



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

PLANNING COMMISSION AGENDA

January 24, 2022

**A meeting of the Farmington Planning Commission will be held on
Monday, *January 24, 2022*, at 6:00 p.m. at City Hall
354 W. Main Street, Farmington, Arkansas.**

1. Roll Call
2. Approval of the minutes –December 28, 2021
3. Comments from Citizens – the Planning Commission will hear brief comments at this time from citizens. No action will be taken. All comments will be taken under advisement.
4. **PUBLIC HEARINGS**
 - A. **Review the proposed sidewalk ordinance**
 - B. **Rezoning** –From R-1 to C-2
Property owned by: Matthew Goff
Property Location: 12425 Bethel Blacktop
Presented by: Joseph Odima

Planning Commission Minutes December 28, 2021 at 6 PM

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

PRESENT

Robert Mann, Chair
Chad Ball
Gerry Harris
Judy Horne
Keith Macedo - online
Jay Moore - online

ABSENT

Howard Carter – faulty Zoom connection
Bobby Wilson

City Employees Present: Melissa McCarville, City Business Manager; Rick Bramall, City Building Inspector; Chris Brackett, City Engineer; Mayor Ernie Penn; Steve Tennant, City Attorney

2. **Approval of Minutes:** November 22, 2021 meeting minutes were approved as written.

3. **Comments from Citizens:** none

Public Hearings:

Chairman Mann determined which agenda items had the most citizens' interest. Judy Horne moved to change the order of agenda items, taking 4E. and 4G. first to clear the room faster. Chad Ball seconded motion which passed unanimously.

4E. Rezoning—From R-1 to R-O; Property located at 12245 Highway 62 (by entry to Twin Falls); owned by Coyle Enterprises; represented by Mark Beaver.

Mark Beaver said the property is under contract to build a law office. In answer to Keith Macedo, he explained that although their original rezone request was for C-1, this created confusion and rumors so they asked to rezone to R-O which narrows what could be put on that property. He assured that the building will not be a metal-siding building. This office will be a bit larger than the existing Everett law office.

Melissa McCarville said the property was platted while still in the County and this front part was C-2. Owner rezoned to R-1 because there is no sewer connection there and septic would not support a large commercial operation. So whatever goes in there will be limited due to this fact.

Judy Horne read from the zoning ordinance some allowed R-O uses which are more limited than commercial zones. Chad Ball noted R-O setbacks: Front – 50'; Side – 20'; Rear – 30'; lot frontage – 100'

Keith Macedo explained that the Commission wants to protect how our community looks but we are limited a great deal by state laws passed by the Arkansas legislature.

Public Comment:

Hope Jones, 1635 Cannondale, Fayetteville, recently purchased the property adjacent to this property to build a home. They are concerned about the aesthetics and want assurance that a professional office will be built there.

Seneca Peterson, 504 Twin Falls Drive, owns the property behind the current lawyer's office. She had signatures of 82 Twin Falls residents who oppose this rezoning from R-1 to R-O. The Farmington school bus stops at that property and she is concerned about the safety of children near the law office clientele. It was suggested that she discuss the bus stop with the School Administration.

David Richardson, 503 Twin Falls Drive, lives directly behind the property. Melissa answered to him that R-O is much less invasive and would have to have smaller offices. Chad Ball read the R-O description:

"The purpose of the Residential-Office District is to provide areas within the city for the placement of offices or offices and residential in combination; to recognize existing offices and in some cases encourage their expansion and to provide a transition use from residential to commercial. Permitted and conditional uses are listed in the attached chart." (Judy Horne had read from this list previously.)

Ken Bishop, 490 Twin Falls Drive, was told that one of the current law office attorneys plans to build in this location. Also, the Planning Commission makes a decision at this meeting, then City Council must vote on it at their next meeting January 10 at 6 PM. Twin Falls residents may attend to express their wishes and concerns but no official notification to them is required by law.

Tiffany Woodmansee, 12498 Jim Brooks Road, has moved here from another state and loves the beauty and serenity of Twin Falls and is concerned about dangerous situations that can occur at law offices such as fatal shootings.

Jill Toering, 306 Claybrook Drive, was told that no bill of assurance could be attached to a rezoning issue; also that is something a developer has to be willing to provide; a city can't require it.

Tommy Johnson, 441 Driftwood Drive, asked if Twin Falls' restrictive covenants and architectural requirements could be applied to a building in R-O zone. City Attorney Tennant said this was a good question and could be explored by Twin Falls' legal representative. The City cannot enforce covenants.

Chairman Mann called for question to rezone the property from R-1 to R-O and upon roll call vote was 5 YES and 0 NO votes. Motion passed.

4G. Large Scale – Avance Storage – Property owner Gary Nichols; Location – 700 W Main Street; Presented by Bates and Associates, Inc. representative Jake Chavis.

Mr. Chavis had no opening statement. Chris Brackett read his suggested conditions for approval:

"The Large Scale Development for the Avance Storage has been reviewed and it is my opinion that the Planning Commission's approval should be conditional on the following comments.

1. The fire flow, fire hydrant and fire lane locations must be reviewed and approved by the Farmington Fire Department prior to construction plan approval.
2. The water and sewer improvements must be reviewed and approved by the City of Fayetteville Engineering Department and the Arkansas Department of Health prior to construction plan approval.
3. Submit two (2) copies of the filed easement plat prior to construction plan approval. A copy of the proposed easement plat shall be submitted to KMS for review and approval prior to signatures.
4. A sign permit will be required for the construction of the freestanding sign shown.
5. A completed Grading Permit Application and fee must be submitted to the City prior to final approval of the construction plans. A preconstruction conference will be required prior to any grading on the site. The owner, their engineering consultant, and the contractor responsible for the best management practices will be required to attend this conference.

