

SCHEDULED COMMITTEE MEETINGS to be held in the Multi-Purpose Room #236, second floor of the City Administration Building, 201 Spring Street:

- Monday, December 7th, 5:30 p.m. is the next Committee meetings.
  - Committee agendas will be available on Friday, December 4th, 2015.

SPRINGDALE CITY COUNCIL  
REGULAR MEETING  
TUESDAY, NOVEMBER 24th, 2015

5:55 p.m. Pre Meeting Activities

Pledge of Allegiance  
Invocation – **KATHY JAYCOX**

**6:00 p.m. OFFICIAL AGENDA**

1. *Large Print* agendas are available at the back of the room, next to the main entrance.
2. Call to Order - Mayor Doug Sprouse
3. Roll Call – City Clerk Denise Pearce  

Recognition of a Quorum.
4. Comments from Citizens  

The Council will hear brief comments from citizens during this period on issues not on the agenda. No action will be taken tonight. All comments will be taken under advisement.
5. Approval of Minutes
  - a) November 10<sup>th</sup>, 2015 (3-15)
6. Procedural Motions
  - A. Entertain Motion to read all Ordinances and Resolutions by title only.
  - B. Entertain Motion to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for ordinances listed on this agenda as *item numbers....8; 9; 10b,d; 11a; 12; 13* (Motion must be approved by two-thirds (2/3) of the council members).
7. **An Appeal:** of the Planning Commission's denial of an application for rezoning at 4600 W. Seaton Drive from A-1 to MF-2, presented by Brent Hager. (16-21)
8. **Public Hearing:** on vacating a portion of Meadow Avenue.  

**An Ordinance:** vacating a portion of a dedicated public street known as East Meadow Avenue, presented by: Ernest Cate, City Attorney. (22-24)
9. **An Ordinance:** amending Chapter 114 of the Code of Ordinances of the City of Springdale, Arkansas; declaring an emergency; and for other purposes (pertaining to driveways and the storage of motor vehicles. Committee recommended approval. (25-36)
10. Finance Committee Report and Recommendations by Chairman Eric Ford
  - A. **A Resolution:** authorizing the execution of a Professional Services Agreement. Committee recommended approval. (37-48)
  - B. **An Ordinance:** to waive competitive bidding for an Administrative Service Agreement. Committee recommended approval. (49-52)
  - C. **A Resolution:** approving the City of Springdale, Arkansas budget for the year 2016. Committee recommended approval. A list of changes will be provided at the meeting. (53)

- D. **An Ordinance**: setting the salaries of the elected officials and planning commission members of Springdale, Arkansas and repealing Ordinance Number 4864. Committee recommended approval. (54)
11. Planning Commission Committee Report and Recommendations by Patsy Christie, Planning Director
- A. **An Ordinance**: rezoning certain lands from General Commercial District (C-2) to Medium Density Multi-Family Residential District (MF-12). 8.95 Acres located at the SW Corner of Emma Ave. and Butterfield Coach, owned by Eagle Nest Developers, LLC (Kerry Cornstock). (55-57)
- B. **A Resolution**: approving a waiver of street improvements, drainage, curbs, gutters, and sidewalks to Paradise lane in connection with LS15-08 for Michael and Tham T. Myers. (58-59)
- C. **A Resolution**: approving a Conditional Use at Paradise Lane Parcel #815-29863-001 directly North of 301 Paradise Lane. (60-61)
- D. **A Resolution**: approving a Conditional Use at 1102 East Backus. (62-63)
- E. **A Resolution**: approving a waiver of street improvements, drainage, curbs, gutters, and sidewalks to 7948 W. Gibbs Road. (64-65)
- F. **A Resolution**: approving a waiver of street improvements, drainage, curbs, gutters, and sidewalks to 2142 N. 56<sup>th</sup> Street. (66-67)
12. **An Ordinance**: authorizing the City Clerk to file a Clean-Up Lien for the removal of overgrown brush and debris on property located within the City of Springdale, Benton County, Arkansas, 3556 Grainger Circle, presented by: Ernest Cate, City Attorney. (68-80)
13. **An Ordinance**: authorizing the City Clerk to file a Clean-Up Lien for the removal of overgrown brush and debris on property located within the City of Springdale, Washington County, Arkansas, 403 S. Blair St., 406 S. Blair St., 3525 Butterfield Coach Rd., 1119 Dick Smith St., 1913 W. Emma Ave., 912 E. Huntsville Ave., 3606 Luvane Ave., 720 Mill St., 3675 Serenity St., 3697 Serenity St., 3721 Serenity St., 1609 Steele., 1156 Van Someren Pl., 2073 Wheatland Ave., and 1307 Young St, presented by: Ernest Cate, City Attorney. (81-125)
14. Comments from Department Heads.
15. Comments from Council Members.
16. Comments from City Attorney.
17. Comments from Mayor Sprouse.
18. Adjournment.

SPRINGDALE CITY COUNCIL  
NOVEMBER 10, 2015

The City Council of the City of Springdale met in regular session on November 10, 2015, in the City Council Chambers, City Administration Building. Mayor Sprouse called the meeting to order at 6:00 p.m.

Roll call was answered by:

Doug Sprouse	Mayor
Rick Culver	Ward 3
Jeff Watson	Ward 3
Mike Overton	Ward 2 (Overton)
Eric Ford	Ward 1
Mike Lawson	Ward 4
Rick Evans	Ward 2
Jim Reed	Ward 1
Kathy Jaycox	Ward 4
Ernest Cate	City Attorney
Denise Pearce	City Clerk/Treasurer

Department heads present:

Wyman Morgan	Director of Finance & Admin.
Patsy Christie	Planning Director
Mike Peters	Police Chief
Mike Irwin	Fire Chief
Sam Goade	Public Works Director
Mike Chamlee	Buildings Director
Brad Baldwin	Engineering Director
Bill Mock	Parks and Recreation Director

APPROVAL OF MINUTES

Alderman Evans moved the minutes of the October 27, 2015 City Council meeting be approved as presented. Alderman Reed made the second.

There was a voice vote of all ayes and no nays.

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

Alderman Reed made the motion to read all Ordinances and Resolutions by title only and to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for all items listed on this agenda. Alderman Evans made the second.

The vote:

Yes: Lawson, Evans, Reed, Jaycox, Culver, Watson, Ford

No: None

RESOLUTION NO. 119-15 – MAKING APPOINTMENTS TO THE SPRINGDALE LIBRARY BOARD

Library Director Marcia Ransom presented a Resolution appointing Jo Vanderspikken to the Springdale Library Board.

RESOLUTION NO. \_\_\_\_

**A RESOLUTION MAKING APPOINTMENTS TO  
THE SPRINGDALE LIBRARY BOARD**

**WHEREAS**, currently we have a vacancy on the Springdale Library Board, and

**WHEREAS**, Arkansas Code 13-2-502, provides for appointments to the Library Board by the Mayor with the approval of the City Council, and

**WHEREAS**, Jo Vanderspikken has indicated a desire and willingness to serve on the Library Board of the City of Springdale; and

**WHEREAS**, upon the recommendation of the Library Board of the City of Springdale, the Mayor recommends Jo Vanderspikken be appointed to fill the vacant position with a term expiring on December 31, 2018;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS** that Jo Vanderspikken is hereby appointed to the Springdale Library Board with a term expiring on December 31, 2018.

**PASSED AND APPROVED** this \_\_\_\_ day of November, 2015.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

Alderman Reed moved the Resolution be adopted. Alderman Evans made the second.

The vote:

Yes: Evans, Reed, Jaycox, Culver, Watson, Ford, Lawson

No: None

The Resolution was numbered 119-15.

**RESOLUTION NO. 120-15 – MAKING A REAPPOINTMENT TO THE PUBLIC FACILITIES BOARD OF THE CITY OF SPRINGDALE**

Wyman Morgan presented a Resolution making the reappointment of Blake Hanby to the Public Facilities Board of the City of Springdale.

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION MAKING A REAPPOINTMENT TO THE PUBLIC FACILITIES BOARD OF THE CITY OF SPRINGDALE**

**WHEREAS**, the term of Blake Hanby, who currently holds Seat #1 on the Public Facilities Board will expire on January 31, 2016, and

**WHEREAS**, A.C.A. 14-137-108 provide that appointments for these positions will be nominated by a majority of the board and appointed by the mayor subject to approval of the City Council, and

**WHEREAS**, the Public Facilities Board has recommended the reappointment of Blake Hanby to Seat #1 with a term expiring on January 31, 2021,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that Blake Hanby is hereby reappointed as a board member to Seat #1 of the Public Facilities Board with a term expiring on January 31, 2021.

**PASSED AND APPROVED** this \_\_\_\_ day of November, 2015.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

Alderman Reed moved the Resolution be adopted. Alderman Lawson made the second.

The vote:

Yes: Reed, Jaycox, Culver, Watson, Ford, Lawson, Evans

No: None

The Resolution was numbered 120-15.

ORDINANCE NO. 4976 – AUTHORIZING CONTRACT EXECUTION FOR STORM DRAIN PIPELINE REPLACEMENT AND ASSOCIATED REPAIRS; TO WAIVE COMPETITIVE BIDDING; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

Public Works Director Sam Goade presented an Ordinance authorizing contract execution for storm drain pipeline replacement and associated repairs to a defective storm drain pipeline located near Wilkinson Lane.

A quote to replace the storm drain and complete the associated repairs has been submitted by Necessary Construction Company in the amount of \$91,403.50.

Necessary Construction Company and the City of Springdale entered into a contract for storm drain structure repairs on Wilkinson Lane by resolution of the City Council dated September 8, 2015. Necessary Construction Company is scheduled to complete the work on the Wilkinson Lane storm drain structure repairs which is in close proximity to the storm drain pipeline replacement project. They will have construction equipment and personnel in the immediate vicinity on Wilkinson Lane and it is reasonable and prudent that replacement of the defective storm drain pipeline be completed in conjunction with the current project under contract with Necessary Construction Company.

After the reading the title of the Ordinance, Alderman Reed moved the Ordinance “Do Pass”. Alderman Evans made the second.

The vote:

Yes: Jaycox, Culver, Watson, Ford, Lawson, Evans, Reed

No: None

Alderman Evans moved the Emergency Clause be adopted. Alderman Reed made the second.

The vote:

Yes: Culver, Watson, Ford, Lawson, Evans, Reed, Jaycox

No: None

The Ordinance was numbered 4976.

ORDINANCE NO. 4977 – AMENDING ARTICLE 6, SECTION 3.5 (9) (G) OF THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE (REGULATIONS PERTAINING TO TEMPORARY OPEN-AIR ENTERPRISES – SPRINGDALE FARMERS' MARKET AND THE MILL STREET MARKET)

Alderman Jim Reed presented an Ordinance amending Article 6, Section 3.5 (9) (g) of the Zoning Ordinance of the City of Springdale, Arkansas, pertaining to temporary open-air enterprises.

A public hearing was held before the Springdale Planning Commission on November 3, 2015 after notice was given of said hearing as required by law.

Article 6, Section 3.5 of the Zoning Ordinance of the City of Springdale, Arkansas, needs to be amended showing the operation of the Mill Street Market to be held at the Shiloh Square without the need for a temporary open-air enterprise permit. The Mill Street Market will be located totally on Mill Street between Johnson Avenue and Huntsville Avenue. The market place shall open no earlier than 6:00 a.m. and shall close no later than 2:00 p.m. on Saturday and 4:00 p.m. to 9:00 p.m. on Tuesday.

The Springdale Farmers' Market, so long as the temporary open-air enterprise is located totally within a geographical area at the Jones Center for Families and designated by the Jones Center for Families as the Springdale Farmers' Market shall open no earlier than 6:00 a.m. and shall close no later than 2:00 p.m. on Tuesdays Thursdays, and Saturdays.

The only articles that may be sold at the Springdale Farmers' Market and the Mill Street Market are as follows: vegetables, honey, nuts, raw juices, molasses, fruit, and other produce and plants grown or produced by the vendor thereof; art work, craft work, processed farm products, (eggs, meats and processed jams and jellies) produced by the vendor and baked goods which are processed within the guidelines of the cottage laws in the State of Arkansas. All products sold at the marketplace must be produced in compliance with all applicable regulations of the State Department of Health.

This ordinance will go into effect January 1, 2016.

After the reading the title of the Ordinance, Alderman Reed moved the Ordinance "Do Pass". Alderman Lawson made the second.

The vote:

Yes: Watson, Ford, Lawson, Evans, Reed, Jaycox, Culver

No: None

The Ordinance was numbered 4977.

ORDINANCE NO. 4978 – AMENDING CHAPTER 114 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS (PROVISIONS REGARDING THE OPERATION OF BICYCLES WITHIN THE CITY OF SPRINGDALE)

Alderman Rick Evans presented an Ordinance amending Chapter 114 of the Code of Ordinances of the City of Springdale, Arkansas, and creating Article V, to include provisions regarding the operation of bicycles within the City of Springdale, Arkansas.

After the reading the title of the Ordinance, Alderman Reed moved the Ordinance “Do Pass”. Alderman Jaycox made the second.

The vote:

Yes: Ford, Lawson, Evans, Reed, Jaycox, Culver, Watson

No: None

Alderman Evans moved the Emergency Clause be adopted. Alderman Reed made the second.

The vote:

Yes: Lawson, Evans, Reed, Jaycox, Culver, Watson, Ford

No: None

The Ordinance was numbered 4978.

RESOLUTION NO. 121-15 – AMENDING THE 2015 BUDGET FOR THE SPRINGDALE POLICE DEPARTMENT

Alderman Eric Ford presented a Resolution amending the 2015 Budget for the Springdale Police Department for the purchase of a police K-9 utility dog and related equipment.

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION AMENDING THE 2015 BUDGET OF THE CITY OF SPRINGDALE POLICE DEPARTMENT**

**WHEREAS**, the Police Department has received funds that have not been appropriated from asset forfeitures; and

**WHEREAS**, the Police Chief has requested that some of these funds be appropriated for the purchase of a K-9 utility dog and related equipment;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the 2015 budget of the City of Springdale Police Department is hereby amended as follows:

<u>Department</u>	<u>Account No.</u>	<u>Description</u>	<u>Present Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Proposed Budget</u>
Police	10105014217021	Drug Seizure Funds	130,517	13,750		144,267

**PASSED AND APPROVED** this \_\_\_\_ day of November, 2015.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

Alderman Reed moved the Resolution be adopted. Alderman Lawson made the second.

The vote:

Yes: Evans, Reed, Jaycox, Culver, Watson, Ford, Lawson

No: None

The Resolution was numbered 121-15.

RESOLUTION NO. 122-15 – AMENDING THE PERSONNEL AND PROCEDURES  
MANUAL FOR THE CITY OF SPRINGDALE (POLICY ON THE USE OF ALCOHOL  
AND TOBACCO)

Alderman Jim Reed presented a Resolution amending the Personnel and Procedures Manual for the City of Springdale. Section 3.10 of the Personnel and Procedures Manual for the City of Springdale, Arkansas, contains the policy on the use of alcohol and tobacco. The amendment will make the policy consistent with State law.

That which is underscored is added; that which is stricken through is deleted.

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION AMENDING SECTION 3.10 OF  
THE PERSONNEL AND PROCEDURES MANUAL  
FOR THE CITY OF SPRINGDALE, ARKANSAS**

**WHEREAS**, Section 3.10 of the Personnel and Procedures Manual for the City of Springdale, Arkansas, contains the policy on the use of alcohol and tobacco;

**WHEREAS**, the testing procedure for the presence of alcohol needs to be amended and clarified to confirm with Arkansas law;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR  
THE CITY OF SPRINGDALE, ARKANSAS**, that:

**Section 1:** Section 3.10 of the Personnel and Procedures Manual for the City of Springdale, Arkansas is hereby amended to read as follows:

**3.10 Use of Alcohol and Tobacco:**

The consumption of alcohol or other intoxicants is prohibited while an employee is on duty, unless it is required as part of the job, such as a police assignment. Employees are not to consume intoxicants while off duty to such a degree that it interferes with or impairs the performance of his or her duties. Employees involved in any unauthorized

presence of alcohol on City property or report to work with unacceptable blood alcohol concentration (BAC) levels as set out in this policy, will be subject to disciplinary action, including discharge.

"Reasonable suspicion" shall be defined in this policy the same as Policy 3.12. In the event there is reasonable suspicion to believe that an employee's job performance may be impaired by alcohol, the employee's supervisor shall question the employee with regard to their behavior. The supervisor should directly observe the employee's behavior and document the behavior.

Indications of impaired behavior include, but are not limited to the following: staggering or irregular gait, the odor of alcohol on the breath, slurred speech, dilated or constricted pupils, inattentiveness, listlessness, hyperactivity, performance problems, illogical speech and thought processes, poor judgment, or unusual or abnormal behavior.

When possible, a second managerial employee shall also observe the employee to verify that there is reasonable suspicion to believe that alcohol consumption may be involved. A determination shall be made as to whether or not the employee's behavior is impaired to the point of being unable to perform his duties effectively and safely. The employee shall be relieved of his/her duties and placed on a suspension with pay status until a clear determination can be made as to the abuse or non-abuse of alcohol.

In the event there is reasonable suspicion to believe that alcohol consumption is involved, the supervisor or appropriate manager shall have an alcohol test administered. Refusal of an employee to take the test(s) shall result in immediate discharge. The test(s) must be conducted within a reasonable time period after the observation of the problem behavior.

If the behavior that led to the initial investigation is not due to alcohol abuse, but the employee's job performance is hindered, the City may require a drug test or may require the employee to undergo a medical evaluation. Where appropriate, a signed physician's release may be required by the employer before the employee returns to work. Time lost due to an illness (not alcohol abuse or substance abuse) will be charged to sick leave.

If a law enforcement officer or firefighter reports for duty or is on duty, their BAC level shall not be .02% or above. The prohibited BAC levels for persons holding positions requiring commercial driver's licenses are set by policy in Appendix A, which is incorporated herein by reference. The prohibited BAC levels for certain other employees within the Springdale Street Department are set by the policy in Appendix C, which is incorporated herein by reference. All other employees shall not report for work or be on duty with a BAC level of .04% or above. Depending on the circumstances, if it is determined that immediate discharge is not warranted, the employee may be placed in an unpaid rehabilitation leave status. However, the department head shall consult with the Mayor and Personnel Officer before this decision is made and discharge is the preferred action in cases where an employee reports to work or is working with unacceptable BAC levels as set out in this policy.

Alcohol testing is done by testing breath, because it is the most easily obtained body substance and the results are known within minutes of testing. The weight of alcohol in the breath sample is determined and the quantity of the alcohol converted to its equivalent value in blood. A BAC (blood alcohol concentration) of 0.10 means one-tenth of a gram of alcohol per 210 liters of breath.

The alcohol testing will be done in a site that affords privacy to the employee being tested. This site could be a room, van, or a partitioned off area. Only one breath test will be done at one time. The person giving the test will not leave the testing site during the test.

The testing device for alcohol testing is called an Evidential Breath Testing device (EBT).

The EBT is a scientific instrument which determines the concentration of alcohol expressed as "percent by weight." The first part of the testing process is to make sure the EBT is operating properly. In the employee's presence, the technician runs an "air blank" test to make sure the EBT is working correctly and the reading is zero. Next a sealed mouth piece is opened and placed into the EBT. In order to get a sufficient quantity of deep lung air, the employee is requested to blow into the mouth piece for at least six seconds, or until the EBT indicates that an adequate amount of breath has been obtained. The EBT will immediately read the results of the initial test.

When the initial test results show a reading of equal or above the BAC level under the policy applicable to the particular employee, a confirmation test is necessary. Before the confirmation test, a ~~15~~ 20 minute waiting period will be observed during which time the person being tested cannot leave the test site and may not eat, drink, or smoke during this period. The purpose of this ~~15~~ 20 minute waiting period is to ensure that the presence of mouth alcohol from recent use of food, tobacco, or hygiene products does not artificially raise the test result.

When the confirmation result is different from the initial test, the lower of the two test results will be used to determine the consequences. A breath alcohol testing form will be prepared with a copy provided to the tested employee.

In regard to the testing device, it is permissible under this policy to use a test of a law enforcement agency provided the testing device and the operator are certified by the Arkansas Department of Health. If a law enforcement agency performs any BAC tests (breath, blood or otherwise) as part of a criminal investigation of an employee, the results of such test(s) may be used by the City in determining if any policies, procedures, or rules of the City or of the employee's department have been violated. If such BAC test is administered pursuant to a criminal investigation or if criminal charges may be filed against the employee by the law enforcement agency, a second test is not required by this policy then the test shall be conducted in compliance with Ark. Code Ann. §5-65-201, et seq. including the giving of an "implied consent warning" prior to the test being administered.

Each department head or supervisor may establish tobacco use policies for his or her departmental employees, so long as they do not conflict with City policy or Order of the Mayor. Tobacco products of any kind, including e-cigarettes, are prohibited in any City owned building, vehicle, and within view of the public.

No additional breaks beyond those allowed under department policy may be taken for the purpose of using tobacco products. Employees may smoke, or use tobacco products, outside, away from building entrances and out of view of the public during breaks.

**Section 2:** All other provisions of Section 3 of the Personnel and Procedures Manual for the City of Springdale, Arkansas, not specifically modified herein shall remain in full force and effect.

**PASSED AND APPROVED**, this \_\_\_\_ day of November, 2015.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

Alderman Reed moved the Resolution be adopted. Alderman Jaycox made the second.

The vote:

Yes: Reed, Jaycox, Culver, Watson, Ford, Lawson, Evans

No: None

The Resolution was numbered 122-15.

RESOLUTION NO. 123-15 – AUTHORIZING PARTICIPATION IN COOPERATIVE REGIONAL EFFORTS TO EVALUATE, AND TO REPORT, THE POTENTIAL COST SAVINGS AND ENVIRONMENTAL BENEFITS THAT MAY BE AVAILABLE TO NORTHWEST ARKANSAS THROUGH THE FORMATION OF A MULTI-JURISDICTIONAL WATER QUALITY COMPLIANCE ASSOCIATION AND OTHER NUTRIENT WATER QUALITY TRADING PROGRAMS

Alderman Jim Reed presented a Resolution authorizing participation in cooperative regional efforts to evaluate, and to report, the potential cost savings and environmental benefits that may be available to Northwest Arkansas through the formation of a Multi-Jurisdictional Water Quality Compliance Association and other nutrient water quality trading programs.

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION AUTHORIZING PARTICIPATION IN COOPERATIVE REGIONAL EFFORTS TO EVALUATE, AND TO REPORT, THE POTENTIAL COST SAVINGS AND ENVIRONMENTAL BENEFITS THAT MAY BE AVAILABLE TO NORTHWEST ARKANSAS THROUGH THE FORMATION OF A MULTI-JURISDICTIONAL WATER QUALITY COMPLIANCE ASSOCIATION AND OTHER NUTRIENT WATER QUALITY TRADING PROGRAMS**

**WHEREAS**, key components in federal efforts to achieve the goals and objectives of the Clean Water Act involve discharge standards and limitations for wastewater treatment facilities, and the establishment of total maximum daily loads (TMDL's) for receiving streams;

**WHEREAS**, local governments, at substantial cost to ratepayers, have made extensive investments in wastewater facilities and operations to achieve compliance with prescribed regulatory standards;

**WHEREAS**, it appears that authorities may be poised, through consideration of methods other than those that were utilized in establishing current permit requirements, to impose more stringent standards which will render obsolete and inadequate, recently constructed and improved wastewater treatment facilities in the region;

**WHEREAS**, considering the potential impact on ratepayers, and the overall economic impact on the region, it is imperative that proposed changes to water quality standards and discharge requirements be based on sound science; be achievable from a scientific standpoint; be economically feasible; and represent fair, equitable, and necessary measures to comply with the goals and objectives of the Clean Water Act;

**WHEREAS**, Act 335 of 2015 authorizes the Arkansas Pollution Control & Ecology Commission to promulgate regulations establishing nutrient water quality trading programs, including the formation of water quality compliance associations;

**WHEREAS**, the timely development and implementation of nutrient water quality trading programs may provide significant long term savings and environmental benefits for the communities in Northwest Arkansas;

**WHEREAS**, there currently is no other entity or group that is likely to conduct the research and undertake the effort to develop draft regulations establishing nutrient water quality trading programs that would be necessary to benefit Northwest Arkansas communities; and

**WHEREAS**, in the interest of economy and efficiency, a cooperative regional approach to understanding the issues, the potential impacts and effects, and collectively responding to proposed changes is desirable.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS:**

**SECTION 1.** That the Mayor is hereby authorized to enter into a cooperative agreement that may include, but not be limited to, the cities of Fayetteville, Springdale, Rogers, and Bentonville—all of whom would be affected by the establishment of certain TMDL's for nutrient loads in receiving streams, and the likely imposition of substantially more stringent wastewater discharge limitations; and all of whom would enjoy the cost savings and environmental benefits that may flow from the timely implementation of well-designed nutrient trading programs and the establishment of an appropriate water quality compliance association.

