was read by title only. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes,

Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Ordinance 19 of 2016 was adopted with 10 affirmative votes. Alderman Lee made a motion to approve the emergency clause. Seconded by Alderman Murphy. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. The emergency clause was approved with 10 affirmative votes.

Alderman Herzfeld was recognized for a report from the Public Utility Commission. He handed a report out from the April 18, 2016 commission meeting. See attached.

Alderman Ponder and Alderman Donnor were recognized for the Advertising and Promotion Commission report. He stated that he did not have a report.

Alderman Ponder stated that a Finance Committee meeting will be held this Thursday.

There was not any unfinished, new or old business.

The Mayor stated that the city received a minute order from the Arkansas State Highway Commission to inform us that certain highways in Saline County were identified for the feasibility of capacity improvements to improve the level of service for road users. The highway segments identified are highway route 35 from the interstate to the corner of Military. This study will be conducted in the next few months.

This Wednesday the MYAC will donate the proceeds of \$3,711 from the Bike Race to the Counseling Clinic.

Relay for Life will be held May 6 at C.W. Lewis Stadium.

The meeting adjourned at 7:35 pm.

Cindy Stracener, City Clerk

David Mattingly, Mayor

PROCLAMATION
GOODWILL INDUSTRIES WEEK

WHEREAS, the people of Benton value hard work and support the right of individuals to provide for themselves and their families; and

WHEREAS, some members of our community require additional services, help and training to aid them in accomplishing that goal; and

WHEREAS, among those most in need of career training services are those whose job options are limited due to illiteracy, criminal past, and lack of work experience, and those with mental, emotional and physical disabilities; and

WHEREAS, Goodwill Industries is North America's leading nonprofit provider of career services for people with special needs and is the world's largest private-sector employer of people with disabilities; and

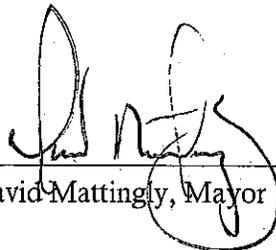
WHEREAS, disadvantaged local residents have received vocational evaluation, vocational adjustment, job-seeking skills and placement assistance or employment through Goodwill Industries of Arkansas; and

WHEREAS, the investment made by Benton in Goodwill Industries has paid off in useful work and jobs for our citizens; and

WHEREAS, Goodwill Industries of Arkansas is celebrating Goodwill Industries Week, May 1 through May 7, 2016.

NOW THEREFORE BE IT RESOLVED, that I, David Mattingly, acting under my authority as Mayor of the City of Benton, Arkansas, do hereby proclaim May 1 through May 7, 2016, as Goodwill Industries Week, in and for the City of Benton, and urge all citizens to give support to Goodwill Industries in recognition of its ability to maximize an individual's contribution to self, family and community.





David Mattingly, Mayor

Proclamation

National Mental Health Awareness Month

WHEREAS, many of our citizens are struggling with personal, economic and health care issues, recognizing and promoting good mental health will benefit everyone; and

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, mental health awareness helps individuals avoid the significant consequences of untreated anxiety, depression and stress; and

WHEREAS, positive mental health fosters self-esteem, and promotes personal happiness and effectiveness; and

WHEREAS, good mental health helps prevent community violence, abuse and family instability; and

WHEREAS, each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts.

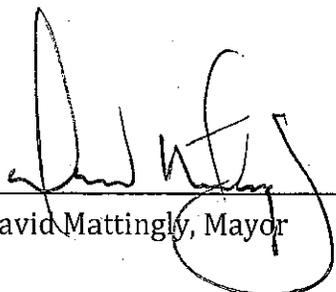
NOW THEREFORE, I, DAVID MATTINGLY, acting under my authority as the Mayor of the City of Benton, Arkansas, do hereby proclaim May 2016 as

"National Mental Health Awareness Month"

in the City of Benton, Arkansas, and urge all citizens, government agencies, public and private institutions, businesses and schools in the City of Benton to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

IN WITNESS HEREOF, I have hereunto set my hand and caused the Seal of the City of Benton, Arkansas, to be affixed at City Hall this 25th day of April in the year of our Lord, two thousand and sixteen.




David Mattingly, Mayor

PROCLAMATION

NATIONAL HISTORIC PRESERVATION & ARKANSAS HERITAGE MONTH

WHEREAS, historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

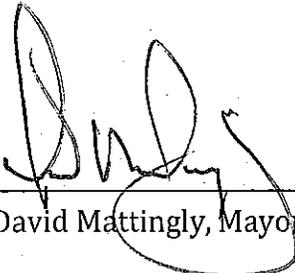
WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, 2016 marks the 50th anniversary of passage of the National Historic Preservation Act of 1966; and

WHEREAS, "This Place Matters!" is the theme for National Preservation Month 2016 and "ARKANSAS ARTS: CELEBRATING OUR CREATIVE CULTURE" is the theme for Arkansas Heritage Month, co-sponsored by the City of Benton, the Arkansas Historic Preservation Program, the Department of Arkansas Heritage and the National Trust for Historic Preservation.

NOW, THEREFORE, I DAVID MATTINGLY, acting under my authority as Mayor of the City of Benton, Arkansas, so hereby proclaim May 2016, as National Preservation Month and Arkansas Heritage Month, and call upon the people of the City of Benton, to join their fellow citizens across the United States in recognizing and participating in this special observance.





David Mattingly, Mayor

Public Utility Commission Summary of the April 18th Meeting

The meeting was called to order with all members in attendance.

1.)

Presentation by Cindy Hawkins on the March Financials. Mrs. Hawkins said on page 2, at 3 months in we should be 25% into our budget. Everybody is staying within budget and doing a good job. Nobody is going overboard on spending or anything like that. For March we were \$159,609 revenues over expenses. YTD was \$445,625 revenues over expenses. What is real important to her is on page 7, the Bad Debt Analysis. We have started turning over our debts over to Midsouth Collection Agency as of March. They have not had a chance to collect anything for us yet. The big thing is the 3rd column which is the percentage we write off. She likes to keep that below ½ of 1%, which is really, really good. Right now we are still below 4/10%, so we are doing really well on that.

2.)

Jeff Barnett would like to request to sell through sealed bids or auction a 2006 International truck, 4300 series w/Altec 70' LRV boom, 2004 brush bandit, model 250 and 2006 chipper box from Mr. Dewayne Hood's dump truck. These items would sell as a group. Mr. Barnett said back in 2010 a decision was made to dissolve our in house right of way crew. It has been going very well and he doesn't think they would ever want to go back. What we didn't resolve was the equipment on that crew. That equipment was kind of specialized. We had a dump truck for chips and hauling stuff in, but we don't have chips, he doesn't know what would be hauled it in. Those vehicles have pretty much been maintained since 2010. A motion was made and seconded that the Commission authorize the staff to make arrangements to dispose of the property mentioned and try to get the best deal possible. A vote was taken and unanimous approval given.

3.)

Discussion and approval of the bid for the roadway into Hurricane Lake Substation. Mr. Stacy Aiken said we took bids last Wednesday, April 13th. We had 7 bidders for the access road up to the substation. It came out good with the low bidder was estimated at \$90,000. He called the references and they actually have an engineer in his office that worked with them on a subdivision. He said they do pretty good work. He gave Mr. McKinney a letter of recommendation because they don't have a reason not to recommend them for the low bidder. When they opened the bids, they thought Burkhalter was low, but Ort had an error in his math and was actually the lowest. A motion was made and seconded to award the contract to Ort Construction Company for the roadway into the Hurricane Lake Substation.

4.)

Discussion and possible approval to give the General Manager the approval to purchase the 1.4 acres to the west of the Electric Utility Building on Dale Avenue. The property is currently owned by Dale Robertson. Mr. McKinney said we have been back and forth and around the horn with this 1.42 acreage that is west of here. Originally, Mr. Brent Houston, City Attorney said they could not offer more than the appraised value. His comment was that if they want more than that then we could go eminent domain. Chairman Best made an offer of \$55,000 plus closing costs to Mr. Robertson (contingent on approval from the Commission). Mr. Robertson's initial reaction negative and said it was worth more than that. Mr. McKinney call him last week and told him the Commission had asked them to find other ways to accommodate the Electric Department's needs. When you came in tonight, you saw the results of that. Mr. McKinney told Mr. Robertson that for that price we were not interested. He asked for \$66,460. Then

Mr. Robertson said that Mr. McKinney hadn't seen his offer today. He said he would take the appraised value of \$55,000 plus closing costs. He thought about it and called him back and Mr. McKinney suggested he talk to Chairman Best because he was the one who actually made the offer for us. He said he had looked at it and the price was a little bit lower. The price he came back with was \$52,500 plus a limit of \$1,200 closing costs. That is the last offer he received. You have that document in front of you. Chairman Best said at the last meeting, they really thought they needed the 1.42 acres to do the lay down yard, but we have since found another plan. We believe it is going to be better, higher and dryer. It is probably a good idea to consider buying it because we surround that land completely, and in the long range, that would completely close everything up. The big question is if we have the \$50,000 to invest in the long run and we need to think about that and ask questions. The offer was always based on the commission. It was not his offer but the Commission agreed upon it and it was the appraised value. . Member Miller made a motion to wait 9 months or until the end of the year and if the property is still available we might be interested in talking to him. Member Martin 2nd the motion. A vote was taken and approval given except for Member Ferrell who voted no. The vote was 3 to 1 vote not to purchase the land.

Meeting adjourned to executive session at 6:43 pm and reconvened at 7:29 pm with no decision made.

Meeting adjourned at 7:31 p.m.

ORDINANCE NO. 20 OF 2016

AN ORDINANCE AMENDING THE 2016 BUDGET FOR THE 911 OPERATIONS OF THE CITY AS ADOPTED IN ORDINANCE 64 OF 2015; APPROPRIATING FUNDS FOR CERTAIN COMMUNICATION UPGRADES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City Council desires to amend the 2016 budget to provide funding for the purchase of communication upgrades for the city's 911 call center.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BENTON, ARKANSAS:

SECTION 1: Pursuant to the authority granted in A.C.A. 14-58-202 and 14-58-203 the City Council does hereby amend the FY2016 City of Benton Budget as adopted in Ordinance 64 of 2015. The revised expenditures for the operations of the city are attached hereto as Exhibit "1" to this ordinance and are more fully described therein. The adoption of this amendment shall be deemed as an appropriation pursuant to the foregoing statutes as well as any other applicable ordinances of the city.

SECTION 2: It is hereby found and determined that there is an immediate need to amend the budget to appropriate money for the purchase of necessary communication upgrades for the city's 911 call center. Therefore, an emergency exists and this ordinance is necessary for the preservation of the public peace, health and safety. It shall be in full force and effect immediately from and after its passage and approval.

PASSED AND APPROVED this the _____ day of May, 2016.

David Mattingly, Mayor

Cindy Stracener, City Clerk

NOT DESIGNATED FOR PUBLICATION



EXHIBIT "1"

FY2016 Operating Budget

The Finance Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2016. This submittal includes a revision for the General Fund.

Section 1 defines the dollar amount of the amendments contained in this exhibit.

Section 2 is a detailed explanation of the amended Funding and Disbursements that make up this Fiscal Year 2016 budget amendment.

Section 1: Amended Appropriations – Fiscal Year 2016

General Fund

	Beg Approved Amt	Amendment	End Revised Amt
Receipts	\$16,096,484	-0-	\$16,096,484
Personnel	\$11,844,552	-0-	\$11,844,552
Operations & Maintenance	\$3,079,191	-0-	\$3,079,191
Capital Items	\$1,241,550	\$73,982	\$1,315,532

Section 2: Funding & Disbursements - Fiscal Year 2016

General Fund

Source of Funding

This budget amendment allows for transfer of funds from General Fund restricted accounts in the amount of <\$37,361.16> from the Communication Systems Fund (130.560.10.00) and <\$36,621.02> from the Communications Facility & Equipment Fund (130.570.10.00).

Disbursements

This budget amendment allows for the expenditure of funds for Central Communications (911) upgrades. The asset additions include new consoles and equipment totaling \$73,982.18 (850.100/ 850.900.13.15).

RESOLUTION NO. 30 OF 2016

**A RESOLUTION RECOGNIZING THE SERVICES OF
LT. MICHAEL TREASITTI TO THE CITIZENS OF BENTON AND
AWARDING HIM HIS BADGE AND SERVICE WEAPON IN
RECOGNITION OF THOSE SERVICES**

WHEREAS, Lt. Michael Treasitti has served the citizens of Benton for the past twenty years as a police officer; and

WHEREAS, Lt. Treasitti has decided to retire from his duty assignment; and

WHEREAS, the city wishes to thank Lt. Treasitti for his dedicated services to our community by presenting him with his service weapon and badge in recognition of those outstanding services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benton, Arkansas, that:

SECTION 1: The equipment listed on the attached document, Exhibit "1" is hereby declared surplus and shall be presented to Lt. Michael Treasitti in recognition of his services to this community.

PASSED AND APPROVED this the _____ day of May, 2016.

David Mattingly, Mayor

Cindy Stracener, City Clerk

Exhibit "1"

Glock Model 21 Handgun, Serial Number SWH736
City of Benton Police Badge, Number - 2544

RESOLUTION NO. 31 OF 2015

**A RESOLUTION DECLARING CERTAIN PROPERTY
AS SURPLUS; AND AUTHORIZING THE SALE OF THE
SURPLUS PROPERTY AT AUCTION**

WHEREAS, the city owns certain equipment which is more fully identified in Exhibit "1" to this Resolution which is no longer useful to the city; and

WHEREAS, the City Council desires to declare this equipment as surplus and to authorize it to be sold at auction;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benton, Arkansas, that:

SECTION 1: The equipment listed on the attached document, Exhibit "1" is hereby declared surplus and shall be sold at auction in accordance with any applicable state or federal law.

SECTION 2: All proceeds from the sale shall be deposited into the General Fund, Police Safety Equipment Fund.

PASSED AND APPROVED this the _____ day of May, 2016.

David Mattingly, Mayor

Cindy Stracener, City Clerk

YEAR	MAKE	MODEL	UNIT	VIN	MILEAGE
2009	DODGE	CHARGER	046	2B3KA43V59H623046	84487
	Issue	Bad transmission, nondrivable (used parts to prolong the life of two current cars)			
2009	DODGE	CHARGER	163	2B3KA43V59H631163	78921
	Issue	Wrecked (right front quarter damage, to include A-frame, tie rods and spindle)			

COMPUTER DESK	MAKE	DESCRIPTION	SIZE	ADJUSTABLE HEIGHT
	BIOMORPH	ADJUSTABLE DESK	38.5" X 48"	24" ADJUSTABLE TO 37"
	BIOMORPH	ADJUSTABLE DESK	40" X 72"	24" ADJUSTABLE TO 37"
	BIOMORPH	ADJUSTABLE DESK	40" X 72"	24" ADJUSTABLE TO 37"
	BIOMORPH	ADJUSTABLE DESK	50" X (front 57") (back 75")	N/A

MONITOR TOWER	MAKE	DESCRIPTION
	UNKNOWN	6 MONITOR TOWER

MISCELLANEOUS	
	SMALL PLASTIC UPRIGHT FILE DIVIDER
	SMALL 4-SECTION VERTICAL FILE ORGANIZER

RESOLUTION NO. 32 OF 2016

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH THE BENTON SCHOOL DISTRICT FOR THE PLACEMENT OF THE SCHOOL RESOURCE OFFICERS; AND FOR OTHER PURPOSES

WHEREAS, the City of Benton and Benton School District desire to enter into an agreement for the placement of school resource officers for the 2016-2017 school year; and

WHEREAS, it has been determined that it is in the best interest of the city and the local students to enter into this agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benton, Arkansas, that:

SECTION 1: The Mayor or his designee is hereby authorized to execute, on behalf of the City of Benton, a contract with the Benton School District for the placement of school resource officers for the 2016-2017 school year. This contract is attached hereto as Exhibit "1".

PASSED AND APPROVED this the _____ day of May, 2016.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

Benton School District & Benton Police Department
[Memorandum of Understanding for School Resource Officer Staffing]



A. Purpose:

The purpose of this Memorandum of Understanding (hereinafter "MOU") is to establish an agreement between the Benton Police Department (hereinafter "BPD") and the Benton School District (hereinafter "BSD") on the collaborative funding of School Resource Officers (hereinafter "SRO") for the 2016-2017 school year.

B. Objectives:

It is intended that the BPD and BSD will work together to provide four (4) SRO's yearly for the school district. These officers are a tremendous benefit to both parties. The SRO's out of school assigned duties will be tailored to provide services to students of the school district outside of the school setting.

C. Funding:

Effective July 1, 2016; BSD agrees to refund a total of \$154,080.00 to the BPD yearly, which will help to offset the cost to the BPD to provide four (4) SRO's to the BSD per year at 191 days each during this agreement. The BSD requests that the BPD bill the district quarterly, beginning in July of each year.

D. Hiring Process:

The superintendent of schools will accept recommendations from the BPD Chief of Police for candidates to hire for each SRO position. The Benton School District will work in conjunction with the BPD Chief of Police to select a final candidate for recommendation to the school board. Upon final candidate selection, the Director of Human Resources will make a recommendation to the superintendent and the board for hiring approval.

E. Points of Contact:

Benton PD - Chief of Police at 501-776-5983

BSD – Superintendent of Schools 501-776-5717

F. Term of Agreement:

The terms of this agreement are from the date of execution listed below to be revisited in April of each year in the future. Cancellation of this agreement must be given in writing by either party a minimum of thirty (30) days in advance. Failure of either party to fulfill the terms of this MOU would result in immediate termination of the agreement. If funding is eliminated or reduced by state or federal reductions, or unforeseen circumstances, the last SRO position added and each position subsequently would be reduced accordingly. Notification of any funding reductions would be given by the school district thirty (30) days prior to any positions being eliminated when possible.

G. Signature Section:

Benton School District, School Board President

Print Name: _____

Signature: _____

Benton School District, Superintendent of Schools

Print Name: _____

Signature: _____

Benton Police Department, Chief of Police

Print Name: _____

Signature: _____

Date of Agreement Execution: _____

RESOLUTION NO. 33 OF 2016

A RESOLUTION TRANSFERRING FUNDS FROM THE SAFETY AND STABILITY FUND TO THE GENERAL FUND; AND FOR OTHER PURPOSES

WHEREAS, the city has determined it should transfer funds from the Safety and Stability Fund to the General Fund which is from a restricted account to an unrestricted account.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BENTON, ARKANSAS:

SECTION 1: The City Council does hereby authorize the transfer of funds described in Exhibit "1" to this resolution and which is more fully described therein.

PASSED AND APPROVED this the _____ day of May, 2016.

David Mattingly, Mayor

Cindy Stracener, City Clerk



EXHIBIT "1"

FY2016 Operating Budget

The Finance Committee of the City of Benton does hereby submit for approval a transfer of funds for the Fiscal Year 2016. This submittal includes a revision for the General Fund.

Section 1 defines the dollar amount of the amendments contained in this exhibit.

Section 2 is a detailed explanation of the amended Funding and Disbursements that make up this Fiscal Year 2016 resolution's detail.

Section 1: Amended Appropriations – Fiscal Year 2016

General Fund

	Beg Approved Amt	Amendment	End Revised Amt
Receipts	\$16,096,484	-0-	\$16,096,484
Personnel	\$11,844,552	-0-	\$11,844,552
Operations & Maintenance	\$3,079,191	-0-	\$3,079,191
Capital Items	\$1,315,532	-0-	\$1,315,532

Section 2: Funding & Disbursements - Fiscal Year 2016

General Fund

Source of Funding

This resolution allows for \$200,000.00 to be transferred from the restricted Financial Stability fund (131.920.10.00) to the General Operating fund (130.320.10.00).

ORDINANCE NO. 21 OF 2016

**AN ORDINANCE REZONING CERTAIN LAND IN THE CITY OF BENTON,
SALINE COUNTY, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES**

WHEREAS, an application for zoning was filed with the Planning Commission of the City of Benton, Arkansas by LNP Properties LLC., requesting the lands hereinafter described be zoned to a Multi -Family Residential District (RM-3.75) zoning; and,

WHEREAS, the Planning Commission ordered a Public Hearing be held on April 12, 2016 at 6:00 p.m. for the purpose of hearing said application; the notice of such hearing having been published in a newspaper having a bona fide circulation in Saline County, Arkansas; with evidence having been submitted that all property owners or lessees within 300 feet of the property having been notified of said hearing; and at said hearing, the Planning Commission recommended to the City Council that such request be granted; and,

WHEREAS, the City Council of the City of Benton, Arkansas desires to zone the following property as Multi - Family Residential District (RM-.3.75).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BENTON, ARKANSAS:

SECTION 1. The following described property is hereby rezoned from Single -Family Residential District (R1-7.5) to a Multi – Family Residential District (RM-.3.75) zoning:

Legal Description: Lot PT E of Block 40 a Part of Tract 1 of the Original Town of Benton; Lot PT BLK in SE “B” of Block 40 a Part of Tract 1 of the Original Town of Benton; and the South 50 feet West 135 feet portion of Block 40 a Part of Tract 1 of the Original Town of Benton; Also, Lots 6, 7, 8, and PT 9 of Block 44 a Part of Tract 1 of Allen’s Addition; Also, the South half and North half of Lots 10, 11, and 12 of Block 45 a Part of Tract 2 of Allen’s Addition; Also, the South 36 feet of Lot 12 of Block 39 a Part of Tract 2 of the Original Town of Benton; Also, Lot 8 of Block 39 a Part of Tract 3 of the Original Town of Benton; Also, Lot 9 of Block 39 a Part of Tract 4 of the original Town of Benton; and the North 59 feet of Lot 12 of Block 39 a Part of Tract 5 of the Original Town of Benton; all now the City of Benton, Arkansas.

SECTION 2. The City Council, having found that the immediate rezoning of this property will allow construction to commence thereon which will be of benefit to the local economy, hereby declares an emergency and this Ordinance shall be in full force and effect after its passage and approval.

PASSED AND APPROVED, this ___ day of May, 2016.

Mayor

Attest: _____
City Clerk

DESIGNATED FOR PUBLICATION

CITY OF BENTON
COMMUNITY DEVELOPMENT DEPARTMENT

David Vondran, PE
Director | City Engineer
Phone: (501) 776-5938
Email: dvondran@bentonar.org



114 South East Street
Benton, Arkansas 72015
Fax: (501) 776-5922
Web: www.bentonar.org

MEMORANDUM

TO: Pam Gibson, Chair
Planning & Zoning Commission

FROM: Jon Underwood, City Planner
Community Development

DATE: 29 March 2016

RE: Rezone request for 519/529/530/531/605/608/611/615/616/621/624 and Parcel #
800-00766-000, 800-00767-000 on South Main Street with Parcel # 800-02814-
000 & 800-02815-000 on Elm Street.

All requirements have been met for this application and the required documentation is attached with fees received. Staff has reviewed the proposed rezone request and recommends approval of the application.