6. After a final review set of plans and drainage report have been approved by KMS, the applicant shall submit to the City two (2) sets of the full size plans and three (3) sets of the half size plans, and two (2) copies of the final drainage report that have been sealed by the engineer of record for final approval and distribution.”

Mr. Chavis agreed to the City Engineer’s conditions. In answer to a question about dedication of street right of way to the City to someday extend Grace Lane north of Highway 62, he said he had met with Mayor Penn, Melissa McCarville, and Chris Brackett to discuss where the location should be. It is understood that the location that goes behind this property is the best one for City purposes. This extension is on the Master Transportation Plan as a North-South connector to Rhea’s Mill Road which could make it easier for parents to pick up children at multiple schools. When dedicated to the City, they will maintain the dedicated area.

Public Comment:

Paul Phillips, 12771 Tyler Road, had sent an e-mail to commissioners expressing his concerns about a proposed street going directly behind Kelli Street residents, the effect on future sales of his property on both sides of this property, and concerns for adverse effect on Ruby Road residents.

Randy Schlesener, 12838 Ruby Road, was concerned about water erosion on his property. Engineer Brackett said this property drains southwest. Also by law, water problems can’t be made worse by the new construction; also sometimes new construction actually improves water flooding.

Pastor Robert Phelps, 750 W Main was also concerned about flooding and showed photos of flooding. He said long-time residents say flooding does get worse with new construction.

Nova Phillips, 12771 Tyler Road, said if Grace Lane is built as shown it will devalue their property more than the original plan which would also be an asset for Ruby Road.

Robert Renz, 331 Kelli was also opposed to the proposed street dedication.

Jeff Crowder, 410 Adams, Lincoln, is employed by Washington County Road Department and asked City Engineer for a copy of the drainage report.

Chairman Mann called for question to approve Large Scale Development for Avance Storage contingent upon City Engineer’s conditions. Upon roll call vote, motion passed unanimously with 5 YES votes and 0 NO votes.

4A. Variance – Bethel Elm Subdivision – Waive Street Improvements Requirement; Property owner – MRS Enterprises, LLC; Location – SE of intersection of Little Elm Rd and Bethel Blacktop; Presented by Blew & Associates representative Jorge DuQuesne.

Mr. DuQuesne said Jeff Crowder had sent an e-mail stating they plan updates to Little Elm (22’) and Bethel Blacktop (22 – 24’ next year. Also, the dangerous intersection will be addressed. The NE corner has a big drop-off.

Mayor Penn reminded that 2022 is an election year and with changes in County administration, is there any assurance these road improvements will be done. He hoped for a written agreement from the County; however, because County government supersedes City government, there can be no binding

agreement. However, the City can ask for certain things regarding subdivisions built in our planning area which includes sidewalks.

Chad Ball noted that variances are supposed to be granted only when there is “undue hardship”. He requested Planning Commission receive a State legal opinion on exactly what cities in Arkansas can demand of developments in planning area.

Public Comment:

Al Harris, 12688 Bethel Blacktop Rd, said when this area is annexed by the City, we will bear the expense of improvements at that time if we don’t get the improvements approved now.

Chairman Mann called question to approve the Bethel Elm Subdivision Variance request to waive street improvements. Upon roll call vote, motion failed: YES - 0 and NO – 5 votes.

4B. Preliminary Plat – Bethel Elm Subdivision – Property owner – MRS Enterprises, LLC; Location – SE of intersection of Little Elm Rd and Bethel Blacktop; Presented by Blew & Associates representative Jorge DuQuesne.

Chris Brackett read the suggested conditions for approval of this subdivision:

“The Preliminary Plat for the Bethel Elm Subdivision has been reviewed and it is my opinion that the Planning Commission’s approval should be conditional on the following comments.

1. The fire hydrant locations shown on the plat and the utility plans must be reviewed and approved by the Fire Department.
2. The water improvements must be reviewed and approved by Washington Water Authority and the Arkansas Department of Health prior to any construction activities.
3. If the variance fails, Little Elm Road and Bethel Blacktop Road must be improved along the frontage to Minor Arterial Standards as per the Farmington Master Transportation Plan.”

Chad Ball moved, seconded by Judy Horne, to table this until the January 2022 meeting so Commission can get an opinion from City Attorney Tennant regarding whether City can ask to at least get right of way dedication for a future sidewalk that City would build. Upon roll call vote, motion failed. No: Moore, Macedo, Harris; Yes: Ball, Horne.

Chairman Mann called for question on approval of Bethel Elm Subdivision, contingent upon meeting conditions set forth by City Engineer Brackett. Upon roll call vote there were 4 YES votes and 1 NO vote by Chad Ball.

4C. Variance – Telecommunications Tower – Allow monopole to have an external antenna array and not internal antennas; Property owner – SCI Wireless; Location – SE of corner of N Kimberley St & Lossing St; Presented by Greg Farris

Greg Farris summarized: City code requires all towers have internal antennas but also encourages co-location of antennas. An internal antenna limits to 3 antennas and so prevents co-location. Most 5G carriers are seeking co-location towers. Also, coverage is cut in half by internal antennas so there will be increased requests for towers. He estimated a new cell tower request in near future and four in 2-3 years. Even though external towers are more visible, this more isolated location is in the middle of lots of trees. It will be between two other towers about 1.5 mile away.

City Attorney Tennant said the city worked a long time to develop the Cell Tower Ordinance and aesthetics was an important consideration. He showed photos of internal towers in the City of Fayetteville.