**SECTION 2.** That the Mayor, or a designee appointed by the Mayor, shall represent the city on all matters associated herewith.

**SECTION 3.** That participation in cooperative regional efforts regarding these matters should be through the Northwest Arkansas Regional Planning Commission, which was established by the parties hereto, along with Benton and Washington County, to provide a forum for regional dialogue, intergovernmental cooperation, and to address regional issues.

**SECTION 4.** That the allocation of all costs associated with this effort shall be equitably allocated among the cooperating jurisdictions, and subject to governing body approval.

**PASSED AND APPROVED THIS** \_\_\_\_\_ **day of November, 2015.**

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, CITY ATTORNEY

Alderman Ford moved the Resolution be adopted. Alderman Culver made the second.

The vote:

Yes: Jaycox, Culver, Watson, Ford, Lawson, Evans, Reed

No: None

The Resolution was numbered 123-15.

ORDINANCE NO. 4979 – AMENDING CHAPTER 78 OF THE CODE OF ORDINANCES PERTAINING TO TRAIL CODE

Alderman Mike Lawson presented an Ordinance amending Chapter 78 of the Code of Ordinances to create a new Article, to be known as Chapter 78, Article III to include provisions regarding the use of the various trails located within the City of Springdale, Arkansas.

After the reading the title of the Ordinance, Alderman Evans moved the Ordinance “Do Pass”. Alderman Reed made the second.

The vote:

Yes: Culver, Watson, Ford, Lawson, Evans, Reed, Jaycox

No: None

Alderman Evans moved the Emergency Clause be adopted. Alderman Reed made the second.

The vote:

Yes: Watson, Ford, Lawson, Evans, Reed, Jaycox, Culver

No: None

The Ordinance was numbered 4979.

ORDINANCE NO. 4980 – AMENDING CHAPTER 114 OF THE CODE OF ORDINANCES, PERTAINING TO BICYCLES

Alderman Lawson presented an Ordinance amending Chapter 114-58 of the Code of Ordinances, pertaining to bicycles to include regulations regarding pedestrians.

After the reading the title of the Ordinance, Alderman Evans moved the Ordinance “Do Pass”. Alderman Jaycox made the second.

The vote:

Yes: Ford, Lawson, Evans, Reed, Jaycox, Culver, Watson

No: None

Alderman Evans moved the Emergency Clause be adopted. Alderman Jaycox made the second.

The vote:

Yes: Lawson, Evans, Reed, Jaycox, Culver, Watson, Ford

No: None

The Ordinance was numbered 4980.

RESOLUTION NO. 124-15 – AUTHORIZING THE FIRE CHIEF AND MAYOR TO ORDER A NEW AMBULANCE

Alderman Culver presented a Resolution authorizing the Fire Chief and Mayor to order a new ambulance and related equipment with the purchase price not to exceed \$280,000.

RESOLUTION NO. \_\_\_\_

**A RESOLUTION AUTHORIZING THE FIRE CHIEF AND MAYOR TO ORDER A NEW AMBULANCE**

**WHEREAS**, the Fire Chief will have funds available in the 2016 budget to purchase a new ambulance and has requested permission to place a purchase order, and

**WHEREAS**, the total cost of the new ambulance and related equipment is expected to be \$280,000, and

**WHEREAS**, the Police and Fire Committee recommends approval of this request, and

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that Mayor and Fire Chief are hereby authorized to place a purchase order for a new ambulance with the purchase price not to exceed \$210,000.

**PASSED AND APPROVED** this \_\_\_\_ day of November, 2015.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

Alderman Reed moved the Resolution be adopted. Alderman Evans made the second.

The vote:

Yes: Evans, Reed, Jaycox, Culver, Watson, Ford, Lawson

No: None

The Resolution was numbered 123-15.

ORDINANCE NO. 4981 – AUTHORIZING A CLEAN-UP LIEN FOR THE REMOVAL OF OVERGROWN BRUSH AND DEBRIS ON PROPERTY LOCATED WITHIN THE CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS

City Attorney Ernest Cate presented an Ordinance authorizing a clean-up lien for the removal of overgrown brush and debris on property located at 405 Crestwood Street, 800 Faye Street, James Avenue, 1903 Powell Street, 2403 Sycamore Place, 1615 Theodore Drive, 1430 Tolleson Loop and 300 Wright.

After the reading the title of the Ordinance, Alderman Reed moved the Ordinance “Do Pass”. Alderman Evans made the second.

SPRINGDALE CITY COUNCIL  
NOVEMBER 10, 2015

Marta Gomez, 1430 Tolleson Loop, asked some questions regarding their lien.

The vote:

Yes: Reed, Jaycox, Culver, Watson, Ford, Lawson, Evans

No: None

Alderman Evans moved the Emergency Clause be adopted. Alderman Jaycox made the second.

The vote:

Yes: Jaycox, Culver, Watson, Ford, Lawson, Evans, Reed

No: None

The Ordinance was numbered 4981.

DISCUSSION OF CLEAN-UP COSTS ON PROPERTY LOCATED AT 2143 SWEETWATER RANCH

Steve Fisher, was present at City Council to discuss clean-up costs that have been placed on his property located at 2143 Sweetwater Ranch. This property has been abated two times in 2015 – 5/27/15 and 8/17/15. He feels like the process needs some changes in the way the code violations are handled and that there are flaws.

Mr. Fisher was notified with a letter from Code Enforcement. When an owner/lienholder of property is notified by Code Enforcement they are told if the violations are not corrected within seven (7) days of their receipt of the letter, the City of Springdale will take necessary steps to correct the violations on the property. The costs associated with the cities action will include; two hundred (\$200.00) mobilization fees, employee cost per hour, equipment cost per hour and finally an administrative cost associated with filing the fee. Once the letter is issued the city can enter the same property within the next 12 months to abate future violations without sending a new notice.

City Attorney Ernest Cate said the City of Springdale's last resort is to file a lien on people's property.

No action was taken by the Council.

ADJOURNMENT

Alderman Jaycox made the motion to adjourn. Alderman Reed made the second.

After a voice vote of all ayes and no nays, the meeting adjourned at 7:02 p.m.

\_\_\_\_\_  
Doug Sprouse, Mayor

\_\_\_\_\_  
Denise Pearce, City Clerk/Treasurer

**FILED**  
DATE 11/16/15  
Demise Pearce  
CITY CLERK SPRINGDALE, AR

Dear Mayor and City Council,

I filed to have a lot split and rezone performed at 4600 W. Seaton Dr. in Springdale. At the November 3 Springdale Planning Commission meeting my rezoning request from A-1 to MF-2 was denied by a 4 to 3 vote. The lot split met all requirements of this zoning and no variances are needed for rezoning or a lot split. I also had a soil test performed by Reba Bailey of the Washington County Health Department to ensure the lot would be useable due to no sewer being provided at that location. The soil test was positive with sufficient flow rates to support a duplex.

In speaking with Patsy Christie of the Springdale Planning and Community Development Division, both before and after my application was submitted, she was surprised that it was voted down. She and I both feel that the Planning board denied my application because they felt it could be, at some point in the future, a waste on my part to build a duplex in an up and coming commercial area. One committee member expressed his concern before the vote was taken that he hated to see me waste my money building a duplex in an area that might be commercial one day. Another one of the members expressed that they should pass my request because Springdale does not know when or if that area would become commercial. I feel that this is my risk to take and is not in any way detrimental to the city plans. There are seven other structures on W. Seaton Dr. that are residential homes and duplexes that would all have to go commercial for my property to become useable as commercial property.

I am asking the city council to reconsider my request for lot split and rezoning at the November 24<sup>th</sup> meeting. I feel that the request should have been approved based on the following facts. The request is in keeping with the surrounding properties. The street has existing homes on it and there is a duplex across the street from this address showing it is in keeping with the neighborhood. No sewer is provided in this area so its use as a commercial property may not be reasonable due to the need for parking space and the requirements to have a septic system leach field. The property is the next to last parcel on a dead end street. This provides no useable road frontage that a commercial building would need therefore, I feel that a commercial property in this location would be of no value at this time.

Sincerely,

Brent Hager

*Brent Hager 11/16/2015*

(479) 790-4016

She further stated that this project will have to meet the Multi-family Design Standards and in order to reach the density per acre there are several amenities that will have to be provided. All of this will have to be submitted with the large scale development plan.

Mr. Parsley asked if there were those in the audience with comments or questions.

There were none.

Mr. Powell called for the vote.

**VOTE:**

**YES:** Covert, Dunn, Gaines, Haney, Miller, Parsley, Powell, Arthur, Compton

**NO:** None

Ms. Christie stated for the record that Staff would prepare the Ordinance to go to Council on Tuesday, November 24, 2015 at 6:00 p.m.

The following rezoning will be verbatim.

Mr. Parsley: The next rezoning R15-28, CHC Hager Investments I, LLC, 4600 W. Seaton Drive from A-1 to MF-2 presented by Gene Buescher.

Mr. Buescher: My name is Gene Buescher with Survey 1 and we surveyed this tract and split it into two equal pieces, practically equal; with a house on one tract and the other tract being vacant. We are asking for a rezoning from A-1 to MF-2.

Mr. Parsley: Staff comments.

Ms. Christie: And the reason you are going to MF-2 is because you intend to build a residential structure on the other lot or

Mr. Hagar: My name is Brent Hagar. I am the owner of the company that owns this property. Yes, the intention is to build a duplex there, which I have had a perc test done to make sure that since there is not sewer in this area. I have made sure that there is percolation and everything for a sewer system on site. If you look directly across the road from the driveway that is a multi-family lot, right there to the right where it says

A-1 the white colored roof just to the south of the subject property; that's a duplex as well. I felt that it was in keeping with the neighborhood and I would like to be able to build a duplex there.

Ms. Christie: Yeah but that duplex is on an A-1 zone because it was annexed into the city with it already at that location so it's not zoned for a duplex.

Mr. Hagar: No, my point I guess is that it is keeping with the neighborhood. There are already duplexes on the street.

Ms. Christie: O.K. The adopted Comprehensive Land Use Plan indicates regional commercial use for this entire area.

The rezoning request is not in keeping with the Comprehensive Land Use Plan; however, the rezoning request would not have an adverse impact on the area at this time.

Mr. Parsley: O.K. anything else on that one? Any comments from the audience?

Mr. Conklin (?): My name is Stefan Conklin. I live at 4715 West Seaton. The one duplex, there is only one duplex in the neighborhood as you said it has been there a while. It is all other single family residential. The main drain to all this property between 48<sup>th</sup> and I-49 goes to the east side of my property. His additional house will increase that drainage. We haven't had a problem with it this year but back in times we have had heavy rain and we had drainage problems. The street is not curbed and guttered. You have kids in the neighborhood already. I'm afraid a duplex would just increase the traffic that you know, without sidewalks and curbs and gutters and stuff and it would be hazardous to the people that already have kids in the neighborhood so I would prefer that you just rezoned one piece of property there to C-5. I feel the rest of the neighborhood is looking at that in the very near future so I would hate to see him spend a lot of money on a duplex on something that is going to be commercial very soon.

Mr. Parsley: Thank you. Any other comments from the audience? To the commission.

Mr. Hagar: I feel that there are ten residences on the street. I don't believe that one additional duplex is going to increase the foot traffic enough to cause it to be hazardous. I feel that it is in keeping with the neighborhood and if I have made a bad investment in the future by building a duplex there, I guess that is my fault but I believe that it could be long enough before that would come and that would be a wise investment for me.

Mr. Parsley: O.K., thank you. To the commission.

Mr. Powell: Call for the vote.

Mr. Parsley: A couple of comments on that. This is the same area that was notated last time that we did approve the rezone to commercial property and things like that. Just wanted to make sure that everybody was aware.

Mr. Powell: Are you saying that you are going to split this property?

Mr. Hagar: Yes.

Ms. Christie: He is splitting the existing house on one lot and creating second lot to put a duplex on.

Mr. Powell: O.K.

Mr. Parsley: And so this area that was A-1; is that part of an area that originally that was an annexed area and that we just automatically throw that into A-1 and that's why it is

A-1?

Ms. Christie: Everything that is annexed into the city comes in as A-1 property; and if it doesn't meet the size to add another structure to it and meet the minimum lot requirements for an A-1 zone.

Mr. Hagar: Can you say that again? I didn't understand.

Ms. Christie: It doesn't meet the minimum requirements to split it; because you would have to have two acres with 200' of frontage for each lot if you were going to split it without rezoning it. You don't have that much.

Mr. Hagar: Oh, for A-1. I'm sorry.

Ms. Christie: If you were to stay with A-1 you didn't have enough frontage for that.

Ms. Haney: But it could be zone for one house instead of a duplex.

Ms. Christie: It could; it was his request that he wanted to put a duplex on it. That's why he went with MF-2.

Mr. Hagar: According to what is on line it meets the requirements, minimum lot width requirements for MF-2 as well.

Ms. Christie: Yes.

Mr. Covert: And everything across the street is A-1 with the exception, well and including the duplex which was annexed in.

Mr. Hagar: Can I ask a question? What can you do with an existing A-1 lot in the city limits so if we didn't change the zoning what could I do with that piece of property.

Ms. Christie: Well, you can use it, if you have, how many acres do you have?

Mr. Hagar: It's like 1.75.

Ms. Christie: So a single family home on it, you could, there are some conditional uses that are allowed in an A-1 zone. I don't quote these things, I always look them up because it is easier that way. An A-1 zone allows for agricultural, animal husbandry, single family dwellings and home office. By conditional use it allows, cultural, recreational and health facilities, institutional facilities, zero lot line, residential manufactured housing (RMH), eating

places, commercial large sites, home occupation, recreational vehicle park, self-supporting tower or antenna structure or monopole, horses kept in residential area, auction houses, temporary classrooms, church/synagogue, health care clinic but you can't put a duplex in an A-1 zone.

Mr. Hagar: Yeah, I understand. I just wondered what it was good for if the zoning didn't change.

Ms. Christie: That's what can be done with that.

Mr. Gaines: I'm kind of curious. Your conversations with your neighbors aside from that gentleman, how did they go and what were they thinking?

Mr. Hagar: I talked with the gentleman just to the east and in my opinion he would be the one most affected. I told him that I was doing a lot split and he actually walked me out there and showed me where he believed the lines were before Mr. Buescher went out and set the stakes. He didn't have a problem with it. As you can see he is not here tonight that I can see. I talked to also the lady directly to the south and told her my intentions there as well and she had no issues. The tenants in the duplex of course they didn't mind and the lady directly to the west said she kind of liked the country feel but that's progress. I did go around and talk to everybody that immediately touched the property, at least, and I really didn't get any negative comments.

Ms. Christie: You live in the existing house that is there?

Mr. Hagar: No I don't. I've actually got it under contract to sell.

Mr. Parsley: Any other comments? Questions?

Mr. Arthur: I think that when you have this situation and in a few years there could be a developer that would come through and want to buy all of it, you know what I mean? Then it would involve a rezoning at that time as well so we don't know that for sure at this point but that certainly has the potential is definitely there for sure.

Mr. Parsley: This is a tricky one because there are other properties that are already going commercial and that whole piece. I understand as far as seeing that it is keeping within how the neighborhood is right now, but it is changing fast.

Mr. Hagar: Were the ones that were commercial bordering 48<sup>th</sup> or were they down the street further.

Ms. Christie: They are the ones bordering 48<sup>th</sup> Street.

Mr. Hagar: O.K., I mean I can see why I would want that as well, but it would be hard for me to use that as commercial lot with no major road frontage being on a dead end street. I saw the best use of it as multi-family.

Mr. Parsley: Any other questions or comments? It will be a call for the vote.

Mr. Dunn: Call for the vote.

Mr. Parsley: Call for the vote by Mr. Dunn.

Ms. Pounders: Dunn- no Gaines-yes Haney-no Miller-no Parsley-no Powell-yes, Arthur-yes Compton-no Covert-yes.

Mr. Parsley: You are denied 5-4 on there.

Ms. Christie: You have the right to appeal the Planning Commission's decision. You have to file that appeal with the City Clerk's office within 15 days from today's date and you have to indicate why you think the planning commission's decision is in error and you have to notify the adjacent property owners again.

Mr. Hagar: Well, I guess I don't know the reason, but I guess why it would be voted no. But I guess my next question is, if I were to do a single family residence there, would the vote have been different.

Ms. Christie: Well you can ask for an opinion but since it's not on the table you are not going to get a full answer to it.

Mr. Hagar: I was told at the meeting that I could change my zoning here as far as the request. Is that true?

Ms. Christie: Can he downgrade it to an SF-2 at this point?

Ms. Sparkman: The vote has already taken on it. If had been something that had not already come before a vote, I don't see any issue on that, but it has already been voted down as is.

Ms. Christie: If he appeals to council can he appeal it with the idea that he would be willing to downgrade it?

Ms. Sparkman: I think that he can do that.

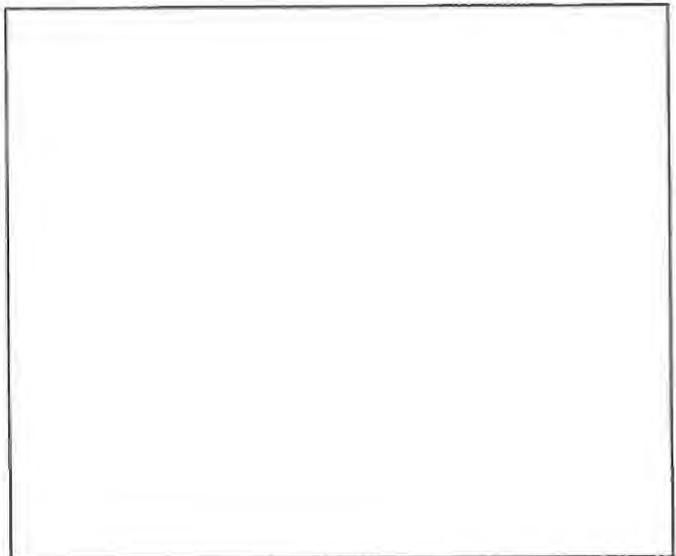
Ms. Christie: You can do that with your appeal to City council.

Public Hearing – Conditional Use

A. C15-15 Lidia Estupinian – Ark of the Pact

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE VACATING A PORTION OF A DEDICATED PUBLIC STREET KNOWN AS EAST MEADOW AVENUE, PURSUANT TO ARK. CODE ANN. §14-301-301, *et seq.* DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**



**WHEREAS**, a petition was duly filed with the City Council of the City of Springdale, Arkansas asking the City of Springdale to vacate and abandon a portion of a dedicated public street described as follows (a map of the area to be vacated is attached hereto as Exhibit "A" and is incorporated herein by reference):

Beginning at the southeast corner of Washington County Parcel No. 815-20756-000; thence extending west along the existing north right-of-way line of East Meadow Avenue to a point immediately west of the existing railroad right-of-way; thence south across the existing right-of-way of East Meadow Avenue; thence east along the existing right-of-way line of East Meadow Avenue to the northeast corner of Washington County Parcel No. 815-20764-000, thence north across the existing right-of-way of East Meadow Avenue to the point of beginning.

**WHEREAS**, after due notice as required by law, the City Council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the portion of the street herein described has heretofore been dedicated to the public use for a street;

**WHEREAS**, all owners of property abutting the portion of street herein described have filed their written consent to the abandonment and vacating of the portion of the street herein described; and

**WHEREAS**, public interest and welfare will not be adversely affected by the abandonment of the portion of the street herein described.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that:**

**Section 1:** That the City of Springdale, Arkansas, hereby releases, vacates and abandons all its right-of-way interests, with the rights of the public generally, in and to a portion of a dedicated public street described hereinabove.

**Section 2:** A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the office of the Recorder of Washington County, Arkansas, and recorded in the Deed records of the County.

**Section 3:** The Council further finds that pursuant to Arkansas law, upon abandonment of this right-of-way, the ownership of the property where the right-of-way is located as shown on the plat, shall vest in the owners of the real estate abutting thereon, with each such abutting owner taking title to the center line of the right-of-way so abandoned, and the ownership shall be free from the easement of the City for public use as a street. Provided, however, that the City of Springdale will retain the rights of any utility/drainage easements which may exist across this property.

**Section 4: Emergency Clause.** It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, CITY ATTORNEY

815-20770-001  
TYSON SHARED  
SERVICES INC

815-20770-000  
TYSON SHARED  
SERVICES INC

815-20769-000  
POULTRY  
GROWERS INC

815-20768-000  
POULTRY  
GROWERS INC

815-20771-000  
POULTRY  
GROWERS INC

815-20767-000  
POULTRY  
GROWERS INC

815-20772-000  
POULTRY  
GROWERS INC

815-20766-000  
POULTRY  
GROWERS INC

815-20773-000  
CITY OF  
SPRINGDALE

815-20765-000  
POULTRY  
GROWERS INC

815-20774-000  
CITY OF  
SPRINGDALE

815-20764-000  
POULTRY  
GROWERS INC

815-20775-000  
CITY OF  
SPRINGDALE

815-20763-000  
POULTRY  
GROWERS INC

815-20762-000  
CITY OF  
SPRINGDALE

815-20761-000  
CITY OF  
SPRINGDALE

815-20760-000  
CITY OF  
SPRINGDALE

815-20776-000  
CITY OF  
SPRINGDALE

815-20759-000  
CITY OF  
SPRINGDALE

815-27718-004  
ARKANSAS &  
MISSOURI RAILROAD

815-27718-011  
GRAY BROTHERS  
BAG INC

815-20755-000  
POULTRY  
GROWERS INC

815-20754-000  
TYSON FC

815-20756-000  
POULTRY  
GROWERS INC

815-20753-000  
POULTRY GR

815-20752-000  
POULTRY  
GROWERS

815-20757-001  
STORM BREWERY  
LLC

815-20751-000  
STORM BRE

815-20750-000  
STORM BREW

815-20107-000  
CENTRO EVANGELICO  
SPRINGDALE

815-20749-000  
HUFF, GERALD  
BAYYAR

815-20748-000  
HUFF, GERALD

815-20747-000  
HUFF, GERALD  
BAYYAR

815-20758-000  
SPRINGDALE

815-20746-000  
GOMEZ, JAVIER  
YANEZ

E MEADOWWAY

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 114 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, Chapter 114-56 and 114-57 of the Code of Ordinances of the City of Springdale, Arkansas, provide for the parking and storing of motor vehicles on residentially zoned property in the City of Springdale;

**WHEREAS**, Chapter 114-56 needs to be revised to clarify how and where motor vehicles may be parked on residential property in the City of Springdale;

**WHEREAS**, Chapter 114-57 needs to be revised to clarify the definition of a paved surface;

**WHEREAS**, it is in the best interests of the citizens of the City of Springdale, Arkansas, that Sections 114-56 and 114-57 of the Code of Ordinances of the City of Springdale, Arkansas, be amended to clarify these parking and paving requirements.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS:**

**Section 1:** Section 114-56 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

**Sec. 114-56. – Parking restrictions in residential zoned districts.**

- (a) *Commercial vehicle.* No commercial vehicle (as defined in section 114-57) shall be parked or stored in any residentially zoned district of the city, or in any platted subdivision zoned agricultural on lots less than one acre in size, as shown on the official zoning map, and shall not be parked or stored in the street right-of-way.
- (b) *Parking any motor vehicle on unpaved area prohibited.* Subject to section 114-58, no parking, displaying, or storing of any motor vehicle shall be permitted on any grass surface, gravel surface, or other unpaved area in any residential zone, or in any platted subdivision zoned agricultural on lots less than one (1) acre in size, except that:
  1. ~~One designated~~ parking space may be located on the grass in a required front set back adjacent to and parallel to the current driveway located on the property. The size of such ~~designated~~ parking space shall not exceed 9' × 19'. Access to such ~~designated~~ parking space shall be by way of the property's driveway, not by driving over the curb, and shall be located on the opposite side of the driveway from the primary entrance to the residential structure, If the ~~designated~~ parking space is not maintained with adequate grasses ~~or other plants and/or landscaping materials~~ to keep the area from becoming rutted, muddy and/or soil from being blown or washed away ~~and is identified as a violation of this provision~~, such ~~designated~~ parking area shall be paved by the property owner by obtaining an Expanded Parking Permit in accordance with chapter 130, article 7;
  2. An Expanded Parking Permit may be obtained to expand an existing driveway. The expansion must be in a required front set back adjacent to and parallel to the current driveway located on the property, where geographic conditions are favorable. The expansion shall be located on the opposite side of the driveway from the primary entrance to the residential structure, unless not

feasible due to a natural obstruction or due to location of the property line, and shall be constructed in accordance with the City of Springdale "Residential Driveway Detail". Provided, however, that the maximum allowed paved surface area shall not exceed forty percent (40%) of the total area of the front yard. The Expanded Parking Permit shall be obtained from the Springdale Public Works Department by the owner of the property on which the expanded parking is sought, and shall include inspections of the driveway expansion area by the Springdale Public Works Department before and after installation of the expanded parking area. The Expanded Parking Permit shall cost \$10 upon application of the permit in conjunction with a curb cut permit which is also obtained at the Springdale Public Works Department. No curb cut will be required if the expanded parking area can be accessed by way of an existing driveway without driving over the curb. All expanded parking areas shall be concrete, unless the existing driveway is asphalt, in which case the expanded parking area shall consist of asphalt.