Please contact the Community Development office if we may be of further assistance.

Staff Use:

DATE SUBMITTED 03-21-16
DATE OF NEXT MEETING 04-12-16
AD MUST RUN NOT LATER THAN 03-28-16

Application and Procedural Requirements for Conditional Use Permit

Applicant's Name LNP Properties, LLC

Address of Subject Property See attached

Legal Description of Subject Property (may be attached on separate sheet)

See attached

Assessor's Parcel Number of Subject Property See attached

Zoning District of Subject Property R1-7.5

Proposed Use duplex

RM-3.75 Multi-Family Residential

Please attach vicinity map of the property, 8.5 x 11 inch size. Additional required information is detailed on p. 2.

I hereby certify that I am the owner of the property identified in this application; or, that I am the authorized agent of LNP Properties, LLC, who is the owner of said property; or ~~that I am the employee or agent of~~ XXXXXXXXXXXX, which is a public utility company or other agency with the powers of eminent domain, and that I am authorized to act in their behalf, and that this application, to the best of my knowledge and belief, is true and correct.

Signed Jeff Nalley

Mailing Address 711 Shenandoah

Beaumont, AR 72019

Phone Number 501-672-6671

Subscribed and certified to me this 21 day of March, 2016

[Signature]
Community Development Dept Representative

Proof of Publication

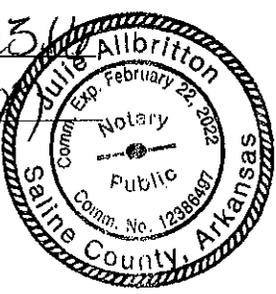
STATE OF ARKANSAS
County of Saline

I, Maribeth Bueche, do solemnly swear that I am Legal Advertising Clerk for The Saline Courier, a daily newspaper printed in said county, and that I was such at the date of publication hereinafter stated, and that said newspaper had a bona fide circulation in such county at said dates, and has been regularly published in said county since the year 1876 before the date of the first publication of the advertisement hereto annexed, and that said advertisement was published in said newspaper 1 times for 1 issues, the first insertion therein having been made on 03-22-2016, and the last insertion on 03-22-2016.

Billed Account StarNet Engineering, LLC

Ad Number 74259
Maribeth Bueche
Legal Advertising Clerk

Sworn to and subscribed before me on 3-23-16
Julie Albritton
Notary Public



FEE FOR PRINTING
\$ 141.40 Cost of Notice
\$ 2.60 Cost of Proof
\$ 144.00 Total

Legal Notices

NOTICE

NOTICE is hereby given that a hearing will be held by the Planning & Zoning Commission of the City of Benton, Arkansas on Tuesday, the 12th day of April, 2016 at 6:00 p.m. at 114 South East Street on the petition of LNP Properties, LLC for rezoning the property located at 519, 529, 530, 531, 605, 608, 611, 615, 616, 621, and 624 South Main Street, Benton, AR 72018 plus four vacant lots that do not have addresses: Part of the Northwest Quarter of Section 14 and the Southwest Quarter of Section 11, Township 2 South, Range 15 West, Saline County, Arkansas, more particularly described as follows:

Tract 1: All of Block 44 of Allens Addition to the City of Benton, Saline County, Arkansas; less and except the P.B.G.H. Benton East Addition.

Tract 2: Lots 10, 11 & 12 of Block 45 of Allens Addition to the City of Benton, Saline County, Arkansas.

Tract 3: A part of the East Half of Block 39 of the Original City of Benton, Arkansas, more particularly described as follows: Beginning at a point 226 feet South of the Northeast corner of said Block 39 and running thence South 88.6 feet to a point which is 195 feet North of the Southeast corner of said Block; thence West for 150 feet; thence North 88.6 feet to a point which is due West of the point of beginning; thence East to the point of beginning.

Tract 4: A part of Block 39 of the Original City of Benton, Arkansas, more particularly described as follows: Beginning 95 feet North of the Southeast corner of said Block 39; run thence North 100 feet; run thence West for 150 feet; run thence South for 100 feet; run thence East for 150 feet to the point of beginning.

Tract 5: A part of Block 39 of the Original City of Benton, Arkansas, more particularly described as follows: Beginning at a point 150 feet East of the Southwest corner of Block 39; thence North 95.5 feet; thence East 150 feet; thence South 95.5 feet; thence West 150 feet to the point of beginning.

Said property is proposed to be rezoned from its current zone as single family residential to multi-family residential.

GNE

GarNat Engineering, LLC

Designing our client's success

P.O. Box 116 (72018)
406 W. South Street, Suite B
Benton, Arkansas 72015
PH: (501) 408-4650
FX: (888) 900-3068
gamatengineering@gmail.com

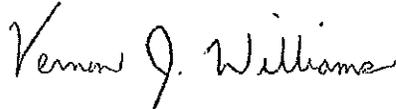
March 18, 2016

To the Benton City Planning Commission:

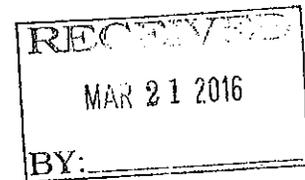
It is my intent to re-zone the 13 properties along both sides of South Main Street between Vine Street and Elm Street for the purpose of constructing a duplex on each property. Therefore, I am requesting that the above listed properties be re-zoned from R1-7.5 One Family Residential to RM-3.75 Multi-Family Residential District.

Sincerely,

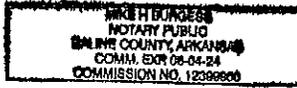
GarNat Engineering, LLC



Vernon J. Williams, P.E., President



STATE OF ARKANSAS)
COUNTY OF Saline) SS.



BE IT REMEMBERED, That on this day came before the undersigned, a Notary Public, within and for the County aforesaid, duly commissioned and acting, Patsy R. Nalley, to me well known, as the Grantor in the foregoing deed, and stated that she had executed the same for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public on this 3rd day of September, 2015.

My commission expires: 8/4/2024.

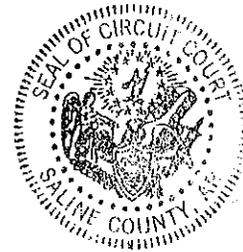
Mike H. Burgess
Notary Public

WHEN RECORDED MAIL TO:
L N P Properties, LLC
711 Shenandoah
Benton, AR 72019

Prepared by:
Patsy R. Nalley
711 Shenandoah
Benton, AR 72019

Document Filed for Record
In BK 15 PG 71267

SEP 11 2015
at 11:37 am
Myka Sample, Circuit Clerk
By J. Brennan DC



15 071278

No 40075

DATE 3/21 20 16

CITY OF BENTON, ARKANSAS
GENERAL FUND

RECEIVED OF GasNet Engineering \$ 30.00
FOR Main Street Rezone

#2301



RECEIVED BY:

No 40076

DATE [REDACTED]

CITY OF BENTON, ARKANSAS
GENERAL FUND

RECEIVED [REDACTED]
FOR [REDACTED]

[REDACTED]

RECEIVED BY:

No 40077

DATE [REDACTED]

CITY OF BENTON, ARKANSAS
GENERAL FUND

RECEIVED OF [REDACTED]
FOR [REDACTED]

[REDACTED]

RECEIVED BY:

[REDACTED]

Legal Descriptions

Tract 1: All of Block 44 of Allen's Addition to the City of Benton, Saline County, Arkansas; less and except the PBGH Benton East Addition.

Tract 2: Lots 10, 11 & 12 of Block 45 of Allen's Addition to the City of Benton, Saline County, Arkansas.

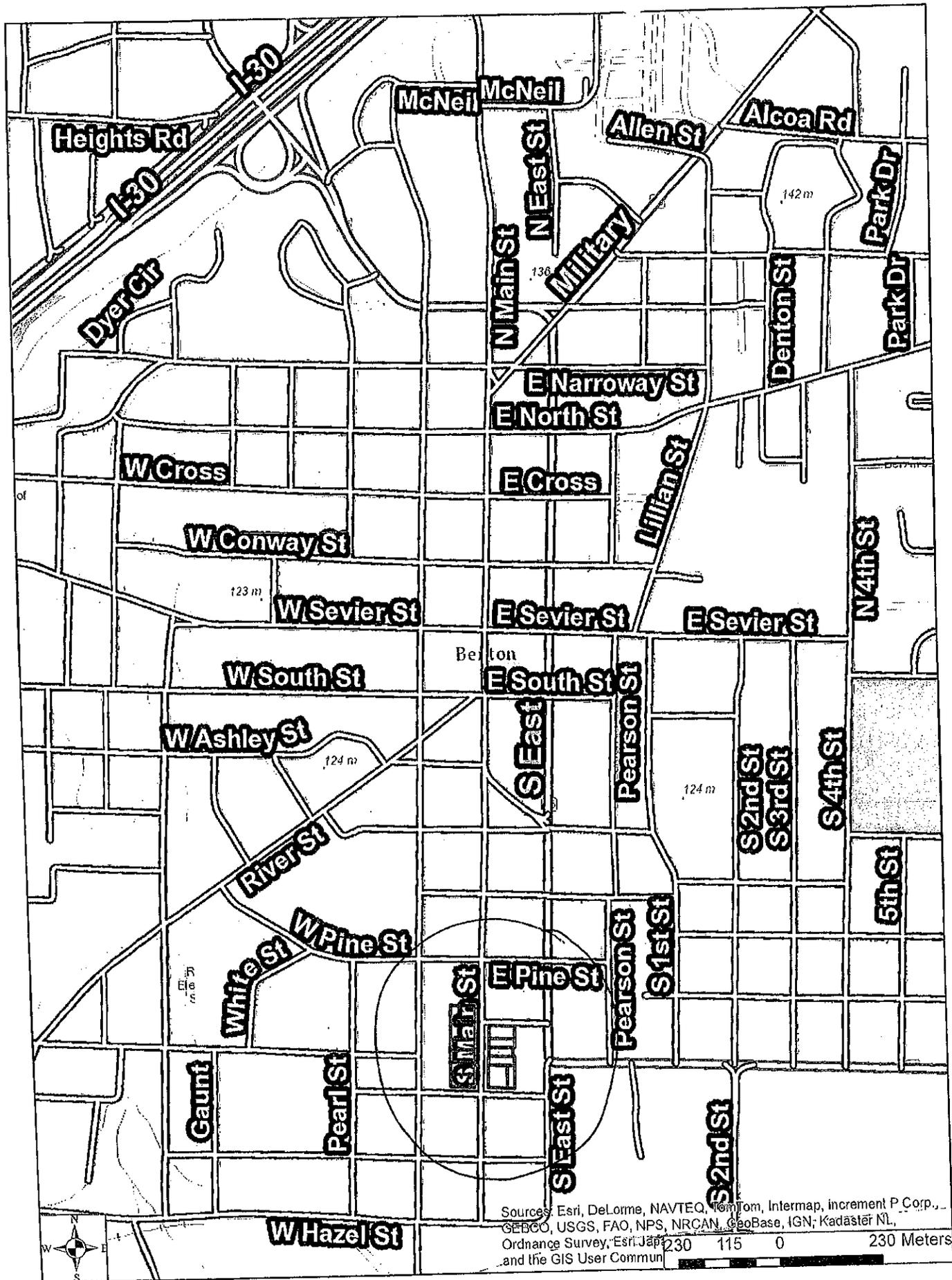
Tract 3: A part of the East Half of Block 39 of the Original City of Benton, Arkansas, more particularly described as follows: Beginning at a point 225 feet South of the Northeast corner of said Block 39 and running thence South 88.6 feet to a point which is 195 feet North of the Southeast corner of said Block; thence West for 150 feet; thence North 88.6 feet to a point which is due West of the point of beginning; thence East to the point of beginning.

Tract 4: A part of Block 39 of the Original City of Benton, Arkansas, more particularly described as follows: Beginning 95 feet North of the Southeast corner of said Block 39; run thence North 100 feet; run thence West for 150 feet; run thence South for 100 feet; run thence East for 150 feet to the point of beginning.

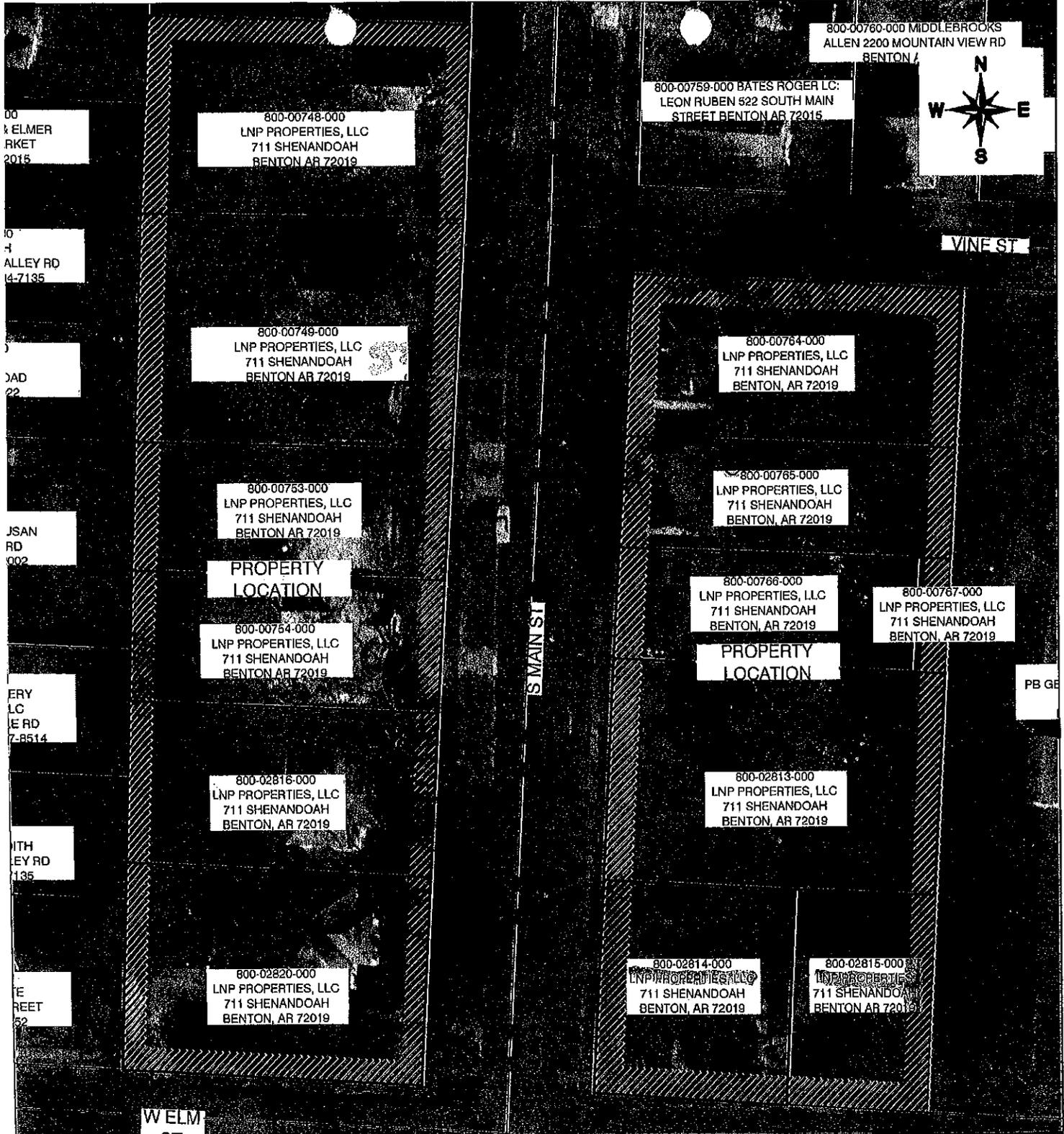
Tract 5: A part of Block 39 of the Original City of Benton, Arkansas, more particularly described as follows: Beginning at a point 150 feet East of the Southwest corner of Block 39; thence North 95.5 feet; thence East 150 feet; thence South 95.5 feet; thence West 150 feet to the point of beginning.

Property Addresses and Parcel Numbers

Legal	Property Address	Parcel Number
Lot PT E of Block 40 a Part of Tract 1 of the Original Town of Benton	530 S. Main Street	800-00764-000
Lot PT E of Block 40 a Part of Tract 1 of the Original Town of Benton	608 S. Main Street	800-00765-000
South 50 feet West 135 feet portion of Block 40 a Part of Tract 1 of the Original Town of Benton	n/a (Main Street)	800-00766-000
Lot PT BLK in SE "B" of Block 40 a Part of Tract 1 of the Original Town of Benton	n/a (Main Street)	800-00767-000
Lots 6 of Block 44 a Part of Tract 1 of Allen's Addition	616 & 624 S. Main Street	800-02813-000
Lots 7 and 8 of Block 44 a Part of Tract 1 of Allen's Addition	n/a (Elm Street)	800-02814-000
PT of Lot 9 of Block 44 a Part of Tract 1 of Allen's Addition	103 E. Elm Street	800-02815-000
South half of Lots 10, 11, and 12 of Block 45 a Part of Tract 2 of Allen's Addition	621 S. Main Street	800-02820-000
North half of Lots 10, 11, and 12 of Block 45 a Part of Tract 2 of Allen's Addition	615 S. Main Street	800-02816-000
South 36 feet of Lot 12 of Block 39 a Part of Tract 2 of the Original Town of Benton	611 S. Main Street	800-00754-000
North 59 feet of Lot 12 of Block 39 a Part of Tract 5 of the Original Town of Benton	605 S. Main Street	800-00753-000
Lot 9 of Block 39 a Part of Tract 4 of the original Town of Benton	529 & 531 S. Main Street	800-00749-000
Lot 8 of Block 39 a Part of Tract 3 of the Original Town of Benton	519 S. Main Street	800-00748-000



Sources: Esri, DeLorme, NAVTEQ, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, Swisstopo, the GIS User Community



GNE

Designing our client's success

GarNat Engineering, LLC

P.O. Box 116 (72018)

Ph (501) 408-4650

406 W. South St., Suite B

Fx (888) 900-3068

Benton, AR 72015

garnatengineering@gmail.com

PROJECT:

MAIN STREET RE-ZONE
LNP PROPERTIES, LLC
BENTON, ARKANSAS

SHEET TITLE:

VICINITY MAP

DATE:

MARCH 2016

SCALE:

1" = 60'

SHEET:

N/A

JOB #:

16011

BASEMAP:

Certificate of Compliance With The
Real Estate Transfer Tax Law

FILED
SALINE COUNTY
CIRCUIT CLERK

The undersigned Grantee does hereby certify,
under penalty of false swearing, that the instrument
evidencing this conveyance requires no documentary
stamps as a gift with consideration of less than \$100.00.

2015 SEP 11 AM 11:37

BY: JD

Grantee: Jeffrey Nalley
L N P Properties, LLC
Jeffrey D. Nalley, Manager
711 Shenandoah
Benton, AR 72019

This Space for Recorder's Use Only

QUITCLAIM DEED

THIS DEED, made this 10th day of August, 2015, BETWEEN Patsy R. Nalley, the survivor of LeRoy Nalley and Patsy R. Nalley, Trustees of the LeRoy Nalley and Patsy R. Nalley Joint Revocable Trust ("Grantor") and L N P Properties, LLC, an Arkansas Limited Liability Company, ("Grantee"), whose address is 711 Shenandoah, Benton, AR 72019,

WITNESSETH, That Grantor, for and in consideration of the sum of ONE DOLLAR (\$1.00) to Grantor in hand paid by the Grantee, the receipt whereof is hereby confessed and acknowledged, has remised, released, sold, conveyed and Quitclaimed, and by these presents does remise, release, sell, convey and Quitclaim unto Grantee, its successors and assigns forever, all the right, title, interest, claim and demand which Grantor has in and to the following described real property situate, lying and being in the County of Saline and State of Arkansas to-wit:

Tract 1

A part of the Southeast Quarter of the Southeast Quarter of Section 33, Township 2 south, Range 13 West, and, a part of the North Half of the Northeast Quarter of Section 4, Township 3 South, Range 13 West, Saline County, Arkansas, being more particularly described as follows: Beginning at the Northeast corner of said Section 4; thence North 87 deg. 02 min. 34 sec. West 174.24 feet, along the North line of said Section 4 to the Southeast corner of said Section 33 and a set 1/2 inch rebar; thence North 03 deg. 04 min. 09 sec. East 71.43 feet to a point in the centerline of Miller Road right of way; thence North 89 deg. 47 min. 12 sec. West 44.49 feet, along said centerline to a point; thence South 02 deg. 53 min. 30 sec. West 69.30 feet to the North line of said Section 4; thence continue South 02 deg. 53 min. 30 sec. West 706.38 feet to a set 1/2 inch rebar; thence South 87 deg. 02 min. 34 sec. East 210.96 feet to a set 1/2 inch rebar in Miller Road right of way; thence North 03 deg. 30 min. 00 sec. East 706.41 feet, in Miller Road right of way, to the point of beginning, containing 3.55 acres, more or less. SUBJECT to an easement for Miller Road along the North line thereof, and, along the East line varying in width from 50 feet at the Northeast corner to 25 feet at the Southeast corner.

Tract 2

That part of the Northwest Quarter of the Southwest Quarter of Section 13, Twonship 1 South, Range 15 West, more fully described as follows: Commencing at a big nail positioned at the Northwest corner of the Northwest Quarter of Southwest Quarter and run thence South 00 deg.

15 071267

15 071268

30 min. 00 sec. West along the West line thereof for 423.60 feet (Deed 420) to the Northwest corner of property describes in Saline County Deed Record Book 96 at Page 283 said point also being the point of beginning of property herein described; thence South 89 deg. 31 min. 50 sec. East along the North line of said property (Book 96 Page 283) for 257.83 feet to the Northwest corner of property described in Saline County Document Book 2000 Page 48238; thence South 00 deg. 29 min. 59 sec. West along the West line of said property (Document 2000 Page 48238) for 173.82 feet to the North line of property described in Saline County Document Book 1998 at Page 50989; thence South 89 deg. 53 min. 36 sec. West along the North line of said property (Document 1998 at Page 50989) for 257.85 feet to the West line of said Northwest Quarter of Southwest Quarter; thence North 0 deg. 30 min. 00 sec. East along the West line of Northwest Quarter of Southwest Quarter for 176.48 feet to the point of beginning.

Tract 3

A part of the Northwest Quarter of the Southwest Quarter of section 13, township 1 South, Range 15 West, Saline County, Arkansas, describes as follows: Commencing at the Southeast corner of the said Northwest Quarter of the Southwest Quarter and run thence North 89 deg. 53 min. 27 sec. West along the South boundary of said Northwest Quarter of Southwest Quarter a distance of 672.9 feet to the point of beginning; thence continue North 89 deg. 53 min. 27 sec. West a distance of 45.53 feet; thence North 00 deg. 57 min. 56 sec. East a distance of 600.00 feet; thence North 89 deg. 53 min. 27 sec. West a distance of 30.00 feet; thence North 00 deg. 57 min. 56 sec. East a distance of 311.66; thence South 89 deg. 04 min. 35 sec. East a distance of 500.39 feet; thence South 01 deg. 42 min. 24 sec. West a distance of 713.29 feet; thence South 89 deg. 05 min. 18 sec. West a distance of 148.03 feet; thence South 00 deg. 03 min. 59 sec. West a distance of 190.40 feet to the point of beginning containing 5.56 acres more or less.