Judy Horne showed photos of internal and external antenna arrays to Mr. Farris who said they accurately depicted external and internal antennas.

Keith Macedo mentioned the telecommunications industry can use other forms of communications such as "small cell" format. These are much smaller than traditional cell sites and may be installed on light poles, traffic signals, or small power/telephone poles.

Public Comment: Guy Von Bergen, 11512 Giles Rd, does not want a tower with an external array. Norm Toering, 306 Claybrook, also opposed the external array concept.

Chairman Mann called for question to approve a variance to allow an external antenna array which resulted in 3 NO votes: Harris, Horne, Macedo, and 2 YES votes: Moore, Ball. Variance was denied.

4D. Conditional Use Permit – Telecommunications Tower; Property owner – SCI Wireless; Location – SE of corner of N Kimberley St & Lossing St; Presented by Greg Farris

Mr. Farris said they would like to move the tower as far to the SE corner of the property as possible to give a property owner to the Northwest of the tower another 40' distance from the tower.

City Engineer Brackett read suggested conditions for approval of conditional use request:

“The Conditional Use Permit for the SCI Wireless Telecommunications Tower has been reviewed and it is my opinion that the Planning Commission’s approval should be conditional on the following comments.

1. A completed Grading Permit Application and fee must be submitted to the City prior to final approval of the construction plans. A preconstruction conference will be required prior to any grading on the site. The owner, their engineering consultant, and the contractor responsible for the best management practices will be required to attend this conference.
2. After a final review set of plans and drainage report have been approved by KMS, the applicant shall submit to the City two (2) sets of the full size plans and three (3) sets of the half size plans, and two (2) copies of the final drainage report that have been sealed by the engineer of record for final approval and distribution.”

After further discussion, Chad Ball moved to approve locating the tower to the SE corner, to approve addition of a 6' to 8' lightning rod and to request culvert improvement and added gravel and to include City Engineer’s conditions. Jay Moore seconded the motion which passed unanimously.

Chairman Mann called for question to approve a Conditional Use permit for a cell tower with internal antenna array, subject to conditions outlined in City Engineer’s memo. Upon roll call vote, motion passed unanimously.

4F. Preliminary Plat – Summerfield Ph. II; Property owner – DRP Holdings, LLC; Location – west side of Hunter St. and west of Summerfield Ph. I; Presented by Jorgensen & Associates.

Chris Brackett read his memo outlining conditions for approval:

“The Preliminary Plat for the Summerfield Subdivision Phase I has been reviewed and it is my

opinion that the Planning Commission's approval should be conditional on the following comments.

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

f. The City (Planning Commission) agrees to waive the payment in lieu of parkland dedication for all phases of this development.

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

2. The fire hydrant locations shown on the plat and the utility plans must be reviewed and approved by the Fire Department.

3. The water and sewer improvements must be reviewed and approved by the City of Fayetteville Engineering Department and the Arkansas Department of Health prior to any construction activities.

4. A completed Grading Permit Application and fee must be submitted to the City prior to final approval of the construction plans. A preconstruction conference will be required prior to any grading on the site. The owner, their engineering consultant, and the contractor responsible for the best management practices will be required to attend this conference.

5. After a final review set of plans and drainage report have been approved by KMS, the applicant shall submit to the City two (2) sets of the full size plans and three (3) sets of the half size plans, and two (2) copies of the final drainage report that have been sealed by the engineer of record for final approval and distribution."

Mr. Jorgensen had received a copy of City Engineer's report and was OK with conditions.

Chad Ball asked if developer would comply with PG Telco's #2 Plat Review request for increased easements from 15' to 20 to 25'. Mr. Jorgensen said they will comply.

Keith Macedo asked about plans for a traffic light, but city has no firm plans at this time.

Gerry Harris moved for approval of Summerfield Ph II preliminary plat contingent upon City Engineer's conditions for approval. Motion was seconded by Judy Horne and upon roll call vote passed unanimously.

4H. Review of the proposed sidewalk ordinance – This item will be considered at the January meeting.

Adjournment: Having no further business, the on-line/in-person Planning Commission meeting was adjourned at 9:10 PM.

Judy Horne - Secretary

Robert Mann - Chair

ORDINANCE NO. 2021-21

AN ORDINANCE TO AMEND ORDINANCE NO. 98-8.1(C), §2 TO REVISE SIDEWALK SPECIFICATIONS AS RECOMMENDED BY THE FARMINGTON PLANNING COMMISSION

WHEREAS, Ordinance 98-8.1(C), §2 was enacted to provide specifications for sidewalks in the City of Farmington; and

WHEREAS, the Farmington Planning Commission has determined that wider sidewalks and more greenspace between streets and sidewalks will beautify the city and provide safer mobility for pedestrians and that The minimum thickness of residential driveway approaches shall be six inches with four inches of compacted base material or six inch by six inch ten gauge reinforcing steel residential driveways should be six (6) inches; and

WHEREAS, after a public hearing on November 22, 2021, the Planning Commission voted unanimously to revise certain sidewalk specifications that are codified as Section 9.20.02 of the Farmington Municipal Code.

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

1. Sidewalk Specifications.

A. Paragraph (b) is amended in its entirety to read as follows:

(b) Minimum width of sidewalks. The minimum width of sidewalks shall be in conformance with the specifications in the Master Transportation Plan, as amended.