- (c) *Storage or parking of motor vehicles.* The storage or parking of motor vehicles in any side yard or rear/back yard of property in any residential zone, or in any platted subdivision zoned agricultural on lots less than one (1) acre in size, shall be limited to areas paved in conformance with chapter 130, article 7, section 4 prohibited, unless the property has a detached garage located in the side or rear yard used for the parking of a motor vehicle.
- (d) *Unpaved driveways.* Properties on which an unpaved driveway existed as of the date of the passage of this section would not be required to pave, but would be subject to all other restrictions contained herein. Provided, however, any such driveways would be required to be paved if the use and maintenance of such driveway and parking area lapses for a period of one year or if the use served by such driveway is expanded.
- (e) *Variances.* In instances where strict enforcement of the requirements of subsections (b), (c), and (d) would cause undue hardship due to circumstances unique to the individual property under consideration, and the granting of such variance is demonstrated to be within the spirit and intent of the provisions of this chapter, the planning commission may grant requests for variances of the requirements of subsections (b) and (c) according to the following guidelines:
- (1) The planning commission may modify such requirements to the extent deemed just and proper so as to relieve such difficulty or hardship, provided that such relief may be granted without detriment to the public interest.
  - (2) When the applicant can show the property was acquired in good faith and where by reason of the exceptional narrowness, shallowness, size or shape of a specific piece of property, or where by reason of exceptional topographic conditions or other extraordinary situation or condition of the piece of property, the strict application of such provisions would prohibit or unreasonably restrict the use of the property, and the planning commission is satisfied that the granting of a variance would alleviate a clear hardship, as distinguished from a special privilege or convenience sought by the applicant, such variance may be granted; provided that all variances shall be in harmony with the intended purpose of this chapter.
  - (3) Bill of assurances or performance bond. A bill of assurance to the city may be required from the property owner prior to any variance being granted, which shall run with the land and shall set a fixed period of time in which the varied requirement must be provided by the property owner.

- (4) Any party aggrieved by the decision of the planning commission in granting or denying a variance may appeal the decision to the city council within 30 days of the planning commission's decision by giving notice thereof to the city clerk.
- (f) *Exception.* The prohibitions set out herein do not apply to the following:
  - (1) Commercial vehicles or construction equipment during the actual performance of a temporary service on the property where it is parked.
  - (2) A vehicle making a bona fide pickup or delivery of property or merchandise.
  - (3) Emergency vehicles.

**Section 2:** Section 114-57 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

**Sec. 114-57. – Parking and storage of certain vehicles.**

- (a) In residentially zoned areas of the city, as shown on the official zoning map, it shall be unlawful to park or leave a boat, recreational vehicle, utility trailer, or trailer or any kind, on any residential lot, except as specifically provided below:
  - (1) A recreational vehicle, all-terrain vehicle, boat, trailer, or utility trailer may be parked or left in the rear yard, not closer than eight feet to the rear lot line or in a side yard not projecting beyond the front roof line.
  - (2) No recreational vehicle, all-terrain vehicle, boat, trailer, or utility trailer may be parked in the front yard between the paved edge of any street and a dwelling or garage (whichever is closer to the paved edge of the street), unless it is parked or left on a garage driveway or other paved surface area which is immediately adjacent to and an expansion of the garage driveway. Further, no recreational vehicle, all-terrain vehicle, boat, trailer, or utility trailer shall be parked closer than ten feet to the paved edge of any street.
  - (3) The total number of recreational vehicles, all-terrain vehicles, boats, trailers, or utility trailers (other than passenger vehicles) which may be parked, as permitted in subsection (1) or (2) above, shall be limited to two, not including those kept in a garage. Further, only one recreational vehicle, boat, trailer, or utility trailer may be parked or stored between the paved edge of any street and a dwelling or garage (whichever is closer to the paved edge of the street).
  - (4) A recreational vehicle, all-terrain vehicle, boat, trailer, or utility trailer shall not be parked or stored where such parking or storage shall constitute a clear and demonstrable vehicular traffic hazard, or be a threat to public health or safety.
  - (5) It shall be unlawful to park a recreational vehicle, all-terrain vehicle, boat, utility trailer, or trailer of any kind, upon a public street, except when it is actually being loaded, readied for use, or unloaded, but in no event longer than 24 hours.
  - (6) It shall be unlawful to use a recreational vehicle or trailer, which otherwise complies with the provisions above, for temporary on premises dwelling purposes for more than seven days total in any continuous 12-month period.
  - (7) The parking of a recreational vehicle, boat, trailer, or utility trailer as described in subsection (2) above shall effect a violation of this section if it results in the parking of other vehicles upon a public street.
  - (8) A trailer, or utility trailer shall not be used to park or store any inoperative or unlicensed vehicle, as defined in chapter 42.

- (9) A trailer, or utility trailer shall not be used to park or store any unsightly or unsanitary condition, as defined in chapter 42.
  - (10) A trailer, or utility trailer shall not be used to park or store any materials, supplies, equipment, or property used in connection with the conducting of a business not located on the property.
- (b) For purposes of sections 114-56, 114-57, and 114-58 the following definitions shall apply:

*All-terrain vehicle* shall mean every three-wheeled, four-wheeled, or six-wheeled vehicle 75 inches or less in width, equipped with low pressure tires designed primarily for off-road recreational use, and having an engine displacement of no more than 1,000 cubic centimeters. The term "all-terrain vehicle" shall not include any golf cart, riding lawnmower, or lawn or garden tractor.

*Boat* shall mean all types of watercraft, whether registered, unregistered, licensed or unlicensed. The term boat shall include any wheeled trailer or other device on which such boat is or may be kept, stored, or transported, whether registered or unregistered, licensed or unlicensed.

*Commercial vehicle* means a vehicle that has any of the following characteristics: (1) has a gross vehicle weight, gross vehicle weight rating, gross combination weight, or gross combination weight rating of 20,001 pounds or more or (2) backhoes, bulldozers or other wheeled or tracked vehicles used in construction or (3) regardless of weight, is used in the transportation of waste or hazardous or noxious materials such as but not limited to a garbage truck, pump-out truck, chemical truck, gasoline truck or fuel oil truck, or (4) a "box truck", which includes any truck with a cuboid-shaped fully enclosed cargo area. However, commercial vehicle does not include a recreational vehicle as defined herein.

*Front yard area* shall mean the area between the plane of the front elevation of the main portion of a dwelling unit extending to the side property lines and the front property line abutting the street, including the driveway.

*Motor vehicle* means a self-propelled device that is required under the laws of the State of Arkansas to be licensed in order to be operated upon the public roadways, but does not include recreational vehicles as defined herein.

*Park, when prohibited*, means the standing of a vehicle whether occupied or not, otherwise than temporarily for the purpose of or actually engaged in loading or unloading.

*Paved* shall mean a surface paved or covered with a constructed surface of concrete in accordance with the standards contained in the City of Springdale "Residential Driveway Detail" and "Curb and Gutter" standards, ~~asphalt, or similar materials, but excluding debris, to establish a permanent surface for the parking storage, or placement of any boat, recreational vehicle, or utility trailer.~~

*Recreational vehicle* shall mean any unit primarily designed as a living quarters for recreation, camping, or travel use which either contains its own motive power as in the case of, but not limited to, motor homes, motor coaches, mini-motor homes, or recreational vans or is permanently mounted on a vehicle such as a truck camper or pickup camper.

*Residential lot* shall mean a parcel of land located in a residentially zoned district, as established on the official zoning map, of at least sufficient size to meet minimum requirements of the district in which it is located. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

- (1) A single lot of record.

- (2) A portion of a lot of record.
- (3) A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.
- (4) A parcel of land described by metes and bounds.

*Store* shall mean to place for the purpose of preserving, protecting and securing it for a period in excess of 24 hours.

*Trailer* shall mean, but is not limited to, any vehicle designed or utilized for the transportation of a boat, automobile, snowmobile, livestock, cargo or similar items or as living quarters for recreation, camping or travel use as in the case of a travel, tent, camp, popup or 5th wheel trailer, which does not have motive power of its own, but is designed to be drawn by vehicle.

*Utility trailer* shall mean a vehicular structure or device with or without its own motive power, licensed or unlicensed, designed and/or used for the transportation of goods or materials.

**Section 3:** All other provisions of Chapter 114 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically modified herein shall remain in full force and effect.

**Section 4: Emergency Clause.** It is hereby declared that an emergency exists and this ordinance being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be effective immediately upon its passage and approval.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

Name: \_\_\_\_\_ Tel.#: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Property Location (Physical Address): \_\_\_\_\_

Property Owner Name (if Different) \_\_\_\_\_

Property Owner Address \_\_\_\_\_

Contractor Name: \_\_\_\_\_ Tel. #: \_\_\_\_\_

Address: \_\_\_\_\_

- ◆ Is the driveway a modification of an existing driveway? . YES . NO
- ◆ Will the driveway serve a: Commercial . Residential (1 & 2 Family) or a . Multifamily use?
- ◆ Will the Driveway connect to an existing driveway? YES NO
- ◆ Will the paved area exceed 40% of the total area of front yard? YES NO

**Show the following by drawing a sketch on the reverse side, or attaching a plan, and include written comments if necessary: The location of the driveway entrance, exit or approach; drainage structures, traffic control devices; proposed grades and any other terms and specifications.**

**Inspection Detail**

- Completed Application for Driveway Permit Received (Sketch must be included with application)
- \$10.00 driveway permit fee paid
- Completed Curb Cut Requirements and permit signed
- \$500 deposit/bond paid
- \$10.00 curb cut permit fee paid
- Initial inspection scheduled (Driveway location must be marked before inspection)
- Driveway expansion completed to detail standards

**FOR OFFICE USE ONLY**

PERMIT APPLICATION IS HEREBY:

APPROVED       APPROVED WITH MODIFICATIONS       DENIED

Modifications/ Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SIGNED: \_\_\_\_\_ Dated: \_\_\_\_\_

A concrete driveway, due to its strength, longevity and cost-effectiveness, can last an average of 30 years or more without cracking or crumbling, as long the standard specifications are studied and followed during installation.

## **Thickness**

- Common residential driveway should be at least 4 inches thick – 5 inches thick if heavy vehicles like vans or SUVs will be parked there regularly

## **Other Dimensions**

- A width of 8 feet for a single-car garage or 15 feet for a two-car arrangement is average..

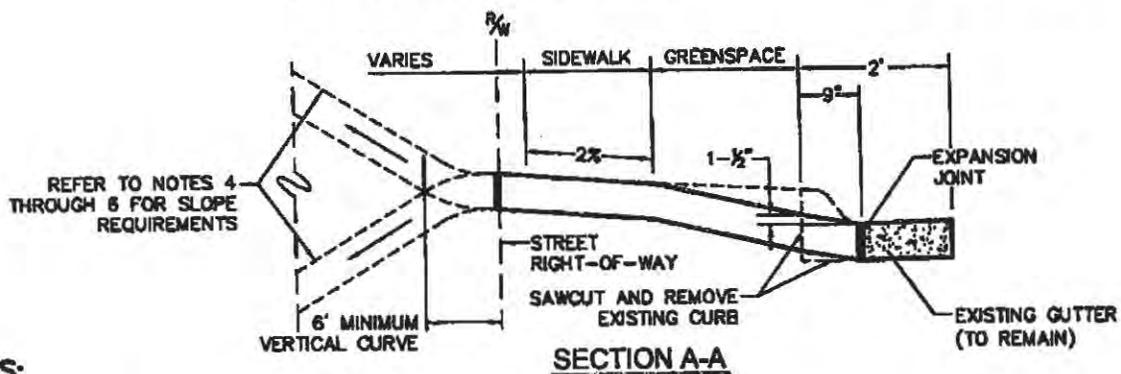
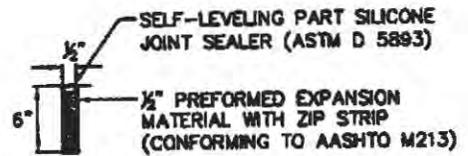
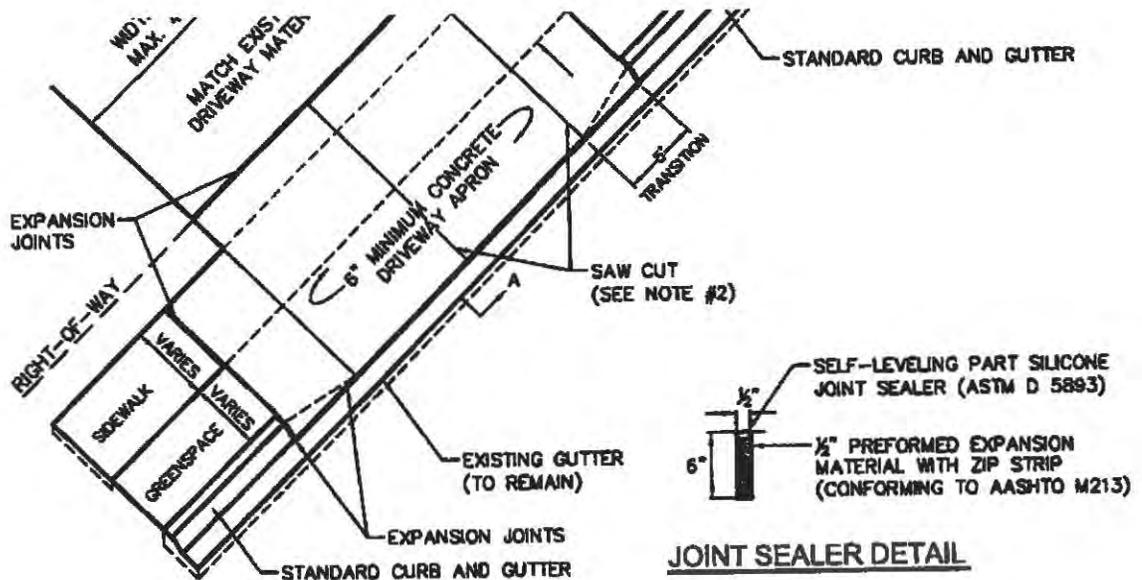
## **Slope**

- A driveway must slope uniformly, without dipping or depressions, toward the street at an angle of at least 1 degree per foot. This ensures proper drainage during rainstorms and car washings.

## **General Construction**

- A foundation of wire mesh, crushed gravel and, less often, rebar is commonly used by builders to prevent premature cracking. Joints are also part of a concrete driveway's specs, placed decoratively or in long utilitarian strips every 6 to 10 feet to give connected slabs of concrete an average of 1/2 to 1/4 inch of a gap to expand and contract. The standard for a concrete mix's compression strength, according to the American Standards for Testing and Materials code, should be 4,000 psi over 28 days.

**[For the City of Springdale's Standards refer to the Residential Driveway Detail for Standard curb and gutter applications.](#)**



**NOTES:**

1. 1/2" PREFORMED EXPANSION MATERIAL (CONFORMING TO AASHTO M213) SHALL BE PLACED IN LOCATIONS INDICATED AND SEALED WITH SELF-LEVELING CONCRETE JOINT SEALER (ASTM D 5893).
2. CONCRETE DRIVEWAY APRON TO BE SAW-CUT AT FIFTEEN FOOT (15') INTERVALS AS SHOWN, AND FILLED WITH APPROVED JOINT SEALER (SEE DETAIL).
3. CONCRETE DRIVEWAYS TO BE CLASS A, 3000 PSI, 5.5 BAG MIX WITH 4-7% AIR ENTRAINMENT.
4. FOR ALL SUBDIVISION PLATS APPROVED AFTER THE ADOPTION OF ORDINANCE 4301 (MARCH 6, 2009); ALL VEHICULAR AND/OR EXIT DRIVES FOR ALL RESIDENTIAL AND NON-RESIDENTIAL USES ALONG A STREET WITH A MINOR COLLECTOR OR HIGHER CLASSIFICATION (AS IDENTIFIED ON THE MASTER STREET PLAN) SHALL NOT EXCEED A MAXIMUM SLOPE OF FIFTEEN PERCENT (15%) WITHIN THE REQUIRED SETBACK AS DETERMINED BY THE ZONING ORDINANCE.
5. FOR ALL SUBDIVISION PLATS APPROVED PRIOR TO THE ADOPTION OF ORDINANCE 4301 (MARCH 6, 2009); ALL VEHICULAR ENTRANCE AND/OR EXIT DRIVES FOR ALL RESIDENTIAL USES SHALL NOT EXCEED A MAXIMUM SLOPE OF TWENTY PERCENT (20%) WITHIN THE REQUIRED SETBACK AREA AS DETERMINED BY THE ZONING ORDINANCE.
6. ALL VEHICULAR ENTRANCE AND/OR EXIT DRIVES FOR ALL RESIDENTIAL AND NONRESIDENTIAL USES ALONG A STREET WITH MINOR COLLECTOR OR HIGHER CLASSIFICATION SHALL NOT EXCEED A MAXIMUM SLOPE OF TEN PERCENT (10%) WITHIN THE REQUIRED SETBACK AREA AS DETERMINED BY THE ZONING ORDINANCE.

N:\EngineeringStandards\2010StandardDetails\DrivewayStandard.pdf

**RESIDENTIAL DRIVEWAY DETAIL  
FOR STANDARD CURB AND GUTTER APPLICATIONS**



CITY OF SPRINGDALE • 201 SPRING STREET • SPRINGDALE, AR • 72764



## CURB CUT REQUIREMENTS

### CURB CUTS

A driveway can be no more than 40 feet in width. If there are two or more, no less than 30 feet apart and at least 40 feet from corner or intersection.

Advise the City of Springdale when the cut will be ready at the time of payment. If you need to change this requested time, please do so an hour in advance by calling 479-750-8135.

Property owner/s requesting curb to be cut by the Public Works Department must pay a minimum charge of \$75.00 for the first 25 feet and \$3.00 for each additional foot and must comply with the following:

1. Have earth dipped out (excavated) behind curb no more than 8 inches below gutter and 2 feet beyond both ends of cut. **NOTE: Curb debris cannot be used for backfill. Contractor is responsible for disposal of all concrete debris.**
2. Curbs must be clearly marked at both ends where cut is to be made.
3. Gutter must be clean and free of rocks, dirt and all other debris.

**NOTE:** If the Public Works Department crew goes to the location and the curb is not ready to be cut (see 1 through 3 above) or does not meet other requirements above, an additional fee of \$ 15.00 will be charged to return to the location when the cut is ready.

### SIDEWALKS

Sidewalks are not included in the cost of cutting a curb. There will be an additional charge of \$50.00 for 25 feet and \$2.00 per foot for each additional foot.

I have received a copy of the Curb Cut Requirements from the Public Works Department. I have read them completely, understand the requirements and all fees and agree to them.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
269 East Randall Wobbe Lane, Springdale, Arkansas 72764  
Phone: 479-750-8135 / Fax: 479-750-8504



### **CURB CUT FEES AND PROCEDURES**

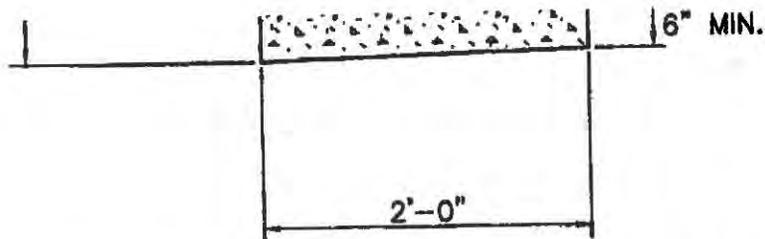
- A deposit of five hundred dollars (\$500) is required to cut a city curb to ensure that no one cuts into and/or busts out a curb without making the necessary repairs. *When the new driveway and curb approach have passed an inspection by the Springdale Public Works Department, the deposit will be returned.*
- You must obtain a curb cut permit from the City of Springdale Public Works Department. The fee for each curb cut permit is ten dollars (\$10) the fee includes the curb cut inspection fee.
- **(OPTIONAL)** For a minimum fee of seventy-five dollars (\$75), the Public Works Department will saw cut the curb up to a twenty-five feet (25') section and three dollars (\$3) will be added for each additional foot.
  - *The Public Works Department will come make the cut(s) once the curb has been clearly marked where the cut(s) are to be made and the dirt has been dug out from behind the curb by no more than eight inches (8") below the gutter and two feet (2') beyond both ends of the cuts.*
  - *Property owner is responsible for disposal of all concrete debris.*
  - *Gutter must be clean and free of rocks, dirt and all other debris.*
- **(OPTIONAL)** Sidewalks are not included in the cost of the Public Works Department cutting the curb. If the Public Works Department is also to cut into the sidewalk, there will be a minimum fee of fifty dollars (\$50) and two dollars (\$2) per foot for each additional foot of sidewalk to be cut.

**If you already have a permit with the City of Springdale Building Inspector's office for new construction, you are not required to deposit a cash bond or purchase a curb cut permit through the Public Works Department.**

Call the Springdale Public Works Department for an inspection once the driveway and/or curb reconstruction is complete. Our hours of operation are 7:30 am to 4:00 pm, Monday through Friday, with the exception of holidays.

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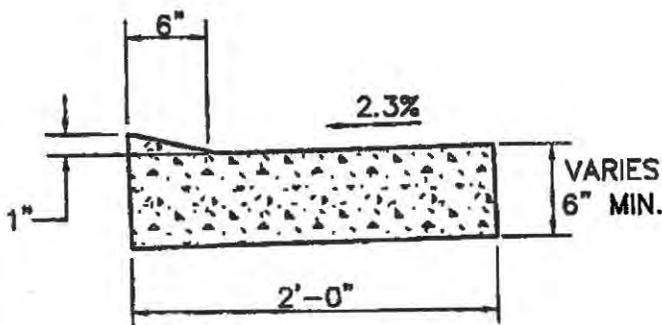
269 East Randall Wobbe Lane, Springdale, Arkansas 72764  
Phone: 479/750-8135 • Fax: 479/750-8504



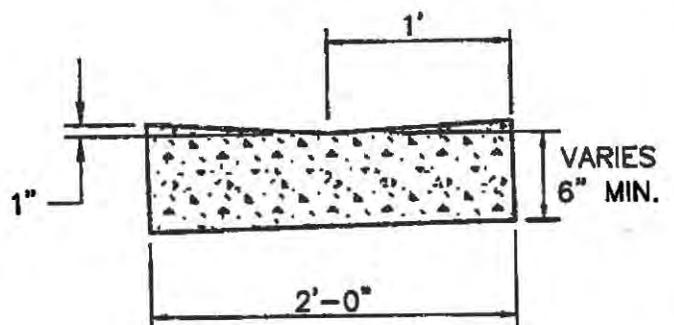
## STANDARD CURB AND GUTTER

NOT TO SCALE

TO BE USED AT STREET INTERSECTIONS WITH LESS THAN 1% GRADE



TYPE I



TYPE II

## MODIFIED CURB AND GUTTER

NOT TO SCALE

### NOTES:

1. CONCRETE FOR CURB AND GUTTER TO BE CLASS A, 3000 PSI, 5.5 BAG MIX WITH 4-7 % AIR ENTRAINMENT.
2. ALL CURB AND GUTTER SHALL HAVE A BROOMED FINISH UNLESS OTHERWISE SPECIFIED.
3. MODIFIED CURB (TYPE I) SHALL BE PLACE ACROSS ALL DRIVEWAY ENTRANCES.
4. MODIFIED CURB (TYPE II) SHALL BE PLACED ACROSS ALL SIDE STREETS WHERE THE LONGITUDINAL GRADE IS LESS THAN 1%.
5. SAW CUT JOINTS AT 15' O.C. SEAL WITH ONE PART COLD APPLIED SILICONE JOINT SEALER OR OTHER APPROVED SEALANT.
6. PROVIDE 1/2" PREFORMED EXPANSION JOINT MATERIAL AT STATIONARY STRUCTURES (DROP INLETS, END OF CURBS, DRIVEWAYS. SEE DETAIL)



CITY OF SPRINGDALE  
201 SPRING STREET  
SPRINGDALE, AR 72764

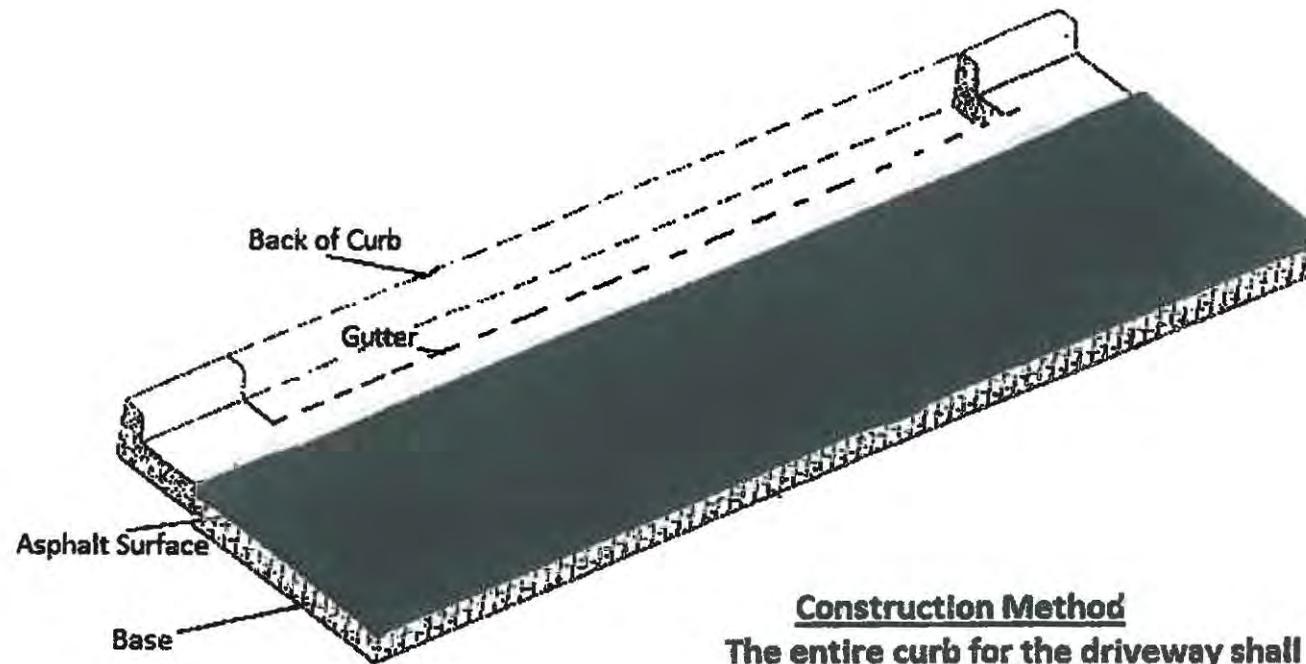
STANDARD DETAILS FOR  
STREET AND DRAINAGE CONSTRUCTION

CURB AND GUTTER

DRAWN BY:  
WWP

DRAWING NO:  
XXXXXX-X

DATE:  
OCTOBER, 2001



**Construction Method**

The entire curb for the driveway shall be sawed full-depth and removed. A minimum of six (6) inches of gutter must remain. The curb and the missing gutter section shall then be reconstructed as part of the driveway.