LESS AND EXCEPT:

A part of the Northwest Quarter of the Southwest Quarter Section 13, Township 1 South, Range 15 West, Saline County, Arkansas, described as follows: Commencing at the Southeast corner of the said Northwest Quarter of the Southwest Quarter and run thence North 89 deg. 53 min. 27 sec. West along the South boundary line of said Northwest Quarter of the Southwest Quarter a distance of 672.9 feet; thence North 0 deg. 03 min. 59 sec. East 190.40 feet; thence North 89 deg. 05 min. 18 sec. East 83.03 feet to the point of beginning; thence continue North 89 deg. 05 min. 18 sec. East 65 feet; thence North 01 deg. 42 min. 24 sec. East 210 feet; thence south 89 deg. 05 min. 18 sec. West 65 feet; thence South 01 deg. 42 min. 24 sec. West 210 feet to the point of beginning.

Tract 4

The North 66.2 feet of the following described property: All that part of the Northwest Quarter of the Southwest Quarter of Section 13, Township 1 South, Range 15 West, more fully described as follows: Commencing at the Southwest corner of said Northwest Quarter of the Southwest Quarter and run thence North 0 deg.0 min. East along the West line thereof for 525 feet to the point of beginning; thence North 0 deg. 0 min. East along the West line for 216.2 feet; thence North 89 deg. 58 min. 10 sec. East for 420 feet; thence South 0 deg. 0 min. East parallel with the West line thereof for 216.2 feet; thence South 89 deg. 58 min. 10 sec. West for 420 feet to the point of beginning.

Tract 5

15 071269

A part of the Northwest Quarter of the Southwest Quarter of Section 13, Township 1 South, Range 15 West, Saline County, Arkansas described as follows: Commencing at the Northwest corner of said Northwest Quarter of Southwest Quarter and run thence South 00 deg. 30 min. 00 sec. West, along the West line thereof for 423.79 feet; thence South 89 deg. 37 min. 07 sec. East 257.83 feet to the point of beginning; thence continue South 89 deg. 37 min. 07 sec. East, 161.71 feet to a found 5/8 inch rebar; thence South 00 deg. 25 min. 10 sec. West, 172.26 feet; South 89 deg. 49 min. 48 sec. West 161.91 feet; thence North 00 deg. 30 min. 00 sec. East, 173.82 feet to the point of beginning, containing 0.64 acres, more or less.

Tract 6

Beginning at a point 525 feet North of the Southwest corner of Northwest Quarter of Southwest Quarter, Section 13, Township 1 South, Range 15 West, and run thence North 150 feet; thence East 420 feet; thence South 150 feet; thence West 420 feet to the point of beginning.

Tract 7

All that part of the Northeast Quarter of Southeast Quarter of Section 5, Township 2 South, Range 15 West, which lies East of the County Road, more fully described as follows: Beginning at the Northeast corner of said Northeast Quarter of Southeast Quarter and run thence West 317.5 feet to the center of the Peeler Bend Road; thence Southeasterly along center of said road 548.4 feet to a point; thence North 429 feet to the point of beginning, containing 1 1/2 acres more or less.

Tract 8

All that part of Block 35, Original Town, now City of Benton, Saline County, Arkansas, described as follows: Beginning at a point 140 feet South of the Northwest corner of the said Block 35 and run thence North 48 feet; thence East 58 feet; thence South 48 feet; thence West 58 feet to the point of beginning.

Tract 9

Part of Block 35 of the Original Town, now City of Benton, Arkansas described as follows: Beginning at a point on the West line of said Block 35 that is 100 feet North of the Southwest corner thereof and from said point run thence East 140 feet; thence North 50 feet; thence West 90 feet; thence North 10 feet; thence West 50 feet to the West line of said Block 35; run thence South 60 feet to the point of beginning.

Tract 10

A part of the East Half of Block 39 of the Original City of Benton, Arkansas, more particularly described as follows: Beginning at a point 225 feet South of the Northeast corner of said Block 39 and running thence South 88.6 feet to a point which is 195 feet North of the Southeast corner of said Block; thence West for 150 feet; thence North 88.6 feet to a point which is due West of the point of beginning; thence East to the point of beginning, the above described lands being now Lot 8 of Block 39.

Tract 11

A part of Block 39 of the Original City of Benton, Arkansas, more particularly described as follows: Beginning 95 feet North of the Southeast corner of said Block 39; run thence North for 100 feet; run thence West for 150 feet; run thence South for 100 feet; run thence East for 150 feet to the point of beginning.

Tract 12

15 071270

Part of Block Thirty-nine, in the Original Town, now City of Benton, Arkansas, more particularly described as follows: Beginning at a point 150 feet East of the Southwest corner of Block 39; thence North 95.5 feet; thence East 150 feet; thence South 95.5 feet; thence West 150 feet to the point of beginning.

Tract 13

That part of Block 40 of Original Town, City of Benton, Arkansas, described as follows: Beginning at the Southwest corner of said Block and run thence North along the West line thereof, 100 feet for a point of beginning for the land herein conveyed and from said point run thence East 150 feet thence North 75 feet to street; thence West along said street, 150 feet to the West line of said Block; thence South 75 feet to the point of beginning.

Tract 14

That part of Block 40 of the Original Town, now City of Benton, Arkansas described as follows: Beginning at a point on the Easterly right-of-way line of Main Street that is 408.30 feet in a Southerly direction from the Northwest corner of said Block 40; run thence in an Easterly direction parallel with the existing centerline of Vine Street for 150 feet; run thence South to a point that is 100.00 feet North of the South line of said Block 40; run thence West for 150.00 feet to the West line of said Block 40; run thence Northerly to the point of beginning.

Tract 15

All that part of Block 40 of the Original Town, now City of Benton, Arkansas, described as follows: Beginning at the Southwest corner of said Block 40; run thence North 50 feet; run thence East 135 feet; run thence South 50 feet; run thence West 135 feet to the point of beginning.

Tract 16

The North Half of Lots 10, 11 and 12, Block 45 of Allen's Addition to the City of Benton, Saline County, Arkansas.

Tract 17

The South Half of Lots 10, 11 and 12, Block 45 of Allen's Addition to the City of Benton, Saline County, Arkansas.

Tract 18

Lots 9 and 10, Block 51 of the Allen's Addition to the City of Benton, Saline County, Arkansas.

Tract 19

All of Lot 7, Block 57 of Allen's Addition to the City of Benton, Saline County, Arkansas, LESS and EXCEPT the South 60 feet thereof.

AND

All of Lot 8, Block 57 of Allen's Addition to the City of Benton, Saline County, Arkansas, LESS and EXCEPT the South 50 feet thereof.

Tract 20

The South 50 feet of Lots 7 and 8, Block 57 of Allen's Addition to the City of Benton, Saline County, Arkansas.

Tract 21

Lots 9 and 10, Block 57 of Allen's Addition to the town, now City of Benton, Saline County, Arkansas.

Tract 22

Lot 6, Block 58, Allen's Addition to the Town, now City of Benton, Saline County, Arkansas.

Tract 23

Lot 8, Block 9 of Cloud's Addition to the City of Benton, Arkansas.

Tract 24

Lot 9, 10 and 11, Block 9 of Cloud's Addition to the City of Benton, Arkansas.

Tract 25

That part of the Lot 2 of Highland Acres, being a subdivision of a part of the East Half of Section 18, Township 2 South, Range 14 West, Saline County, Arkansas described as follows: Commencing at a point 15 feet East of the Northwest corner of said Lot 2 and run thence South 200 feet; thence East 101 feet; thence North 200 feet to the Northeast corner of said Lot 2; thence West along the North line thereof for 101 feet to the point of beginning.

Tract 26

Lots 1, 2, and 3 of Block 9 of Hilliard's Addition to the City of Benton, Saline County, Arkansas.

Tract 27

Lots 32 and 33, Block 2 of Houston's Addition to the Town, now City of Benton, Saline County, Arkansas.

Tract 28

Lots 8 and 9 Block 3, Hughes Addition to the City of Benton, Saline County, Arkansas.

Tract 29

Lot 8, Block 1 of George R. Kelley's Second Addition to the City of Benton, Saline County Arkansas.

Tract 30

Lot 8, Block 1 of George R. Kelley's Second Addition to the City of Benton, Saline County Arkansas.

Tract 31

Lot 28, Mack Thomas Addition to the City of Benton, Saline County, Arkansas.

Tract 32

The West Half of Lots 16, 17, 18 and 19 Block 5 of Neeley's Addition to the Town, now the City of Benton, Arkansas.

Tract 33

All of Lot 8 and Part of Lots 9, 2 and 3 all in Block 11 of A.C. Speer's Second Addition to the City of Benton, Arkansas, more particularly described as follows: Beginning at the Northwest corner of Lot 8; thence North 89 deg. 21 min. 19 sec. East for a distance of 183.19 feet to a rebar on the north line of Lot 3; thence South 00 deg. 06 min. 01 sec. West for a distance of 64.06 feet to a rebar on the South line of the North 15.00 feet of Lot 2; thence South 89 deg. 05 min. 47 sec. West for a distance of 183.08 feet to a rebar on the South line of the North 15.00 feet of Lot 9; thence North 00 deg. 00 min. 00 sec. West for a distance of 64.89 feet to the point of beginning.

AND

The North 15 feet of Lot 2, Block 11, A.C. Speers Second Addition to the City of Benton, Saline County, Arkansas.

15 071271

Tract 34

Lots 6 and 7, Block 1 of White's Addition to the City of Benton, Saline County, Arkansas.

Tract 35

That part of the Northeast Quarter of the Southwest Quarter of Section 35, Township 1 South, Range 15 West, described as follows: Beginning at the Southeast corner of said Northeast Quarter of Southwest Quarter and run thence North along the East line of said Northeast Quarter of Southwest Quarter, 230 feet; thence West 190 feet; thence South 230 feet to the South line of said Northeast Quarter of Southwest Quarter; thence East 190 feet to the point of beginning, in Saline County, Arkansas.

Tract 36

That part of the Southeast Quarter of the Southwest Quarter of Section 35, Township 1 South, Range 15 West, described as follows: Beginning at the Northeast corner of said Southeast Quarter of Southwest Quarter and run thence West 212 feet along the North line of said Southeast Quarter of Southwest Quarter; thence South 462 feet; thence East 212 feet; thence North 462 feet to the point of beginning.

AND

That part of the East Half of the Southeast Quarter of the Southwest Quarter of Section 35, Township 1 South, Range 15 West, described as follows: Beginning at a point 354 feet East of the Northwest corner of said East Half of Southeast Quarter of Southwest Quarter of said Section, and from said point run thence South 462 feet; thence East 94 feet; thence North 462 feet; thence West 94 feet to the point of beginning, containing one acre more or less.

AND

Beginning at the Northeast corner of the Southeast Quarter of Southwest Quarter of Section 35, Township 1 South, Range 15 West, going South 462 feet to the point of beginning; thence West 306 feet; thence South 462 feet; thence East 306 feet; thence North 462 feet to the point of beginning, containing 3 acres more or less.

Tract 37

15 071272

A part of the Southwest Quarter of Northeast Quarter and Part of the Northwest Quarter of Southeast Quarter of Section 35, Township 1 South, Range 15 West, described as follows: Begin 260 feet South of the Northwest corner of Southeast Quarter of Section 35, Township 1 South, Range 15 West; thence East 185 feet; thence South 400 feet; thence South 89 deg. 22 min. East along fence 1118 feet to fence corner; thence Northerly along fence 576.3 feet; thence West 1069 feet; thence South 17 deg. 45 min. East 141 feet; thence West 291.7 feet; thence South 30 feet to point of beginning; containing 13.90 acres more or less.

LESS AND EXCEPT:

All that part of the Southwest Quarter of the Northeast Quarter and Part of the Northwest Quarter of the Southeast Quarter of Section 35, Township 1 South, Range 15 West, more fully described as follows: Commencing at the Northeast corner of the said Northwest Quarter of Southeast Quarter and run thence South 00 deg. East, along the East line thereof for 65.7 feet; thence North 90 deg. West, parallel with the North line said Northwest Quarter of Southeast Quarter for 470 feet to the point of beginning of land herein described; run thence South 00 deg. 59 min. East parallel with the East line said Northwest

Quarter of Southeast Quarter for 542 feet; thence South 89 deg. 50 min. 05 sec. West, for 648.71 feet; thence North 00 deg. East for 380 feet; thence South 89 deg. 57 min. 27 sec. East, for 100.67 feet; thence North 17 deg. 45 min. West, for 308.93 feet to the South line of Phase one Fox Ridge Addition to Benton, Arkansas, run thence South 87 deg. 34 min. 14 sec. East, along South line of Phase One for 648.62 feet; thence South 09 deg. 26 min. West for 104.6 feet to the point of beginning, containing 9.39 acres, more or less.

AND

All that part of the Northwest Quarter of the Southeast Quarter of Section 35, Township 1 South, Range 15 West, more fully described as follows: Commencing at the Northeast corner of said Northwest Quarter of Southeast Quarter and run thence South along the East line thereof for 25 feet to the Southeast corner of Fox Ridge Addition, Phase I, to the City of Benton, Arkansas, said point being the point of beginning of lands herein described; thence South 90 deg. West along the South line of said Fox Ridge Addition for 463.28 feet to the Southwest corner of Lot 19 of said Fox Ridge Addition, Phase I; thence South 9 deg. 26 min. West along the East line of Lot 54 of Fox Ridge Addition Phase II, to the City of Benton, Arkansas for 41.2 feet to the Northwest corner of property owned by Leroy Nalley; thence North 90 deg. East along the North line of property owned by Leroy Nalley for 470 feet more or less to a point that is 40.7 feet due South of the point of beginning; thence North for 40.7 feet to the point of beginning, containing 0.43 acres, more or less.

Tract 38

15 071273

15 071274

That part of the Northwest Quarter of the Southeast Quarter of Section 35, Township 1 South, Range 15 West, more fully described as follows: Commencing at the Southwest Corner of said Northwest Quarter of the Southeast Quarter and run thence North 00 deg. 00 min. 00 sec. East along the West line of said Northwest Quarter of the Southeast Quarter for 980.65 feet to the Northwest Corner of property described in Warranty Deed filed in Saline County, Arkansas, Document 02 28204, said point being the point of beginning of property herein described; thence continuing North 00 deg. 00 min. 00 sec. East along the West line of said Northwest Quarter of the Southeast Quarter for 119.74 feet to the Southwest corner of property described in a Warranty Deed filed for record in Deed Record Book 185 at page 100 in Saline County, Arkansas; thence South 89 deg. 54 min. 04 sec. East along the South line of said property (Book 185 page 100) for 187.14 feet to a point on the West line of Fox Ridge Addition Phase 2, to the City of Benton, Arkansas; thence South 00 deg. 00 min. 00 sec. East along the West line of said Fox Ridge Addition for 100.73 feet to the Northeast corner of said property (Doc 02 28204); thence South 84 deg. 17 min. 04 sec. West along the North line of said property (Doc 02 28204) for 187.69 feet to the point of beginning, containing 0.476 acres more or less.

Tract 39

That part of the Northwest Quarter of Southeast Quarter of Section 9, Township 2 South, Range 15 West, described as follows: Beginning at a point on the South line of said Northwest Quarter of Southeast Quarter 920 feet West of the Southeast corner thereof; thence South 15 deg. 45 min. West 22.5 feet to the North line of Highway 67-70; thence North 73 deg. 05 min. West along North line of said Highway for 182.5 feet to the point of beginning; thence North 31 deg. 15 min. East 163.2 feet; thence South 65 deg. 19 min. East 84.7 feet; thence South 82 deg. 16 min. East 29.4 feet; thence South 87 deg. 46 min. East 63 feet; thence North 04 deg. 36 min. East 128.85 feet; thence North 05 deg. 14 min. West 42 feet; thence North 10 deg. 49 min. East 136 feet; thence North 42 deg. 28 min. West 44.3 feet; thence North 70 deg. 08 min. West 57.1 feet; thence North 49 deg. 46 min. West 102.1 feet; thence South 49 deg. 15 min. West 43.8 feet; thence South 31 deg. 40 min. West 201.5 feet; thence South 56 deg. 35 min. East 85.9 feet; thence South 27 deg. 52 min. West 277.3 feet to the North line of said Highway; thence South 70 deg. 31 min. East along said North line of Highway 27.7 feet to the point of beginning, containing 2.2 acres more or less.

Tract 40

Part of the Southwest Quarter of Southeast Quarter and Part of the Northwest Quarter of Southeast Quarter of Section 9, Township 2 South, Range 15 West, described as follows: Beginning at a point on the South line of the said Northwest Quarter of Southeast Quarter that is 920 feet West of the Southeast corner of said Northwest Quarter of Southeast Quarter; thence South 15 deg. 45 min. West for 22.5 feet to North line of Highway; thence North 73 deg. 05 min. West along North line of Highway 19.8 feet to the point of beginning of land herein described; from said point run thence North 73 deg. 05 min. West along North line of Highway 162.7 feet; thence North 31 deg. 15 min. East for 163.2 feet; thence South 63 deg. 19 min. East 84.7 feet; thence South 82 deg. 16 min. East for 15 feet; thence in a Southerly direction 147 feet to the point of beginning.

Tract 41

That part of the Northeast Quarter of Southwest Quarter, Section 10, Township 2 South, Range 15 West, described as follows: Beginning at a point that is 207 feet West of a stake which is 8.75 chains East of the Northeast corner of the Northwest Quarter of Southwest Quarter, said Section 10 and from said point run thence West 50 feet; thence South 100 feet; thence East 50 feet; thence North 100 feet to the point of beginning.

Tract 41

That part of the Northeast Quarter of the Southwest Quarter, Section 10, Township 2 South, Range 15 West described as follows: Beginning at a point that is 410.5 feet East of the Northwest corner of said Northeast Quarter of Southwest Quarter and run thence South 265 feet for a point of beginning for the lands herein described and from said point run thence South 180 feet; thence West 50 feet; thence South 150 feet to North line of right of way of Highway 67; thence West along said Highway right of way 140.5 feet; thence North 165 feet; thence West 75 feet; thence North 5 feet; thence East 2 feet; thence North 160 feet; thence East 263.5 feet to the point of beginning.

Tract 42

A part of the Northeast Quarter of the Southwest Quarter, Section 10, Township 2 South, Range 15 West, described as follows: Beginning at a point that is 257 feet West of a stake which is 8.75 chains East of the Northeast corner of the Northwest Quarter of Southwest Quarter, said Section, Township and Range, and running thence South 100 feet; thence East 50 feet; thence South 128 feet; thence West 126.5 feet; thence North 228 feet; thence East 76.5 feet to the point of beginning.

Tract 43

That part of the Northeast Quarter of Southwest Quarter, Section 10, Township 2 South, Range 15 West, described as follows: Beginning at a point 595 feet South and 146.5 feet East of the Northwest corner of said Northeast Quarter of Southwest Quarter and from said point run thence East 75 feet; thence North 165 feet; thence West 75 feet; thence South 165 feet to the point of beginning.

Tract 44

All that part of the Northeast Quarter of Southwest Quarter, Section 10, Township 2 South, Range 15 West, Saline County, Arkansas, described as follows: Beginning at the point that 445 feet South and 410.5 feet East of the Northwest corner of said Northeast Quarter of Southwest Quarter and run thence South 150 feet to the North right of way line of West South Street; thence West along said right of way line 50 feet; thence North 150 feet; thence East 50 feet to the point of beginning.

Tract 45

15 071275

15 071276

All that part of the Northeast Quarter of Southwest Quarter, Section 10, Township 2 South, Range 15 West, Saline County, Arkansas, described as follows: Beginning at a point 147 feet East of the Northwest corner of said Northeast Quarter of Southwest Quarter of said Section 10, and run thence South, to a point 300 feet North of the North line of Highway #67, as said highway is now located; thence West 50 feet for a point of beginning for the land herein described; and, from said point, run thence West 50 feet; thence South 300 feet, more or less to said Highway #67; thence East 50 feet; thence North to the point of beginning.

And

All that part of the Northeast Quarter of the Southwest Quarter of Section 10, Township 2 South, Range 15 West, Saline County, Arkansas, described as follows: Beginning at a point that is 147 feet East of the Northwest corner of said Northeast Quarter of Southwest Quarter of said Section 10 and run thence South 583 feet, more or less, to Highway #67, as now located, for a point of beginning for the land herein described; and, from said point, run thence North 300 feet; thence West 50 feet; thence South 300 feet, more or less, to Highway #67; thence East 50 feet to the point of beginning.

Tract 46

That part of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter, Section 11, Township 2 South, Range 15 West, described as follows: Beginning at a point that is 3.21 ½ chains North of the Southeast corner of said Northwest Quarter of Northwest Quarter of said Section 11 and from said point run thence West 2.05 chains; thence South 50 feet; thence East 2.05 chains; thence North 50 feet to the point of beginning.

ALSO, that part of the Northwest Quarter of Northwest Quarter of Northwest Quarter, Section 11, Township 2 South, Range 15 West, described as follows: Beginning at a point that is 3.21 ½ chains North of the Southeast corner of said Northwest Quarter of Northwest Quarter of Northwest Quarter of said Section 11 and from said point run thence West 2.05 chains; thence North along Street 5 feet; thence in an Easterly direction 2.05 chains to the point of beginning.

ALSO, that part of the North half of the Northwest Quarter of Northwest Quarter, Section 11, Township 2 South, Range 15 West, described as follows: Beginning at a point that is 162.19 feet North of the Southeast corner of Northwest Quarter of Northwest Quarter of Northwest Quarter, said Section 11 and run thence West 135.3 feet; thence South 12 feet; thence East 184.5 feet; thence North 12 feet; thence West 49.2 feet to the point of beginning.

ALSO, that part of the Northeast Quarter of Northwest Quarter of Northwest Quarter, Section 11, Township 2 South, Range 15 West, described as follows: Beginning at a point that is 3.21 ½ chains North of the Southwest corner of said Northeast Quarter of Northwest Quarter of Northwest Quarter, said Section 11 and from said point run thence East 49.2 feet; thence South 50 feet; thence West 49.2 feet; thence North 50 feet to the point of beginning.

Tract 47

15 071277

That part of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter, Section 11, Township 2 South, Range 15 West, described as follows: Beginning at a point that is 212.9 feet North of the Southeast corner of that said Northwest Quarter of the Northwest Quarter of the Northwest Quarter, said Section 11, and from said point run thence North 89 deg. 38 min. 44 sec. West 122.44 feet to the East line of Main Street; thence North along street 5 feet; thence South 84 deg. 28 min. 54 sec. East, 122.54 feet to the point of beginning.