B. Paragraph (c) is amended in its entirety to read as follows:

(c) Sidewalk distances from the curb. The sidewalk setback distance from the curb shall be determined by measuring from the right-of-way line towards the paved street. Sidewalks shall begin no more than six inches from the outermost edge of the right-of-way. The amount of green space required between the street curb and the beginning of the sidewalk shall be in conformance with the specifications in the Master Transportation Plan, as amended.

C. Paragraph (e) is amended in its entirety to read as follows:

(e) Minimum thickness of sidewalks and driveway approaches. The minimum thickness of sidewalks shall be four inches with any fill materials required for residential or commercial sidewalks consisting of approved compacted base material. The minimum thickness of residential driveway approaches shall be six inches with four inches of compacted base material or six inch by six inch ten gauge reinforcing steel. The minimum thickness of commercial driveway approaches

shall be six inches with six inches of compacted base material or six inch by six inch ten gauge reinforcing steel.

2. Repealing Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

3. Emergency Clause. That the City Council of the City of Farmington, Arkansas, further determines that it is necessary to enact this ordinance without delay to provide revised specifications for future sidewalk construction that will provide safer pedestrian mobility for the citizenry; therefore, an emergency is declared to exist and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND ADOPTED by the City Council of the City of Farmington, Arkansas this 13th day of December, 2021.

Ernie Penn, Mayor

ATTEST:

Kelly Penn, City Clerk

City of Farmington Application for Rezoning

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

Applicant: <u>Matthew Goff.</u>	Day Phone: <u>910-797-0118</u>
Address: <u>896 Dusty Lane</u> <small>SPD# AR 72764</small>	Fax: _____
Representative: <u>Joseph Ddima</u>	Day Phone: <u>479-263-2004</u>
Address: <u>2638 Persimmon St.</u> <small>SPD# AR 72764</small>	Fax: _____
Property Owner: <u>Matthew Goff</u>	Day Phone: <u>910-797-0118</u>
Address: <u>896 Dusty Lane</u> <u>Springdale AR 72764</u>	Fax: _____

Indicate where correspondence should be sent (circle one): Applicant – Representative -- Owner

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

Property Description
 Site Address -- 12425 Bethel Blacktop Road, Farmington AR.
 Current Zoning -- Residential Proposed Zoning -- Commercial C2 72730

Attach legal description and site plan (a scaled drawing of the property to be rezoned showing accurate lot lines, surrounding zoning, adjacent owners and a north arrow is required.)

Type of zoning requested and reason for request:

commercial C2. To ~~start~~ build a commercial building there specific to a machine shop.

Responsibilities of the Applicant:

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

of notice) shall be filed with the City of Farmington no later than seven (7) days prior to the meeting date. A sample notice is attached.

2. Pay a \$25.00 application fee
3. Provide a copy of the deed of the property.
4. Written authorization from the property owner if someone other than the owner will be representing the request.
5. Publish the following notice of public hearing in a newspaper serving the City (*Northwest Times, the Morning News, Arkansas Democrat-Gazette or The Farmington Post*). **THE NOTICE MUST APPEAR IN THE PAPER A MINIMUM OF 15 DAYS BEFORE THE PUBLIC HEARING DATE.**

NOTICE OF PUBLIC HEARING

A petition to rezone the property as described below has been filed with the City of Farmington on the ~~December~~ day of December, 2021, 2021.
21st

PLACE LEGAL DESCRIPTION OF PROPERTY HERE

A public hearing to consider this request to rezone the above described property from R1 to C2 will be held on the 24th day of January, 2021, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

A copy of the proof of publication from the newspaper must be provided to the City 10 days before the meeting.

The City will post a sign on the property at a location visible to the public, notifying the public of the intent to rezone the property.