**Typical Curb and Gutter Removal for Driveways.**

All cuts must be evenly sawed.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE EXECUTION  
OF A PROFESSIONAL SERVICES AGREEMENT**

**WHEREAS**, an office space needs assessment was performed in 2009 and should be updated before commencement of design of any new office buildings, and

**WHEREAS**, statements of qualifications of architectural firms were reviewed and evaluated, and

**WHEREAS**, the Mayor and staff recommend the firm of Wittenberg, Delony & Davidson, Inc. Architects for this project;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that** Mayor is hereby authorized to execute a professional services agreement with Wittenberg, Delony & Davidson, Inc. Architects to perform the services as outlined in the attached agreement for a fee of \$65,500.

**PASSED AND APPROVED** this 24<sup>th</sup> day of November, 2015.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

## **PROFESSIONAL SERVICES AGREEMENT**

### **PREAMBLE:**

This Agreement, made and entered into this **First day of November, 2015**,  
by and between;

**Wittenberg, Delony & Davidson, Inc. Architects,**  
hereinafter referred to as the "CONSULTANT"

and

**the City of Springdale, Arkansas,**  
hereinafter referred to as the "CLIENT"

Whereas, the CLIENT has need for the services of a Firm with the particular training, ability, knowledge, and experience possessed by the CONSULTANT;

### **WITNESSETH:**

The parties hereto mutually covenant and agree to and with each other as follows:

#### **1. SCOPE OF WORK AND CONTRACT DOCUMENTS**

The CONSULTANT shall perform services as outlined in Exhibit A: Scope; Exhibit B: Schedule and Exhibit C: Fees attached as Work Order(s) to this Contract. The contract documents shall consist of this Agreement, the attached Exhibits, and Work Order(s) as may be executed by written agreement of the parties. Any conflict between the contract documents shall be resolved in the following priority:

1. Work Order,
2. This Professional Services Agreement

This Contract shall supersede any prior representation or agreement, written or oral.

All final plans, including reports of phases of the project and of the entire project, shall be provided in both written and electronic format. Electronic format shall be in a format coordinated with the CLIENT and shall be compatible with such software programs specified by the CLIENT.

#### **2. DURATION OF CONTRACT**

This Contract shall become effective on the date this Agreement has been

signed by each party hereto. CONSULTANT acknowledges that no work has been or will be performed for the project under this Agreement until this Contract is fully executed and effective. CONSULTANT shall complete performance of this Agreement on or before;

**June 1, 2016**

plus any extensions thereof assuming timely decisions by the Client and other Stakeholders involved in this planning process.

CONSULTANT's completion shall not extinguish or prejudice CLIENT's right to enforce this Agreement with respect to any default or defect in CONSULTANT performance.

### **3. PAYMENT**

Amount of Payment:

**\$ 65,500.00 Dollars**

CONSULTANT shall be compensated for all goods, materials, expenses, and services as set forth in Work Order Exhibit C-Fees.

Invoicing and Manner of Payment: Invoices shall describe all work performed, as described in the Work Order. CONSULTANT shall send invoices to CLIENT's Authorized Representative. An invoice submitted by CONSULTANT within the first 30 days of the start of Work and continuing each month thereafter until completion or termination. Payment upon the invoice shall be within 30 days following receipt from CONSULTANT of an invoice or statement based upon a percentage (5) of each task completed (defined by the Scope of Work: Schedule 1) as detailed in the Fee Schedule shown in Schedule 3. Client shall notify the Consultant in writing, of any and all objections, if any, to an invoice within ten (10) working days of receipt of the date of invoice. Otherwise, the Client shall deem the invoice proper and acceptable.

### **4. TIME IS OF THE ESSENCE.**

CLIENT and CONSULTANT recognize that time is of the essence of this Contract and the CLIENT will suffer financial loss and the public will suffer loss or be inconvenienced if the work is not completed within the times specified in "Duration of Contract" paragraph above, plus any extensions thereof.

### **5. TERMINATION**

A. Parties' Right to Terminate For Convenience. This Agreement may be terminated at any time by mutual written consent of the parties.

B. CLIENT's Right to Terminate For Convenience. CLIENT may, at its sole discretion, terminate this Contract, in whole or in part, upon 10 days' notice to CONSULTANT.

C. CLIENT's Right to Terminate For Cause: CLIENT may terminate this Agreement, in whole or in part, immediately upon notice to CONSULTANT, or at such later date as Contracting Officer may establish in such notice, upon the occurrence of any of the following events:

(ii) Federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the Work under this Agreement is prohibited or CLIENT is prohibited from paying for such Work from the planned funding source;

(ii) CONSULTANT no longer holds any license or certificate that is required to perform the Work; or

(iii) CONSULTANT commits any material breach or default of any covenant, obligation or agreement under this Agreement, fails to perform the Work under this Contract within the time specified herein or any extension thereof, or so fails to pursue the Work as to endanger CONSULTANT's performance under this Agreement in accordance with its terms, and such breach, default or failure is not cured within 5 business days after delivery of Contracting Officer's notice, or such longer period as Contracting Officer may specify in such notice.

D. CONSULTANT's Right to Terminate for Cause: CONSULTANT may terminate this Agreement upon 30 days' notice to Contracting Officer if CLIENT fails to pay CONSULTANT pursuant to the terms of this Contract and CLIENT fails to cure within 30 business days after receipt of CONSULTANT's notice, or such longer period of cure as CONSULTANT may specify in such notice.

E. Remedies

(i) In the event of termination pursuant to subsections B, C(i), C(ii) or D, CONSULTANT's sole remedy shall be a claim for the sum designated for accomplishing the Work multiplied by the percentage of Work completed and accepted by Contracting Officer, less previous amounts paid and any claim(s) which CLIENT has against CONSULTANT.

(ii) In the event of termination pursuant to subsection C(iii) or C(iv), CLIENT shall have any remedy available to it in law or equity. If it is determined for any reason that CONSULTANT was not in default under subsection C(iii) or C(iv), the rights and obligations of the parties shall be the same as if the Contract was terminated pursuant to subsection B.

**F. CONSULTANT's Tender Upon Termination:** Upon receiving a notice of termination of this Agreement, CONSULTANT shall immediately cease all activities under this Contract, unless Contracting Officer expressly directs otherwise in such notice of termination.

Upon termination of this Agreement, CONSULTANT shall deliver to Contracting Officer all documents, information, works-in-progress and other property that are or would be deliverables had the Contract been completed. Upon Contracting Officer's request, CONSULTANT shall surrender to anyone Contracting Officer designates, all documents, research or objects or other tangible things needed to complete the Work.

## **6. LIMITATION OF LIABILITY**

Client agrees that the Consultant's liability for damage on account of any act, error, omission or other professional negligence to the Client shall be limited to the amount paid by Client hereunder for the Consultant's fees for Basic Services.

## **7. CLIENT'S RESPONSIBILITY**

The Client agrees to provide full, reliable information regarding its requirements for the Project and, at its expense, shall furnish the information, surveys and reports, if any, and listed on attached Schedule 1. In addition, the Client agrees to provide, at its expense and in a timely manner, the cooperation of its personnel and such additional information with respect to the Project as may be required from time to time, to be provided by the Client for the performance of the Consultant's work. The Client shall designate a Project Representative (Project Manager) authorized to act on behalf of the Client with respect to this Agreement and agrees to render any decisions promptly to avoid unreasonable delay to the Project and the performance of the Consultant's work. The Client also agrees to arrange all necessary client, task force, stakeholder and community meetings detailed in the Scope of Work (Schedule), and complete all necessary duplication of documents and other materials for client, stakeholder, and community meetings as well as all reports and other materials necessary for the Project beyond that which are stipulated in Schedule 1.

Additionally, this contract assumes that the Client will provide (for the purposes of this Project) all of the scheduling, logistics, and facilities necessary for the completion of each meeting identified in Schedule.

## **8. INSURANCE**

The CONSULTANT shall obtain prior to the commencement of the Contract, and shall maintain in full force and effect for the term of this Agreement, at the CONSULTANT's expense, a comprehensive general or commercial general liability policy and automobile liability insurance policy for the protection of the CONSULTANT and the CLIENT, its officers, agents, and employees. If the insurance policy is issued on a "claims made" basis, then the CONSULTANT shall continue to obtain and maintain coverage for not less than three years following – the completion of the Agreement. The policy shall be issued by a company

authorized to do business in the project area, protecting the CONSULTANT or SUB CONSULTANT(s) or anyone directly or indirectly employed by either of them against liability for damage, and any other losses or damages above mentioned with limits not less than

(a) \$1,000,000 per occurrence and \$2,000,000 in the aggregate or comprehensive general or commercial general liability insurance policies, and

(b) \$ 1,000,000 per occurrence-combined single limit or \$1,000,000 bodily injury and \$1,000,000 property damage for automobile liability insurance policies.

The insurance company shall provide the CLIENT with a certificate of insurance and an endorsement thereto naming the CLIENT as an additional primary insured and will provide the CLIENT written notice of cancellation or material modification of the insurance contract for not less than the following notice for the purposes stated: 30 days prior notice for reasons other than non-payment; 10 days prior notice for non-payment. The obligation to provide notice to the CLIENT shall be in substantially the following language: "Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will mail 30 days written notice to the certificate holder named"; it is not sufficient for the insurance carrier to merely "endeavor" to give notice or for the certificate to absolve the insurance carrier from obligation or liability in the event of the insurance carrier's failure to mail such notice. The CONSULTANT shall not undertake any acts that shall affect the coverage afforded by the above policy.

The CONSULTANT will not perform any work under this contract until the CLIENT has received copies of applicable insurance policies or acceptable evidence that appropriate insurance heretofore is in force.

#### **9. PROFESSIONAL LIABILITY INSURANCE**

The CONSULTANT shall provide the CLIENT evidence of professional liability in an amount not less than \$1,000,000 combined single limit. The CONSULTANT shall keep in force the professional liability policy for at least one year after the expiration of the Contract with the CLIENT, or notify the CLIENT in the event of a cancellation or reduction in limits of a "claims made" policy.

#### **10. INDEMNIFICATION**

CLIENT and CONSULTANT each agree to indemnify and hold the other harmless, and their respective officers, employees, agents, and representatives, from and against liability for all claims, losses, damages, and expenses, including reasonable attorneys' fees, to the extent such claims, losses, damages, or expenses are caused by the indemnifying party's negligent acts, errors, or omissions. In the event claims, losses, damages, or expenses are caused by the joint or concurrent negligence of CLIENT and CONSULTANT, they shall be borne by each party in proportion to its negligence.

## **11. PUBLICATION RIGHTS/RIGHTS IN DATA**

The final reports or products and all material contained in the reports (graphics, photos, etc.) Shall become the property of the CLIENT: the CLIENT may reproduce and distribute the reports, or any part thereof, in such form as the CLIENT desires. The CONSULTANT accepts no responsibility for the use of the product beyond the intended purpose of this Contract. CONSULTANT shall retain the rights to use the products of the Contract for whatever purpose.

All original written material and other documentation, including background data, documentation, and staff work that is preliminary to final reports, originated and prepared for the project pursuant to this Contract, shall become exclusively the property of the CONSULTANT.

The ideas, concepts, know-how or techniques relating to data processing developed during the course of this Contract by the CONSULTANT or CLIENT personnel, or jointly by the CONSULTANT and CLIENT personnel, can be used by either party in any way it may deem appropriate.

Material already in the CONSULTANT's possession, independently developed by the CONSULTANT outside the scope of this Contract or rightfully obtained by the CONSULTANT from third parties, shall belong to the CONSULTANT.

This Contract shall not preclude the CONSULTANT from developing materials that are competitive, irrespective of their similarity to materials which might be delivered to the CLIENT pursuant to this Contract.

## **12. NOTICE**

Any notice required or permitted under the terms of this Contract shall be deemed to have been duly served when personally delivered or delivered by registered or certified mail, return receipt requested and addressed as follows:

If to the Client:

Wyman Morgan or Patsy Christie  
City of Springdale  
201 Spring Street  
Springdale, AR 72764

If to the Consultant:

Richard Alderman  
Wittenberg, Delony & Davidson, Inc.  
2434 East Joyce Blvd., Suite #10  
Fayetteville, AR 72703

or at such other address as either party may specify, in writing, from time to time.

All notices shall be deemed to have been received on the date delivered in the case of personal delivery or on the next business day subsequent to the date of the U.S. Government postmark in the case of delivery by registered or certified mail.

### 13. INTEGRATION

This Contract represents the entire and integrated agreement between the CONSULTANT and the CLIENT, and supersedes all prior negotiations, representations or agreements, either written or oral.

This Contract may be amended only by written instrument signed by both the CONSULTANT and the CLIENT.

#### CONSULTANT

#### CLIENT

By: WD&D/R. K. Alderman  
Richard K. Alderman, AIA

By: \_\_\_\_\_  
Doug Sprouse

Title: President

Title: Mayor

Date: 11.9.15

Date:

Address:

WD&D Architects  
2435 E. Joyce Blvd.  
Fayetteville, AR 72703  
Ph# (479) 442-6681

Address:

City of Springdale  
201 Spring Street  
Springdale, AR 72764  
Ph# (479) 750-8588

WD&D EIN#: 71-0311512

#### Attachments:

- |                              |                   |
|------------------------------|-------------------|
| Work Order #1 – Exhibit #A – | Scope of Services |
| Work Order #1 – Exhibit #B – | Fee Proposal      |
| Work Order #1 – Exhibit #C – | Project Time Line |



October 26, 2015

**City of Springdale, Arkansas  
City Administration Building, Needs Assessment and Programing Study  
Work Order #1, Exhibit A; Scope of Work.**

This Project includes a Needs Review and Programing Study for a new Administration Building for the City of Springdale including those Tasks listed below:

**Task 1) Needs Assessment:**

To identify the overall needs of the City as they pertain to development of new spaces to adequately plan and house the needs of the following departments of the City: Major's Offices, City Clerk, Human Resources, Planning, Engineering, Building Inspection, Community Engagement and Information Technology.

Meeting with the Administration and Department Heads to determine the conditions and needs of the Existing Facilities as well as establishing Goals and Priorities for the efficient operation of each department and/or division.

To gather all permanent Data and to Document Existing Conditions.

Deliverable: Summary of needs as identified for each of the departments with draft goals and priorities.

**Task 2) Site Evaluation and Existing Conditions Review:**

Evaluate the Current Conditions of each Department.

To develop Site Survey Information and to Document Site Conditions

Deliverable: Site Survey and Site Conditions documented

**Task 3) To Survey each Department including detailed interviews with all Staff and users to determine their needs, identifying deficiencies and areas of common activities that could be shared by combination of departments:**

To evaluate Each Department and to quantify current needs as well as to project needs for 10 years, 15 years and 25 year periods

To conduct Focus Groups to determine the proper organization of each group and the relationships between groups for best overall use patterns



To communicate with outside City Stakeholders and Surrounding Groups and Landholders to determine the best long term development pattern for the Site and surrounding associated locations.

Deliverable: To present preliminary recommendations to the City Administration and to prepare conclusions and recommendations.

**Task 4) Cost Reviews and Facility Benchmarking:**

Review local and national costs for similar facilities and to determine the best and most reasonable cost model for the Work.

Deliverable: Summary report of Findings

**Task 5) Final Documentation**

Review the Final Document with the City Administration, Stakeholders and others.

Deliverables: Final Copies and Booklets

**Limitation of Responsibilities**

WD&D and or our consultants will not be responsible for the omission of the Owner's staff subcontractors, suppliers, vendor or any other individual or entity performing or furnishing information to the Architect on which we will be allowed to rely.

The following are additional services and are not provided for in this scope of work unless desired by NWARA and compensated for with additional fees:

- Prepare and/or Gain regulatory approvals or Building Permits
- Stop or Start services excessively
- Provide for mitigation of toxic or environmentally hazardous materials
- Provide for full-time resident on-site observations
- Provide for unreasonable review or options not provided for in this Proposal.

**Reimbursable Costs**

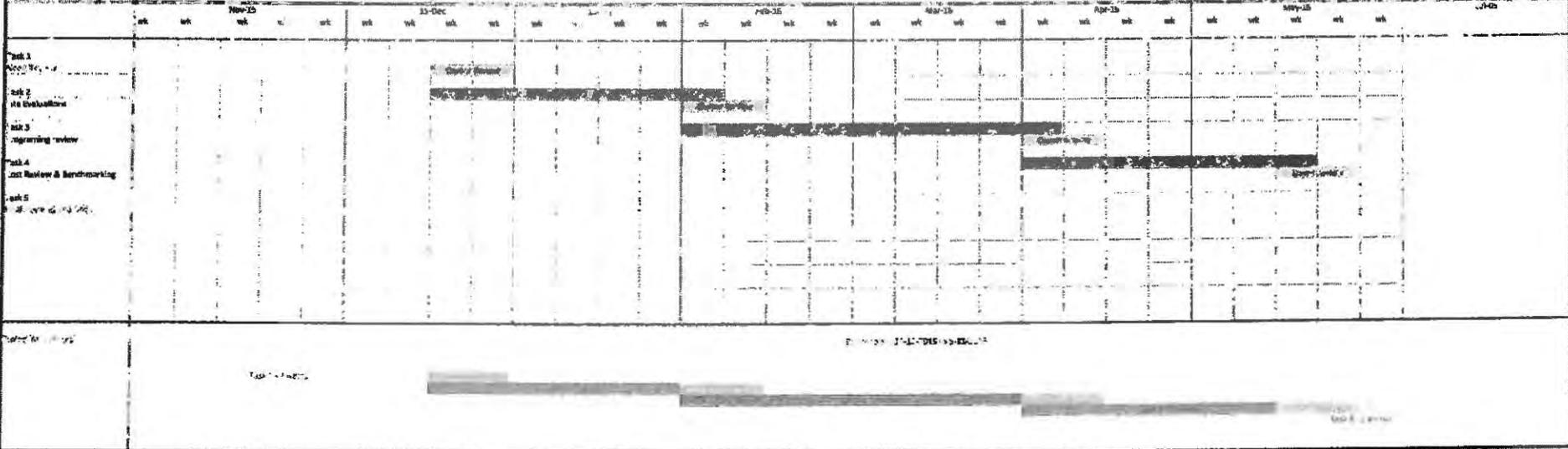
Reimbursable costs will be those costs normally associated with the AIA Owner-Contractor Agreement and will include;

- Printing, Postage and Delivery costs
- Submittal or governmental Fee costs
- Fees to agencies with jurisdiction over the work for approvals or submissions
- Overtime work if authorized

SPRINGDALE Administration Building Needs Assessment & Programming Study Prepared by WBSB 11/20/15	WBSB	Others	Task Budget
TASK DESCRIPTION			
<b>Task 1: Needs Assessment</b>			<b>\$13,000</b>
1A: Understanding the Community, Define Study Goals & Objectives	\$1,500		\$1,500
1B: Data Gathering and Documentation of Existing Conditions	\$2,000		\$2,000
1C: Review Existing Spaces and Conditions	\$5,000		\$5,000
1D: Identify Assets and Needs	\$4,500		\$4,500
<b>Task 2: Site Evaluations</b>			<b>\$17,000</b>
2A: Evaluate Current Site Conditions	\$3,500		\$3,500
2B: Quantify Usability of the Current Site Conditions	\$2,500		\$2,500
2C: Site Survey and Soils Evaluations		\$9,500	\$9,500
2D: Utility Conditions and Capacity Evaluations		\$1,500	\$1,500
<b>Task 3: Programming Review</b>			<b>\$23,000</b>
3A: Survey Existing Departments (2 interviews each Department)	\$7,500		\$7,500
3B: Conduct Evaluations with each Department to Assess Needs and Future Needs	\$7,500		\$7,500
3C: Focus Group and Listening Sessions for Administrators	\$1,500		\$1,500
3D: Review Department Growth Needs and Growth Projections	\$2,500		\$2,500
4D: Community and Stakeholders Group Reviews	\$2,500		\$2,500
5D: Final Administration and Final Departments Conclusions	\$1,500		\$1,500
<b>Task 4: Cost Review and Facility Benchmarking</b>			<b>\$7,000</b>
6A: Benchmark with Local and Regional Similar Facilities	\$2,000		\$2,000
6A: Cost Review and Projections	\$2,500	\$2,500	\$5,000
<b>Task 5: Reviews and Final Document Preparations</b>			<b>\$5,500</b>
7A: Review Recommendations with Administration and Community Stakeholders	\$1,500		\$1,500
7B: Final Written Document Preparations	\$1,500		\$1,500
7C: Printing & Reimbursables	\$2,500		\$2,500
<b>Project Base Total</b>			<b>\$65,500</b>

**City of Springdale, Administration Building  
Needs Assessment & Program Study**

**Project Timeline**



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO WAIVE COMPETITIVE  
BIDDING FOR AN ADMINISTRATIVE  
SERVICE AGREEMENT**

**WHEREAS**, Springdale, Arkansas, anticipates funding from the Economic Development Administration (EDA) for EDA Grant Number 08-79-05071 for an economic development project; and

**WHEREAS**, Springdale, Arkansas requires assistance to identify and implement the regulations pertaining to the said grant, and;

**WHEREAS**, it will be necessary for the Mayor and City Clerk to act in connection with the Administrative Agreement; and

**WHEREAS**, Arkansas Code 14-58-303 states, "The governing body, by ordinance, may waive the requirements of competitive bidding in exceptional situations where this procedure is deemed not feasible or practical";

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that**

**Section 1.** This Council finds that for the procurement of grant administrative services competitive bidding is not feasible or practical and competitive bidding on the employment of the Northwest Arkansas Economic Development District, Inc. is here by waived for a fee of \$30,000 and the Mayor and City Clerk are hereby authorized to execute an agreement for these services.

**Section 2. Emergency Clause.** It is hereby declared that an emergency exists, and this ordinance being necessary for the immediate preservation of the health, safety, and welfare of the citizens of Springdale, Arkansas, shall be effective immediately upon passage and approval.