Tract 48

That part of the Southeast Quarter of the Northwest Quarter, Section 14, Township 2 South, Range 15 West, described as follows: Beginning at a point that is 14 feet North and 37 feet West of the center corner of said Section 14 and from said point run thence West 94 feet; thence North 136.3 feet; thence East 94 feet; thence South 136.3 feet to the point of beginning.

Tract 49

Part of the Northwest Quarter of the Northeast Quarter of Section 15, Township 2 South, Range 15 West, described as follows: Beginning at a point that is 14.96 chains South of the Northeast corner of said Northwest Quarter of Northeast Quarter and run thence North 86 deg. West 700 feet for a point of beginning, and from said point of beginning, run thence North 86 deg. West 50 feet; thence North 167 feet; thence South 84 deg. East 50 feet; thence South 165 feet to the point of beginning.

Tract 50

That part of the Southwest Quarter of the Southeast Quarter, Section 32, Township 2 South, Range 15 West, described as follows: Commencing at the Southwest corner of Southwest Quarter of Southeast Quarter, thence North 100 feet; thence East 200 feet; thence South 100 feet; thence West 200 feet to the point of beginning. Subject to a 10 foot wide easement across the West boundary.

This conveyance is subject to all easements, rights of way, mineral leases, conveyances and reservations, that may be of record.

Being the same land conveyed to LeRoy Nalley and Patsy R. Nalley, Trustees of the LeRoy Nalley and Patsy R. Nalley Joint Revocable Trust, by Deed recorded in Deed Record Book 08, Page 104794, Saline County, Arkansas.

To Have and to Hold the Same, Together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of Grantor, either in law or equity, to the only proper use, benefit and behoof of Grantee, its successors and assigns forever.

In Witness Whereof, The Grantor has hereunto set her hand and seal the day and year first above written.

LeRoy Nalley and Patsy R. Nalley Joint Revocable Trust

By: Patsy R. Nalley
Patsy R. Nalley, Trustee

7015 1660 0000 8370 2384 2280

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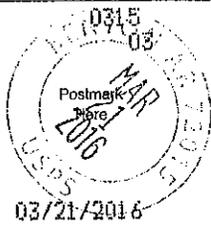
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 508 South East street
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
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Total Postage and Fees	\$6.74



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 McGuire Richard W & Rebecca
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 847 Breckenridge dr
 City, State, ZIP+4®
 Benton AR 72019

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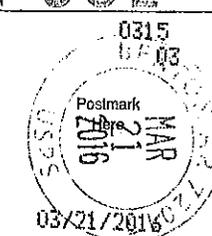
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Postage	\$0.49
Total Postage and Fees	\$6.74



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 55 Warwick rd.
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
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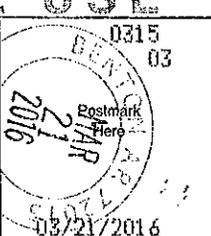
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<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
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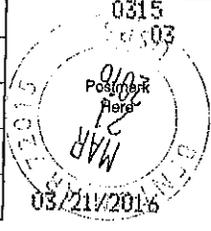
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Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	



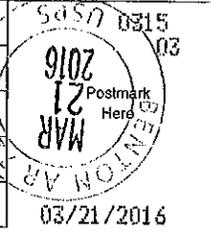
Sent To Smith Bryan
Street & Apt. No., or PO Box No. 724 South Main St.
City, State, ZIP+4 Benton AR 72015
PS Form 3800, July 2014 See Reverse for Instructions

7015 0920 0002 1958 6438

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BENTON, AR 72018
OFFICIAL USE

Postage	\$3.45	0315
Certified Fee	\$2.80	03
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	



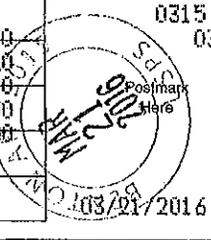
Sent To Word EDWI (N. Eugene & Darla A)
Street & Apt. No., or PO Box No. P.O. Box 366
City, State, ZIP+4 Benton AR 72018
PS Form 3800, August 2006 See Reverse for Instructions

7013 2250 0001 2384 2099

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Postage	\$3.45	0315
Certified Fee	\$2.80	03
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	



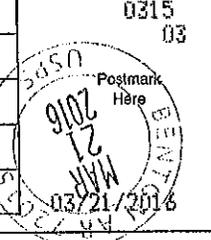
Sent To Keefer Land company LLC
Street & Apt. No., or PO Box No. 718 South East St.
City, State, ZIP+4 Benton AR 72015
PS Form 3800, August 2006 See Reverse for Instructions

7013 2250 0001 2384 2099

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Postage	\$3.45	0315
Certified Fee	\$2.80	03
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	



Sent To Blake David & Kristie
Street & Apt. No., or PO Box No. 410 South Fourth St.
City, State, ZIP+4 Benton AR 72015
PS Form 3800, August 2006 See Reverse for Instructions

7015 0920 0002 1958 6407

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Postage	\$3.45	0315
Certified Fee	\$2.80	03
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	



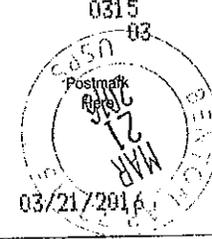
Sent To Newcomb Bradley A & Stephanie L.
Street & Apt. No., or PO Box No. P.O. Box 283
City, State, ZIP+4 Benton AR 72018
PS Form 3800, July 2014 See Reverse for Instructions

7015 0920 0002 1958 6407

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Postage	\$3.45	0315
Certified Fee	\$2.80	03
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	



Sent To Glenn John David & William Edwin
Street & Apt. No., or PO Box No. 1411 Dwight Brown Road
City, State, ZIP+4 Benton AR 72015
PS Form 3800, July 2014 See Reverse for Instructions

7013 2250 0001 2384 2082

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OFFICIAL USE

Postage	\$7.45
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.74

Postmark Here: MAR 21 2016 BENTON AR 72015

Sent To: **P.B. General Holdings (Congo)**
 Street and Apt. No., or PO Box No.: **5110 Taley road**
 City, State, ZIP+4: **Little Rock AR, 72204**

PS Form 3800, August 2006 See Reverse for Instructions

7015 1660 0000 8370 2857

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OFFICIAL USE

Certified Mail Fee	\$3.45
Postage	\$0.49
Total Postage and Fees	\$6.74

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 \$0.00

Postmark Here: MAR 21 2016 BENTON AR 72015

Sent To: **Castle Investments LLC**
 Street and Apt. No., or PO Box No.: **P.O. Box 30519**
 City, State, ZIP+4: **Little Rock AR, 72260**

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

7015 1660 0000 8370 2888

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Certified Mail Fee	\$3.45
Postage	\$0.49
Total Postage and Fees	\$6.74

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 \$0.00

Postmark Here: MAR 21 2016 BENTON AR 72015

Sent To: **Stedd Patricia A (Trustee) revocable Trust**
 Street and Apt. No., or PO Box No.: **703 South main st.**
 City, State, ZIP+4: **Benton AR, 72015**

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

7015 1660 0000 8370 3059

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OFFICIAL USE

Certified Mail Fee	\$3.45
Postage	\$0.49
Total Postage and Fees	\$6.74

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 \$0.00

Postmark Here: MAR 21 2016 BENTON AR 72015

Sent To: **Shipp Brenda & Jennie Yorkum**
 Street and Apt. No., or PO Box No.: **12999 1-30**
 City, State, ZIP+4: **Benton AR, 72019**

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

7015 1660 0000 8370 2895

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OFFICIAL USE

Certified Mail Fee	\$3.45
Postage	\$0.49
Total Postage and Fees	\$6.74

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 \$0.00

Postmark Here: MAR 21 2016 BENTON AR 72015

Sent To: **Stedd Patricia A & Jamie (revocable Trust)**
 Street and Apt. No., or PO Box No.: **703 S. MAIN ST.**
 City, State, ZIP+4: **Benton AR, 72015**

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

7015 0920 0002 1958 4991

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Postage	\$7.45
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.74

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 \$0.00

Postmark Here: MAR 21 2016 BENTON AR 72015

Sent To: **The churches joint council on human needs**
 Street and Apt. No., or PO Box No.: **P.O. Box 1146**
 City, State, ZIP+4: **Benton AR, 72018**

PS Form 3800, July 2014 See Reverse for Instructions

7013 2250 0001 2364 2167

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Postage	\$3.45	\$2.80
Certified Fee	\$0.00	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00	\$0.00
Total Postage & Fees	\$6.74	\$6.74



Sent To Delton Sandra J
 Street, Apt. No., or PO Box No. 502 S East St.
 City, State, ZIP+4 BENTON AR 72015
 PS Form 3800, August 2006 See Reverse for Instructions

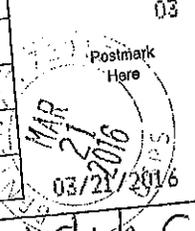
5918 0650 2000 0206 E701

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BENTON AR 72015
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Postage	\$3.45	\$2.80
Certified Fee	\$0.00	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00	\$0.00
Total Postage & Fees	\$6.74	\$6.74



Sent To Warric Granville & Shirley C
 Street, Apt. No., or PO Box No. 412 Woodland Dr.
 City, State, ZIP+4 BENTON AR 72019
 PS Form 3800, August 2006 See Reverse for Instructions

7015 1660 0000 8370 2932

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BENTON AR 72015
OFFICIAL USE

Certified Mail Fee	\$3.45	\$2.80
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	\$0.00
Return Receipt (hardcopy)	\$0.00	\$0.00
Return Receipt (electronic)	\$0.00	\$0.00
Certified Mail Restricted Delivery	\$0.00	\$0.00
Adult Signature Required	\$0.00	\$0.00
Adult Signature Restricted Delivery	\$0.00	\$0.00
Postage	\$0.49	\$0.49
Total Postage and Fees	\$6.74	\$6.74



Sent To Yates Robert W & Page E
 Street and Apt. No., or PO Box No. 1325 Vandervault
 City, State, ZIP+4 BENTON AR 72015
 PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

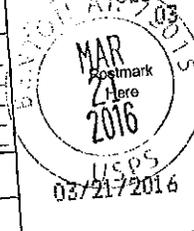
5962 0260 0000 0991 5101

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BENTON AR 72015
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Certified Mail Fee	\$3.45	\$2.80
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	\$0.00
Return Receipt (hardcopy)	\$0.00	\$0.00
Return Receipt (electronic)	\$0.00	\$0.00
Certified Mail Restricted Delivery	\$0.00	\$0.00
Adult Signature Required	\$0.00	\$0.00
Adult Signature Restricted Delivery	\$0.00	\$0.00
Postage	\$0.49	\$0.49
Total Postage and Fees	\$6.74	\$6.74



Sent To Stedd Patricia A (Trustee re-useable Trust)
 Street and Apt. No., or PO Box No. 703 S Main St.
 City, State, ZIP+4 BENTON AR 72015
 PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 1660 0000 8370 2970

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Certified Mail Fee	\$3.45	\$2.80
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	\$0.00
Return Receipt (hardcopy)	\$0.00	\$0.00
Return Receipt (electronic)	\$0.00	\$0.00
Certified Mail Restricted Delivery	\$0.00	\$0.00
Adult Signature Required	\$0.00	\$0.00
Adult Signature Restricted Delivery	\$0.00	\$0.00
Postage	\$0.49	\$0.49
Total Postage and Fees	\$6.74	\$6.74



Sent To Carolyn Jeannette
 Street and Apt. No., or PO Box No. 623 South Market St.
 City, State, ZIP+4 BENTON AR 72015
 PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

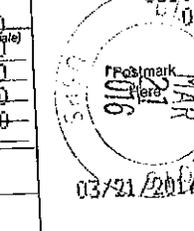
7015 1660 0000 8370 3120

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BENTON AR 72019
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Certified Mail Fee	\$3.45	\$2.80
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	\$0.00
Return Receipt (hardcopy)	\$0.00	\$0.00
Return Receipt (electronic)	\$0.00	\$0.00
Certified Mail Restricted Delivery	\$0.00	\$0.00
Adult Signature Required	\$0.00	\$0.00
Adult Signature Restricted Delivery	\$0.00	\$0.00
Postage	\$0.49	\$0.49
Total Postage and Fees	\$6.74	\$6.74



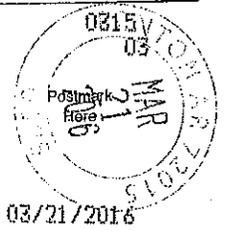
Sent To Caldwell Brooks S
 Street and Apt. No., or PO Box No. 608 W. Saline Cir.
 City, State, ZIP+4 BENTON AR 72019
 PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 1660 0000 8370 3021

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Certified Mail Fee	\$3.45
Extra Services & Fees (check box, add fee as appropriate)	\$2.80
<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	\$0.49
Total Postage and Fees	\$6.74



Sent To: Reed Judith
 Street and Apt. No., or PO Box No. 7442 Courdeck valley rd.
 City, State, ZIP+4® MAVERN AR 72104

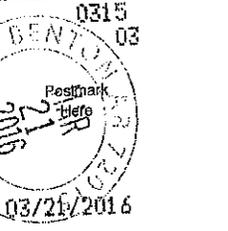
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 1660 0000 8370 3068

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Certified Mail Fee	\$3.45
Extra Services & Fees (check box, add fee as appropriate)	\$2.80
<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	\$0.49
Total Postage and Fees	\$6.74



Sent To: \$5 Boveia
Bradbury Larry W. Sr. D. Bradbury
 Street and Apt. No., or PO Box No. 511 South market st.
 City, State, ZIP+4® BENTON AR 72015

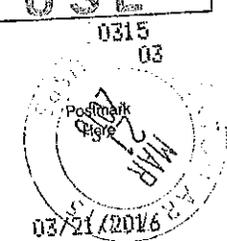
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 1660 0000 8370 3072

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Certified Mail Fee	\$3.45
Extra Services & Fees (check box, add fee as appropriate)	\$2.80
<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	\$0.49
Total Postage and Fees	\$6.74



Sent To: Beater Karen D
 Street and Apt. No., or PO Box No. 1701 Misty dr
 City, State, ZIP+4® BENTON AR 72019

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

7015 1660 0000 8370 2745

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Certified Mail Fee	\$3.45
Extra Services & Fees (check box, add fee as appropriate)	\$2.80
<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	\$0.49
Total Postage and Fees	\$6.74



Sent To: Cloud Virgil & Shirley
 Street and Apt. No., or PO Box No. 708 South Market St.
 City, State, ZIP+4® BENTON AR 72015

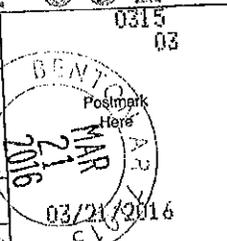
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 1660 0000 8370 3106

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Certified Mail Fee	\$3.45
Extra Services & Fees (check box, add fee as appropriate)	\$2.80
<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	\$0.49
Total Postage and Fees	\$6.74



Sent To: White Cindy
 Street and Apt. No., or PO Box No. 525 S Market St.
 City, State, ZIP+4® BENTON AR 72015

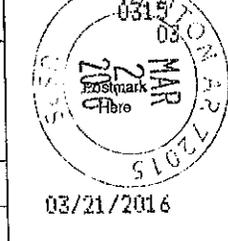
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 1660 0000 8370 3137

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Certified Mail Fee	\$3.45
Extra Services & Fees (check box, add fee as appropriate)	\$2.80
<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	\$0.49
Total Postage and Fees	\$6.74



Sent To: Cherry Tim
 Street and Apt. No., or PO Box No. 619 South Market
 City, State, ZIP+4® BENTON AR 72015

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

7015 1660 0000 8370 3090

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BENTON AR 72015
OFFICIAL USE

Certified Mail Fee	\$3.45
Postage	\$0.49
Total Postage and Fees	\$3.94

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
- Signature Restricted Delivery \$0.00

Postmark Here: **MAR 21 2016**

Sent To: **Moore Dorothy**
 Street, Apt. No., or PO Box No.: **519 South Market St.**
 City, State, ZIP+4: **Benton AR 72015**

PS Form 3800, August 2006

7013 2250 0001 2384 2037

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BENTON AR 72015
OFFICIAL USE

Postage	\$5.00
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$7.80

Postmark Here: **MAR 21 2016**

Sent To: **Shelwatt Dorthy**
 Street, Apt. No., or PO Box No.: **416 S Pearson st.**
 City, State, ZIP+4: **Benton AR 72015**

PS Form 3800, August 2006

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BENTON AR 72015
OFFICIAL USE

Postage	\$5.00
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$7.80

Postmark Here: **MAR 21 2016**

Sent To: **Williams Linda G**
 Street, Apt. No., or PO Box No.: **221 S Fourth st.**
 City, State, ZIP+4: **Benton AR 72015**

PS Form 3800, August 2006

ORDINANCE NO. 22 OF 2016

**AN ORDINANCE REZONING CERTAIN LAND IN THE CITY OF BENTON,
SALINE COUNTY, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES**

WHEREAS, an application for zoning was filed with the Planning Commission of the City of Benton, Arkansas by LNP Properties LLC., requesting the lands hereinafter described be zoned to a Multi -Family Residential District (RM-3.75) zoning; and,

WHEREAS, the Planning Commission ordered a Public Hearing be held on April 12, 2016 at 6:00 p.m. for the purpose of hearing said application; the notice of such hearing having been published in a newspaper having a bona fide circulation in Saline County, Arkansas; with evidence having been submitted that all property owners or lessees within 300 feet of the property having been notified of said hearing; and at said hearing, the Planning Commission recommended to the City Council that such request be granted; and,

WHEREAS, the City Council of the City of Benton, Arkansas desires to zone the following property as Multi - Family Residential District (RM-.3.75).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BENTON, ARKANSAS:

SECTION 1. The following described property is hereby rezoned from Single -Family Residential District (R1-7.5) to a Multi – Family Residential District (RM-.3.75) zoning:

Legal Description: Tract 32: West half of Lots 16, 17, 18, and 19 of Block 5 of the Neeley’s Additon to the Town, now the City of Benton, Arkansas.

SECTION 2. The City Council, having found that the immediate rezoning of this property will allow construction to commence thereon which will be of benefit to the local economy, hereby declares an emergency and this Ordinance shall be in full force and effect after its passage and approval.

PASSED AND APPROVED, this ___ day of May, 2016.

Mayor

Attest: _____
City Clerk

DESIGNATED FOR PUBLICATION

CITY OF BENTON
COMMUNITY DEVELOPMENT DEPARTMENT

David Vondran, P.E.
Director | City Engineer
Phone: (501) 776-5938
Email: dvondran@bentonar.org



114 South East Street
Benton, Arkansas 72015
Fax: (501) 776-5922
Web: www.bentonar.org

MEMORANDUM

TO: Pam Gibson, Chair
Planning & Zoning Commission

FROM: Jon Underwood, City Planner
Department of Community Development

DATE: 29 March 2016

RE: Rezone request for 310/314 South Fourth Street
Single-Family Residential (R1-7.5) to Multi-Family Residential District (RM-3.75).

Staff has reviewed the proposed rezone request and recommends approval. All requirements have been met for this rezone and the required documentation is attached and fees have been received.

Please contact the Community Development office if we may be of further assistance.

Staff Use:

DATE SUBMITTED 03-21-16
DATE OF NEXT MEETING 04-12-16
AD MUST RUN NOT LATER THAN 03-28-16

Application and Procedural Requirements for Conditional Use Permit

Applicant's Name LNP Properties, LLC

Address of Subject Property 310 & 314 South Fourth Street

Legal Description of Subject Property (may be attached on separate sheet)

West half lots 16, 17, 18 & 19, block 5 Neeley's Addition

Assessor's Parcel Number of Subject Property 80048968-000 80048966-000

Zoning District of Subject Property R1-7.5

Proposed Use duplex

RM-3.75 Multi-Family Residential

Please attach vicinity map of the property, 8.5 x 11 inch size. Additional required information is detailed on p. 2.

I hereby certify that I am the owner of the property identified in this application; or, that I am the authorized agent of LNP Properties, LLC, who is the owner of said property; or that I am the employee or agent of ~~XXXXXXXXXXXXXXXXXX~~, which is a public utility company or other agency with the powers of eminent domain, and that I am authorized to act in their behalf, and that this application, to the best of my knowledge and belief, is true and correct.

Signed [Signature]

Mailing Address 711 Shawandeah

Benton, AR 72019

Phone Number 501-672-6671

Subscribed and certified to me this 21 day of March, 2016

[Signature]
Community Development Dept Representative

GNE

GarNat Engineering, LLC

Designing our client's success

P.O. Box 116 (72018)
406 W. South Street, Suite B
Benton, Arkansas 72015
PH: (501) 408-4650
FX: (888) 900-3068
garnatengineering@gmail.com

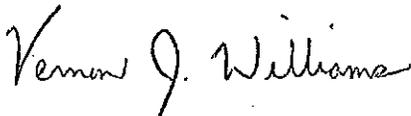
March 18, 2016

To the Benton City Planning Commission:

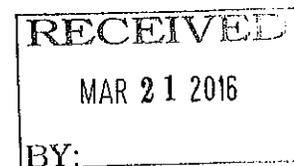
It is my intent to re-zone the properties at 310 and 314 South Fourth Street for the purpose of constructing a duplex on each property. Therefore, I am requesting that the above named properties be re-zoned from R1-7.5 One Family Residential to RM-3.75 Multi-Family Residential District.

Sincerely,

GarNat Engineering, LLC



Vernon J. Williams, P.E., President



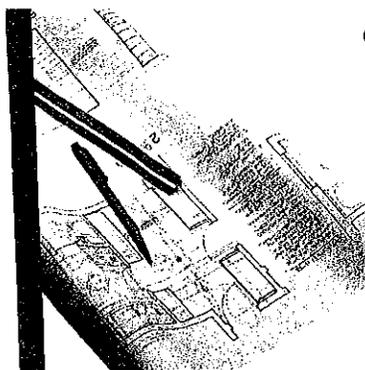
PUBLIC NOTICE

Notice is hereby given that a hearing will be held by the Planning & Zoning Commission of the City of Benton, Arkansas on Tuesday, the 12th day of April, 2016 at 6:00 p.m. at the Benton City Hall, Benton, Arkansas for a Rezoning Petition for the following property located at 310 and 314 South Fourth Street, Benton, AR 72018 to wit:

West half of Lots 16, 17, 18, and 19 of Block 5 of the Neeley's Additon to the Town, now the City of Benton, Arkansas.

Said property is proposed to be rezoned from its current zoning as single family residential to multi-family residential (RM-3.75), so the property owner can construct duplexes on the two lots.

The Petitioner is Jeffery Nalley, LNP Properties, LLC, 711 Shenandoah, Benton, Arkansas 72019, (501) 672-6671.