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

Matthew Goff
Applicant Signature

Date 12/21/2021 12:22 PM
CST

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

Matthew Goff
Owner/Agent Signature

Date 12/21/2021 12:22 PM
CST

**NOTICE OF PUBLIC HEARING BEFORE
THE FARMINGTON PLANNING COMMISSION
ON AN APPLICATION TO REZONE PROPERTY**

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

12425 Bethel Blacktop Road, Farmington Ar. 72730.
Location

Mr. Matthew Goff of A.F.H Properties L.L.C.
Owned by

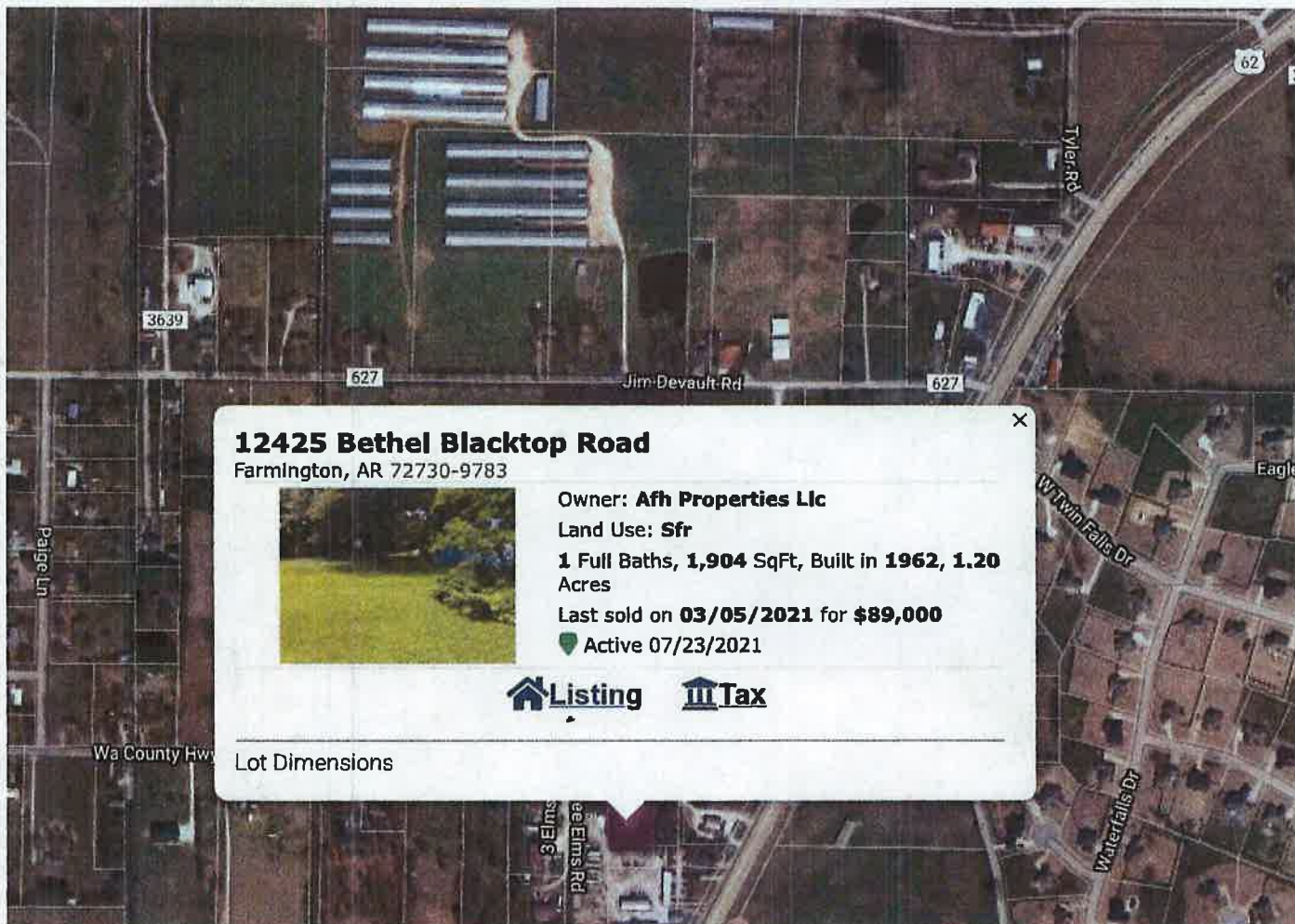
NOTICE IS HEREBY GIVEN THAT an application has been filed for REZONING of the above property from R1 to C2.

A public hearing on said application will be held by the Farmington Planning Commission at Farmington City Hall, 354 W. Main St. on January 24th / 2022 at 6:00 p.m.

All parties interested in this matter may appear and be heard at said time and place; or may notify the Planning Commission of their views on this matter by letter. All persons interested in this request are invited to call or visit the City Business Manager at City Hall, 354 W. Main, 479-267-3865.



Click any parcel for parcel details.



12425 Bethel Blacktop Road

Farmington, AR 72730-9783



Owner: **Afh Properties Llc**

Land Use: **Sfr**

1 Full Baths, 1,904 SqFt, Built in 1962, 1.20 Acres

Last sold on **03/05/2021** for **\$89,000**

Active 07/23/2021

Listing Tax

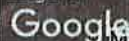
Lot Dimensions



Parcel Disclaimer

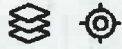
Ruler

Legend



Map data ©2021 Imagery ©2021, Arkansas GIS, Maxar Technologies, State of Arkansas, USDA Farm Service Agency, Washington County

Map Google Street View



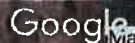
Click any parcel for parcel details.



Parcel Disclaimer

Ruler

Legend



Map data ©2021 Imagery ©2021, Arkansas GIS, Maxar Technologies, State of Arkansas, USDA Farm Service Agency, Washington County

Parcel #	<u>760-03091-000</u>
% Improved	55%
Alt. Parcel #	109786
Exemption(s)	Homestead
Legal Description	ANNEXED TO CITY OF FARMINGTON FOR 2008 & FOLLOWING YEARS PER OR NO. 2007-18 PT NE NE 1.20 AC FURTHER DESCRIBED FROM 2021-10125 AS: PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION THIRTY-THREE (33) IN TOWNSHIP SIXTEEN (16) NORTH OF RANGE THIRTY-ONE (31) WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING 99.00 FEET WEST OF THE NORTHEAST CORNER OF SAID 40 ACRE TRACT AND TURNING THENCE SOUTH 317.04 FEET; THENCE WEST 165 FEET; THENCE NORTH 317.04 FEET; THENCE EAST 165 FEET TO THE POINT OF BEGINNING, CONTAINING 1.2 ACRES, MORE OR LESS.

Parcel #	<u>760-03091-000</u>
% Improved	55%
Alt. Parcel #	109786
Exemption(s)	Homestead
Legal Description	ANNEXED TO CITY OF FARMINGTON FOR 2008 & FOLLOWING YEARS PER OR NO. 2007-18 PT NE NE 1.20 AC FURTHER DESCRIBED FROM 2021-10125 AS: PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION THIRTY-THREE (33) IN TOWNSHIP SIXTEEN (16) NORTH OF RANGE THIRTY-ONE (31) WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING 99.00 FEET WEST OF THE NORTHEAST CORNER OF SAID 40 ACRE TRACT AND TURNING THENCE SOUTH 317.04 FEET; THENCE WEST 165 FEET; THENCE NORTH 317.04 FEET; THENCE EAST 165 FEET TO THE POINT OF BEGINNING, CONTAINING 1.2 ACRES, MORE OR LESS.