**PASSED AND APPROVED** this 24<sup>th</sup> day of November, 2015

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM

\_\_\_\_\_  
Ernest B. Cate, City Attorney

## **ADMINISTRATIVE SERVICE AGREEMENT**

### **SPRINGDALE, ARKANSAS AND NORTHWEST ARKANSAS ECONOMIC DEVELOPMENT DISTRICT, INC.**

**THIS AGREEMENT**, entered into this 2nd day of November 2015 by and between the following parties: Northwest Arkansas Economic Development District, Inc. hereinafter called the Administrator; and Springdale, Arkansas, acting herein by Mayor Doug Sprouse, duly authorized, herein called the Grantee.

**WHEREAS**, the Grantee has received \$1,000,000 in grant funds from the U.S. Department of Commerce, Economic Development Administration to drainage system improvements on Cambridge Street in Springdale, Arkansas; and

**WHEREAS**, the Grantee has negotiated with and desires to engage the Northwest Arkansas Economic Development District, Inc., to render selected services concerning the administration of the grant program; and

**WHEREAS**, the Administrator proposes to serve in the capacity of Administrative Support in connection with the administration of the Economic Development Administration Grant Award, Number 08-79-05071.

**NOW THEREFORE**, the parties do mutually agree as follows:

#### **I. GENERAL SCOPE OF SERVICES**

The Administrator shall perform all of the necessary services provided under this contract in connection with the administration of the grant program:

- A.
  - 1. Provide technical assistance as deemed necessary in contracting for Services to fulfill the scope of the Economic Development Administration Grant project.
  - 2. Assist the Grantee with all applicable requirements for the Economic Development Administration grant award special terms and conditions and general terms and conditions.
  - 3. Set up complete set of files for the Economic Development Administration grant. Update files on an as-needed basis.
  - 4. Assist in the provision of information necessary for a project audit as required.
- B. The Administrator will perform the following Financial Management Functions:
  - 1. Assist with obtaining the approval of proposed contract documents.

Award Number **08-79-05071**

2. Provide consultation with engineer and funding agency.
3. Forward copies of vouchers, invoices, billing, and other evidence of costs other than construction, for which reimbursement is claimed has been completed.
4. Assist in the preparation of budget revisions.
5. Tabulate project costs to ensure compliance with the project controlling budget as per the Economic Development Administration grant award.
6. Assist in the maintenance of all documents.
7. Assist in the submittal of any necessary reports, forms, release of liens, certificates of completion, and final inspection.

## **II. SCOPE OF SERVICES PROVIDED BY THE GRANTEE**

The Grantee, as consideration for the agreement by the Administrator to assume certain duties described above, hereby agrees to assume the following duties and responsibilities:

1. To make final review of all services performed and to authorize same prior to implementation and/or commitment to record.
2. To pay all program costs arising out of the above described project which are incurred by the Administrator on behalf of the Grantee and approved by the Grantee.
3. To reimburse the Administrator in accordance with the submission of approved invoices.

## **III. COMPENSATION AND METHOD OF PAYMENT**

For services provided under this Contract, the Administrator shall receive compensation not to exceed thirty thousand and No/100 Dollars (\$30,000). Payments shall be made as follows:

\$15,000 due after signing agreement for services provided under 1.A.

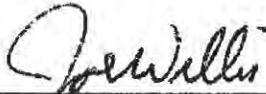
\$15,000 due upon completion of the project and issuance of Substantial Completion Certificate.

**IV. TERMS OF CONDITIONS**

This Agreement shall bind and benefit the Grantee, the Administrator, and their representatives, successors, and assigns.

WITNESS OUR HANDS AND SEALS ON THE DATE HEREINABOVE WRITTEN,  
The Service Agreement shall be effective as of July 1, 2013.

**Northwest Arkansas Economic Development District, Inc.**



\_\_\_\_\_  
Joe Willis, Executive Director

**Springdale, Arkansas**

\_\_\_\_\_  
Doug Sprouse, Mayor

Award Number 08-79-05071

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING THE CITY OF  
SPRINGDALE, ARKANSAS BUDGET FOR  
THE YEAR 2016**

**WHEREAS**, the Mayor has presented a proposed budget for the calendar year 2016 to the City Council for the City of Springdale, Arkansas as required by Arkansas Code 14-58-201; and

**WHEREAS**, the Mayor's proposed budget includes a compensation step increase for eligible employees; and

**WHEREAS**, the City Council Finance Committee held budget work sessions to review, study, discuss and adjust the 2016 budget proposed by the Mayor and has recommended adoption with amendments;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS**, that the 2016 Mayor's proposed budget and the salary increases adjusted by the budget changes made by the City Council Finance Committee are hereby passed and approved with the compensation increases to be effective January 1, 2016 and the one-time bonuses to be paid in April 2016.

**PASSED AND APPROVED** this 24<sup>th</sup> day of November, 2015.

\_\_\_\_\_  
Doug Sprouse, Mayor

**ATTEST:**

\_\_\_\_\_  
Denise Pearce, City Clerk

**APPROVED AS TO FORM**

\_\_\_\_\_  
Ernest B. Cate, City Attorney

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE SETTING THE SALARIES OF THE ELECTED OFFICIALS AND PLANNING COMMISSION MEMBERS OF SPRINGDALE, ARKANSAS AND REPEALING ORDINANCE NUMBER 4864**

**WHEREAS**, the Arkansas Municipal League legal staff has recommended that salaries of elected officials be established by ordinance, and

**WHEREAS**, the 2016 proposed budget includes increases in compensation for some elected officials, and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that**

1. Effective January 1, 2016, the annual compensation for Springdale elected officials and Planning Commission members shall be as shown below.

City Council Members	\$ 10,200
Planning Commission Members	3,600
Mayor	115,721
City Clerk/Treasurer	81,070
City Attorney	106,015
District Judge	128,573

2. Ordinance Number 4864 setting salaries for elected officials is hereby repealed effective January 1, 2016.
3. **Emergency Clause.** It is hereby declared that an emergency exists, and this ordinance being necessary for the immediate preservation of the health, safety, and welfare of the citizens of Springdale, Arkansas, shall be effective January 1, 2016.

**PASSED AND APPROVED** this 24<sup>th</sup> day of November, 2015.

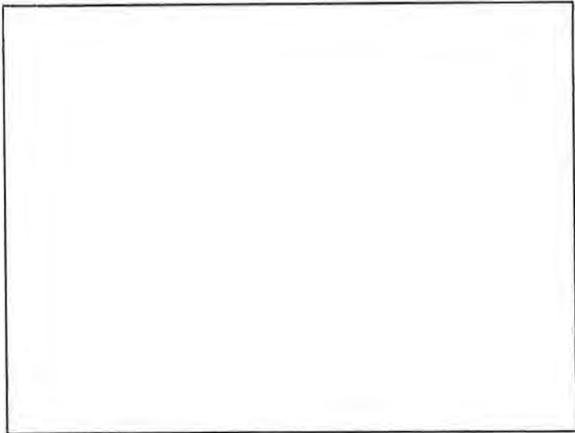
\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM

\_\_\_\_\_  
Ernest B. Cate, City Attorney



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM GENERAL COMMERCIAL DISTRICT (C-2) TO MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (MF-12) AND DECLARING AN EMERGENCY:**

P 55

**WHEREAS**, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of November 3, 2015 for hearing the matter of a petition of Eagle Nest Developers, LLC (Kerry Comstock) requesting that the following described tract of real estate be zoned from General Commercial District (C-2) to Medium Density Multi-family Residential District (MF-12).

**Layman's Description: SW corner of Emma Avenue and Butterfield Coach Road**

**Legal Description:** A Part of Lot 6, 7, 9 and 12 of Tom Carrell Subdivision in the southwest Quarter of the Southwest Quarter of Section 32, township 18 North, Range 29 West, and being more particularly described as follows, to-wit: Beginning at the Northeast corner of said Southwest Quarter of the Southwest Quarter and running thence S 00 degrees 03' 16" W 1317.51 feet to the Southeast corner of said forty acre tract; thence N 89 degrees 57' 58" W 330.05 feet, thence N 00 degrees 04' 47" E 658.92 feet; thence N 89 degrees 56' 09" W 64.74 feet thence N 00 degrees 06' 19" E 279.71 feet; thence S 89 degrees 56' 14" E 229.63 feet; thence N 00 degrees 03' 16" E 379.13 feet; thence S 89 degrees 54' 32" E 164.62 feet to the Point of Beginning.

**AND WHEREAS**, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from General Commercial District (C-2) to Medium Density Multi-family Residential District (MF-12) for the purposes of that Zoning Ordinance would be more

5

properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

**SECTION 1:** That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From General Commercial District (C-2) to Medium Density Multi-family Residential District (MF-12).

**SECTION 2:** That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3: EMERGENCY CLAUSE:** It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015**

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

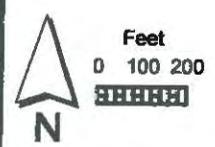
\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney



Public hearing sign posted:    /    / 2015  
 Public hearing sign posted by: CS  
 (S) Public Hearing Sign Location



**FILE NUMBER: R15-27**  
**APPLICANT: EAGLE'S NEST DEVELOPERS, LLC**  
**REZONING REQUEST: C-2 TO MF-12**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**11/3/2015**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO PARADISE LANE IN CONNECTION WITH LS15-08 FOR MICHAEL AND THAM T. MYERS**

**WHEREAS**, Ordinance #3047 provides for the waiver of street improvements, drainage relating thereto, curbs, gutters and sidewalks to be first heard by the Planning Commission and a recommendation made to the City Council, with any waivers to be granted by the City Council only; and

**WHEREAS**, the Planning Commission reviewed a request for waiver of street improvements to Paradise Lane including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with LS15-08, Lot Split for Michael and Tham T. Myers and the Planning Commission recommends approval of the waiver request.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE**, that the City Council hereby:

**Option 1: Grants** a waiver of street improvements to Paradise Lane including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with LS15-08 Lot Split for Michael and Tham T. Myers.

**Option 2: Denies** a waiver of street improvements to Paradise Lane including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with LS15-08, Lot Split for Michael and Tham T. Myers.

**Option 3: Approves** payment in lieu of improvements to Paradise Lane in connection with LS15-08, Lot Split for Michael and Tham T. Myers with estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

**Option 4: Denies** a waiver and allow a Bill of Assurance for a period not to exceed \_\_\_\_\_ years for street improvements to Paradise Lane including drainage improvements related thereto, curbs, gutters, sidewalks and street lights to be built in connection with LS15-08, Lot Split for Michael and Tham T. Myers.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney



Public hearing sign posted:      /      / 2015  
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**FILE NUMBER: C15-16**  
**APPLICANT: MIKE & THAM MYERS**  
**CONDITIONAL USE REQUEST: TANDEM LOT SPLIT**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**11/3/2015**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION APPROVING A CONDITIONAL USE AT  
PARADISE LANE PARCEL #815-29863-001 DIRECTLY  
NORTH OF 301 PARADISE LANE AS SET FORTH IN  
ORDINANCE NO. 4030**

**WHEREAS**, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

**WHEREAS**, the Planning Commission held a public hearing on November 3, 2015, on a request by Michael Myers and Tham T. Myers for a Tandem Lot Split in a Low/Medium Density Single Family Residential District (SF-2).

**WHEREAS**, following the public hearing the Planning Commission by a vote of Nine (9) yes and zero (0) no recommends that a conditional use be granted to Michael Myers and Tham T. Myers for a Tandem Lot Split in a Low/Medium Density Single Family Residential District (SF-2) with the following conditions – Must provide Planning Staff with correct documents for easement and address all comments from Staff.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE**, that the City Council hereby grants a conditional use to Michael Myers and Tham T. Myers for a Tandem Lot Split in a Low/Medium Density Single Family Residential District (SF-2) with the following conditions – Must provide Planning Staff with correct documents for easement and address all comments from Staff.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

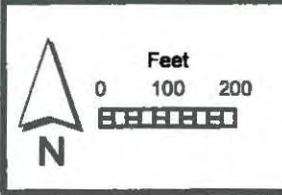
\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney



Public hearing sign posted: 11/3 / 2015  
 Public hearing sign posted by: CS  
 Public Hearing Sign Location



**FILE NUMBER: C15-16**  
**APPLICANT: MIKE & THAM MYERS**  
**CONDITIONAL USE REQUEST: TANDEM LOT SPLIT**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**11/3/2015**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION APPROVING A CONDITIONAL USE AT  
1102 EAST BACKUS AS SET FORTH IN ORDINANCE  
NO. 4030**

**WHEREAS**, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

**WHEREAS**, the Planning Commission held a public hearing on November 3, 2015, on a request by Lidia Estupinian/Ark of the Pact for a Use Unit 42 (Church/Synagogue) in a General Commercial District (C-2).

**WHEREAS**, following the public hearing the Planning Commission by a vote of Nine (9) yes and zero (0) no recommends that a conditional use be granted to Lidia Estupinian/Ark of the Pact for a Use Unit 42 (Church/Synagogue) in a General Commercial District (C-2) with the following conditions – Must comply with the City's Noise Ordinance and Building and Fire Codes; hours of operation will be Friday, Saturday and Sunday from noon to 10:0 P.M. and 7:00 p.m. to 9:00 p.m. for the remainder of the week.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE**, that the City Council hereby grants a conditional use to Lidia Estupinian/Ark of the Pact for a Use Unit 42 (Church/Synagogue) in a General Commercial District (C-2) with the following conditions - Must comply with the City's Noise Ordinance and Building and Fire Codes; hours of operation will be Friday, Saturday and Sunday from noon to 10:0 P.M. and 7:00 p.m. to 9:00 p.m. for the remainder of the week.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

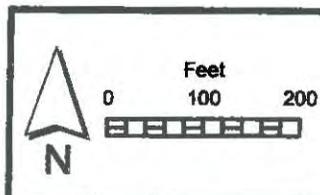
\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney



Public hearing sign posted: 1 / 1 / 2015  
 Public hearing sign posted by: CS  
 S Public Hearing Sign Location



**FILE NUMBER: C15-15**  
**APPLICANT: LIDIA ESTUPINIAN-ARK OF THE PACT**  
**CONDITIONAL USE REQUEST: USE UNIT 42**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**11/3/2015**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO 7948 W. GIBBS ROAD IN CONNECTION WITH A SINGLE FAMILY DWELLING**

**WHEREAS**, Ordinance #3047 provides for the waiver of street improvements, drainage relating thereto, curbs, gutters and sidewalks to be first heard by the Planning Commission and a recommendation made to the City Council, with any waivers to be granted by the City Council only; and

**WHEREAS**, the Planning Commission reviewed a request for waiver of street improvements to 7948 W. Gibbs Road including drainage improvements related thereto, sidewalks in connection with a single family dwelling for Phil and Sheena Daniel and the Planning Commission recommends approval of the waiver request.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE**, that the City Council hereby:

**Option 1: Grants** a waiver of street improvements to 7948 W. Gibbs Road including drainage improvements related thereto, sidewalks in connection with a single family dwelling for Phil and Sheena Daniel.

**Option 2: Denies** a waiver of street improvements to 7948 W. Gibbs Road including drainage improvements related thereto, sidewalks in connection with 4157 Robbins Road a single family dwelling for Phil and Sheena Daniel.

**Option 3: Approves** payment in lieu of improvements to 7948 W. Gibbs Road in connection with a single family dwelling for Phil and Sheena Daniel with estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

**Option 4: Denies** a waiver and allow a Bill of Assurance for a period not to exceed \_\_\_\_\_ years for street improvements to 7948 W. Gibbs Road including drainage improvements related thereto, sidewalks to be built in connection with a single family dwelling for Phil and Sheena Daniel.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

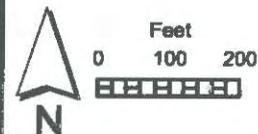
\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney



**FILE NUMBER: W15-10**  
**APPLICANT: PHIL & SHEENA DANIEL**  
**WAIVER REQUEST: SIDEWALK REQUIREMENT**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO 2142 N. 56<sup>TH</sup> STREET IN CONNECTION WITH A SINGLE FAMILY DWELLING**

**WHEREAS**, Ordinance #3047 provides for the waiver of street improvements, drainage relating thereto, curbs, gutters and sidewalks to be first heard by the Planning Commission and a recommendation made to the City Council, with any waivers to be granted by the City Council only; and

**WHEREAS**, the Planning Commission reviewed a request for waiver of street improvements to 2142 N. 56<sup>th</sup> Street including drainage improvements related thereto, sidewalks in connection with a single family dwelling for Dale and Diane Douglas and the Planning Commission recommends approval of the waiver request.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE**, that the City Council hereby:

**Option 1: Grants** a waiver of street improvements to 2142 N. 56<sup>th</sup> Street including drainage improvements related thereto, sidewalks in connection with a single family dwelling for Dale and Diane Douglas.

**Option 2: Denies** a waiver of street improvements to 2142 N. 56<sup>th</sup> Street including drainage improvements related thereto, sidewalks in connection with a single family dwelling for Dale and Diane Douglas.

**Option 3: Approves** payment in lieu of improvements to 2142 N. 56<sup>th</sup> Street in connection with a single family dwelling for Dale and Diane Douglas with estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

**Option 4: Denies** a waiver and allow a Bill of Assurance for a period not to exceed \_\_\_\_\_ years for street improvements to 2142 N. 56<sup>th</sup> Street including drainage improvements related thereto, sidewalks to be built in connection with a single family dwelling for Dale and Diane Douglas.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

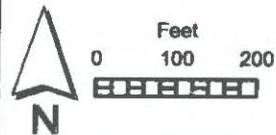
\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney



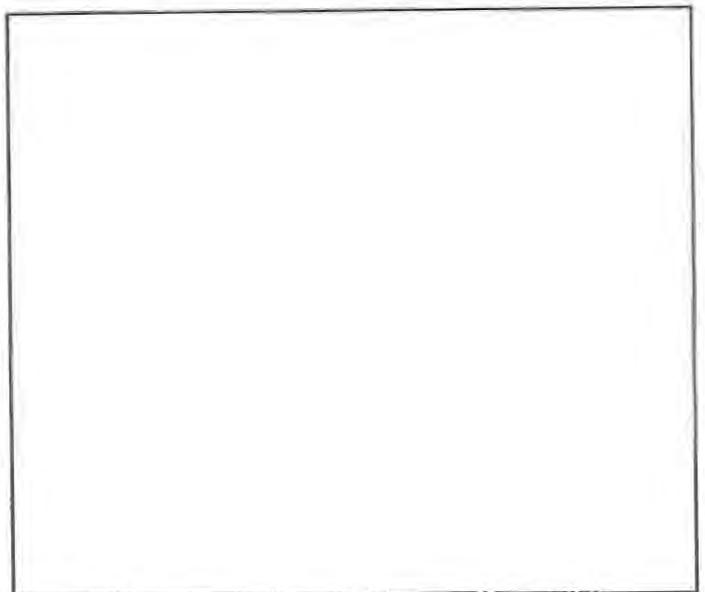
**FILE NUMBER: W15-11**  
**APPLICANT: DALE & DIANE DOUGLAS**  
**WAIVER REQUEST: SIDEWALK REQUIREMENT**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
**PLANNING COMMISSION MEETING**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE CITY CLERK TO FILE A CLEAN-UP LIEN FOR THE REMOVAL OF OVERGROWN BRUSH AND DEBRIS ON PROPERTY LOCATED WITHIN THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS.**

**WHEREAS**, the following real property located in Springdale, Benton County, Arkansas, is owned as set out below:



**PROPERTY OWNER:** Meriba A. Aron  
**LEGAL DESCRIPTION:** Lot 44, Silverstone Subdivision, Phase II, to the City of Springdale, Arkansas, as shown on plat of record in plat book 2003 at page 716, plat records of Benton County, Arkansas  
**LAYMAN'S DESCRIPTION:** 3556 Grainger Circle  
Springdale, Arkansas  
**PARCEL NO.:** 21-01204-000

**WHEREAS**, the owner was given notice, pursuant to Ark. Code Ann. §14-54-903, of the unsightly and unsanitary conditions on the properties described above, and instructed to clean the properties in accordance with Sections 42-77 and 42-78 of the Springdale Code of Ordinances;

**WHEREAS**, the property owner of record did not abate the situation on these properties, and as a result, the City of Springdale was required to abate the conditions on these properties and incurred cost as follows, and as shown in the attached Exhibits:

\$1,318.00 clean-up costs and \$35.22 administrative costs – 3556 Grainger Circle (#21-01204-000)

**WHEREAS**, the property owners have been given at least 30 days written notice of the public hearing in accordance with Ark. Code Ann. §14-54-903, as shown in the attached Exhibits;

**WHEREAS**, Ark. Code Ann. §14-54-904 authorizes the City Council to assert a clean-up lien on these properties to collect the amounts expended by the City in cleaning up these properties;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, pursuant to Ark. Code Ann. §14-54-904, the City Council certifies that the following real property shall be placed on the tax books of the Washington County Tax Collector as delinquent taxes and collected accordingly:

\$1,353.22, plus 10% for collection – 3556 Grainger Circle (#21-01204-000)

**Emergency Clause.** It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

**PASSED AND APPROVED** this \_\_\_\_\_ day of November, 2015.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ernest B. Cate, CITY ATTORNEY



Office Of The City Attorney

201 Spring Street
Springdale, Arkansas 72764
Phone (479) 756-5900
Fax (479) 750-4732
www.springdalear.gov
Writer's Email:
ssparkman@springdalear.gov

October 22, 2015

Ernest B. Cate
City Attorney

Taylor Samples
Senior Deputy
City Attorney

Sarah Sparkman
Deputy City Attorney

David D. Phillips
Deputy City Attorney

Lynda Belvedere
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

Meriba A. Aron
3556 Grainger Circle
Springdale, AR 72764-8335

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED
AND REGULAR MAIL

JPMorgan Chase Bank, National Association
1111 Polaris Parkway
Columbus, OH 43240

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

The Corporation Company, Registered Agent
for United Fidelity Funding Corp.
124 W. Capitol Ave., Suite 1900
Little Rock, AR 72201

RE: Notice of clean-up lien on property located at 3556 Grainger
Circle, Springdale, Benton County, Arkansas, Tax Parcel No. 21-
01204-000

Dear Property Owner/Lienholders:

On July 24, 2015 and July 27, 2015, notice was posted on property located at
3556 Grainger Circle Springdale, Arkansas, that the property was in violation of
Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within
seven (7) days. Notice was mailed to the owner of record on July 27, 2015, that
the City intended to seek a clean-up lien on this property pursuant to Ark. Code
Ann. §14-54-903 if the violations were not remedied.

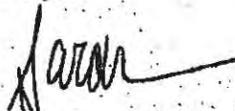
No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about August 4, 2015 and August 10, 2015. As of this date, the total costs
incurred by the City of Springdale to clean this property are \$1,318.00. I have
enclosed an invoice evidencing the abatement costs incurred and paid by the City
of Springdale to clean this property. Also, in accordance with Ark. Code Ann.
§14-54-903(c)(4), administrative fees may be added to the total costs incurred by
the City of Springdale, which will include certified mailing fee in the amount of
\$6.74 per letter and a filing fee in the amount of \$15.00 to the Washington County
Circuit Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before November 24, 2015, a hearing will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing will be held Tuesday, November 24, 2015, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. You will be entitled to present evidence at this hearing concerning the amount of the lien the City of Springdale is claiming.

If you desire not to contest this amount, and desire not to have a hearing on the matter, please remit the total sum of \$1,338.22, which includes \$1,318.00 for cleaning up the property and \$20.22 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

If you should have any questions, please let me know.

Sincerely,



Sarah Sparkman  
Deputy City Attorney

enclosures

SS:ch

cc: MACKIE WOLF ZIENTZ & MANN, P.C.