GarNat Engineering, LLC

Designing our client's success

Vernon Williams, P.E

President

P.O. Box 116 (72018)
406 W. South Street, Suite B
Benton, Arkansas 72015

OF: (501) 408-4650

MB: (501) 425-2771

FX: (888) 900-3068

garnatengineering@gmail.com

www.garnatengineering.com

No 40072

DATE 3/21 20 16

CITY OF BENTON, ARKANSAS
GENERAL FUND

RECEIVED OF [REDACTED]

FOR [REDACTED]

[REDACTED]

RECEIVED BY:

No 40073

DATE [REDACTED]

CITY OF BENTON, ARKANSAS
GENERAL FUND

RECEIVED OF [REDACTED]

FOR [REDACTED] \$105.00 (01-12-2016)

[REDACTED]

RECEIVED BY:

No 40074

DATE 3/21 20 16

CITY OF BENTON, ARKANSAS
GENERAL FUND

RECEIVED OF Eas Nat Engineering \$20.00

FOR Fourth Street Re-zoning App Fee

#2305

[Signature]

RECEIVED BY:

Proof of Publication

STATE OF ARKANSAS
County of Saline

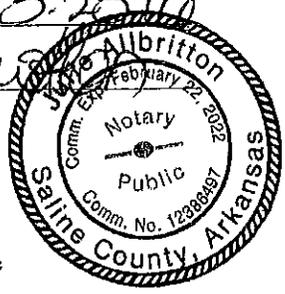
I, Maribeth Bueche, do solemnly swear that I am Legal Advertising Clerk for The Saline Courier, a daily newspaper printed in said county, and that I was such at the date of publication hereinafter stated, and that said newspaper had a bona fide circulation in such county at said dates, and has been regularly published in said county since the year 1876 before the date of the first publication of the advertisement hereto annexed, and that said advertisement was published in said newspaper 1 times for 1 issues, the first insertion therein having been made on 03-22-2016, and the last insertion on 03-22-2016.

Billed Account Harvet Engineering, LLC

Ad Number 79258

Maribeth Bueche
Legal Advertising Clerk

Sworn to and subscribed before me on 3-23-16
Julie Albritton
Notary Public



FEE FOR PRINTING

\$ 53.00 Cost of Notice
\$ 2.60 Cost of Proof
\$ 55.60 Total

Legal Notices

NOTICE

NOTICE is hereby given that a hearing will be held by the Planning & Zoning Commission of the City of Benton, Arkansas on Tuesday, the 12th day of April, 2016 at 6:00 p.m. at 114 South East Street on the petition of LNP Properties, LLC for rezoning the property located at 310 and 314 South Fourth Street on the following lands to wit: Part of the Southeast Quarter of Section 13, Township 2 South, Range 15 West, Saline County, Arkansas, more particularly described as follows: West half of Lots 16, 17, 18, and 19 of Block 5 of the Neelys Addition to the Town, now the City of Benton, Arkansas.

Said property is proposed to be rezoned from its current zone as single family residential to multi-family residential.

Certificate of Compliance With The
Real Estate Transfer Tax Law

FILED
SALINE COUNTY
CIRCUIT CLERK

The undersigned Grantee does hereby certify,
under penalty of false swearing, that the instrument
evidencing this conveyance requires no documentary
stamps as a gift with consideration of less than \$100.00.

2015 SEP 11 AM 11:37

Grantee: Jeffrey Nalley
L N P Properties, LLC
Jeffrey D. Nalley, Manager
711 Shenandoah
Benton, AR 72019

BY: JD

This Space for Recorder's Use Only

QUITCLAIM DEED

THIS DEED, made this 10th day of August, 2015, BETWEEN Patsy R. Nalley, the survivor of LeRoy Nalley and Patsy R. Nalley, Trustees of the LeRoy Nalley and Patsy R. Nalley Joint Revocable Trust ("Grantor") and L N P Properties, LLC, an Arkansas Limited Liability Company, ("Grantee"), whose address is 711 Shenandoah, Benton, AR 72019,

WITNESSETH, That Grantor, for and in consideration of the sum of ONE DOLLAR (\$1.00) to Grantor in hand paid by the Grantee, the receipt whereof is hereby confessed and acknowledged, has remised, released, sold, conveyed and Quitclaimed, and by these presents does remise, release, sell, convey and Quitclaim unto Grantee, its successors and assigns forever, all the right, title, interest, claim and demand which Grantor has in and to the following described real property situate, lying and being in the County of Saline and State of Arkansas to-wit:

Tract 1

A part of the Southeast Quarter of the Southeast Quarter of Section 33, Township 2 south, Range 13 West, and, a part of the North Half of the Northeast Quarter of Section 4, Township 3 South, Range 13 West, Saline County, Arkansas, being more particularly described as follows: Beginning at the Northeast corner of said Section 4; thence North 87 deg. 02 min. 34 sec. West 174.24 feet, along the North line of said Section 4 to the Southeast corner of said Section 33 and a set 1/2 inch rebar; thence North 03 deg. 04 min. 09 sec. East 71.43 feet to a point in the centerline of Miller Road right of way; thence North 89 deg. 47 min. 12 sec. West 44.49 feet, along said centerline to a point; thence South 02 deg. 53 min. 30 sec. West 69.30 feet to the North line of said Section 4; thence continue South 02 deg. 53 min. 30 sec. West 706.38 feet to a set 1/2 inch rebar; thence South 87 deg. 02 min. 34 sec. East 210.96 feet to a set 1/2 inch rebar in Miller Road right of way; thence North 03 deg. 30 min. 00 sec. East 706.41 feet, in Miller Road right of way, to the point of beginning, containing 3.55 acres, more or less. SUBJECT to an easement for Miller Road along the North line thereof, and, along the East line varying in width from 50 feet at the Northeast corner to 25 feet at the Southeast corner.

Tract 2

That part of the Northwest Quarter of the Southwest Quarter of Section 13, Twonship 1 South, Range 15 West, -more fully described as follows: Commencing at a big nail positioned at the Northwest corner of the Northwest Quarter of Southwest Quarter and run thence South 00 deg.

15 071267

15 071268

30 min. 00 sec. West along the West line thereof for 423.60 feet (Deed 420) to the Northwest corner of property describes in Saline County Deed Record Book 96 at Page 283 said point also being the point of beginning of property herein described; thence South 89 deg. 31 min. 50 sec. East along the North line of said property (Book 96 Page 283) for 257.83 feet to the Northwest corner of property described in Saline County Document Book 2000 Page 48238; thence South 00 deg. 29 min. 59 sec. West along the West line of said property (Document 2000 Page 48238) for 173.82 feet to the North line of property described in Saline County Document Book 1998 at Page 50989; thence South 89 deg. 53 min. 36 sec. West along the North line of said property (Document 1998 at Page 50989) for 257.85 feet to the West line of said Northwest Quarter of Southwest Quarter; thence North 0 deg. 30 min. 00 sec. East along the West line of Northwest Quarter of Southwest Quarter for 176.48 feet to the point of beginning.

Tract 3

A part of the Northwest Quarter of the Southwest Quarter of section 13, township 1 South, Range 15 West, Saline County, Arkansas, describes as follows: Commencing at the Southeast corner of the said Northwest Quarter of the Southwest Quarter and run thence North 89 deg. 53 min. 27 sec. West along the South boundary of said Northwest Quarter of Southwest Quarter a distance of 672.9 feet to the point of beginning; thence continue North 89 deg. 53 min. 27 sec. West a distance of 45.53 feet; thence North 00 deg. 57 min. 56 sec. East a distance of 600.00 feet; thence North 89 deg. 53 min. 27 sec. West a distance of 30.00 feet; thence North 00 deg. 57 min. 56 sec. East a distance of 311.66; thence South 89 deg. 04 min. 35 sec. East a distance of 500.39 feet; thence South 01 deg. 42 min. 24 sec. West a distance of 713.29 feet; thence South 89 deg. 05 min. 18 sec. West a distance of 148.03 feet; thence South 00 deg. 03 min. 59 sec. West a distance of 190.40 feet to the point of beginning containing 5.56 acres more or less.

LESS AND EXCEPT:

A part of the Northwest Quarter of the Southwest Quarter Section 13, Township 1 South, Range 15 West, Saline County, Arkansas, described as follows: Commencing at the Southeast corner of the said Northwest Quarter of the Southwest Quarter and run thence North 89 deg. 53 min. 27 sec. West along the South boundary line of said Northwest Quarter of the Southwest Quarter a distance of 672.9 feet; thence North 0 deg. 03 min. 59 sec. East 190.40 feet; thence North 89 deg. 05 min. 18 sec. East 83.03 feet to the point of beginning; thence continue North 89 deg. 05 min. 18 sec. East 65 feet; thence North 01 deg. 42 min. 24 sec. East 210 feet; thence south 89 deg. 05 min. 18 sec. West 65 feet; thence South 01 deg. 42 min. 24 sec. West 210 feet to the point of beginning.

Tract 4

The North 66.2 feet of the following described property: All that part of the Northwest Quarter of the Southwest Quarter of Section 13, Township 1 South, Range 15 West, more fully described as follows: Commencing at the Southwest corner of said Northwest Quarter of the Southwest Quarter and run thence North 0 deg. 0 min. East along the West line thereof for 525 feet to the point of beginning; thence North 0 deg. 0 min. East along the West line for 216.2 feet; thence North 89 deg. 58 min. 10 sec. East for 420 feet; thence South 0 deg. 0 min. East parallel with the West line thereof for 216.2 feet; thence South 89 deg. 58 min. 10 sec. West for 420 feet to the point of beginning.

Tract 5

15 071269

A part of the Northwest Quarter of the Southwest Quarter of Section 13, Township 1 South, Range 15 West, Saline County, Arkansas described as follows: Commencing at the Northwest corner of said Northwest Quarter of Southwest Quarter and run thence South 00 deg. 30 min. 00 sec. West, along the West line thereof for 423.79 feet; thence South 89 deg. 37 min. 07 sec. East 257.83 feet to the point of beginning; thence continue South 89 deg. 37 min. 07 sec. East, 161.71 feet to a found 5/8 inch rebar; thence South 00 deg. 26 min. 10 sec. West, 172.26 feet; South 89 deg. 49 min. 48 sec. West 161.91 feet; thence North 00 deg. 30 min. 00 sec. East, 173.82 feet to the point of beginning, containing 0.64 acres, more or less.

Tract 6

Beginning at a point 525 feet North of the Southwest corner of Northwest Quarter of Southwest Quarter, Section 13, Township 1 South, Range 15 West, and run thence North 150 feet; thence East 420 feet; thence South 150 feet; thence West 420 feet to the point of beginning.

Tract 7

All that part of the Northeast Quarter of Southeast Quarter of Section 5, Township 2 South, Range 15 West, which lies East of the County Road, more fully described as follows: Beginning at the Northeast corner of said Northeast Quarter of Southeast Quarter and run thence West 317.5 feet to the center of the Peeler Bend Road; thence Southeasterly along center of said road 548.4 feet to a point; thence North 429 feet to the point of beginning, containing 1 1/2 acres more or less.

Tract 8

All that part of Block 35, Original Town, now City of Benton, Saline County, Arkansas, described as follows: Beginning at a point 140 feet South of the Northwest corner of the said Block 35 and run thence North 48 feet; thence East 58 feet; thence South 48 feet; thence West 58 feet to the point of beginning.

Tract 9

Part of Block 35 of the Original Town, now City of Benton, Arkansas described as follows: Beginning at a point on the West line of said Block 35 that is 100 feet North of the Southwest corner thereof and from said point run thence East 140 feet; thence North 50 feet; thence West 90 feet; thence North 10 feet; thence West 50 feet to the West line of said Block 35; run thence South 60 feet to the point of beginning.

Tract 10

A part of the East Half of Block 39 of the Original City of Benton, Arkansas, more particularly described as follows: Beginning at a point 225 feet South of the Northeast corner of said Block 39 and running thence South 88.6 feet to a point which is 195 feet North of the Southeast corner of said Block; thence West for 150 feet; thence North 88.6 feet to a point which is due West of the point of beginning; thence East to the point of beginning, the above described lands being now Lot 8 of Block 39.

Tract 11

A part of Block 39 of the Original City of Benton, Arkansas, more particularly described as follows: Beginning 95 feet North of the Southeast corner of said Block 39; run thence North for 100 feet; run thence West for 150 feet; run thence South for 100 feet; run thence East for 150 feet to the point of beginning.

Tract 12

15 071270

Part of Block Thirty-nine, in the Original Town, now City of Benton, Arkansas, more particularly described as follows: Beginning at a point 150 feet East of the Southwest corner of Block 39; thence North 95.5 feet; thence East 150 feet; thence South 95.5 feet; thence West 150 feet to the point of beginning.

Tract 13

That part of Block 40 of Original Town, City of Benton, Arkansas, described as follows: Beginning at the Southwest corner of said Block and run thence North along the West line thereof, 100 feet for a point of beginning for the land herein conveyed and from said point run thence East 150 feet thence North 75 feet to street; thence West along said street, 150 feet to the West line of said Block; thence South 75 feet to the point of beginning.

Tract 14

That part of Block 40 of the Original Town, now City of Benton, Arkansas described as follows: Beginning at a point on the Easterly right-of way line of Main Street that is 408.30 feet in a Southerly direction from the Northwest corner of said Block 40; run thence in an Easterly direction parallel with the existing centerline of Vine Street for 150 feet; run thence South to a point that is 100.00 feet North of the South line of said Block 40; run thence West for 150.00 feet to the West line of said Block 40; run thence Northerly to the point of beginning.

Tract 15

All that part of Block 40 of the Original Town, now City of Benton, Arkansas, described as follows: Beginning at the Southwest corner of said Block 40; run thence North 50 feet; run thence East 135 feet; run thence South 50 feet; run thence West 135 feet to the point of beginning.

Tract 16

The North Half of Lots 10, 11 and 12, Block 45 of Allen's Addition to the City of Benton, Saline County, Arkansas.

Tract 17

The South Half of Lots 10, 11 and 12, Block 45 of Allen's Addition to the City of Benton, Saline County, Arkansas.

Tract 18

Lots 9 and 10, Block 51 of the Allen's Addition to the City of Benton, Saline County, Arkansas.

Tract 19

All of Lot 7, Block 57 of Allen's Addition to the City of Benton, Saline County, Arkansas, LESS and EXCEPT the South 60 feet thereof.

AND

All of Lot 8, Block 57 of Allen's Addition to the City of Benton, Saline County, Arkansas, LESS and EXCEPT the South 50 feet thereof.

Tract 20

The South 50 feet of Lots 7 and 8, Block 57 of Allen's Addition to the City of Benton, Saline County, Arkansas.

Tract 21

Lots 9 and 10, Block 57 of Allen's Addition to the town, now City of Benton, Saline County, Arkansas.

Tract 22

Lot 6, Block 58, Allen's Addition to the Town, now City of Benton, Saline County, Arkansas.

Tract 23

Lot 8, Block 9 of Cloud's Addition to the City of Benton, Arkansas.

Tract 24

Lot 9, 10 and 11, Block 9 of Cloud's Addition to the City of Benton, Arkansas.

Tract 25

That part of the Lot 2 of Highland Acres, being a subdivision of a part of the East Half of Section 18, Township 2 South, Range 14 West, Saline County, Arkansas described as follows: Commencing at a point 15 feet East of the Northwest corner of said Lot 2 and run thence South 200 feet; thence East 101 feet; thence North 200 feet to the Northeast corner of said Lot 2; thence West along the North line thereof for 101 feet to the point of beginning.

Tract 26

Lots 1, 2, and 3 of Block 9 of Hilliard's Addition to the City of Benton, Saline County, Arkansas.

Tract 27

Lots 32 and 33, Block 2 of Houston's Addition to the Town, now City of Benton, Saline County, Arkansas.

Tract 28

Lots 8 and 9 Block 3, Hughes Addition to the City of Benton, Saline County, Arkansas.

Tract 29

Lot 8, Block 1 of George R. Kelley's Second Addition to the City of Benton, Saline County Arkansas.

Tract 30

Lot 8, Block 1 of George R. Kelley's Second Addition to the City of Benton, Saline County Arkansas.

Tract 31

Lot 28, Mack Thomas Addition to the City of Benton, Saline County, Arkansas.

Tract 32

The West Half of Lots 16, 17, 18 and 19 Block 5 of Neeley's Addition to the Town, now the City of Benton, Arkansas.

Tract 33

All of Lot 8 and Part of Lots 9, 2 and 3 all in Block 11 of A.C. Speer's Second Addition to the City of Benton, Arkansas, more particularly described as follows: Beginning at the Northwest corner of Lot 8; thence North 89 deg. 21 min. 19 sec. East for a distance of 183.19 feet to a rebar on the north line of Lot 3; thence South 00 deg. 06 min. 01 sec. West for a distance of 64.06 feet to a rebar on the South line of the North 15.00 feet of Lot 2; thence South 89 deg. 05 min. 47 sec. West for a distance of 183.08 feet to a rebar on the South line of the North 15.00 feet of Lot 9; thence North 00 deg. 00 min. 00 sec. West for a distance of 64.89 feet to the point of beginning.

AND

The North 15 feet of Lot 2, Block 11, A.C. Speers Second Addition to the City of Benton, Saline County, Arkansas.

15 071271

Tract 34

Lots 6 and 7, Block 1 of White's Addition to the City of Benton, Saline County, Arkansas.

Tract 35

That part of the Northeast Quarter of the Southwest Quarter of Section 35, Township 1 South, Range 15 West, described as follows: Beginning at the Southeast corner of said Northeast Quarter of Southwest Quarter and run thence North along the East line of said Northeast Quarter of Southwest Quarter, 230 feet; thence West 190 feet; thence South 230 feet to the South line of said Northeast Quarter of Southwest Quarter; thence East 190 feet to the point of beginning, in Saline County, Arkansas.

Tract 36

That part of the Southeast Quarter of the Southwest Quarter of Section 35, Township 1 South, Range 15 West, described as follows: Beginning at the Northeast corner of said Southeast Quarter of Southwest Quarter and run thence West 212 feet along the North line of said Southeast Quarter of Southwest Quarter; thence South 462 feet; thence East 212 feet; thence North 462 feet to the point of beginning.

AND

That part of the East Half of the Southeast Quarter of the Southwest Quarter of Section 35, Township 1 South, Range 15 West, described as follows: Beginning at a point 354 feet East of the Northwest corner of said East Half of Southeast Quarter of Southwest Quarter of said Section, and from said point run thence South 462 feet; thence East 94 feet; thence North 462 feet; thence West 94 feet to the point of beginning, containing one acre more or less.

AND

Beginning at the Northeast corner of the Southeast Quarter of Southwest Quarter of Section 35, Township 1 South, Range 15 West, going South 462 feet to the point of beginning; thence West 306 feet; thence South 462 feet; thence East 306 feet; thence North 462 feet to the point of beginning, containing 3 acres more or less.

Tract 37

15 071272

A part of the Southwest Quarter of Northeast Quarter and Part of the Northwest Quarter of Southeast Quarter of Section 35, Township 1 South, Range 15 West, described as follows: Begin 260 feet South of the Northwest corner of Southeast Quarter of Section 35, Township 1 South, Range 15 West; thence East 185 feet; thence South 400 feet; thence South 89 deg. 22 min. East along fence 1118 feet to fence corner; thence Northerly along fence 576.3 feet; thence West 1069 feet; thence South 17 deg. 45 min. East 141 feet; thence West 291.7 feet; thence South 30 feet to point of beginning; containing 13.90 acres more or less.

LESS AND EXCEPT:

All that part of the Southwest Quarter of the Northeast Quarter and Part of the Northwest Quarter of the Southeast Quarter of Section 35, Township 1 South, Range 15 West, more fully described as follows: Commencing at the Northeast corner of the said Northwest Quarter of Southeast Quarter and run thence South 00 deg. East, along the East line thereof for 65.7 feet; thence North 90 deg. West, parallel with the North line said Northwest Quarter of Southeast Quarter for 470 feet to the point of beginning of land herein described; run thence South 00 deg. 59 min. East parallel with the East line said Northwest

Quarter of Southeast Quarter for 542 feet; thence South 89 deg. 50 min. 05 sec. West, for 646.71 feet; thence North 00 deg. East for 380 feet; thence South 89 deg. 57 min. 27 sec. East, for 100.67 feet; thence North 17 deg. 45 min. West, for 308.93 feet to the South line of Phase one Fox Ridge Addition to Benton, Arkansas, run thence South 87 deg. 34 min. 14 sec. East, along South line of Phase One for 648.62 feet; thence South 09 deg. 26 min. West for 104.6 feet to the point of beginning, containing 9.39 acres, more or less.

AND

All that part of the Northwest Quarter of the Southeast Quarter of Section 35, Township 1 South, Range 15 West, more fully described as follows: Commencing at the Northeast corner of said Northwest Quarter of Southeast Quarter and run thence South along the East line thereof for 25 feet to the Southeast corner of Fox Ridge Addition, Phase I, to the City of Benton, Arkansas, said point being the point of beginning of lands herein described; thence South 90 deg. West along the South line of said Fox Ridge Addition for 463.28 feet to the Southwest corner of Lot 19 of said Fox Ridge Addition, Phase I; thence South 9 deg. 26 min. West along the East line of Lot 54 of Fox Ridge Addition Phase II, to the City of Benton, Arkansas for 41.2 feet to the Northwest corner of property owned by Leroy Nailey; thence North 90 deg. East along the North line of property owned by Leroy Nailey for 470 feet more or less to a point that is 40.7 feet due South of the point of beginning; thence North for 40.7 feet to the point of beginning, containing 0.43 acres, more or less.

Tract 38

15 071273

15 071274

That part of the Northwest Quarter of the Southeast Quarter of Section 35, Township 1 South, Range 15 West, more fully described as follows: Commencing at the Southwest Corner of said Northwest Quarter of the Southeast Quarter and run thence North 00 deg. 00 min. 00 sec. East along the West line of said Northwest Quarter of the Southeast Quarter for 980.65 feet to the Northwest Corner of property described in Warranty Deed filed in Saline County, Arkansas, Document 02 28204, said point being the point of beginning of property herein described; thence continuing North 00 deg. 00 min. 00 sec. East along the West line of said Northwest Quarter of the Southeast Quarter for 119.74 feet to the Southwest corner of property described in a Warranty Deed filed for record in Deed Record Book 185 at page 100 in Saline County, Arkansas; thence South 89 deg. 54 min. 04 sec. East along the South line of said property (Book 185 page 100) for 187.14 feet to a point on the West line of Fox Ridge Addition Phase 2, to the City of Benton, Arkansas; thence South 00 deg. 00 min. 00 sec. East along the West line of said Fox Ridge Addition for 100.73 feet to the Northeast corner of said property (Doc 02 28204); thence South 84 deg. 17 min. 04 sec. West along the North line of said property (Doc 02 28204) for 187.69 feet to the point of beginning, containing 0.476 acres more or less.