NORTHWEST ARKANSAS Democrat Gazette

P.O. BOX 1607, FAYETTEVILLE, AR, 72702 • 479-442-1700 • FAX: 479-695-1118 • WWW.NWADG.COM

AFFIDAVIT OF PUBLICATION

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

AFH Properties
Public Hearing

Was inserted in the Regular Edition on:
January 9, 2022

Publication Charges: \$60.80

Brittany Smith
Brittany Smith

Subscribed and sworn to before me
This 10 day of Jan 2022.

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

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

****NOTE****

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

NOTICE OF PUBLIC HEARING.

A petition to rezone the property as described below has been filed with the City Of Farmington on the 21st of December, 2021.

Parcel ID # 960-03091-000 in Farmington Outlooks Sub-Division. S-T-R:- 33-16-31. BEGINNING 99.00 FEET WEST OF THE NORTHEAST CORNER OF SAID 40 ACRE TRACT AND TURNING THENCE SOUTH 317.04 FEET; THENCE WEST 165 FEET; THENCE NORTH 317.04 FEET; THENCE EAST 165 FEET TO THE POINT OF BEGINNING, CONTAINING 1.2 ACRES, MORE OR LESS. ANNEXED TO CITY OF FARMINGTON FOR 2008 & FOLLOWING YEARS PER OR NO. 2007-18 PT NE NE 1.22AC

A public hearing to consider this request to rezone the above described property from R-1 to C-2 will be held on the 24th of January 2022, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington Arkansas. All interested persons are invited to attend.
75505883 January 9th, 2022.

① ~~Stergen~~ Emmanuel
Manos Stergen
12443 Bethel Blacktop Rd,
Farmington, Ar. 72730

② Gary E. Stearman
12382 W. Highway 62
Farmington Ar. 72730
Residential. 08/10/2000 1.61 Acres
③ Gary E. Stearman \$35K.

12382 W. Highway 62.
Farmington Ar. 72730.
Residential 0.28 acres,

④ Gary Stearman
12382 W. Highway 62.
Farmington, Ar. 72730
8/14/2006 → \$116K Whse.
3000sqft 0.75 Acres.

⑤ Gary Stearman
12382 W. Highway 62
Farmington, Ar. 72730.
04/13/2001 \$42K Residential
0.11 Acres.

⑥ Sas Llc. Ask for listing to sell.
12405 Bethel Blacktop Rd;
Farmington, Ar. 72730
11/19th/2019 For \$475K
Zoned Sfr. 2,290 sqft (1985)
0.72 sqft. 2 full Baths.
Residential

⑦ Darrell & Patricia
Little Prater
12198^{NE} Lma Road, Farmington
Ar. 72730
Mailing: 11537 Ashley Rd, Lincoln, Ar. 72744.
40 acres 11/23/2021 200K.
Zoned Agriculture.

⑧ Hogeeye Properties LLC
12398 Bethel Blacktop Wc 62
Road.
Farmington Ar. 72730.
Zone sfr → Residential.
2 Full Baths 1960 sqft (1984)
0.69 acres 07/31st/2018.

SAS LLC
3118 School Avenue
Fayetteville Ar.

7021 2720 0000 9454 3417

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Farmington, AR 72730

Certified Mail Fee	\$3.75	0764 05
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.58	
Total Postage and Fees	\$4.33	

Sent To _____
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 City, State, ZIP+4® _____

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Extra Services & Fees (check box, add fee as appropriate)	\$0.00	
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<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.58	
Total Postage and Fees	\$4.33	

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Farmington, AR 72730

Certified Mail Fee	\$3.75	0764 05
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.58	
Total Postage and Fees	\$4.33	

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Farmington, AR 72730

Certified Mail Fee	\$3.75	0764 05
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.58	
Total Postage and Fees	\$4.33	

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Farmington, AR 72730

Certified Mail Fee	\$3.75	0764 05
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<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.58	
Total Postage and Fees	\$4.33	

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Fayetteville, AR 72701

Certified Mail Fee	\$3.75	0764 05
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.58	
Total Postage and Fees	\$4.33	

Sent To _____
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 City, State, ZIP+4® _____

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Farlington, AR 72730

Certified Mail Fee	\$3.75	0764 05
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	

Postage	\$0.58	Postmark Here
Total Postage and Fees	\$4.33	12/29/2021

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 City, State, ZIP+4® _____

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Farlington, AR 72730

Certified Mail Fee	\$3.75	0764 05
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	

Postage	\$0.58	Postmark Here
Total Postage and Fees	\$4.33	12/29/2021

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Farlington, AR 72730

Certified Mail Fee	\$3.75	0764 05
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	

Postage	\$0.58	Postmark Here
Total Postage and Fees	\$4.33	12/29/2021

Sent To _____
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 City, State, ZIP+4® _____

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Farlington, AR 72730

Certified Mail Fee	\$3.75	0764 05
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	

Postage	\$0.58	Postmark Here
Total Postage and Fees	\$4.33	12/29/2021

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Farlington, AR 72730

Certified Mail Fee	\$3.75	0764 05
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	

Postage	\$0.58	Postmark Here
Total Postage and Fees	\$4.33	12/29/2021

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Fayetteville, AR 72701

Certified Mail Fee	\$3.75	0764 05
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	

Postage	\$0.58	Postmark Here
Total Postage and Fees	\$4.33	12/29/2021

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Fairfax Station, VA 22730

Certified Mail Fee	\$3.75
Extra Services & Fees (check box, add fee \$3.00/line)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.58
Total Postage and Fees	\$4.33

Sent To _____
 Street and Apt. No., or PO Box No. _____
 City, State, ZIP+4® _____

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Fairfax Station, VA 22730

Certified Mail Fee	\$3.75
Extra Services & Fees (check box, add fee \$3.00/line)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.58
Total Postage and Fees	\$4.33

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 Street and Apt. No., or PO Box No. _____
 City, State, ZIP+4® _____

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



From Matthew Goff,
AFH Properties LLC,
896 Dusty Lane,
Springdale, AR 72764

170

Sas LLC;

12405 Bethelblacktop Road,
Farmington, Ar. 72730.

From Mr. Matthew Goff,
AFH Properties LLC,
896 Dusty Lane,
Springdale, Ar 72764.