# City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

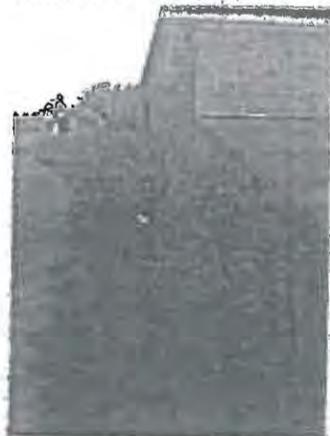
**CITY ABATEMENT - Tuesday, August 04, 2015 9:23:02 AM (646 CITY ABATEMENT)**

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	8/4/2015 9:23:02 AM
Property Address	3556 grainger
Before Picture	Attached Data

Before Picture



Attached Data



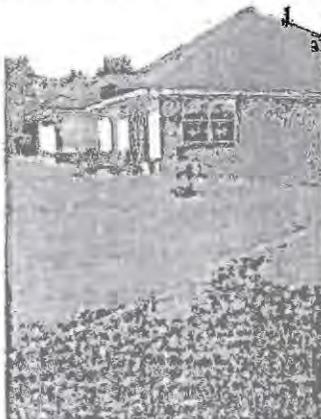
Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement	Violation Notice / Lien
Date of Abatement	Tuesday, August 04, 2015 9:23:00 AM
Officer on Site	Tina Haden
Supervisor on Job	Mike Hicklin
Employee	
Employee	Mike Hicklin
MH Benefit Rate	\$27.42
Method of Compliance	
1 Method of Compliance	Mowing
Equipment Used	
Equipment	752 Grasshopper,743 Kubota,6021 Service Truck-Landscaping,6026 Service Truck-Landscaping,6031 Service Truck-Landscaping
752 Grasshopper	\$55.00
743 Kubota	\$65.00
6024 4x4 Service Truck	\$35.00
6026 Service Truck-Landscaping	\$35.00
6031 Service Truck-Landscaping	\$35.00
Time of Abatement in Hours	2
Number of Temporary Laborers	6

Temporary Labor Cost \$144.00  
Employee Cost per hour \$27.42  
Total Employee Cost \$54.84  
Equipment Cost per hour \$225.00  
Total Equipment Cost \$450.00  
Mobilization Fee \$200.00  
Extra materials cost \$0.00  
Total Cost of Abatement \$848.84  
Final Photos Attached Data



Final Photos

Attached Data



Final Photos

Attached Data



Final Photos

Attached Data



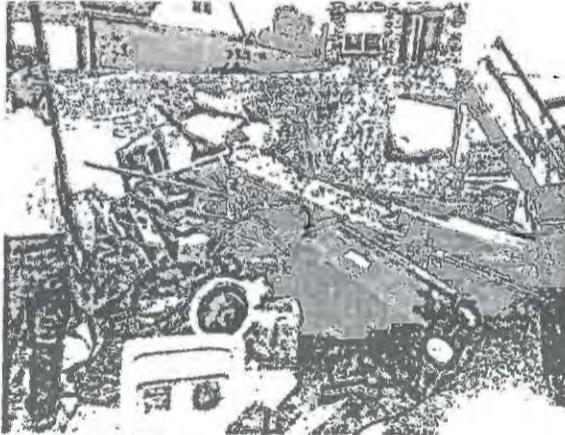


# City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/766-7712

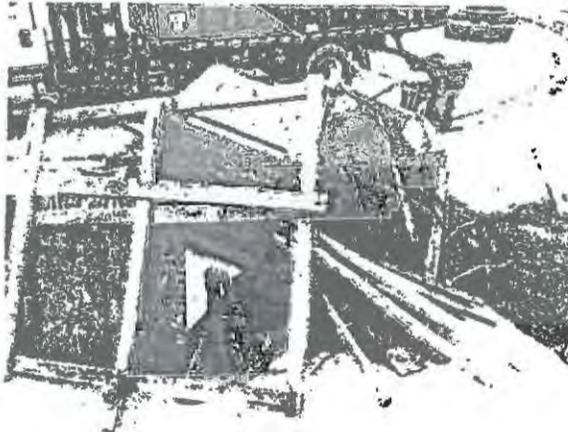
**CITY ABATEMENT - Monday, August 10, 2015 7:52:50 AM (1- BULKY WASTE )**

User Name	1- BULKY WASTE
User #	4792839382
Form Started	8/10/2015 7:52:50 AM
Property Address	3556 grainier
Before Picture	Attached Data



Before Picture

Attached Data



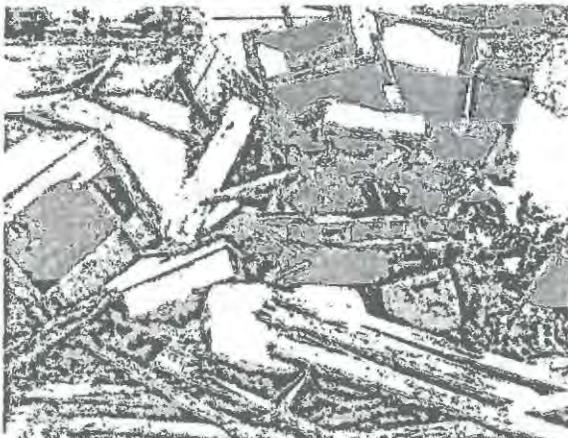
Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Monday, August 10, 2015 7:52:00 AM

Employee

Employee

Leonard McCoy, Peter Wilson, Rod Dorsey

Leonard McCoy

\$19.62

MT Benefit Rate

\$16.24

RD Benefit Rate

\$17.92

Method of Compliance

1 Method of Compliance Junk and Trash Removal from Curb

Equipment Used

Equipment

660/652 New Bulky Waste Truck, 6028 Service Pick Up Truck

660 New Bulky Waste

\$200.00

Truck

6028 Service Pick Up Truck

\$35.00

Time of Abatement in

1

Hours

Number of Temporary

0

Laborers

Temporary Labor Cost

\$0.00

Employee Cost per hour

\$34.16

Total Employee Cost

\$34.16

Equipment Cost per hour

\$235.00

Total Equipment Cost \$235.00  
Mobilization Fee \$200.00  
Extra materials cost \$0.00  
Total Cost of Abatement \$469.16  
Extra Materials &/or Notes 0  
Final Photos Attached Data



Final Photos

Attached Data



**AFFIDAVIT**

STATE OF ARKANSAS                    )  
  )SS  
COUNTY OF WASHINGTON            )

I, Steve Helms, upon my oath, state as follows:

1. That I am the Investigator for the Springdale City Attorney's Office.
2. That on October 22, 2015, the City Attorney's Office attempted to mail a letter to Meriba A. Aron, 3556 Grainger Circle, Springdale, AR 72764, by certified mail; however, said letter was returned "Vacant."
3. That on November 6, 2015, I made contact with Meriba A. Aron at 717 Morrison, Springdale, Arkansas, and gave him a copy of the letter from the City Attorney's Office dated October 22, 2015.

FURTHER, affiant sayeth naught.

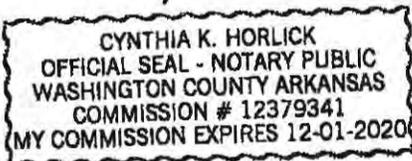
Steve Helms  
Steve Helms

SUBSCRIBED AND SWORN to before me, a Notary Public, this 6<sup>th</sup> day of November, 2015.

My Commission Expires:

12/1/2020

Cynthia K. Horlick  
Notary Public



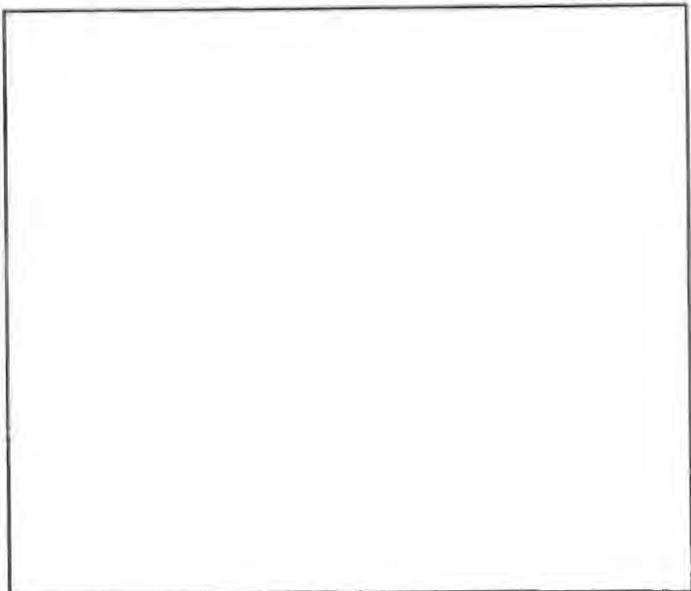
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p> <input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  <input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.  <input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. </p> <p>1. Article Addressed to:</p> <p style="padding-left: 40px;"> The Corporation Company, Registered Agent  for United Fidelity Funding Corp.  124 W. Capitol Ave., Suite 1900  Ft. Little Rock, AR 72201 </p>	<p>A. Signature <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p><b>XCT CORPORATION</b></p> <p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p> <p style="text-align: center;"><b>OCT 27 2015</b></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p> <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery </p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p style="text-align: center;">7014 1200 0001 0759 1149</p>
<p>PS Form 3811, July 2013 <span style="float: right;">Domestic Return Receipt</span></p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p> <input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  <input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.  <input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. </p> <p>1. Article Addressed to:</p> <p style="padding-left: 40px;"> JPMorgan Chase Bank, National Association  1111 Polaris Parkway  Columbus, OH 43240 </p>	<p>A. Signature <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p><b>X</b></p> <p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p> <p style="text-align: center;"><b>Larry R. Munn</b></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p> <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery </p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p style="text-align: center;">7014 1200 0001 0759 1132</p>
<p>PS Form 3811, July 2013 <span style="float: right;">Domestic Return Receipt</span></p>	

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE CITY CLERK TO FILE A CLEAN-UP LIEN FOR THE REMOVAL OF OVERGROWN BRUSH AND DEBRIS ON PROPERTY LOCATED WITHIN THE CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS.**

**WHEREAS**, the following real property located in Springdale, Washington County, Arkansas, is owned as set out below:



**PROPERTY OWNER:** Blair 1, LLC  
**LEGAL DESCRIPTION:** Part of Lots 11, 12 and 13, Block 22, Railroad Addition to the City of Springdale, Washington County, Arkansas, being more particularly described as follows, to-wit: Beginning at a point 81 feet South of the Northwest corner of Lot 13, Block 22 of Railroad Addition; thence East 67 feet; thence South 3 feet; thence East 15 feet; thence South 51 feet; thence West 82 feet; thence North 54 feet to the point of beginning, containing .10 acres, more or less.  
**LAYMAN'S DESCRIPTION:** 403 S. Blair St.  
Springdale, Washington County, Arkansas  
**PARCEL NO.:** #815-25307-000

**PROPERTY OWNER:** Andre Mosely  
**LEGAL DESCRIPTION:** Part of Lots 7, 8, 9 and 10, in Block 20 of the Railroad Addition to the City of Springdale, Arkansas, as per plat of said Addition on file in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, described as follows: Commencing at a found iron pin which is 22 feet East of the Southwest corner of Lot 7; thence North 00°07'49" East 85.02 feet to the Point of Beginning; thence N 89°45'37" E 144.04 feet along an existing fence line; thence North 54.38 feet; thence West 143.92 feet; thence South 00°07'49" West 54.98 feet to the Point of Beginning.  
**LAYMAN'S DESCRIPTION:** 406 S. Blair St. & 408 S. Blair St.  
Springdale, Washington County, Arkansas  
**PARCEL NO.:** #815-25293-000

**PROPERTY OWNER:** Ten Carrot Ventures  
**LEGAL DESCRIPTION:** Part of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section Eight (8) in Township Seventeen (17) North of Range Twenty-Nine (29) West, and being more particularly described as: Beginning at a point 190.00 feet East of the Southwest corner of said 40 acre tract and running thence East 145.00 feet, thence North 270.00 feet, thence West 165.00 feet, thence South 67.00 feet, thence East 92.00 feet, thence South 130.00 feet, thence West 72.00 feet, thence South 73.00 feet to the point of beginning, and in addition, subject to having ingress and egress rights to a 15 foot driveway easement turning from a county road right-of-way lying west of the hereinabove described real estate, the center line of

said easement being the property lines of the herein described real estate beginning at a point 190 feet East and 73 feet North of the Southwest corner of said 40-acre tract and running thence East 72 feet, thence North 130 feet, thence West 92 feet.

**LAYMAN'S DESCRIPTION:** 3525 Butterfield Coach Rd., 3553 Butterfield Coach Rd. & 3585 Butterfield Coach Rd.  
Springdale, Washington County, Arkansas  
**PARCEL NO.:** #815-30601-950

**PROPERTY OWNER:** Route 71 Development Co., LLC  
**LEGAL DESCRIPTION:** Lot Numbered Thirty-one (31), The Oaks Addition, Phase X to the City of Springdale, Arkansas, as per plat of said Addition on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

**LAYMAN'S DESCRIPTION:** 1119 Dick Smith St.  
Springdale, Washington County, Arkansas  
**PARCEL NO.:** #815-32087-000

**PROPERTY OWNER:** Jerry W. & Susan L. Hallum  
**LEGAL DESCRIPTION:** Lot 7, in Block 6 of the re-plat of part of Newell Addition to the City of Springdale, Washington County, Arkansas

**LAYMAN'S DESCRIPTION:** 1913 W. Emma Ave.  
Springdale, Arkansas  
**PARCEL NO.:** 815-23974-000

**PROPERTY OWNER:** David & Jennifer Wheeler  
**LEGAL DESCRIPTION:** Lot 7 and 8, Block 1, Whillock Addition to the City of Springdale, Arkansas, as shown on Plat #106 on file in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas

**LAYMAN'S DESCRIPTION:** 912 E. Huntsville Ave.  
Springdale, Washington County, Arkansas  
**PARCEL NO.:** #815-27046-000

**PROPERTY OWNER:** Gary G. & Jan E. Griffin  
**LEGAL DESCRIPTION:** Lot Fourteen (14), in Block Nine (9), in Peaceful Valley Estates Phase II, in the City of Springdale, Arkansas.

**LAYMAN'S DESCRIPTION:** 3606 Luvane Ave.  
Springdale, Washington County, Arkansas  
**PARCEL NO.:** #815-24649-000

**PROPERTY OWNER:** Federal Home Loan Mortgage Corp.  
**LEGAL DESCRIPTION:** The following described real property situate in the City of Springdale, County of Washington, and State of Arkansas, to-wit: The South Half (S 1/2) of Lot Seven (7) in Block Three (3) in Rugel Addition to the City of Springdale, Arkansas, as per the plat of said addition on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, and Lot 54 in the North Half of Section 36, in Township 18 North, of the Range 30 West, (being 75 feet by 190 feet), County Court Plat NE NW in the City of Springdale, Arkansas.

**LAYMAN'S DESCRIPTION:** 702 Mill St.  
Springdale, Washington County, Arkansas

**PARCEL NO.:** #815-25558-000

**PROPERTY OWNER:** JHCD Holdings, LLC  
**LEGAL DESCRIPTION:** Lots 49, 50, 69, 70, 71, Serenity Subdivision, to the City of Springdale, Arkansas, as shown on plat of record in plat book 23, at page 221, plat records of Washington County, Arkansas.

**LAYMAN'S DESCRIPTION:** 3675 Serenity St.  
Springdale, Washington County, Arkansas

**PARCEL NO.:** #815-37557-000

**PROPERTY OWNER:** JHCD Holdings, LLC  
**LEGAL DESCRIPTION:** Lots 49, 50, 69, 70, 71, Serenity Subdivision, to the City of Springdale, Arkansas, as shown on plat of record in plat book 23, at page 221, plat records of Washington County, Arkansas.

**LAYMAN'S DESCRIPTION:** 3697 Serenity St.  
Springdale, Washington County, Arkansas

**PARCEL NO.:** #815-37558-000

**PROPERTY OWNER:** JHCD Holdings, LLC  
**LEGAL DESCRIPTION:** Lots 49, 50, 69, 70, 71, Serenity Subdivision, to the City of Springdale, Arkansas, as shown on plat of record in plat book 23, at page 221, plat records of Washington County, Arkansas.

**LAYMAN'S DESCRIPTION:** 3721 Serenity St.  
Springdale, Washington County, Arkansas

**PARCEL NO.:** #815-37559-000

**PROPERTY OWNER:** Jose Luis Chavez  
**LEGAL DESCRIPTION:** The West One Half (W 1/2) of Lot Seven (7) and all of Lot Eight (8) in Block Three (3) of the Harger Addition to the City of Springdale, Washington County, Arkansas

**LAYMAN'S DESCRIPTION:** 1609 Steele Ave.  
Springdale, Washington County, Arkansas

**PARCEL NO.:** #815-22150-000

**PROPERTY OWNER:** Cirilo Garcia  
**LEGAL DESCRIPTION:** Lot Numbered Twenty-Seven (27), The Oaks Addition, Phase IX, to the City of Springdale, Arkansas, as per plat of said addition on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

**LAYMAN'S DESCRIPTION:** 1156 Van Someren Pl.  
Springdale, Washington County, Arkansas

**PARCEL NO.:** #815-32004-000

**PROPERTY OWNER:** U.S. Bank, National Association  
**LEGAL DESCRIPTION:** Lot 1, Northeast Meadow Subdivision, Phase I, to the City of Springdale, Arkansas, as per plat of said Subdivision on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

**LAYMAN'S DESCRIPTION:** 2073 Wheatland Ave.  
Springdale, Washington County, Arkansas

**PARCEL NO.:** #815-32549-000

**PROPERTY OWNER:** JMG Property Solutions, LLC

**LEGAL DESCRIPTION:** Lot Twenty-seven (27), Block Five (5), Carter Addition to the City of Springdale, Arkansas, as per plat of said Addition on file in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

**LAYMAN'S DESCRIPTION:** 1307 Young St.  
Springdale, Washington County, Arkansas

**PARCEL NO.:** #815-20876-000

**WHEREAS**, the owner was given notice, pursuant to Ark. Code Ann. §14-54-903, of the unsightly and unsanitary conditions on the properties described above, and instructed to clean the properties in accordance with Sections 42-77 and 42-78 of the Springdale Code of Ordinances;

**WHEREAS**, the property owner of record did not abate the situation on these properties, and as a result, the City of Springdale was required to abate the conditions on these properties and incurred cost as follows, and as shown in the attached Exhibits:

\$520.07 clean-up costs and \$21.74 administrative costs – 403 S. Blair St. (#815-25307-000)  
 \$812.84 clean-up costs and \$21.74 administrative costs – 406 S. Blair St. & 408 S. Blair St. (#815-25293-000)  
 \$3,681.70 clean-up costs and \$21.74 administrative costs – 3525 Butterfield Coach Rd., 3553 Butterfield Coach Rd. & 3585 Butterfield Coach Rd. (#815-30601-950)  
 \$438.00 clean-up costs and \$28.48 administrative costs – 1119 Dick Smith St. (#815-32087-000)  
 \$450.42 clean-up costs and \$28.48 administrative costs – 1913 W. Emma Ave. (#815-23974-000)  
 \$516.55 clean-up costs and \$28.48 administrative costs – 912 E. Huntsville Ave. (#815-27046-000)  
 \$341.42 clean-up costs and \$28.48 administrative costs – 3606 Luvane Ave. (#815-24649-000)  
 \$477.42 clean-up costs and \$35.22 administrative costs – 720 Mill St. (#815-25558-000)  
 \$406.42 clean-up costs and \$35.22 administrative costs – 3675 Serenity St. (#815-37557-000)  
 \$812.84 clean-up costs and \$35.22 administrative costs – 3697 Serenity St. (#815-37558-000)  
 \$802.84 clean-up costs and \$35.22 administrative costs – 3721 Serenity St. (#815-37559-000)  
 \$397.65 clean-up costs and \$28.48 administrative costs – 1609 Steele (#815-22150-000)  
 \$516.65 clean-up costs and \$28.48 administrative costs – 1156 Van Someren Pl. (#815-32004-000)  
 \$772.30 clean-up costs and \$21.74 administrative costs – 2073 Wheatland Ave. (#815-32549-000)  
 \$406.64 clean-up costs and \$35.22 administrative costs – 1307 Young St. (#815-20876-000)

**WHEREAS**, the property owners have been given at least 30 days written notice of the public hearing in accordance with Ark. Code Ann. §14-54-903, as shown in the attached Exhibits;

**WHEREAS**, Ark. Code Ann. §14-54-904 authorizes the City Council to assert a clean-up lien on these properties to collect the amounts expended by the City in cleaning up these properties;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, pursuant to Ark. Code Ann. §14-54-904, the City Council certifies that the following real property shall be placed on the tax books of the Washington County Tax Collector as delinquent taxes and collected accordingly:

\$542.81, plus 10% for collection – 403 S. Blair St. (#815-25307-000)  
 \$834.58, plus 10% for collection – 406 S. Blair St. & 408 S. Blair St. (#815-25293-000)

\$3,703.44, plus 10% for collection – 3525 Butterfield Coach Rd., 3553 Butterfield Coach Rd. & 3585 Butterfield Coach Rd. (#815-30601-950)  
\$466.48, plus 10% for collection – 1119 Dick Smith St. (#815-32087-000)  
\$478.90, plus 10% for collection – 1913 W. Emma Ave. (#815-23974-000)  
\$545.03, plus 10% for collection – 912 E. Huntsville Ave. (#815-27046-000)  
\$369.90, plus 10% for collection – 3606 Luvane Ave. (#815-24649-000)  
\$512.64, plus 10% for collection – 720 Mill St. (#815-25558-000)  
\$441.64, plus 10% for collection – 3675 Serenity St. (#815-37557-000)  
\$848.06, plus 10% for collection – 3697 Serenity St. (#815-37558-000)  
\$838.06, plus 10% for collection – 3721 Serenity St. (#815-37559-000)  
\$426.13, plus 10% for collection – 1609 Steele (#815-22150-000)  
\$545.13, plus 10% for collection – 1156 Van Someren Pl. (#815-32004-000)  
\$794.04, plus 10% for collection – 2073 Wheatland Ave. (#815-32549-000)  
\$441.86, plus 10% for collection – 1307 Young St. (#815-20876-000)

**Emergency Clause.** It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

**PASSED AND APPROVED** this \_\_\_\_\_ day of November, 2015.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ernest B. Cate, CITY ATTORNEY



Office Of The City Attorney

201 Spring Street  
Springdale, Arkansas 72764  
Phone (479) 756-5900  
Fax (479) 750-4732  
www.springdalear.gov  
Writer's Email:

ssparkman@springdalear.gov

October 15, 2015

**CERTIFIED MAIL,  
RETURN RECEIPT REQUESTED  
AND REGULAR MAIL**

Ernest B. Cate  
City Attorney

Taylor Samples  
Senior Deputy  
City Attorney

Sarah Sparkman  
Deputy City Attorney

David D. Phillips  
Deputy City Attorney

Lynda Belvedrasi  
Case Coordinator/  
Victim Advocate

Steve Helms  
Investigator

Cindy Horlick  
Administrative Legal  
Assistant/Paralegal

Andre G. Mosely, Registered Agent  
for BLAIR 1, LLC  
1583 E. Amber Dr.  
Fayetteville, AR 72703

RE: Notice of clean-up lien on property located at 403 S. Blair St.,  
Springdale, Washington County, Arkansas, Tax Parcel No. 815-  
25307-000

Dear Property Owner:

On April 21, 2015, notice was posted on property located at 403 S. Blair St., Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on April 21, 2015, that the City intended to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if the violations were not remedied.

No action was taken by the owner to clean up the property within seven (7) business days. As a result, the City of Springdale took action to remedy the violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or about August 18, 2015 and August 20, 2015. As of this date, the total costs incurred by the City of Springdale to clean this property are \$520.07. I have enclosed an invoice evidencing the abatement costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$6.74 per letter and a filing fee in the amount of \$15.00 to the Washington County Circuit Court.

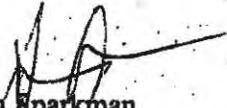
This is to notify you that in the event this amount is not paid to the City of Springdale on or before November 24, 2015, a hearing will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the

property. The hearing will be held Tuesday, November 24, 2015, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. You will be entitled to present evidence at this hearing concerning the amount of the lien the City of Springdale is claiming.

If you desire not to contest this amount, and desire not to have a hearing on the matter, please remit the total sum of \$526.81, which includes \$520.07 for cleaning up the property and \$6.74 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

If you should have any questions, please let me know.