Tract 39

That part of the Northwest Quarter of Southeast Quarter of Section 9, Township 2 South, Range 15 West, described as follows: Beginning at a point on the South line of said Northwest Quarter of Southeast Quarter 920 feet West of the Southeast corner thereof; thence South 15 deg. 45 min. West 22.5 feet to the North line of Highway 67-70; thence North 73 deg. 05 min. West along North line of said Highway for 182.5 feet to the point of beginning; thence North 31 deg. 15 min. East 163.2 feet; thence South 65 deg. 19 min. East 84.7 feet; thence South 82 deg. 16 min. East 29.4 feet; thence South 87 deg. 46 min. East 63 feet; thence North 04 deg. 36 min. East 128.85 feet; thence North 05 deg. 14 min. West 42 feet; thence North 10 deg. 49 min. East 136 feet; thence North 42 deg. 28 min. West 44.3 feet; thence North 70 deg. 08 min. West 57.1 feet; thence North 49 deg. 46 min. West 102.1 feet; thence South 49 deg. 15 min. West 43.8 feet; thence South 31 deg. 40 min. West 201.5 feet; thence South 56 deg. 35 min. East 85.9 feet; thence South 27 deg. 52 min. West 277.3 feet to the North line of said Highway; thence South 70 deg. 31 min. East along said North line of Highway 27.7 feet to the point of beginning, containing 2.2 acres more or less.

Tract 40

Part of the Southwest Quarter of Southeast Quarter and Part of the Northwest Quarter of Southeast Quarter of Section 9, Township 2 South, Range 15 West, described as follows: Beginning at a point on the South line of the said Northwest Quarter of Southeast Quarter that is 920 feet West of the Southeast corner of said Northwest Quarter of Southeast Quarter; thence South 15 deg. 45 min. West for 22.5 feet to North line of Highway; thence North 73 deg. 05 min. West along North line of Highway 19.8 feet to the point of beginning of land herein described; from said point run thence North 73 deg. 05 min. West along North line of Highway 162.7 feet; thence North 31 deg. 15 min. East for 163.2 feet; thence South 63 deg. 19 min. East 84.7 feet; thence South 82 deg. 16 min. East for 15 feet; thence in a Southerly direction 147 feet to the point of beginning.

Tract 41

That part of the Northeast Quarter of Southwest Quarter, Section 10, Township 2 South, Range 15 West, described as follows: Beginning at a point that is 207 feet West of a stake which is 8.75 chains East of the Northeast corner of the Northwest Quarter of Southwest Quarter, said Section 10 and from said point run thence West 50 feet; thence South 100 feet; thence East 50 feet; thence North 100 feet to the point of beginning.

Tract 41

That part of the Northeast Quarter of the Southwest Quarter, Section 10, Township 2 South, Range 15 West described as follows: Beginning at a point that is 410.5 feet East of the Northwest corner of said Northeast Quarter of Southwest Quarter and run thence South 285 feet for a point of beginning for the lands herein described and from said point run thence South 180 feet; thence West 50 feet; thence South 150 feet to North line of right of way of Highway 67; thence West along said Highway right of way 140.5 feet; thence North 165 feet; thence West 75 feet; thence North 5 feet; thence East 2 feet; thence North 160 feet; thence East 263.5 feet to the point of beginning.

Tract 42

A part of the Northeast Quarter of the Southwest Quarter, Section 10, Township 2 South, Range 15 West, described as follows: Beginning at a point that is 257 feet West of a stake which is 8.75 chains East of the Northeast corner of the Northwest Quarter of Southwest Quarter, said Section, Township and Range, and running thence South 100 feet; thence East 50 feet; thence South 128 feet; thence West 126.5 feet; thence North 228 feet; thence East 76.5 feet to the point of beginning.

Tract 43

That part of the Northeast Quarter of Southwest Quarter, Section 10, Township 2 South, Range 15 West, described as follows: Beginning at a point 595 feet South and 146.5 feet East of the Northwest corner of said Northeast Quarter of Southwest Quarter and from said point run thence East 75 feet; thence North 165 feet; thence West 75 feet; thence South 165 feet to the point of beginning.

Tract 44

All that part of the Northeast Quarter of Southwest Quarter, Section 10, Township 2 South, Range 15 West, Saline County, Arkansas, described as follows: Beginning at the point that 445 feet South and 410.5 feet East of the Northwest corner of said Northeast Quarter of Southwest Quarter and run thence South 150 feet to the North right of way line of West South Street; thence West along said right of way line 50 feet; thence North 150 feet; thence East 50 feet to the point of beginning.

Tract 45

15 071275

15 071276

All that part of the Northeast Quarter of Southwest Quarter, Section 10, Township 2 South, Range 15 West, Saline County, Arkansas, described as follows: Beginning at a point 147 feet East of the Northwest corner of said Northeast Quarter of Southwest Quarter of said Section 10, and run thence South, to a point 300 feet North of the North line of Highway #67, as said highway is now located; thence West 50 feet for a point of beginning for the land herein described; and, from said point, run thence West 50 feet; thence South 300 feet, more or less to said Highway #67; thence East 50 feet; thence North to the point of beginning.

And

All that part of the Northeast Quarter of the Southwest Quarter of Section 10, Township 2 South, Range 15 West, Saline County, Arkansas, described as follows: Beginning at a point that is 147 feet East of the Northwest corner of said Northeast Quarter of Southwest Quarter of said Section 10 and run thence South 583 feet, more or less, to Highway #67, as now located, for a point of beginning for the land herein described; and, from said point, run thence North 300 feet; thence West 50 feet; thence South 300 feet, more or less, to Highway #67; thence East 50 feet to the point of beginning.

Tract 46

That part of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter, Section 11, Township 2 South, Range 15 West, described as follows: Beginning at a point that is 3.21 1/2 chains North of the Southeast corner of said Northwest Quarter of Northwest Quarter of Northwest Quarter of said Section 11 and from said point run thence West 2.05 chains; thence South 50 feet; thence East 2.05 chains; thence North 50 feet to the point of beginning.

ALSO, that part of the Northwest Quarter of Northwest Quarter of Northwest Quarter, Section 11, Township 2 South, Range 15 West, described as follows: Beginning at a point that is 3.21 1/2 chains North of the Southeast corner of said Northwest Quarter of Northwest Quarter of Northwest Quarter of said Section 11 and from said point run thence West 2.05 chains; thence North along Street 5 feet; thence in an Easterly direction 2.05 chains to the point of beginning.

ALSO, that part of the North half of the Northwest Quarter of Northwest Quarter, Section 11, Township 2 South, Range 15 West, described as follows: Beginning at a point that is 162.19 feet North of the Southeast corner of Northwest Quarter of Northwest Quarter of Northwest Quarter, said Section 11 and run thence West 135.3 feet; thence South 12 feet; thence East 184.5 feet; thence North 12 feet; thence West 49.2 feet to the point of beginning.

ALSO, that part of the Northeast Quarter of Northwest Quarter of Northwest Quarter, Section 11, Township 2 South, Range 15 West, described as follows: Beginning at a point that is 3.21 1/2 chains North of the Southwest corner of said Northeast Quarter of Northwest Quarter of Northwest Quarter, said Section 11 and from said point run thence East 49.2 feet; thence South 50 feet; thence West 49.2 feet; thence North 50 feet to the point of beginning.

Tract 47

That part of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter, Section 11, Township 2 South, Range 15 West, described as follows: Beginning at a point that is 212.9 feet North of the Southeast corner of that said Northwest Quarter of the Northwest Quarter of the Northwest Quarter, said Section 11, and from said point run thence North 89 deg. 38 min. 44 sec. West 122.44 feet to the East line of Main Street; thence North along street 5 feet; thence South 84 deg. 28 min. 54 sec. East, 122.54 feet to the point of beginning.

Tract 48

That part of the Southeast Quarter of the Northwest Quarter, Section 14, Township 2 South, Range 15 West, described as follows: Beginning at a point that is 14 feet North and 37 feet West of the center corner of said Section 14 and from said point run thence West 94 feet; thence North 136.3 feet; thence East 94 feet; thence South 136.3 feet to the point of beginning.

Tract 49

Part of the Northwest Quarter of the Northeast Quarter of Section 15, Township 2 South, Range 15 West, described as follows: Beginning at a point that is 14.96 chains South of the Northeast corner of said Northwest Quarter of Northeast Quarter and run thence North 86 deg. West 700 feet for a point of beginning, and from said point of beginning, run thence North 86 deg. West 50 feet; thence North 167 feet; thence South 84 deg. East 50 feet; thence South 165 feet to the point of beginning.

Tract 50

That part of the Southwest Quarter of the Southeast Quarter, Section 32, Township 2 South, Range 15 West, described as follows: Commencing at the Southwest corner of Southwest Quarter of Southeast Quarter, thence North 100 feet; thence East 200 feet; thence South 100 feet; thence West 200 feet to the point of beginning. Subject to a 10 foot wide easement across the West boundary.

This conveyance is subject to all easements, rights of way, mineral leases, conveyances and reservations, that may be of record.

Being the same land conveyed to LeRoy Nalley and Patsy R. Nalley, Trustees of the LeRoy Nalley and Patsy R. Nalley Joint Revocable Trust, by Deed recorded in Deed Record Book 08, Page 104794, Saline County, Arkansas.

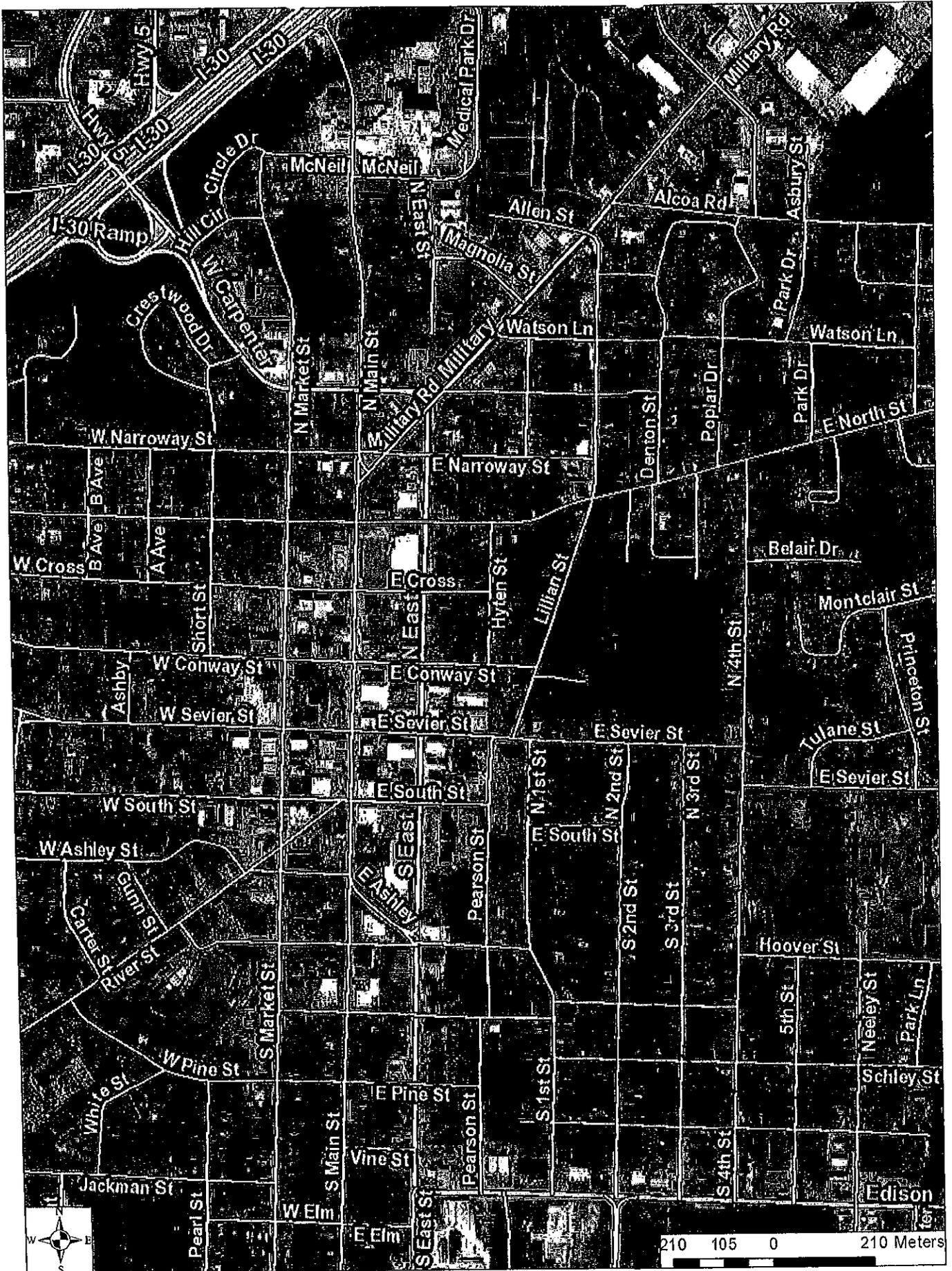
To Have and to Hold the Same, Together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of Grantor, either in law or equity, to the only proper use, benefit and behoof of Grantee, its successors and assigns forever.

In Witness Whereof, The Grantor has hereunto set her hand and seal the day and year first above written.

LeRoy Nalley and Patsy R. Nalley Joint Revocable Trust

By: Patsy R. Nalley
Patsy R. Nalley, Trustee

15 071277



Map labels include: Hwy 5, I-30, I-30 Ramp, Circle Dr, Hill Cir, W Carpenter, Cres Wood Dr, N Market St, N Main St, Military Rd, Medical Park Dr, McNeil, Allen St, Alcoa Rd, Military Rd, Asbury St, Park Dr, Watson Ln, E North St, E Narrowway St, Denton St, Poplar Dr, W Narrowway St, B Ave, A Ave, Short St, E Cross, Hyten St, Lillian St, Belair Dr, W Cross, W Conway St, E Conway St, N 4th St, Montclair St, Ashby, W Sevier St, E Sevier St, Tulane St, Princeton St, E Sevier St, W South St, E South St, N 1st St, N 2nd St, N 3rd St, W Ashley St, E Ashley, Pearson St, E South St, S 2nd St, S 3rd St, Hoover St, S 4th St, 5th St, Neeley St, Park Ln, Schley St, Edison, White St, W Pine St, S Market St, S Main St, E Pine St, Vine St, Pearson St, S 1st St, S East St, Jackman St, Pearl St, W Elm, S Elm, E Elm, S East St.

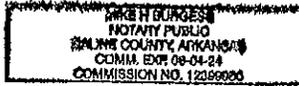


210 105 0 210 Meters

STATE OF ARKANSAS)

COUNTY OF *Saline*)

SS.



BE IT REMEMBERED, That on this day came before the undersigned, a Notary Public, within and for the County aforesaid, duly commissioned and acting, Patsy R. Nalley, to me well known, as the Grantor in the foregoing deed, and stated that she had executed the same for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public on this 3rd day of September, 2015.

My commission expires:

8/4/2024

Patsy R. Nalley

Notary Public

WHEN RECORDED MAIL TO:

L N P Properties, LLC
711 Shenandoah
Benton, AR 72019

Prepared by:
Patsy R. Nalley
711 Shenandoah
Benton, AR 72019

Document Filed for Record

In BK 15 PG 71267

SEP 11 2015

at 11:37 am

Myka Sample, Circuit Clerk

By *J. Sample* DC



15 071278

BENTON AR 72015

800-18050-000
HILL JOHN WAYNE
3512 CLOVER HILL LANE
BENTON AR 72015

800-18051-000
WILLIAMS LINDA G
221 S FOURTH ST
BENTON AR 72015

800-18052-000
ELROD GREGORY
227 S FOURTH STREET
BENTON AR 72015-4565

805-18713-000
HUDSPETH DELORES JEAN
REVOCABLE TRUST
2204 SOUTH FIRST ST
BENTON AR 72015

800-67821-000
HUDSPETH DELORES JEAN
REVOCABLE TRUST
2204 SOUTH FIRST ST
BENTON AR 72015

800-67820-000
PITTS BILLY BOB & MILDRED
307 S FOURTH ST
BENTON AR 72015-4546

800-67819-000
LNP PROPERTIES, LLC
711 SHENANDOAH
BENTON AR 72019

800-67818-000 AFB LLC 8312
REYMERIE LITTLE ROCK AR 72227

E MAPLE
ST

4TH
STREET

805-18668-000
CITY OF BENTON
PO BOX 607
BENTON AR 72018-0607



805-18663-000
CITY OF BENTON PARK
PO BOX 607
BENTON AR 72018-0607

HOOVER
ST

800-48989-000
DOWNING PHYLLIS
6819 WEST 65TH STREET
LITTLE ROCK AR 72209

800-48970-000
EAST SIDE BAPTIST CHURCH
311 FIFTH STREET
BENTON AR 72015-4515

800-48968-000
LNP PROPERTIES,
LLC
711 SHENANDOAH
BENTON AR 72019

800-48967-000
WRIGHT BOB
199 WRIGHT RD
BENTON AR 72015

800-48971-000
EAST SIDE BAPTIST CHURCH
311 FIFTH STREET
BENTON AR 72015-4515

PROPERTY
LOCATION

800-48966-000 LNP
PROPERTIES, LLC 711
SHENANDOAH BENTON
AR 72019

800-48965-000
WRIGHT BOB
199 WRIGHT RD
BENTON AR 72015

800-48972-000
EAST SIDE BAPTIST CHURCH
311 FIFTH STREET
BENTON AR 72015-4515

800-48973-000
HARRELL RUBY J REVOCABLE TRUST
317 FIFTH ST
BENTON AR 72015

800-48984-000
COUTO EUSTORGIO MARIA &
OBDULIA
6377 MCCLENDON LOOP
BENTON AR 72019

800-48974-000
WARRICK GRANVILLE & SHIRLEY C
412 WOODLAND DR
BENTON AR 72019

800-48963-000
STAGGS JERRY & DONNA TRUSTEES
SKAGGS LIVING TRUST
5636 AMBER CIR N BENTON AR
72015-8916

800-48975-000
MABRY INA DEAN
344 TURTLE CREEK ROAD BENTON
AR 72015-6464

800-48962-000
MCPHERSON JACQUELINE MARIE
324 S FOURTH ST
BENTON AR 72015

GNE

Designing our client's success

GarNat Engineering, LLC

P.O. Box 116 (72018)
406 W. South St., Suite B
Benton, AR 72015

Ph (501) 408-4650
Fx (888) 900-3068
garnatengineering@gmail.com

PROJECT:

4TH STREET RE-ZONE
LNP PROPERTIES, LLC
BENTON, ARKANSAS

SHEET TITLE:

VICINITY MAP

DATE:

MARCH 2016

SCALE:

1" = 60'

SHEET:

N/A

JOB #:

16011

BASEMAP:

7013 3020 0002 0590 8468

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Total Postage & Fees	\$6.74	



Sent To: Varbrough Ethel L
 Street, Apt. No., or PO Box No.: 218 third st.
 City, State, ZIP+4: BENTON AR 72015

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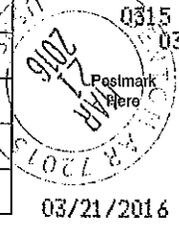
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Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	



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 Street, Apt. No., or PO Box No.: 8701 I-30 Apt. 9D
 City, State, ZIP+4: Little Rock AR 72209

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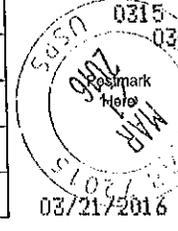
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Sent To: Jayce Joyce E
 Street, Apt. No., or PO Box No.: 20608 Crested Butte dr
 City, State, ZIP+4: Little Rock AR 72210

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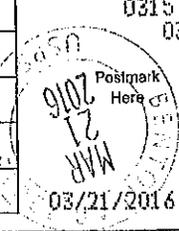
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Total Postage & Fees	\$6.74	



Sent To: Toledo Pedro & Marissa Toledo & Alejo Solis
 Street, Apt. No., or PO Box No.: 325 Fifth St.
 City, State, ZIP+4: Benton, AR 72015

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Total Postage & Fees	\$6.74



Sent To: Woodall Florina
 Street, Apt. No., or PO Box No.: 614 Schley St.
 City, State, ZIP+4: Benton AR 72015

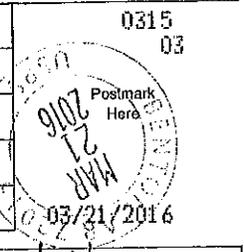
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 Street, Apt. No., or PO Box No.: 7972 Gourdneck valley rd.
 City, State, ZIP+4: MALVERN AR 72104

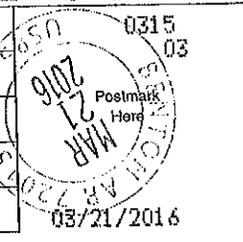
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Sent To: Young Brian K
 Street, Apt. No., or PO Box No.: 26924 Cardinal circle
 City, State, ZIP+4: Mabelvale AR 72103

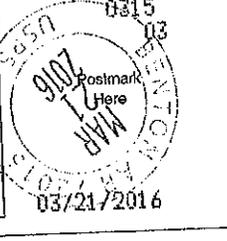
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Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.74



Sent To: AFB LLC
 Street, Apt. No., or PO Box No.: 8312 Reymere
 City, State, ZIP+4: Little Rock AR 72227

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Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.74



Sent To: Moore Mark Anthony
 Street, Apt. No., or PO Box No.: 322 south third st.
 City, State, ZIP+4: Benton AR 72015

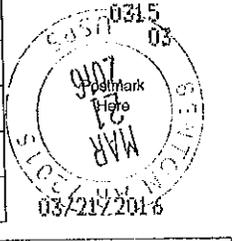
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HARKER HEIGHTS TX 76548
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Postage	\$2.80
Certified Fee	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.74



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 Street, Apt. No., or PO Box No.: 2004 Rose Circle
 City, State, ZIP+4: Harker Heights TX 76548

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Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.74

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Sent To: Trustee of the Robbie Moseley Clark
 Street, Apt. No., or PO Box No. 242 North Lakewood
 City, State, ZIP+4 Benton AR 72015

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Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.74

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Sent To: Rinberger Lyla
 Street, Apt. No., or PO Box No. 117 South Courth. St.
 City, State, ZIP+4 Benton AR 72015

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BENTON AR 72015
OFFICIAL USE

Certified Mail Fee	\$3.45
Postage	\$0.49
Total Postage and Fees	\$6.74

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 \$0.00

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Sent To: Pascual-Esquivel Jose Fermín
 Street and Apt. No., or PO Box No. 723 S main st.
 City, State, ZIP+4 Benton AR 72015

PS Form 3800, April 2015 PSN 7530-02-000-0047 See Reverse for Instructions

7015 1660 0000 8370 2916

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BENTON AR 72015
OFFICIAL USE