170 the

Hogeye Properties LLC,
12358 Bethel Blacktop WC 62 Road
Farmington, Ar. 72730.

From Matthew Goff,
AFH Properties LLC,
896 Dusty Lane,
Springdale, Ar. 72730.

To

Mr. Gary E Stearman,
12382 W. Highway 62,
Farmington, Ar. 72730

From Matthew Goff,
AFH Properties LLC,
896 Dusty Lane,
Springdale Ar. 72764.

To

Mr. Gary E. Stearman,
12382 W. Highway 62,

From Matthew Goff,
AFH Properties LLC,
896 Dusty Lane,
Springdale, Ar 72764.

To

Mr. Gary Stearman,
12382 W. Highway 62,
Farmington, Ar. 72730.

From Matthew Goff,
AFH Properties LLC,
896 Dusty Lane,
Springdale Ar. 72764

To

Sas LLC,
3118 School Avenue
Fayetteville Ar. 72701

From Matthew Goff,
AFH Properties LLC,
896 Dusty Lane
Springdale Ar. 72764

To

Mr. Emmanuel Manos Stergen,
12443 Bethel Backtop Road,
Farmington, Ar. 72730.

From Mr. Matthew Goff,
AFH Properties LLC,
896 Dusty Lane,
Springdale Ar. 72764

To

Mr & Mrs,
Darrell & Patricia Prater,
12198 Little Elm Road
Farmington, Ar. 72730

① ~~Stergen~~ Emmanuel
Mano's Stergen
12443 Bethel Blacktop Rd,
Farmington, Ar. 72730

② Gary E. Stearman
12382 W. Highway 62
Farmington Ar. 72730
Residential. 8/10/2000 1.61 Acres
③ Gary E. Stearman #35K.

12382 W. Highway 62.
Farmington Ar. 72730.
Residential 0.28 acres.

④ Gary Stearman
12382 W. Highway 62.
Farmington, Ar. 72730
8/14/2006 → \$116K Whse.
3000sqft 0.75 Acres.

⑤ Gary Stearman
12382 W. Highway 62
Farmington, Ar. 72730.
04/13/2001 \$42K Residential
0.11 Acres.

⑥ Sas Llc. ASK for listing
to sell.
12405 Bethel Blacktop Rd;
Farmington, Ar. 72730
11/19th/2019 For \$475K
Zoned Sfr. 2,290 sqft (1985)
0.72 sqft. 2 full Baths.
Residential

⑦ Darrell & Patricia
Little Prater
12198 NE Lma Road, Farmington
Ar. 72730
Mailing: 11537 Ashley Rd, Lincoln, Ar. 72744
40 acres 11/23/2021 200K.
Zoned Agriculture.

⑧ Hoge Properties LLC
12398 Bethel Blacktop Wc 62
Road.
Farmington Ar. 72730.
Zone sfr Residential.
2 Full Baths 1960 sqft (1984)
0.69 acres 07/31st/2018.

Sas Llc.
3118 School Avenue
Fayetteville Ar.



CITY OF FARMINGTON

354 W Main ST, Farmington, AR 72730

TRANSACTION #	10227227-9831
DATE	12/21/2021 1:11 PM
RESULT	APPROVED
TRANSACTION METHOD	CASH
TRANSACTION TYPE	SALE
REFERENCE NUMBER	CK #27570733762 DEVELOPMENT FEES

1 × Development Fee	\$25.00
Subtotal	\$25.00

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

Receipt sent via SwipeSimple, powered by CardFlight
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CUSTOMER'S RECEIPT

SEE BACK OF THIS RECEIPT
FOR IMPORTANT CLAIM
INFORMATION

**NOT
NEGOTIABLE**

Pay to
Address

City of Farmington

KEEP THIS
RECEIPT FOR
YOUR RECORDS

Serial Number
27570733762

Year, Month, Day
2021-12-21

Post Office

727642

Amount

\$25.00

Clerk

04

Certificate of Authenticity

Session Information

Signing Session ID:	32718136-7ea2-46c1-ba92-5b53f29f913c	Status:	Completed
Transaction Name:	MATTHEW GOFF	Created On:	12/21/2021 1:16:09 PM EST
Session Title:	REZONING OF 12425 BETHEL BLACKTOP	Last Modified:	12/21/2021 1:22:45 PM EST
Documents:	1	Owner:	Joseph Owegi
Signers:	1	Company:	eXp Realty NWA Branch

Signer Information

Signature Events	Signature	Timestamp
Matthew Goff chapgoff@gmail.com	<i>Matthew Goff</i>	Sent: 12/21/2021 1:20:20 PM EST Viewed: 12/21/2021 1:21:59 PM EST
Signer Security: Email	IP Address: 107.77.201.142 ID: b0f34cd6-e263-4682-b1de-20690168c7e9	Disclosure: 12/21/2021 1:21:59 PM EST Signed: 12/21/2021 1:22:44 PM EST