Sincerely,

  
Sarah Sparkman  
Deputy City Attorney

enclosures  
SS:ch



# City of Springdale Code Enforcement

210 Spring Street – Springdale, AR 72764 – Office 479/756-7712

CITY ABATEMENT - Tuesday, August 18, 2015 8:09:19 AM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	8/18/2015 8:09:19 AM
Property Address	403 s Blair
Before Picture	Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Tuesday, August 18, 2015 8:09:00 AM

Officer on Site

Tina Haden

Supervisor on Job

Mike Hicklin

**Employee**

Employee

Mike Hicklin, Henry Hernandez

MH Benefit Rate

\$27.42

HH Benefit Rate

\$18.65

**Method of Compliance**

1 Method of Compliance

Mowing

**Equipment Used**

Equipment

752 Grasshopper, 743 Kubota, 6030 Service Truck-Landscaping, 6031 Service Truck-Landscaping

752 Grasshopper

\$55.00

743 Kubota

\$65.00

6030 Service Truck-Landscaping

\$35.00

6031 Service Truck-Landscaping

\$35.00

Time of Abatement in Hours

1

Number of Temporary Laborers

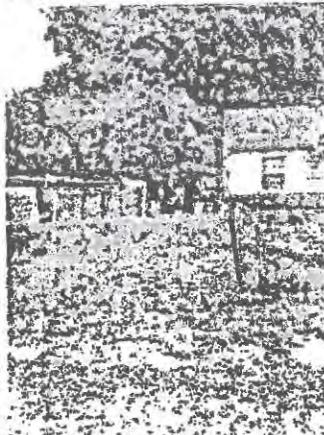
7

Temporary Labor Cost **\$84.00**  
Employee Cost per hour **\$48.07**  
Total Employee Cost **\$46.07**  
Equipment Cost per hour **\$190.00**  
Total Equipment Cost **\$190.00**  
Mobilization Fee **\$200.00**  
Extra materials cost **\$0.00**  
Total Cost of Abatement **\$520.07**  
Final Photos **Attached Data**



Final Photos

**Attached Data**



Final Photos

**Attached Data**



Final Photos

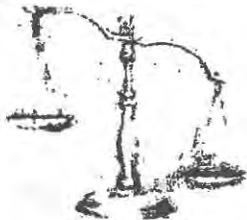
Attached Data



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input type="checkbox"/> Agent  <input checked="" type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p style="text-align: center;">Andre G. Mosely, Registered Agent  for BLAIR 1, LLC  1583 E. Amber Dr.  Fayetteville, AR 72703</p>	<p>B. Received by (Printed Name)  Andre Mosely</p>	<p>C. Date of Delivery  10-16-15</p>
	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No  If YES, enter delivery address below:</p>	
	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail®    <input type="checkbox"/> Priority Mail Express™  <input type="checkbox"/> Registered    <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail    <input type="checkbox"/> Collect on Delivery</p>	
	<p>4. Restricted Delivery? (Extra Fee)    <input type="checkbox"/> Yes</p>	
<p>2. Article Number  (transfer from service label)</p>	<p style="text-align: center;">7014 1200 0001 0759 1040</p>	

PS Form 3811, July 2013

Domestic Return Receipt



## Office Of The City Attorney

201 Spring Street  
Springdale, Arkansas 72764

Phone (479) 756-5900

Fax (479) 750-4732

[www.springdalear.gov](http://www.springdalear.gov)

Writer's Email:

[ssparkman@springdalear.gov](mailto:ssparkman@springdalear.gov)

October 15, 2015

**CERTIFIED MAIL,  
RETURN RECEIPT REQUESTED  
AND REGULAR MAIL**

Ernest B. Cate  
City Attorney

Taylor Samples  
Senior Deputy  
City Attorney

Sarah Sparkman  
Deputy City Attorney

David D. Phillips  
Deputy City Attorney

Lynda Belvedere  
Case Coordinator/  
Victim Advocate

Steve Helms  
Investigator

Cindy Horlick  
Administrative Legal  
Assistant/Paralegal

Andre G. Mosely  
1583 E. Amber Dr.  
Fayetteville, AR 72703

RE: Notice of clean-up lien on property located at 406 S. Blair St. and  
408 S. Blair St., Springdale, Washington County, Arkansas, Tax  
Parcel No. 815-25293-000

Dear Property Owner:

On April 20, 2015, notice was posted on property located at 406 S. Blair St. and 408 S. Blair St., Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on April 21, 2015, that the City intended to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if the violations were not remedied.

No action was taken by the owner to clean up the property within seven (7) business days. As a result, the City of Springdale took action to remedy the violations on 406 S. Blair St., as is allowed by Ark. Code Ann. §14-54-903, on or about August 17, 2015. The City of Springdale took action to remedy the violations on 408 S. Blair St., as is allowed by Ark. Code Ann. §14-54-903, on or about August 17, 2015. As of this date, the total costs incurred by the City of Springdale to clean these properties are \$812.84. I have enclosed an invoice evidencing the abatement costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$6.74 per letter and a filing fee in the amount of \$15.00 to the Washington County Circuit Court.

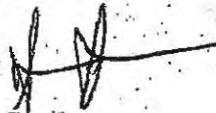
This is to notify you that in the event this amount is not paid to the City of Springdale on or before November 24, 2015, a hearing will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the

amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing will be held Tuesday, November 24, 2015, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. You will be entitled to present evidence at this hearing concerning the amount of the lien the City of Springdale is claiming.

If you desire not to contest this amount, and desire not to have a hearing on the matter, please remit the total sum of \$819.58, which includes \$812.84 for cleaning up the property and 6.74 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

If you should have any questions, please let me know.

Sincerely,



Sarah Sparkman  
Deputy City Attorney

enclosures  
SS:ch



# City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

CITY ABATEMENT - Monday, August 17, 2015 12:54:15 PM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	8/17/2015 12:54:15 PM
Property Address	406 s Blair
Before Picture	Attached Data

Before Picture



Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement	Violation Notice / Lien
Date of Abatement	Monday, August 17, 2015 12:54:00 PM
Officer on Site	Tina Haden
Employee	
Employee	Mike Hicklin
MH Benefit Rate	\$27.42
Method of Compliance	
1 Method of Compliance	Mowing
Equipment Used	
Equipment	748 Grasshopper,743 Kubota,6031 Service Truck-Landscaping
748 Grasshopper	\$55.00
743 Kubota	\$65.00
6031 Service Truck-Landscaping	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	2
Temporary Labor Cost	\$24.00
Employee Cost per hour	\$27.42
Total Employee Cost	\$27.42
Equipment Cost per hour	\$155.00

Total Equipment Cost \$155.00  
Mobilization Fee \$200.00  
Extra materials cost \$0.00  
Total Cost of Abatement \$406.42  
Final Photos Attached Data



Final Photos

Attached Data



Final Photos

Attached Data





# City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

CITY ABATEMENT - Monday, August 17, 2015 1:38:17 PM (646 CITY ABATEMENT)

User Name 646 CITY ABATEMENT  
User # 4797993582  
Form Started 8/17/2015 1:38:17 PM  
Property Address 408 s Blair  
Before Picture Attached Data



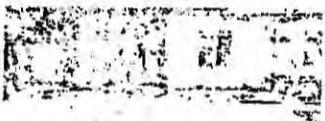
Before Picture

Attached Data



Type of Abatement Violation Notice / Lien  
Date of Abatement Monday, August 17, 2015 1:38:00 PM  
Officer on Site Tina Haden  
Supervisor on Job Mike Hicklin  
Employee  
Employee Mike Hicklin

MH Benefit Rate	\$27.42
<b>Method of Compliance</b>	
1 Method of Compliance	Mowing
<b>Equipment Used</b>	
Equipment	748 Grasshopper, 743 Kubota, 6031 Service Truck-Landscaping
748 Grasshopper	\$55.00
743 Kubota	\$65.00
6031 Service Truck-Landscaping	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	2
Temporary Labor Cost	\$24.00
Employee Cost per hour	\$27.42
Total Employee Cost	\$27.42
Equipment Cost per hour	\$155.00
Total Equipment Cost	\$155.00
Mobilization Fee	\$200.00
Extra materials cost	\$0.00
Total Cost of Abatement	\$406.42
Final Photos	Attached Data



Final Photos

Attached Data



Final Photos

Attached Data



**SENDER COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Andre G. Mosely .  
1583 E. Amber Dr.  
Fayetteville, AR 72703

**2. Article Number**  
(Transfer from service label)

7014 1200 0001 0759 0920

**RECIPIENT COMPLETE THIS SECTION ON DELIVERY**

A. Signature   Agent  
 Addressee

B. Received by (Printed Name) Andre Mosley C. Date of Delivery 10-16-15

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

3. Service Type  
 Certified Mail®  Priority Mail Express™  
 Registered  Return Receipt for Merchandise  
 Insured Mail  Collect on Delivery

4. Restricted Delivery? (Extra Fee)  Yes



Office Of The City Attorney

201 Spring Street
Springdale, Arkansas 72764
Phone (479) 756-5900
Fax (479) 750-4732
www.springdalear.gov
Writer's Email:
sparkman@springdalear.gov

October 15, 2015

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED
AND REGULAR MAIL

Ernest B. Cate
City Attorney

Taylor Samples
Senior Deputy
City Attorney

Sarah Sparkman
Deputy City Attorney

David D. Phillips
Deputy City Attorney

Lynda Belvedresi
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

Ten Carrot Ventures
c/o Pearl and Clifford Fleming
115 W. Erie Dr.
Tempe, AZ 85281

RE: Notice of clean-up lien on property located at 3585, 3553A, and
3525A Butterfield Coach Rd., Springdale, Washington County,
Arkansas, Tax Parcel No. 815-30601-950

Dear Property Owner:

On April 6, 2015, notice was posted on property located at 3585, 3553A and
3525A Butterfield Coach Rd., Springdale, Arkansas, that the property was in
violation of Springdale City Ordinance 42-27, 42-77, 42-78 and Chapter 91, and
needed to be remedied within seven (7) days. Notice was mailed to the owner of
record on April 6, 2015, that the City intended to seek a clean-up lien on this
property pursuant to Ark. Code Ann. §14-54-903 if the violations were not
remedied.

No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903. As of
this date, the total cost incurred by the City of Springdale to clean this property is
set out as follows:

Table with 3 columns: Address, Date Cleaned, Amount. Rows include 3585 Butterfield Coach Rd. (May 22, 2015: \$960.26; June 5, 2015: \$526.14; August 21, 2015: \$444.65; August 21, 2015: \$469.16), 3553 Butterfield Coach Rd. (May 22, 2015: \$453.42), 3525 Butterfield Coach Rd. (May 22, 2015: \$453.42; August 21, 2015: \$374.65), and a Total row (\$3,681.70).

I have enclosed an invoice evidencing the abatement costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$6.74 per letter and a filing fee in the amount of \$15.00 to the Washington County Circuit Court.

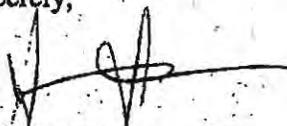
This is to notify you that in the event this amount is not paid to the City of Springdale on or before November 24, 2015, a hearing will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing will be held Tuesday, November 24, 2015, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. You will be entitled to present evidence at this hearing concerning the amount of the lien the City of Springdale is claiming.

If you desire not to contest this amount, and desire not to have a hearing on the matter, please remit the total sum of \$3,688.44, which includes \$3,681.70 for cleaning up the property and \$6.74 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

This letter is also being mailed by regular mail to the address above. Delivery of that letter by the U.S. Postal Service shall warrant service should the certified letter be returned.

If you should have any questions, please let me know.

Sincerely,



Sarah Sparkman  
Deputy City Attorney

enclosures  
SS:ch



# City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

**CITY ABATEMENT - Friday, May 22, 2015 1:12:26 PM (646 CITY ABATEMENT)**

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	5/22/2015 1:12:26 PM
Property Address	3585 butterfield coach
Before Picture	Attached Data



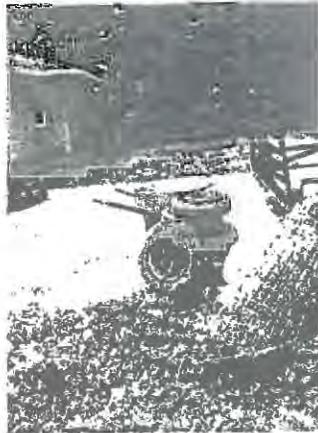
Before Picture

Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Friday, May 22, 2015 1:12:00 PM

Officer on Site

Toby Lankford

Supervisor on Job

Mike Hicklin

**Employee**

Employee

Mike Hicklin

MH Benefit Rate

\$27.42

**Method of Compliance**

1 Method of Compliance

Property Clean Up - Junk and Trash

2 Method of Compliance

Mowing

3 Method of Compliance

Property Clean Up - Junk and Trash

**Equipment Used**

Equipment

754 Grasshopper ,743 Kubota,6030 Service Truck-Landscaping,6031 Service Truck-Landscaping

754 Grasshopper

\$55.00

743 Kubota

\$65.00

6030 Service Truck-Landscaping

\$35.00

6031 Service Truck-Landscaping

\$35.00

Time of Abatement in Hours

3

Number of Temporary Laborers	3
Temporary Labor Cost	\$108.00
Employee Cost per hour	\$27.42
Total Employee Cost	\$82.26
Equipment Cost per hour	\$190.00
Total Equipment Cost	\$570.00
Mobilization Fee	\$200.00
Extra materials cost	\$0.00
Total Cost of Abatement	\$960.26
Final Photos	Attached Data



Final Photos

Attached Data



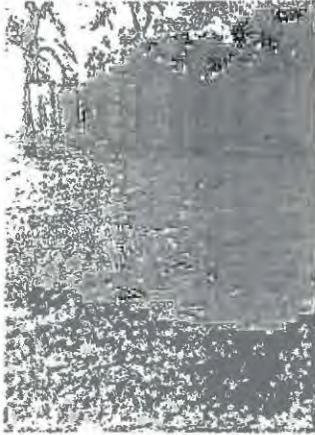
Final Photos

Attached Data



Final Photos

Attached Data





**City of Springdale**  
Code Enforcement

310 Spring Street - Springdale, AR 72764 - Office 479-746-7752

**CITY ABATEMENT - 6/5/2015 1:45 PM (1- BULKY WASTE )**

Status: CITY ABATEMENT  
Order # CBUT3585  
Property Address  
Before Picture

3585 Butterfield Coach Rd  
Attached Data



Type of Abatement  
Date of Abatement

Violation Notice / Lien  
6/5/2015 12:45 PM

Employee

Larry Thompson, Nathan Cheatham, Rod Dorsey, Wayne Terry

Employee

LT Benefit Rate  
NC Benefit Rate  
RD Benefit Rate  
WT Benefit Rate

\$28.14  
\$19.11  
\$17.92  
\$25.97

Method of Compliance

Equipment Used

Equipment  
660 New Bulky Waste Truck  
6015 Service Truck

660/652 New Bulky Waste Truck, 6015 Service Truck  
\$200  
\$35

Time of Abatement in Hours

1

Employee Cost per hour

\$91.14

Total Employee Cost

\$91.14

Equipment Cost per hour

\$235

Total Equipment Cost

\$235

Mobilization Fee

\$200

Extra materials cost

\$0

Total Cost of Abatement

\$526.14

Extra Materials &/or Notes

None

Final Photos

Attached Data



**City of Springdale**  
Code Enforcement

210 Spring Street - Springdale, AR 72761 - Office 479-756-7712





# City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

**CITY ABATEMENT - Friday, August 21, 2015 9:01:17 AM (646 CITY ABATEMENT)**

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	8/21/2015 9:01:17 AM
Property Address	3585 Butterfield Coach
Before Picture	Attached Data

Before Picture



Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Friday, August 21, 2015 9:01:00 AM

Officer on Site

Bobby Nivens

Supervisor on Job

Henry Hernandez

**Employee**

Employee

Henry Hernandez,Bobby Nivens

MH Benefit Rate

\$18.65

Bobby Nivens

\$25.24

**Method of Compliance**

1 Method of Compliance

Mowing,Property Clean Up - Junk and Trash

**Equipment Used**

Equipment

748 Grasshopper,743 Kubota,6001/6005 Service Pick Up Truck,6038 1-ton Work Truck-Landscaping

748 Grasshopper

\$55.00

743 Kubota

\$65.00

6001 Service Pick Up Truck

\$35.00

6038 1-ton Work Truck-Landscaping

\$35.00

Time of Abatement in Hours

1

Number of Temporary Laborers

3

Temporary Labor Cost

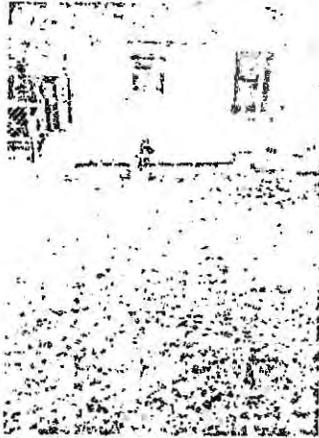
\$36.00

Employee Cost per hour **\$18.65**  
Total Employee Cost **\$18.65**  
Equipment Cost per hour **\$190.00**  
Total Equipment Cost **\$190.00**  
Mobilization Fee **\$200.00**  
Extra materials cost **\$0.00**  
Total Cost of Abatement **\$444.65**  
Extra Materials &/or Notes **2 weed eaters**  
Final Photos **Attached Data**



Final Photos

Attached Data



Final Photos

Attached Data



Final Photos

Attached Data





# City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

**CITY ABATEMENT - Friday, August 21, 2015 11:08:52 AM (633 PUBLIC WORKS )**

User Name 633 PUBLIC WORKS  
User # 4797991676  
Form Started 8/21/2015 11:08:52 AM  
Property Address 3585 butter field coach  
Before Picture Attached Data



Before Picture

Attached Data



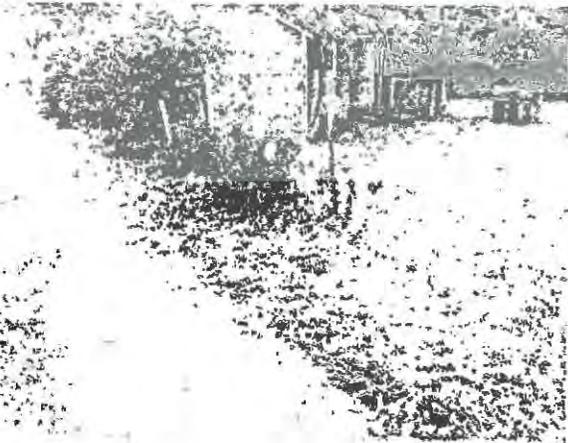
Type of Abatement Violation Notice / Lien  
Date of Abatement Friday, August 21, 2015 11:08:00 AM  
Employee Leonard McCoy, Peter Wilson, Rod Dorsey  
Employee Leonard McCoy \$19.62  
MT Benefit Rate \$16.24

RD Benefit Rate	\$17.92
<b>Method of Compliance</b>	
1 Method of Compliance	Property Clean Up - Junk and Trash
<b>Equipment Used</b>	
Equipment	660/652 New Bulky Waste Truck, 6028 Service Pick Up Truck
660 New Bulky Waste Truck	\$200.00
6028 Service Pick Up Truck	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	0
Temporary Labor Cost	\$0.00
Employee Cost per hour	\$34.16
Total Employee Cost	\$34.16
Equipment Cost per hour	\$235.00
Total Equipment Cost	\$235.00
Mobilization Fee	\$200.00
Extra materials cost	\$0.00
Total Cost of Abatement	\$469.16
Extra Materials &/or Notes	O
Final Photos	Attached Data



Attached Data

Final Photos





# City of Springdale Code Enforcement

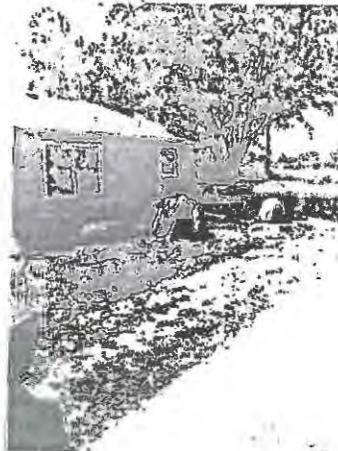
210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

**CITY ABATEMENT** - Friday, May 22, 2015 10:47:04 AM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	5/22/2015 10:47:04 AM
Property Address	3553 butterfield coach
Before Picture	Attached Data



Attached Data



Before Picture

Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Friday, May 22, 2015 10:47:00 AM

Officer on Site

Toby Lankford

Supervisor on Job

Mike Hicklin

**Employee**

Employee

Mike Hicklin

MH Benefit Rate

\$27.42

**Method of Compliance**

1 Method of Compliance

Mowing

**Equipment Used**

Equipment

754 Grasshopper ,743 Kubota,6030 Service Truck-Landscaping,6031 Service Truck-Landscaping

754 Grasshopper

\$55.00

743 Kubota

\$65.00

6030 Service Truck-

\$35.00

Landscaping

6031 Service Truck-

\$35.00

Landscaping

Time of Abatement in

1

Hours

Number of Temporary

3

Laborers

Temporary Labor Cost

\$36.00

Employee Cost per hour **\$27.42**  
Total Employee Cost **\$27.42**  
Equipment Cost per hour **\$190.00**  
Total Equipment Cost **\$190.00**  
Mobilization Fee **\$200.00**  
Extra materials cost **\$0.00**  
Total Cost of Abatement **\$453.42**  
Final Photos **Attached Data**



Final Photos

Attached Data



Final Photos

Attached Data



Final Photos

Attached Data





# City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

**CITY ABATEMENT - Friday, May 22, 2015 10:08:29 AM (646 CITY ABATEMENT)**

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	5/22/2015 10:08:29 AM
Property Address	3525 butterfield coach
Before Picture	Attached Data

Before Picture



Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement	Violation Notice / Lien
Date of Abatement	Friday, May 22, 2015 10:08:00 AM
Officer on Site	Toby Lankford
Supervisor on Job	Mike Hicklin
<b>Employee</b>	
Employee	Mike Hicklin
MH Benefit Rate	\$27.42
<b>Method of Compliance</b>	
<b>Equipment Used</b>	
Equipment	754 Grasshopper ,743 Kubota,6030 Service Truck-Landscaping,6031 Service Truck-Landscaping
754 Grasshopper	\$55.00
743 Kubota	\$65.00
6030 Service Truck-Landscaping	\$35.00
6031 Service Truck-Landscaping	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	3
Temporary Labor Cost	\$36.00
Employee Cost per hour	\$27.42

Total Employee Cost \$27.42  
Equipment Cost per hour \$190.00  
Total Equipment Cost \$190.00  
Mobilization Fee \$200.00  
Extra materials cost \$0.00  
Total Cost of Abatement \$453.42  
Final Photos Attached Data



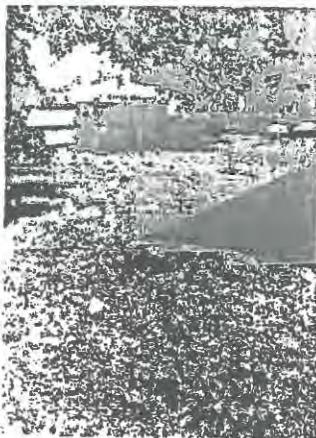
Final Photos

Attached Data



Final Photos

Attached Data



Final Photos

Attached Data





# City of Springdale Code Enforcement

210 Spring Street – Springdale, AR 72764 – Office 479/756-7712

**CITY ABATEMENT - Friday, August 21, 2015 10:01:15 AM (646 CITY ABATEMENT)**

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	8/21/2015 10:01:15 AM
Property Address	3525 butterfiel coach
Before Picture	Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement	Violation Notice / Lien
Date of Abatement	Friday, August 21, 2015 10:01:00 AM
Officer on Site	Bobby Nivens
Supervisor on Job	Henry Hernandez
Employee	
Employee	Henry Hernandez
HH Benefit Rate	\$18.65
<b>Method of Compliance</b>	
1 Method of Compliance	Mowing
<b>Equipment Used</b>	
Equipment	748 Grasshopper, 746 kubota
748 Grasshopper	\$55.00
746 Kubota	\$65.00
Time of Abatement in Hours	1
Number of Temporary Laborers	3
Temporary Labor Cost	\$36.00
Employee Cost per hour	\$18.65
Total Employee Cost	\$18.65
Equipment Cost per hour	\$120.00
Total Equipment Cost	\$120.00

Mobilization Fee \$200.00  
Extra materials cost \$0.00  
Total Cost of Abatement \$374.65  
Extra Materials &/or Notes 0  
Final Photos Attached Data



Final Photos Attached Data



Final Photos Attached Data



Final Photos

Attached Data



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ten Carrot Ventures  
c/o Pearl and Clifford Fleming  
115 W. Erie Dr.  
Tempe, AZ 85281

2. Article Number  
(Transfer from service label)

7014 1200 0001 0759 1101

**RECIPIENT: COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 *Pearl Fleming*  Addressee

B. Received by (Printed Name) C. Date of Delivery  
*PEARL FLEMING* *10-13-15*

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

3. Service Type  
 Certified Mail®  Priority Mail Express™  
 Registered  Return Receipt for Merchandise  
 Insured Mail  Collect on Delivery

4. Restricted Delivery? (Extra Fee)  Yes



Office Of The City Attorney

201 Spring Street
Springdale, Arkansas 72764
Phone (479) 756-5900
Fax (479) 750-4732
www.springdalear.gov
Writer's Email:
sparkman@springdalear.gov

Ernest B. Cate
City Attorney

Taylor Samples
Senior Deputy
City Attorney

Sarah Sparkman
Deputy City Attorney

David D. Phillips
Deputy City Attorney

Lynda Belvedresi
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

October 13, 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Richard Levin, Registered Agent
Route 71 Development Company, LLC
75 N. East Ave., Suite 402
Fayetteville, AR 72701

Bank of America, National Association
c/o The Corporation Company
d/b/a CT Corporation
124 W. Capitol Ave., Suite 1900
Little Rock, AR 72201

RE: Notice of clean-up lien on property located at 1119 Dick Smith St.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
32087-000

Dear Current Property Owner/Former Property Owner:

On July 6, 2015, notice was posted on property located at 1119 Dick Smith St.,
Springdale, Arkansas, that the property was in violation of Springdale City
Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days.
Notice was mailed to the owner of record, Bank of America, N.A., on July 7,
2015, that the City intended to seek a clean-up lien on this property pursuant to
Ark. Code Ann. §14-54-903 if the violations were not remedied. Bank of
America, N.A. received the letter on July 10, 2015.