Certified Mail Fee	\$3.45
Postage	\$0.49
Total Postage and Fees	\$6.74

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 \$0.00

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 Street and Apt. No., or PO Box No. 111 W WALNUT
 City, State, ZIP+4 Benton AR 72015

PS Form 3800, April 2015 PSN 7530-02-000-0047 See Reverse for Instructions

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 Domestic Mail Only

For delivery information, visit our website at www.usps.com

MALVERN AR 72104
OFFICIAL USE

Certified Mail Fee	\$3.45
Postage	\$0.49
Total Postage and Fees	\$6.74

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 \$0.00

Postmark Here: MAR 21 2016 03/21/2016

Sent To: Reed Robert & Judith
 Street and Apt. No., or PO Box No. 7422 Gourdspeck Valley rd.
 City, State, ZIP+4 Malvern AR 72104

PS Form 3800, April 2015 PSN 7530-02-000-0047 See Reverse for Instructions

7013 3020 0002 0590 8252

U.S. Postal Service™
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For delivery information visit our website at www.usps.com

GARLAND TX 75041
OFFICIAL USE

Postage	\$3.45
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.74

Postmark Here: MAR 21 2016 03/21/2016

Sent To: Marcus N. Cruz
 Street, Apt. No., or PO Box No. 213 Newcastle dr.
 City, State, ZIP+4 Garland TX 75041

PS Form 3800, August 2006 See Reverse for Instructions

U.S. Postal Service™
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For delivery information visit our website at www.usps.com

MAHELVALE, AR 72103
OFFICIAL USE

Postage	\$3.45	0315
Certified Fee	\$2.80	03
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	

Sent to Paulette Brandy L.
 Street, Apt. No., or PO Box No. P.O. Box 248
 City, State, ZIP+4 Mahelvale AR 72103
 PS Form 3800, August 2006 See Reverse for Instructions

7013 3020 0002 0590 8451

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For delivery information visit our website at www.usps.com

BENTON, AR 72015
OFFICIAL USE

Postage	\$3.45	0315
Certified Fee	\$2.80	03
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	

Sent to Hudspeth Delores Jean (Revocable Trust)
 Street, Apt. No., or PO Box No. 2204 South First St.
 City, State, ZIP+4 Benton AR 72015
 PS Form 3800, August 2006 See Reverse for Instructions

7013 3020 0002 0590 8368

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BENTON, AR 72015
OFFICIAL USE

Postage	\$3.45	0315
Certified Fee	\$2.80	03
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	

Sent to Mabry INA DEAN
 Street, Apt. No., or PO Box No. 344 Turtle creek road
 City, State, ZIP+4 Benton, AR 72015
 PS Form 3800, August 2006 See Reverse for Instructions

7012 3020 0002 0590 8126

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BENTON, AR 72015
OFFICIAL USE

Certified Mail Fee	\$3.45	0315
Extra Services & Fees (check box, add fee as appropriate)	\$2.80	03
<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	\$0.49	
Total Postage and Fees	\$6.74	

Sent to Crews John & Mary
 Street and Apt. No., or PO Box No. 5313 Hwy 35
 City, State, ZIP+4 BENTON AR 72015
 PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 1660 0000 8370 2626

U.S. Postal Service™
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For delivery information, visit our website at www.usps.com

DULUTH, GA 30097
OFFICIAL USE

Certified Mail Fee	\$3.45	0315
Extra Services & Fees (check box, add fee as appropriate)	\$2.80	03
<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	\$0.49	
Total Postage and Fees	\$6.74	

Sent to Shelmut Conrad & Shirley
 Street, Apt. No., or PO Box No. 1003 Quaker Ridgeway
 City, State, ZIP+4 Duluth, GA 30097
 PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 1660 0000 8370 3045

U.S. Postal Service™
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BENTON, AR 72015
OFFICIAL USE

Postage	\$3.45	0315
Certified Fee	\$2.80	03
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	

Sent to Elrod Gregory
 Street, Apt. No., or PO Box No. 2275 Fourth st.
 City, State, ZIP+4 BENTON AR 72015
 PS Form 3800, August 2006 See Reverse for Instructions

7013 3020 0002 0590 8376

7013 2250 0001 2364 2174

U.S. Postal Service™
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BENTON, AR 72019

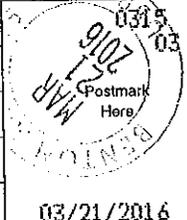
OFFICIAL USE

Postage	\$3.45	\$2.80
Certified Fee	\$0.00	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00	\$0.00
Total Postage & Fees	\$0.49	\$6.74

03/21/2016

Sent To: Warrick Granville & Shirley C (Trustees)
 Street, Apt. No., or PO Box No.: 412 Woodland dr.
 City, State, ZIP+4: BENTON AR 72019

PS Form 3800, August 2006 See Reverse for Instructions



7013 3020 0002 0590 8178

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BENTON, AR 72015

OFFICIAL USE

Postage	\$3.45	\$2.80
Certified Fee	\$0.00	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00	\$0.00
Total Postage & Fees	\$0.49	\$6.74

03/21/2016

Sent To: Harrell Ruby J Revocable Trust
 Street, Apt. No., or PO Box No.: 317 Fifth St.
 City, State, ZIP+4: BENTON AR 72015

PS Form 3800, August 2006 See Reverse for Instructions



7014 1200 0000 5155 0131

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BENTON, AR 72015

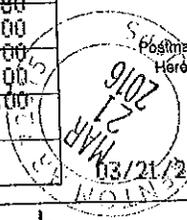
OFFICIAL USE

Postage	\$3.45	\$2.80
Certified Fee	\$0.00	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00	\$0.00
Total Postage & Fees	\$0.49	\$6.74

03/21/2016

Sent To: Johnston Ernest
 Street, Apt. No., or PO Box No.: 322 Fifth St.
 City, State, ZIP+4: BENTON AR 72015

PS Form 3800, August 2006 See Reverse for Instructions



7013 3020 0002 0590 8161

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BENTON, AR 72019

OFFICIAL USE

Postage	\$3.45	\$2.80
Certified Fee	\$0.00	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00	\$0.00
Total Postage & Fees	\$0.49	\$6.74

03/21/2016

Sent To: Sharp Randy & Gracie
 Street, Apt. No., or PO Box No.: 7403 Muscadine Ln.
 City, State, ZIP+4: BENTON AR 72019

PS Form 3800, August 2006 See Reverse for Instructions



7014 1200 0000 0590 8158

U.S. Postal Service™
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For delivery information visit our website at www.usps.com

BRYANT, AR 72089

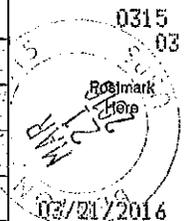
OFFICIAL USE

Postage	\$3.45	\$2.80
Certified Fee	\$0.00	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00	\$0.00
Total Postage & Fees	\$0.49	\$6.74

03/21/2016

Sent To: AG Investments LLC
 Street, Apt. No., or PO Box No.: P.O. Box 824
 City, State, ZIP+4: BRYANT AR 72089

PS Form 3800, August 2006 See Reverse for Instructions



7014 1200 0000 5155 0030

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BENTON, AR 72015

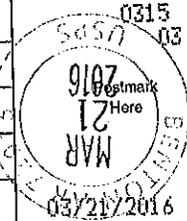
OFFICIAL USE

Postage	\$3.45	\$2.80
Certified Fee	\$0.00	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00	\$0.00
Total Postage & Fees	\$0.49	\$6.74

03/21/2016

Sent To: Farley Douglas & April
 Street, Apt. No., or PO Box No.: 326 Fifth St.
 City, State, ZIP+4: BENTON AR 72015

PS Form 3800, August 2006 See Reverse for Instructions



7014 1200 0000 5155 0117

U.S. Postal Service™
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OFFICIAL USE

Postage	\$2.80	0315
Certified Fee	\$0.00	03
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	

Sent To: **US BANK NATIONAL ASSOC.**
 Street, Apt. No., or PO Box No. **3476 Stateview blvd.**
 City, State, ZIP+4 **Ft. Mill, S.C. 29715**

PS Form 3800, August 2006 See Reverse for Instructions

7013 3020 0002 0590 8277

U.S. Postal Service™
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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.49	0315
Certified Fee	2.80 3.45	03
Return Receipt Fee (Endorsement Required)	2.80	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$6.74	

Sent To: **Couto Eustorgio Maria & Obdulia**
 Street, Apt. No., or PO Box No. **6377 McCendon Loop**
 City, State, ZIP+4 **Benton AR. 72019**

PS Form 3800, August 2006 See Reverse for Instructions

7013 3020 0002 0590 8307

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$2.80	0315
Certified Fee	\$0.00	03
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	

Sent To: **Styles Alfred V & Dorothy (Trustees Family Trust)**
 Street, Apt. No., or PO Box No. **7082 Congo rd.**
 City, State, ZIP+4 **Benton AR. 72019**

PS Form 3800, August 2006 See Reverse for Instructions

5489 0650 2000 0590 8345

U.S. Postal Service™
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OFFICIAL USE

Postage	\$3.45	0315
Certified Fee	\$2.80	03
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	

Sent To: **Elrod Richard LE; Retha Mae Elrod**
 Street, Apt. No., or PO Box No. **301 Turtle Creek rd.**
 City, State, ZIP+4 **Benton AR. 72015**

PS Form 3800, August 2006 See Reverse for Instructions

7014 1200 0000 5155 0120

U.S. Postal Service™
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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$3.45	0315
Certified Fee	\$2.80	03
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	

Sent To: **Nivens Ashley L.**
 Street, Apt. No., or PO Box No. **318 Fifth St.**
 City, State, ZIP+4 **Benton AR. 72015**

PS Form 3800, August 2006 See Reverse for Instructions

7013 3020 0002 0590 8297

U.S. Postal Service™
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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$3.45	0315
Certified Fee	\$2.80	03
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	

Sent To: **Mohrson Jacqueline Marie**
 Street, Apt. No., or PO Box No. **3245 Fourth st.**
 City, State, ZIP+4 **Benton AR. 72015**

PS Form 3800, August 2006 See Reverse for Instructions

7013 3020 0002 0590 8437

U.S. Postal Service™
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BENTON, AR 72015 OFFICIAL USE

Postage	\$2.80
Certified Fee	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.74



Sent To: Beard J & Lula B
 Street, Apt. No., or PO Box No. 417 South Fourth St.
 City, State, ZIP+4 Benton AR 72015

PS Form 3800, August 2006 See Reverse for Instructions

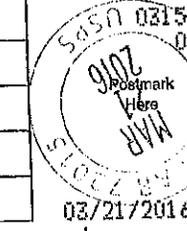
0698 3020 0002 0590 8390

U.S. Postal Service™
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(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

BENTON, AR 72015 OFFICIAL USE

Postage	\$2.80
Certified Fee	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.74



Sent To: Pitts Billy Bob & Mildred
 Street, Apt. No., or PO Box No. 307 S Fourth St.
 City, State, ZIP+4 Benton AR 72015

PS Form 3800, August 2006 See Reverse for Instructions

7013 3020 0002 0590 8352

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BENTON, AR 72015 OFFICIAL USE

Postage	\$2.80
Certified Fee	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.74



Sent To: Hill John Wayne
 Street, Apt. No., or PO Box No. 3512 Clover Hill Lane
 City, State, ZIP+4 Benton AR 72015

PS Form 3800, August 2006 See Reverse for Instructions

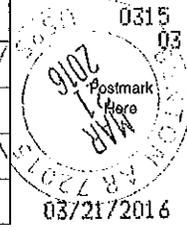
0202 4822 1000 2384 2020

U.S. Postal Service™
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BENTON, AR 72015 OFFICIAL USE

Postage	\$2.80
Certified Fee	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.74



Sent To: Cummings Karen M.
 Street, Apt. No., or PO Box No. 613 East Maple St.
 City, State, ZIP+4 Benton AR 72015

PS Form 3800, August 2006 See Reverse for Instructions

2228 0650 2000 0002 0590 8222

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BENTON, AR 72015 OFFICIAL USE

Postage	\$2.80
Certified Fee	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.74



Sent To: Luera Bacilio D & Carlos Ibarra
 Street, Apt. No., or PO Box No. 415 Fifth St.
 City, State, ZIP+4 Benton AR 72015

PS Form 3800, August 2006 See Reverse for Instructions

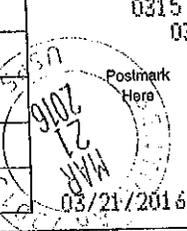
5125 0650 2000 0002 0590 8215

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For delivery information visit our website at www.usps.com

BENTON, AR 72015 OFFICIAL USE

Postage	\$2.80
Certified Fee	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.74



Sent To: Hogue Robert Stewart & Donna G
 Street, Apt. No., or PO Box No. 13 Azalea Cir
 City, State, ZIP+4 Benton, AR 72019

PS Form 3800, August 2006 See Reverse for Instructions

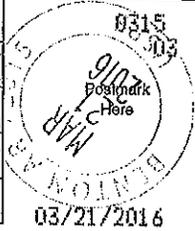
7013 3020 0002 0590 8284

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BENTON AR 72015 OFFICIAL USE

Postage	\$3.15	\$2.80
Certified Fee	\$0.00	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00	\$0.00
Total Postage & Fees	\$0.49	\$6.74



Sent To: Staggs Jerry & Donna (Trustees) SKAGGS Living Trust
Street, Apt. No., or PO Box No.: 5636 Amber Cir. N.
City, State, ZIP+4: Benton AR 72015

PS Form 3800, August 2006 See Reverse for Instructions

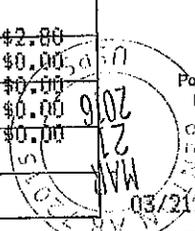
7013 3020 0002 0590 8246

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For delivery information visit our website at www.usps.com

BENTON AR 72015 OFFICIAL USE

Postage	\$3.15	\$2.80
Certified Fee	\$0.00	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00	\$0.00
Total Postage & Fees	\$0.49	\$6.74



Sent To: Wright Bob
Street, Apt. No., or PO Box No.: 199 Wright rd.
City, State, ZIP+4: Benton AR 72015

PS Form 3800, August 2006 See Reverse for Instructions

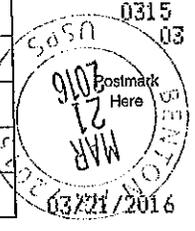
7013 3020 0002 0590 8229

U.S. Postal Service™
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For delivery information visit our website at www.usps.com

LITTLE ROCK AR 72099 OFFICIAL USE

Postage	\$3.15	\$2.80
Certified Fee	\$0.00	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00	\$0.00
Total Postage & Fees	\$0.49	\$6.74



Sent To: Downing Phyllis
Street, Apt. No., or PO Box No.: 6819 West 65th St.
City, State, ZIP+4: Little Rock AR 72099

PS Form 3800, August 2006 See Reverse for Instructions

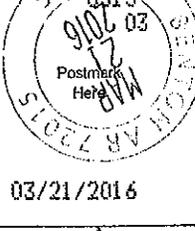
7014 1200 0000 5175 0101

U.S. Postal Service™
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For delivery information visit our website at www.usps.com

BENTON AR 72015 OFFICIAL USE

Postage	\$3.15	\$2.80
Certified Fee	\$0.00	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00	\$0.00
Total Postage & Fees	\$0.49	\$6.74



Sent To: East side Baptist church
Street, Apt. No., or PO Box No.: 311 Fifth street
City, State, ZIP+4: Benton, AR 72015

PS Form 3800, August 2006 See Reverse for Instructions

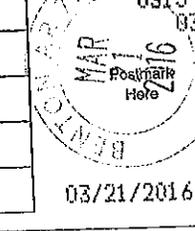
7014 1200 0000 5175 0094

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BENTON AR 72015 OFFICIAL USE

Postage	\$3.15	\$2.80
Certified Fee	\$0.00	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00	\$0.00
Total Postage & Fees	\$0.49	\$6.74



Sent To: City of Benton
Street, Apt. No., or PO Box No.: P.O. Box 607
City, State, ZIP+4: Benton, AR 72018

PS Form 3800, August 2006 See Reverse for Instructions

ORDINANCE NO. 23 OF 2016

**AN ORDINANCE REZONING CERTAIN LAND IN THE CITY OF BENTON,
SALINE COUNTY, ARKANSAS; DECLARING AN EMERGENCY;
AND FOR OTHER PURPOSES**

WHEREAS, an application for a change in Zone District Boundaries was filed with the Planning Commission of the City of Benton, Arkansas, by The Estate of Mary Frances Withem, requesting that the hereinafter described property, currently in an Single Family Residential R1-7.5, be changed to a Commercial Neighborhood District (CN), and

WHEREAS, the Planning Commission ordered a public hearing to be held on the 12th day of April, 2016 at 6:00 o'clock P.M., for the purposes of hearing said Application, that notice of said hearing having been published in a newspaper having a bona fide circulation in Saline County, Arkansas, evidence having been submitted that all property owners or lessees within 300 feet of the property hereinafter described having either consented to or been notified of said hearing and at said hearing the Planning Commission resolved to recommend to the City Council of the City of Benton, that the Application for Change in Zone District Boundaries be granted.

WHEREAS, the City Council of the city of Benton desires to Change the Zone District of said property from a Single Family Residential R1-7.5 to a Commercial Neighborhood District (CN).

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BENTON, ARKANSAS:

SECTION 1. The following described property is hereby rezoned from Single Family Residential R1-7.5 to a Commercial Neighborhood District (CN), said property described as follows, to-wit:

Legal Description: A part of the Northeast Quarter of the Northwest Quarter of Northwest Quarter of Section 11, Township 2 South, Range 15 West, more particularly described as follows: Beginning at a point 60 feet North and 50 feet East of the Southwest corner of said Northeast Quarter of Northwest Quarter and from said point run thence East 160 feet; thence North 150 feet; thence West 160 feet; thence South 150 feet to the point of beginning in the City of Benton, Saline County, Arkansas.

SECTION 2. The City Council, having found that the immediate rezoning of this property will allow and facilitate development and will be a benefit to the local economy, hereby declares an emergency and this Ordinance shall be in full force and effect after its passage and approval.

PASSED AND APPROVED, this _____ day of May, 2016.

MAYOR

ATTEST:

City Clerk

DESIGNATED FOR PUBLICATION

CITY OF BENTON
COMMUNITY DEVELOPMENT DEPARTMENT

David Vondran, P.E.
Director | City Engineer
Phone: (501) 776-5938
Email: dvondran@bentonar.org



114 South East Street
Benton, Arkansas 72015
Fax: (501) 776-5922
Web: www.bentonar.org

MEMORANDUM

TO: Pam Gibson, Chair
Planning & Zoning Commission

FROM: Jon Underwood, City Planner
Community Development

DATE: 01 April 2016

RE: Rezone request for 810 N. East Street
Single-Family Residential (R1-7.5) to Central Commercial (CC).

Staff has concerns about driveway and parking location, setbacks, pedestrian elements, and building (demolition or remodel). Staff believes that (CN) Commercial Neighborhood is more appropriate zone for this property. Most requirements have been met for this rezone and documentation is attached and fees have been received.

Please contact the Community Development office if we may be of further assistance.

DATE SUBMITTED _____
DATE OF NEXT MEETING _____
AD MUST RUN NOT LATER THAN _____

APPLICATION FOR CHANGE IN ZONE DISTRICT BOUNDARIES NO. ____
(Please use ink or typewriter)

TO THE BENTON, ARKANSAS PLANNING COMMISSION:

Applicant's Name The Estate of Mary Frances Withem

Addresse of subject property: 810 N East Street, Benton, Arkansas 72015.

Legal description of subject property is as follows:

A part of the Northeast Quarter of the Northwest Quarter of Northwest Quarter of Section 11, Township 2 South, Range 15 West, more particularly described as follows: Beginning at a point 60 feet North and 50 feet East of the Southwest corner of said Northeast Quarter of Northwest Quarter and from said point run thence East 160 feet; thence North 150 feet; thence West 160 feet; thence South 150 feet to the point of beginning in the City of Benton, Saline County, Arkansas.

It is requested that the above described property currently in a Single Family Residential R1-7.5 be changed to a Central Commercial (CC).

Attached hereto as a part of this application as follows:

- (1) An accurate scale drawing of the site and the surrounding area for a minimum distance of three hundred (300) feet from each boundary of the site showing the locations of existing streets, property lines and the names of the recorded legal owners of all properties shown on the drawing. (15 copies of vicinity map enclosed)
- (2) Evidence of Title. Warranty Deed from Luresse Crawford to Mary Frances Withem dated January 20, 1947 and filed on January 28, 1947 and recorded in Deed Book 46 at Page 332 and Warranty Deed from Luresse Crawford to Mary Frances Withem dated April 21, 1943 and filed on April 30, 1943 and recorded in Deed Book 38 at Page 242.
- (3) GSI drawing of property
- (4) Names and addresses of all owners within 300 feet of the premises
- (5) Copy of Notice
- (6) Letter of Intent
- (7) Proposed Ordinance

I hereby certify that I am the owner of the property identified in this application; or, that I am the authorized agent for the Estate of Mary Frances Withem Estate who is the owner of said property; or, to the best of my knowledge and belief is true and correct.

The Estate of Mary Frances Withem

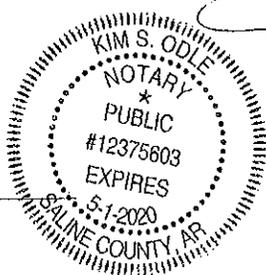
By: 
Fred E. Briner - Executor

Mailing Address: 422 North Main Street
Benton, AR 72015

Phone Number: 501-778-2328

Subscribed and certified to me this 1 day of April, 2016.

May 1, 2020
My Commission Expires




Notary Public

Receipt Number

Planning Department Representative

NOTE: This application need not be filed in person at the office of the Planning Commission, however, when filing is by mail or second party, the signature must be notarized.

LETTER OF INTENT

April 1, 2016

To the Benton City Planning Commission:

It is my intent to rezone 810 N East Street, Benton, Arkansas, 72015 for the purpose of changing from Single Family Residential R1-7.5 to a zoning for commercial purposes. Therefore, I am requesting that the above named property be rezoned for Central Commercial (CC).

It is my intent to have the same property be re-zoned for Central Commercial (CC)

Sincerely,


Fred E. Briner -Executor of
The Estate of Mary Frances Withem
422 North Main Street
Benton, AR 72015

NOTICE

Notice is hereby given that a hearing will be held by the Planning Commission of the City of Benton, Arkansas, on the 12th day April, 2016, at 6:00 p.m. at 114 South East Street, Benton, Arkansas, for rezoning to a Central Commercial Zone Purpose (CC), the following described lands, to-wit:

A part of the Northeast Quarter of the Northwest Quarter of Northwest Quarter of Section 11, Township 2 South, Range 15 West, more particularly described as follows: Beginning at a point 60 feet North and 50 feet East of the Southwest corner of said Northeast Quarter of Northwest Quarter and from said point run thence East 160 feet; thence North 150 feet; thence West 160 feet; thence South 150 feet to the point of beginning in the City of Benton, Saline County, Arkansas.