Session Documents

Document	Signatures	Initials	Dates	FormFields	Dropdown	Checkbox	RadioButton
Rezoningof12425BethelHeights.pdf	2	0	2	0	0	0	0

Session Activity

Timestamp	IP Address	Activity
12/21/2021 1:22:45 PM EST	107.77.201.142	Session completed and closed by Joseph Owegi
12/21/2021 1:22:44 PM EST	107.77.201.142	Signing Completed by Matthew Goff (chapgoff@gmail.com)
12/21/2021 1:21:59 PM EST	107.77.201.142	Signature created and disclosure approved by Matthew Goff (chapgoff@gmail.com)
12/21/2021 1:20:20 PM EST	70.185.93.34	Invitation sent to Matthew Goff(chapgoff@gmail.com) by Joseph Owegi
12/21/2021 1:20:20 PM EST	70.185.93.34	eSignOnline Session Created by Joseph Owegi

Disclosure

Consumer Disclosure

Please read the information below regarding the terms and conditions of receiving documents, contracts, and disclosures electronically through the eSign Online electronic signature system. If this information is to your satisfaction and you agree to the terms and conditions, please confirm your acceptance and agreement by checking the box 'I Agree to the above Consumer Disclosure' and selecting the 'Create and Approve Signature button'.

Electronic distribution of documents and contracts

eXp Realty NWA Branch (We, us, or the Company) acknowledges your agreement to receive required documents, contracts, notices, disclosures, authorizations, and other documents electronically through the eSign Online electronic signature system. We appreciate and thank you for doing your part to go paperless and save our environment. Through the eSign Online electronic signature system, we are able to save time and process a transaction faster. We do not have to print and mail paper copies, wait for signatures that could take days or weeks, and there are no delays associated with waiting for you to mail it back to us. Unless you tell us otherwise in accordance with the procedures described herein this disclosure, we will provide documents through this electronic method during the course of our relationship with you. If you do not agree with this process and method, please let us know as described below.

eXp Realty NWA Branch outsources personal information to a third party processing and storage service provider which is located in the USA. The Buyer and Seller hereby acknowledge that personal information processed and stored by a US third party service provider is subject to the laws of that country and that information may be made available to the US government or its agencies under a lawful order made in that country.

Paper copies

During the signing process on eSign Online, you will have the opportunity to download and print your copies of the documents before and after signing. At any time, you may contact us to obtain paper copies of documents that have been provided to you electronically. To request paper copies, you must send an email to josephsrealestate@yahoo.com and in the body of the email state your full name, address, telephone number, and the name of the document or transaction that you would like a paper copy for. If any fees apply, we will notify you.

Withdrawing your consent to sign electronically

Once you have decided and agreed to the following disclosure to sign documents electronically, you may at any time thereafter decide to withdraw your consent and receive required documents only in paper format. There are several ways to inform us that you no longer wish to receive documents and sign electronically:

- a) During the electronic signing process, you may elect to 'decline' and indicate your reasons for declining and withdrawing your consent.
- b) Send an email to josephsrealestate@yahoo.com and in the body of the email indicate your full name, address, telephone number and that you no longer wish to sign electronically and instead would like to receive paper copies

Please be aware that withdrawing your consent to sign electronically may result in delays and/or more time to complete a transaction. We will then have to print and mail paper copies to you, wait for you to receive and sign documents, then wait for you to mail it back and follow the same procedure with other parties to the transaction.

How to contact eXp Realty NWA Branch

At any time, you may contact us to change your email and contact information, request paper copies, or to indicate your change in consent to sign electronically hereafter.

Contact Name : Joseph Owegi
Email Address : josephsrealestate@yahoo.com
Phone Number :

Hardware and Software Requirements

The following are minimum hardware and software requirements to use the eSign Online electronic signature system.

Operating Systems: Windows® 10, Windows® 8, Windows® 7, Windows Vista®, Mac OS® X 10.6 and higher.
Browsers: Google Chrome® 36 and higher, Internet Explorer® 9.0 and higher, Mozilla Firefox® 31.0 and higher, Safari® 5.1.7 and higher.
Screen Resolution: 800 x 600 minimum
Security Settings: Allow per session cookies
PDF Reader: Acrobat® or similar software to view and print PDF files

Your Acknowledgment and Consent to use electronic signatures

To confirm to us that you can access this information electronically, which will be similar to other electronic documents that we will provide to you, please verify that you were able to read this electronic consumer disclosure and that you also were able to print on paper or electronically save this page for your future reference and access. Further, you consent to receiving notices and disclosures in electronic format on the terms and conditions described herein this consumer disclosure, please let us know by checking the 'I agree with the above Consumer Disclosure' box below.

By checking the 'I agree with the above Consumer Disclosure' box, I confirm that I can access and read this electronic consumer disclosure to consent to receipt of electronic documents, I can print on paper if I so choose, the disclosure and/or save to a place where I can print it for future reference and access, and until I notify eXp Realty NWA Branch otherwise, I consent to receive from eXp Realty NWA Branch electronic documents that are required to be provided or made available to me by eXp Realty NWA Branch during the course of my relationship with eXp Realty NWA Branch.



CITY OF FARMINGTON

354 W Main ST, Farmington, AR 72730

TRANSACTION #	10227227-9831
DATE	12/21/2021 1:11 PM
RESULT	APPROVED
TRANSACTION METHOD	CASH
TRANSACTION TYPE	SALE
REFERENCE NUMBER	CK #27570733762 DEVELOPMENT FEES

1 × Development Fee	\$25.00
Subtotal	\$25.00

TOTAL (USD)	\$25.00
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