(Property located at 810 N. East Street, Benton, Arkansas, 72015)

This 24 day of March, 2016.

Mary Frances Withem Estate

By: 
Fred E. Briner - Executor

Prepared by:
Fred E. Briner P.A.
Fred E. Briner
Attorney at Law
422 North Main Street
Benton, AR 72015

NO 40088

DATE 03-24 20 16

CITY OF BENTON, ARKANSAS
GENERAL FUND

RECEIVED OF Fred Briner \$ 30.00

FOR Rezone App. Fee for 810 N. East St.

Res 11.5 to CC
check #26964 D-M Rumba

RECEIVED BY:

Proof of Publication

STATE OF ARKANSAS
County of Saline

I, Maribeth Bueche, do solemnly swear that I am Legal Advertising Clerk for The Saline Courier, a daily newspaper printed in said county, and that I was such at the date of publication hereinafter stated, and that said newspaper had a bona fide circulation in such county at said dates, and has been regularly published in said county since the year 1876 before the date of the first publication of the advertisement hereto annexed, and that said advertisement was published in said newspaper 1 times for 1 issues, the first insertion therein having been made on 03-25-2016, and the last insertion on 03-25-2016.

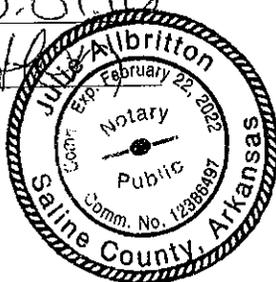
Billed Account Briner Law Firm

Ad Number 74369

Maribeth Bueche
Legal Advertising Clerk

Sworn to and subscribed before me on 3-31-16

Julie Albritton
Notary Public



FEE FOR PRINTING

\$ 73.80 Cost of Notice

\$ 2.60 Cost of Proof

\$ 76.40 Total

Legal Notices

NOTICE

NOTICE is hereby given that a hearing will be held by the Planning Commission of the City of Benton, Arkansas, on the 12th day April, 2016, at 6:00 p.m. at 114 South East Street, Benton, Arkansas, for rezoning to a Central Commercial Zone Purpose (CC), the following described lands, to-wit:

A part of the Northeast Quarter of the Northwest Quarter of Northwest Quarter of Section 11, Township 2 South, Range 15 West, more particularly described as follows: Beginning at a point 60 feet North and 50 feet East of the Southwest corner of said Northeast Quarter of Northwest Quarter and from said point run thence East 160 feet; thence North 150 feet; thence West 160 feet; thence South 150 feet; to the point of beginning in the City of Benton, Saline County, Arkansas. (Property located at 810 N. East Street, Benton, Arkansas, 72015)

This 24th day of March, 2016

Mary Frances Withem, Estate
By: Fred E. Briner, Executor

Prepared by: Fred E. Briner, P.A.

Fred E. Briner, Attorney at Law

422 North Main Street, Benton, AR 72015

BOOK
38

LURESE CRAWFORD

TO

MARY FRANCES WITHEM

WARRANTY DEED; WITH RELINQUISHMENT OF DOWER

KNOW ALL MEN BY THESE PRESENTS: That I, Luresa Crawford
do hereby grant, bargain, sell and convey unto her for and in consideration of the sum of
Two Hundred Thirty DOLLARS,
cash in hand paid by Mary Frances Withem the receipt of which sum is hereby acknowledged,

do hereby grant, bargain, sell and convey unto her Mary Frances Withem
and unto her heirs and assigns forever; the following lands, lying in the County of Saline, and State of Arkansas, to-wit:

A part of the Northeast quarter of the Northwest quarter of the North-
west quarter, of Section 11, Township 2 South, Range 15 West, more
particularly described as follows: Beginning at a point 110 feet
North and 50 feet East of the Southwest corner of said Northeast
quarter of Northwest quarter of Northwest quarter, and from said
point run thence East 160 feet; thence North 100 feet; thence West
160 feet; thence South 100 feet to the place of beginning.

TO HAVE AND TO HOLD the same unto the said Mary Frances Withem

and unto her heirs and assigns, forever, with all appurtenances thereunto belonging.
AND I hereby covenant with said Mary Frances Withem
that I will forever warrant and defend the title to the said lands against all lawful claims whatever.

WITNESS our hands and seals, on this 21st day of April 1943.
Mrs. Luresa Crawford (L. S.)
(L. S.)
(L. S.)
(L. S.)

ACKNOWLEDGMENT

STATE OF ARKANSAS, }
County of Saline } ss.
BE IT REMEMBERED, That on this day came before me, the undersigned, a Notary Public within
and for the County aforesaid, duly commissioned and acting Luresa Crawford
to me well known as the grantor. In the
foregoing Deed, and stated that she had executed the same for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public on this 21st day of April A. D. 1943

(SEAL) My commission expires December 6, 1944. Ernest Briner
Notary Public

Filed for record on this 29 day of April 1943, at 3:40 o'clock P. M.

Recorded on this 30 day of April 1943.
Leo Herzfeld Clerk and Recorder.

By Virginia Ballard D. C.

IN THE CIRCUIT COURT OF SALINE COUNTY, ARKANSAS

PROBATE DIVISION

IN THE MATTER OF THE ESTATE
OF MARY FRANCES WITHEM, DECEASED

No. PD 2001-392-1

LETTERS TESTAMENTARY

BE IT KNOWN:

That Fred E. Briner, whose address is 422 North Main Street, Benton, Arkansas 72015, having been appointed Executor of the Estate of Mary Frances Withem, deceased, who died on or about October 12, 2001, and having qualified as such Executor, is hereby authorized to act as such Executor for and in behalf of the Estate and to take possession of the property thereof as authorized by law.

ISSUED this 7 day of November, 2001.

FREDDY BURTON, CLERK

By: *Janice Gabbett*
Deputy Clerk

STATE OF ARKANSAS
COUNTY OF SALINE

(SEAL) I HEREBY CERTIFY THAT THIS IS A TRUE COPY
OF THE ORIGINAL INSTRUMENT FILED IN THIS OFFICE.

Diana Curtis COUNTY CLERK
3/24/2016 Deputy Clerk
Date

Fred E. Briner, P.A., Attorney at Law, 422 North Main Street, Benton, AR 72015

G:\WPDATA\probate\2-WITHEM.pet.bd

Ee
659



(REZONE REQUEST) "810 N. EAST ST"
 FROM R1-7.5 TO Central Commercial
 FOR: AUDIOLOGIST OFFICE/CLINIC SPACE

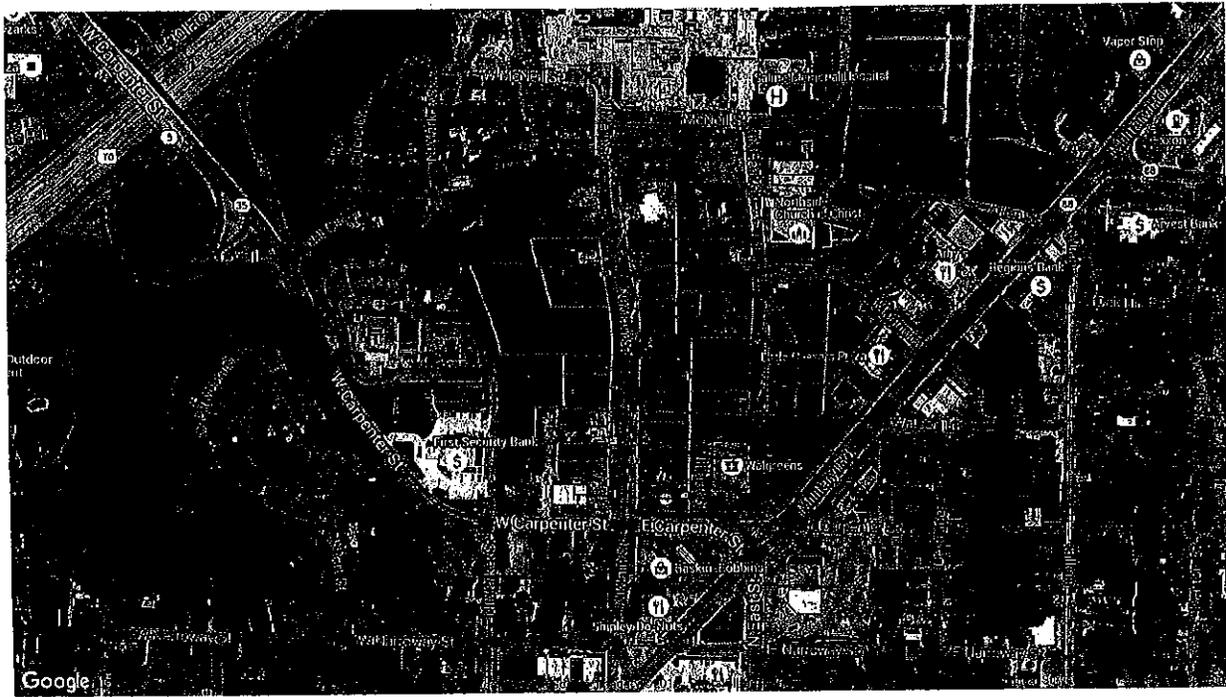
WITHEM MARY FRANCES

810 N EAST ST
BENTON, AR 72015

9

- Basic
- Land
- Sales
- Valuation
- Taxes
- Receivables
- Improvements
- Map View

▲ Please Note
This map is for reference purposes only. It is not intended for use as a legal survey or document.



Solix NVA Center
805-18521-000

Waller
805-18508-000

Ivy
805-18522-000

Moore
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Bragg
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Shannon
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North Market Street LLC
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Caldwell
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Earhart
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Burks
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LNP Graphics
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CARD EATED

Main Street

Output

WITHEM MARY FRANCES

810 N EAST ST
BENTON, AR 72015



- [Basic](#)
- [Land](#)
- [Sales](#)
- [Valuation](#)
- [Taxes](#)
- [Receipts](#)
- [Improvements](#)
- [Map View](#)

Basic Info

Parcel Number:	805-18498-000
County Name:	Saline County
Ownership Information:	WITHEM MARY FRANCES 128 F G JONES ROAD MALVERN AR 72104
Property Address:	WITHEM MARY FRANCES 810 N EAST ST BENTON, AR 72015 Map This Address
Billing Information :	WITHEM MARY FRANCES 128 F G JONES ROAD MALVERN, AR 72104
Total Acres:	0.55
Timber Acres:	0.00
Sec-Twp-Rng:	11-02S-15W
Lo/Block:	/
Subdivision:	
Legal Description:	PT NENW 160'X 150' 046-332
School District:	082 BENTON/BENTON
Homestead Parcel?:	No
Tax Status:	Taxable
Over 65?:	No

Recorded Legal Owners of Surrounding Area of 300 feet

- Parcel #805-18521-000 – Saline County Medical Center, 1 Medical Park Drive, Benton, AR 72015
Parcel #805-18509-000 – Allen and Teresa Middlebrooks, 2200 Mountain View Road, Benton, AR 72015
Parcel #805-18522-000-Mary Ann Ivy, 818 North Main St., Benton, AR 72015
Parcel #805-18518-000 – Dorothy Moore, 814 North Main St., Benton, AR 72015
Parcel #805-18512-000- Earl and Rachel Bragg, 814 North Main St., Benton, AR 72015
Parcel #805-18519-000 & #805-18517-000- Viola Shannon, 806 North Main St., Benton, AR 72015
Parcel #805-18516-000 & #805-18533-000- Alan and Sari Shannon, 727 North Main St., Benton, AR 72015
Parcel #800-50542-000 & #800-50542-001-Clay and Sharon Brashears, 1088 North Hills Road, Benton, AR 72019
Parcel #800-50544-000-SST 716 LLC, 2123 West Colonel Glenn Road, Little Rock, AR 72210
Parcel #800-50547-000-Charles Brown, P. O. Box 254, Benton, AR 72018
Parcel #800-50548-000 & #800-50550-000-RS and CS Properties LLC, 113 West Carpenter, Benton AR, 72015
Parcel #800-50540-000 & #800-50541-000-City of Benton, P.O. Box 607, Benton, AR 72018
Parcel #800-50537-000-Castle Investments LLC, P.O. Box 30519, Little Rock, AR 72260
Parcel #800-50534-000-Karla Cochran, 719 N. Main Street, Benton, AR 72015
Parcel #800-50535-000- Star Tex LC, P.O. Box 1159, Deerfield, IL 60015
Parcel #805-18505-000- Billy and Donna Wright, P.O. Box 1829, Benton, AR 72018
Parcel #805-18514-000 & #800-75822-000-LNP Properties LLC, 711 Shenandoah, Benton, AR 72019
Parcel #805-18528-000-J. Scott Chiarizzio Revocable Trust, 25 Southshore Cove, Maumelle, AR 72113
Parcel #805-18520-000-KAJA Holdings 2 LLC, P.O. Box 488, Columbia, SC 29202-0488
Parcel #805-18507-000-Ronald Beckwith and Elizabeth Rankin, 1107 Angel Drive, Alexander, AR 72002
Parcel #805-18506-000-Bob and Helen McClard, 347 Deroche Lane, Bismarck, AR 71929
Parcel #800-75832-000-North Market Street LLC, P.O. Box 2577, Benton, AR 72018
Parcel #800-75833-000- J. D. and Audrey Caldwell, 906 N. East Street, Benton, AR 72015
Parcel #800-75828-000- Harry Earhart Revocable Trust, P.O. Box 8035, Jacksonville, AR 72078
Parcel #800-75830-000- John and Maria Cox, 3730 Saint Peter Court, North Las Vegas, NV 89031
Parcel # 800-75831-000- Carl Burks, 816 DeSoto Place, Benton, AR 72015
Parcel #805-18504-000, #805-18487-001, #805-18487-000, #805-18485-000, #800-75826-000,
Parcel #800-75825-000, #800-75824-000- Northside Church of Christ, 917 N. East Street, Benton, AR 72015
Parcel #800-75823-000-Guy and Jennie Standridge, 212 Lonsdale Cutoff Road, Lonsdale, AR 72087
Parcel #800-75827-000 – Fred and Jo Ellen La Master, 519 Teresa Drive, Benton, AR 72019
Parcel #800-75819-000 & #800-75820-000- Lloyd and Judy Brown, 1321 Churchill Drive, Benton, AR 72019
Parcel #800-75821-000-Stafford Investment Properties, LLC-19837 Hwy 67, Malvern, AR 72104

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Re: **Rezoning Petition**

Property located in the City of Benton is being considered for re-zoning from Single Family Residential 11.5 Zone District to Central Commercial Zone District (CC). The property is more particularly described as follows:

A part of the Northeast Quarter of the Northwest Quarter of Northwest Quarter of Section 11, Township 2 South, Range 15 West, more particularly described as follows: Beginning at a point 60 feet North and 50 feet East of the Southwest corner of said Northeast Quarter of Northwest Quarter and from said point run thence East 160 feet; thence North 150 feet; thence West 160 feet; thence South 150 feet to the point of beginning in the City of Benton, Saline County, Arkansas.

A petition has been filed with the City of Benton Planning Commission to re-zone the property. As a part of this process, a public hearing will be held April 12, 2016 at 6:00 p.m. at 114 South East Street, Benton, Arkansas 72015. Public comments will be accepted at that time regarding this re-zoning. Since you own property within 300 feet of the tract in consideration, you have been mailed this letter via certified mail as required by city ordinance.

Should you have any questions regarding this matter, you may contact the City of Benton or the office of Briner Law Firm at 778-2328. Thank you for your consideration in this matter.

Sincerely,

Briner Law Firm

7015 0920 0002 1959 9889

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only
For delivery information, visit our website at www.usps.com®
OFFICIAL USE

Postage	\$.485	Postmark Here MAR 24 2015 BENTON AR 72015
Certified Fee	3.45	
Return Receipt Fee (Endorsement Required)	2.80	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.735	

Sent To Saline County Medical Center
 Street & Apt. No. or PO Box No. 1 Medical Park Drive
 City, State, ZIP+4 Benton, AR 72015
 PS Form 3800, July 2014 See Reverse for Instructions

7015 0920 0002 1959 9872

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only
For delivery information, visit our website at www.usps.com®
OFFICIAL USE

Postage	\$.485	Postmark Here MAR 24 2015
Certified Fee	3.45	
Return Receipt Fee (Endorsement Required)	2.80	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.735	

Sent To Allen and Teresa Middlebrooks
 Street & Apt. No. or PO Box No. 2200 Mountain View Rd
 City, State, ZIP+4 Benton AR 72015
 PS Form 3800, July 2014 See Reverse for Instructions

7015 0920 0002 1959 9773

U.S. Postal Service™
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For delivery information, visit our website at www.usps.com®
OFFICIAL USE

Postage	\$.485	Postmark Here
Certified Fee	3.45	
Return Receipt Fee (Endorsement Required)	2.80	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.735	

Sent To Fred and Jo Ellen LaMaster
 Street & Apt. No. or PO Box No. 519 Teresa Drive
 City, State, ZIP+4 Benton, AR 72019
 PS Form 3800, July 2014 See Reverse for Instructions

7015 0920 0002 1959 9759

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only
For delivery information, visit our website at www.usps.com®
OFFICIAL USE

Postage	\$.485	Postmark Here
Certified Fee	3.45	
Return Receipt Fee (Endorsement Required)	2.80	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.735	

Sent To Northside Church of Christ
 Street & Apt. No. or PO Box No. 917 N. East St
 City, State, ZIP+4 Benton AR 72015
 PS Form 3800, July 2014 See Reverse for Instructions

7015 0920 0002 1959 9780

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only
For delivery information, visit our website at www.usps.com®
OFFICIAL USE

Postage	\$.485	Postmark Here
Certified Fee	3.45	
Return Receipt Fee (Endorsement Required)	2.80	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.735	

Sent To Stafford Investment Properties LLC
 Street & Apt. No. or PO Box No. 19837 Hwy 67
 City, State, ZIP+4 Malvern, AR 72104
 PS Form 3800, July 2014 See Reverse for Instructions

7015 0920 0002 1959 9766

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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 or PO Box No. 816 Desoto Place
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 or PO Box No. P.O. Box 2572
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Sent To J. D. and Audrey Caldwell
 Street & Apt. No.,
 or PO Box No. 906 N. East Street
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 Street & Apt. No.,
 or PO Box No. P.O. Box 8035
 City, State, ZIP+4 Jacksonville, AR 72078
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Sent To Bob and Helen McClard
 Street & Apt. No.,
 or PO Box No. 347 Deroche Lane
 City, State, ZIP+4 Bismarck, AR 71929
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Sent To David Berkwith and Elizabeth Rankin
 Street & Apt. No. or PO Box No. 1107 Ange / Drive
 City, State, ZIP+4 Alexander AR 72002

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Sent To Billy and Donna Wright
 Street & Apt. No. or PO Box No. P.O. Box 1829
 City, State, ZIP+4 Benton AR 72018

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 City, State, ZIP+4 Deerfield, IL 60015

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Sent To Karla Cochran
 Street & Apt. No. or PO Box No. 719 N. main Street
 City, State, ZIP+4 Benton AR 72015

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Sent To KAJA Holdings, LLC
 Street & Apt. No. or PO Box No. P.O. Box 488
 City, State, ZIP+4 Columbia, SC 29202-0488

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Sent To Scott Chiarizzio Percable Ins
 Street & Apt. No. or PO Box No. 25 Southshore Cove
 City, State, ZIP+4 Maumelle, AR 72113

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Restricted Delivery Fee (Endorsement Required)		
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Sent To LNP Properties LLC
 Street & Apt. No. or PO Box No. 711 Sherandoah
 City, State, ZIP+4 Benton, AR 72019
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Sent To Charles Brown
 Street & Apt. No. or PO Box No. P.O. Box 234
 City, State, ZIP+4 Benton, AR 72018
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Sent To SST 716 LLC
 Street & Apt. No. or PO Box No. 2123 West Colonel Glenn Rd
 City, State, ZIP+4 Little Rock, AR 72210
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Sent To Clay and Sharon Braustears
 Street & Apt. No. or PO Box No. 1088 North Hills Road
 City, State, ZIP+4 Benton, AR 72019
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Sent To RS and CS Properties LLC
 Street & Apt. No. or PO Box No. 113 West Carpenter
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Sent To City of Benton
 Street & Apt. No. or PO Box No. P.O. Box 607
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Restricted Delivery Fee (Endorsement Required)		
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Sent To Castle Investments LLC
 Street & Apt. No. or PO Box No. P.O. Box 30519
 City, State, ZIP+4 Little Rock AR 72260

PS Form 3800, July 2014 See Reverse for Instructions

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Return Receipt Fee (Endorsement Required)	2.80	
Restricted Delivery Fee (Endorsement Required)		
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Sent To Dorothy Moore
 Street & Apt. No. or PO Box No. 814 North Main Street
 City, State, ZIP+4 Benton AR 72015

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Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$ 2.80	
<input type="checkbox"/> Return Receipt (electronic)	\$	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
Postage	\$ 1.05	
Total Postage and Fees	\$ 6.735	

Sent To Alan and Sari Shannon
 Street & Apt. No. or PO Box No. 127 North Main Street
 City, State, ZIP+4 Benton AR 72015

PS Form 3800, April 2015 PSN 7530-02-000-0047 See Reverse for Instructions

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Sent To Viola Shannon
 Street & Apt. No. or PO Box No. 806 North Main Street
 City, State, ZIP+4 Benton AR 72015

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Sent To Mary Ann Ivey
 Street & Apt. No. or PO Box No. 818 North Main Street
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Sent To Earl and Rachel Bragg
 Street & Apt. No. or PO Box No. 814 North Main St
 City, State, ZIP+4 Benton AR 72015

PS Form 3800, July 2014 See Reverse for Instructions

Ordinance No. 24 of 2016

AN ORDINANCE AMENDING ORDINANCE 3 OF 2016 WHICH ESTABLISHED OPERATING PROCEDURES FOR PORTABLE FOOD TRUCKS; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Benton adopted curtailed procedures for the licensing of food trucks in the city; and

WHEREAS, it has been determined these procedures should be amended to better mirror the requirements of prepared food establishments.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Benton, Arkansas, that:

SECTION 1. Section 2 of Ordinance 3 of 2016 shall be amended to read as follows:

Unless a food truck vendor maintains an A&P tax permit for a restaurant located within the city, all food truck vendors shall obtain a Food Truck Vending Permit in order to sell any prepared foods or beverages within the city. In order to obtain a permit, the food truck vendor must present the following documents to the A&P:

1. A city privilege license
2. Sales tax permit from the State of Arkansas.
3. Health Department permit

SECTION 2. Any business which has paid the \$100.00 permit fee in order to obtain a permit shall receive a refund, as recommended by the A&P Commission.

SECTION 3. Because there is an urgent need to modify the existing procedures regulating food trucks within the city, an emergency is declared and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2016.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

DESIGNATED FOR PUBLICATION