No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about July 30, 2015. As of this date, the total costs incurred and paid by the City
of Springdale to clean this property are \$438.00. I have enclosed an invoice
evidencing the costs incurred and paid by the City of Springdale to clean this
property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4),
administrative fees may be added to the total costs incurred by the City of
Springdale, which will include certified mailing fee in the amount of \$6.74 per
letter and a filing fee in the amount of \$15.00 to the Washington County Circuit
Court.

As I was preparing the lien ordinance in anticipation of the October 13, 2015 hearing, I noticed that this property was conveyed to Route 71 Development Company, LLC via a Special Warranty Deed filed on September 21, 2015. I have enclosed a copy of that deed for your reference. As such, before I can take the matter of the clean-up lien to the City Council, I must give you thirty (30) days' notice.

In that regard, this letter is to notify you that in the event this amount is not paid to the City of Springdale on or before November 24, 2015, a hearing will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing will be held Tuesday, November 24, 2015, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. You will be entitled to present evidence at this hearing concerning the amount of the lien the City of Springdale is claiming.

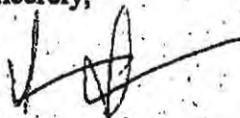
If you desire not to contest this amount, and desire not to have a hearing on the matter, please remit the total sum of \$451.48, which includes \$438.00 for cleaning up the property and \$13.48 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

With all that being said, I am mindful that the events leading up to the City having to expend \$451.48 to clean up this property did not involve Route 71 Development Company, LLC, nor were they responsible for the property at that time. However, I am obligated to try and recover the taxpayer's funds that were expended to clean up this property.

I would be happy to discuss this matter with you at your convenience, and to provide you with any documentation you may need to prove that the previous owner was fully aware of all this prior to transferring this property to you.

If you should have any questions, please let me know.

Sincerely,



Sarah Sparkman  
Deputy City Attorney

enclosures  
SS:ch

Type: REAL ESTATE  
Kind: WARRANTY DEED  
Recorded: 9/21/2015 9:44:59 AM  
Fee Amt: \$40.00 Page 1 of 6  
Washington County, AR  
Kyle Sylvester Circuit Clerk

File# 2015-00026638

RECORD AND RETURN TO:  
ROUTE 71 DEVELOPMENT COMPANY, LLC  
301 S. 45th Street  
Rogers, AR 72712  
File No. AUC-440352-REO

Mail Tax Statements to:  
ROUTE 71 DEVELOPMENT COMPANY, LLC  
301 S. 45th Street  
Rogers, AR 72712

This document prepared by:  
Attorney Margaret C. Daun  
17345 Civic Drive, Unit 1961  
Brookfield, WI 53045  
844-879-7016

Property Tax ID: 815-32087-000

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS

THAT BANK OF AMERICA, N.A. BY CARRINGTON MORTGAGE SERVICES, LLC AS ATTORNEY IN FACT (herein, "Grantor"), whose address is 1610 E. St. Andrew Place Suite B150, Santa Ana, CA 92705, for and in consideration of the sum of \$105,000.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants, bargains, sells and conveys unto ROUTE 71 DEVELOPMENT COMPANY, LLC (herein, "Grantee"), whose address is 301 S. 45th Street, Rogers, AR 72712, and unto Grantee's heirs and assigns forever, all of Grantor's interest in and to the following described real property located in Washington County, Arkansas:

SEE EXHIBIT "A" ATTACHED HERETO.

Property street address: 1119 Dick Smith Street, Springdale, AR 72764

Subject to all Restrictions, Conditions, Covenants, Rights, Rights of Way, and Easements now of record, if any.

TO HAVE AND TO HOLD the lot or parcel above described together with all and singular the rights, privileges, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining unto the said Grantee and unto Grantee's heirs, administrators, successors or assigns, forever in fee simple.

The warranties passing to the Grantee(s) hereunder are limited solely to those matters arising from acts of the Grantor(s), his/her/their/its agents or representatives, occurring solely during the period of the Grantor's ownership of the subject real estate; and that said land is free of all encumbrances, except taxes accruing subsequent to the current tax year.

Sub 015 07863-123

Whenever used, the singular name shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness my hand and seal on this 21<sup>st</sup> day of August, 2015

BANK OF AMERICA, N.A.  
BY CARRINGTON MORTGAGE SERVICES, LLC AS ATTORNEY IN FACT

By [Signature]

Print Name: Anthony DeRosa

Title: Vice President

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

See Attached

On this the \_\_\_\_\_ day of \_\_\_\_\_, before me, \_\_\_\_\_ the undersigned officer, personally appeared \_\_\_\_\_, who acknowledged himself to be the \_\_\_\_\_ of CARRINGTON MORTGAGE SERVICES, LLC AS ATTORNEY IN FACT for BANK OF AMERICA, N.A., a \_\_\_\_\_, and that he/she, as such \_\_\_\_\_, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the \_\_\_\_\_ by himself/herself as \_\_\_\_\_.

In witness whereof I hereunto set my hand and official seal.

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires: \_\_\_\_\_

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

## CALIFORNIA ALL - PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Orange

On 08/21/2015, before me, W.Solano, Notary Public, personally appeared, Anthony DeRosa, who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature W Solano (Seal)



### ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT	
<u>SWD</u>	
(Title or description of attached document)	
_____	
(Title or description of attached document continued)	
Number of Pages _____	Document Date _____
_____	
(Additional information)	

CAPACITY CLAIMED BY THE SIGNER	
<input type="checkbox"/>	Individual (s)
<input type="checkbox"/>	Corporate Officer
_____	
(Title)	
<input type="checkbox"/>	Partner(s)
<input type="checkbox"/>	Attorney-in-Fact
<input type="checkbox"/>	Trustee(s)
<input type="checkbox"/>	Other _____

#### INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they- is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ◊ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ◊ Indicate title or type of attached document, number of pages and date.
  - ◊ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

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

Route 71 Development Co., LLC  
Grantee or Agent  
Grantee's Address: 301 S. 45th Street, Rogers, AR 72712

No title search was performed on the subject property by the preparer. The preparer of this deed makes neither representation as to the status of the title nor property use or any zoning regulations concerning described property herein conveyed nor any matter except the validity of the form of this instrument. Information herein was provided to preparer by Grantor/Grantee and /or their agents; no boundary survey was made at the time of this conveyance.

Exhibit "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF WASHINGTON, CITY OF SPRINGDALE, STATE OF ARKANSAS, AND IS DESCRIBED AS FOLLOWS:

LOT NUMBERED THIRTY-ONE (31), THE OAKS ADDITION, PHASE X TO THE CITY OF SPRINGDALE, ARKANSAS, AS PER PLAT OF SAID ADDITION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS.

PARCEL ID #815-32087-000

THIS BEING THE SAME PROPERTY CONVEYED TO BANK OF AMERICA, N.A. FROM MACKIE WOLF ZIENTZ & MANN, P.C., AS SUBSTITUTE TRUSTEE IN A DEED DATED JUNE 22, 2015 AND RECORDED JUNE 22, 2015 AS INSTRUMENT NO. 2015-00017131.



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

0-1000-00000-0000

**Real Estate Transfer Tax Stamp**  
 Proof of Tax Paid



File Number: 1507862-123

**Grantee:** ROUTE 71 DEVELOPMENT COMPANY, LLC  
**Mailing Address:** 301 SOUTH 45TH STREET  
 ROGERS AR 727560000

**Grantor:** BANK OF AMERICA, N.A BY CARRINGTON MORTGAGE SERVICES,  
**Mailing Address:** LLC  
 1610 E SAINT ANDREW PLACE,  
 SANTA ANA CA 927050000

**Property Purchase Price:** \$105,000.00  
**Tax Amount:** \$346.50

**County:** WASHINGTON  
**Date Issued:** 09/21/2015  
**Stamp ID:** 1097031680

Washington County, AR  
 I certify this instrument was filed on  
 9/21/2015 9:44:59 AM  
 and recorded in REAL ESTATE

File# 2015-00026638  
 Kyle Sylvester - Circuit Clerk

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

**Grantee or Agent Name (printed):** Route 71 Development Co., LLC

**Grantee or Agent Name (signature):** By Waco Title as Agent **Date:** 9-21-15

**Address:** \_\_\_\_\_

**City/State/Zip:** \_\_\_\_\_



# City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

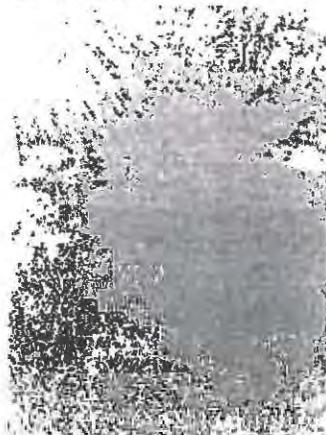
CITY ABATEMENT - Thursday, July 30, 2015 8:04:33 AM (646 CITY ABATEMENT)

User Name 646 CITY ABATEMENT  
User # 4797993582  
Form Started 7/30/2015 8:04:33 AM  
Property Address 1119 dick smith  
Before Picture Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Thursday, July 30, 2015 8:04:00 AM

Officer on Site

Toby Lankford

Supervisor on Job

Mike Hicklin

Employee

Method of Compliance

1 Method of Compliance Mowing

Equipment Used

Equipment

752 Grasshopper, 743 Kubota, 6030 Service Truck-Landscaping, 6031 Service Truck-Landscaping

752 Grasshopper

\$55.00

743 Kubota

\$65.00

6030 Service Truck-Landscaping

\$35.00

6031 Service Truck-Landscaping

\$35.00

Time of Abatement in Hours

1

Number of Temporary Laborers

4

Temporary Labor Cost

\$48.00

Employee Cost per hour

\$0.00

Total Employee Cost

\$0.00

Equipment Cost per hour

\$190.00

Total Equipment Cost

\$190.00

Mobilization Fee

\$200.00

Extra materials cost

\$0.00

Total Cost of Abatement

\$438.00

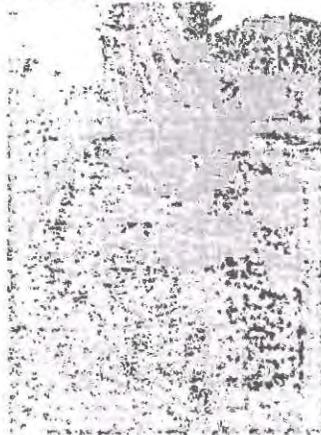
Final Photos

Attached Data



Final Photos

Attached Data



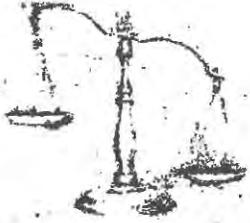
Final Photos

Attached Data



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> <i>R. Matlock</i> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>R. Matlock</i> C. Date of Delivery <i>10.15.15</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  <input type="checkbox"/> No            If YES, enter delivery address below:</p>
<p>1. Article Addressed to:</p> <p>Mr. Richard Levin, Registered Agent            Route 71 Development Company, LLC            75 N. East Ave., Suite 402            Fayetteville, AR 72701</p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number            (Transfer from service label)</p>	<p>7014 1200 0001 0759 0661</p>
<p>PS Form 3811, July 2013 Domestic Return Receipt</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> <b>XCT CORPORATION</b> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>OCT 20 2015</i> C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  <input type="checkbox"/> No            If YES, enter delivery address below:</p>
<p>1. Article Addressed to:</p> <p>Bank of America, National Association            c/o The Corporation Company            d/b/a CT Corporation -            124 W. Capitol Ave., Suite 1900            Little Rock, AR 72201</p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number            (Transfer from service label)</p>	<p>7014 1200 0001 0759 0654</p>
<p>PS Form 3811, July 2013 Domestic Return Receipt</p>	



Office Of The City Attorney

201 Spring Street
Springdale, Arkansas 72764
Phone (479) 756-5900
Fax (479) 750-4732
www.springdalear.gov
Writer's Email:
ssparkman@springdalear.gov

October 13, 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ernest B. Cate
City Attorney

Taylor Samples
Senior Deputy
City Attorney

Sarah Sparkman
Deputy City Attorney

David D. Phillips
Deputy City Attorney

Lynda Belvedere
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

Jerry W. and Susan L. Hallum
16286 F 530 Rd.
Colcord, OK 74338

Deutsche Bank National Trust Co.
3815 South West Temple
Salt Lake City, UT 84115

RE: Notice of clean-up lien on property located at 1913 W. Emma
Ave., Springdale, Washington County, Arkansas, Tax Parcel No.
815-23974-000

Dear Current Property Owner/Former Property Owner:

On June 4, 2015, notice was posted on property located at 1913 W. Emma Ave.,
Springdale, Arkansas, that the property was in violation of Springdale City
Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days.
Notice was mailed to the owner of record, Deutsche Bank National Trust Co., on
June 4, 2015, that the City intended to seek a clean-up lien on this property
pursuant to Ark. Code Ann. §14-54-903 if the violations were not remedied.
Deutsche Bank National Trust Co. received the letter on June 9, 2015.

No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about June 22, 2015. As of this date, the total costs incurred and paid by the City
of Springdale to clean this property are \$450.42. I have enclosed an invoice
evidencing the costs incurred and paid by the City of Springdale to clean this
property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4),
administrative fees may be added to the total costs incurred by the City of
Springdale, which will include certified mailing fee in the amount of \$6.74 per
letter and a filing fee in the amount of \$15.00 to the Washington County Circuit
Court.

As I was preparing the lien ordinance in anticipation of the October 13, 2015 hearing, I noticed that this property was conveyed to Jerry W. and Susan L. Hallum via a Special Warranty Deed filed on September 25, 2015. I have enclosed a copy of that deed for your reference. As such, before I can take the matter of the clean-up lien to the City Council, I must give you thirty (30) days' notice.

In that regard, this letter is to notify you that in the event this amount is not paid to the City of Springdale on or before November 24, 2015, a hearing will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing will be held Tuesday, November 24, 2015, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. You will be entitled to present evidence at this hearing concerning the amount of the lien the City of Springdale is claiming.

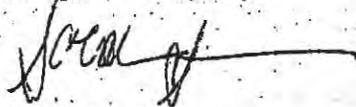
If you desire not to contest this amount, and desire not to have a hearing on the matter, please remit the total sum of \$463.90, which includes \$450.42 for cleaning up the property and \$13.48 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

With all that being said, I am mindful that the events leading up to the City having to expend \$463.90 to clean up this property did not involve Jerry and Susan Hallum, nor were they responsible for the property at that time. However, I am obligated to try and recover the taxpayer's funds that were expended to clean up this property.

I would be happy to discuss this matter with you at your convenience, and to provide you with any documentation you may need to prove that the previous owner was fully aware of all this prior to transferring this property to you.

If you should have any questions, please let me know.

Sincerely,



Sarah Sparkman  
Deputy City Attorney

enclosures  
SS:ch



Doc ID: 010468000003 Type: REL  
 Kind: WARRANTY DEED  
 Recorded: 08/26/2016 at 04:01:44 PM  
 Fee Amt: \$25.00 Page 1 of 3  
 Washington County, AR  
 Kyle Sylvester Circuit Clerk

File 2015-00027433

THIS INSTRUMENT PREPARED BY:  
 MICKEL LAW FIRM, P.A.  
 1501 N University STE 930  
 Little Rock, AR 72207

File Name: Rutillo Henriquez

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

"If non shown, exempt or no consideration paid."

Grantee or Agent: Jerry W Hallum and Susan L Hallum, as husband and wife  
 Grantee's Address: 16286 F 530 Rd Colcord, OK 74338

**SPECIAL WARRANTY DEED**

20152665

KNOW ALL MEN BY THESE PRESENTS:

THAT, Deutsche Bank National Trust Company, as Indenture Trustee, on behalf of the holders of the Terwin Mortgage Trust 2007-HE Asset-Backed Securities, Series 2007-4HE, by Specialized Loan Servicing, LLC, its attorney in fact, Grantor, being duly authorized by a resolution of its board of directors, for and in consideration of the sum of Ten Dollars (\$10.00), and other valuable consideration, in hand paid by, Jerry W Hallum and Susan L Hallum, as husband and wife, Grantee(s), the receipt and sufficiency of which is hereby acknowledged, do hereby grant, bargain, sell, and convey unto Grantee(s) and unto his/her/their heirs and assigns forever the following lands lying in Washington County, Arkansas to-wit:

Lot 7, in Block 6 of the re-plat of part of Newell Addition to the City of Springdale, Washington County, Arkansas.

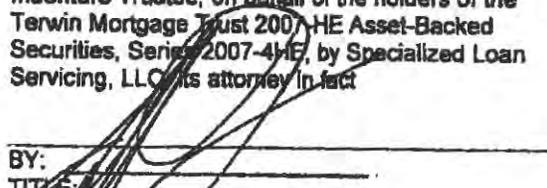
More Commonly Known As: 1913 West Emma Ave., Springdale, AR 72752

TO HAVE AND TO HOLD unto Grantees and his/her/their heirs and assigns forever, with all tenements, appurtenances and hereditaments thereunto belonging

And Grantor does hereby covenant with Grantees that it will forever warrant and defend the title to said lands against all claims and encumbrances done or suffered by it, but none other

EXECUTED in the name of Grantor this 9<sup>th</sup> day of September 2015

Deutsche Bank National Trust Company, as Indenture Trustee, on behalf of the holders of the Terwin Mortgage Trust 2007-HE Asset-Backed Securities, Series 2007-4HE, by Specialized Loan Servicing, LLC its attorney in fact

BY:   
 TITLE: Assistant Vice President  
 Jeff Harnish, Assistant Vice President  
 Specialized Asset Management, LLC  
 as Attorney in Fact  
 For Specialized Loan Servicing, LLC

ACKNOWLEDGEMENT

State of Colorado

County of DOUGLAS

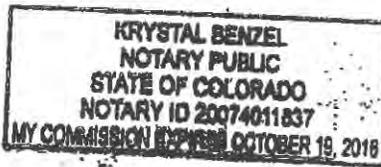
On this 9 day of Sept 2015 before me Krystal Benzel

a Notary Public, (or before any officer within this State or without the State now qualified under existing law to take acknowledgments), duly commissioned, qualified and acting, within and for said County and State, appeared in person the within named Walt Harpich (being the person authorized by said business trust to execute such instrument, stating his/her respective capacities in that behalf), to me personally well known (or satisfactorily proven to be such person), who stated that he was the AVP of Specialized Loan Servicing, LLC, attorney in fact for Deutsche Bank National Trust Company, as Indenture Trustee, on behalf of the holders of the Terwin Mortgage Trust 2007-HE Asset-Backed Securities, Series 2007-4HE, a business trust, and was duly authorized in his respective capacity to execute the foregoing instrument(s) for and in the name and behalf of said business trust, and further stated and acknowledged that he had so signed, executed, and delivered said foregoing instrument for the consideration, uses, and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 9<sup>th</sup> day of September 2015

Krystal Benzel  
Notary Public

My Commission Expires: \_\_\_\_\_



P144



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

Real Estate Transfer Tax Stamp  
 Proof of Tax Paid



File Number: 20152665

Grantee:  
 Mailing Address:

JERRY W HALLUM AND SUSAN L HALLUM  
 16286 F 530 RD  
 COLCORD OK 743380000

Grantor:  
 Mailing Address:

DEUTSCHE BANK NATIONAL TRUST COMPANY AS INDENTURE  
 TRUSTEE ON BEHALF OF THE HOLDERS OF THE TERWIN  
 MORTGAGE TRUST 2007 HE ASSET BACKED SECURITIES SERIES  
 20074HE BY SPECIALIZED LOAN SERVICING LLC ITS ATTORNEY IN  
 FACT 6742 LUCENT BLVD  
 HIGHLANDS RANCH CO 801290000

Property Purchase Price:  
 Tax Amount:

\$79,900.00  
 \$264.00

County:  
 Date Issued:  
 Stamp ID:

WASHINGTON  
 09/23/2015  
 1941774336

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

Grantee or Agent Name (printed): Jerry W Hallum  
 Grantee or Agent Name (signature): [Signature] Date: 9-23-15  
 Address: 16286 F530 Rd  
 City/State/Zip: Colcord OK 74338

Review



# City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

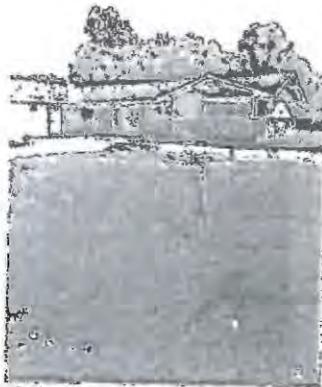
**CITY ABATEMENT - Monday, June 22, 2015 2:49:21 PM (646 CITY ABATEMENT)**

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	6/22/2015 2:49:21 PM
Property Address	1913 west Emma
Before Picture	Attached Data



Before Picture

Attached Data



Before Picture
Before Picture
Type of Abatement
Date of Abatement
Officer on Site
Supervisor on Job

Attached Data
Attached Data
Violation Notice / Lien
Monday, June 22, 2015 2:49:00 PM
Bobby Nivens
Mike Hicklin

<b>Employee</b>	
Employee	Mike Hicklin
MH Benefit Rate	\$27.42
<b>Method of Compliance</b>	
1 Method of Compliance	Mowing
<b>Equipment Used</b>	
Equipment	753-Hustler Midmount,743 Kubota,6030 Service Truck-Landscaping,6031 Service Truck-Landscaping
753-Hustler Midmount	\$40.00
743 Kubota	\$65.00
6030 Service Truck-Landscaping	\$35.00
6031 Service Truck-Landscaping	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	4
Temporary Labor Cost	\$48.00
Employee Cost per hour	\$27.42
Total Employee Cost	\$27.42
Equipment Cost per hour	\$175.00
Total Equipment Cost	\$175.00
Mobilization Fee	\$200.00
Extra materials cost	\$0.00
Total Cost of Abatement	\$450.42
Final Photos	Attached Data

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p><input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p><input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</p> <p><input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Signature <input type="checkbox"/> Agent <i>Wendy Powell</i> <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery <i>Wendy Powell</i></p>
<p>1. Article Addressed to:</p> <p>Deutsche Bank National Trust Co. 3815 South West Temple Salt Lake City, UT 84115</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7014 1200 0001 0759 0647</p>

PS Form 3811, July 2013

Domestic Return Receipt

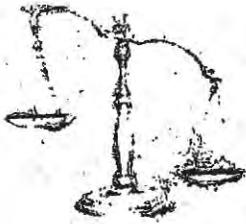
P148

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p><input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p><input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</p> <p><input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Signature <input type="checkbox"/> Agent <i>Jerry Hallum</i> <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery <i>JERRY HALLUM</i> <i>10/20/13</i></p>
<p>1. Article Addressed to:</p> <p>Jerry W. and Susan L. Hallum 16286 F 530 Rd. Colcord, OK 74338</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7014 1200 0001 0759 0630</p>

PS Form 3811, July 2013

Domestic Return Receipt

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Office Of The City Attorney

201 Spring Street
Springdale, Arkansas 72764
Phone (479) 756-5900
Fax (479) 750-4732
www.springdalear.gov
Writer's Email:
sparkman@springdalear.gov

October 15, 2015

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

Ernest B. Cate
City Attorney

Taylor Samples
Senior Deputy
City Attorney

Sarah Sparkman
Deputy City Attorney

David D. Phillips
Deputy City Attorney

Lynda Belvedresi
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

David & Jennifer Wheeler
4304 W. Arlington Dr.
Rogers, AR 72758

Nathan Gairhan, Agent for
United Bank
2600 South Thompson
Springdale, AR 72764

RE: Notice of clean-up lien on property located at 912 E. Huntsville
Ave., Springdale, Washington County, Arkansas, Tax Parcel No.
815-27046-000

Dear Property Owner/Lienholder:

On August 3, 2015, notice was posted on property located at 912 E. Huntsville
Ave., Springdale, Arkansas; that the property was in violation of Springdale City
Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days.
Notice was mailed to the owner of record on August 3, 2015, that the City
intended to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-
54-903 if the violations were not remedied.

No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about August 26, 2015. As of this date, the total costs incurred by the City of
Springdale to clean this property are \$516.65. I have enclosed an invoice
evidencing the abatement costs incurred and paid by the City of Springdale to
clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4),
administrative fees may be added to the total costs incurred by the City of
Springdale, which will include certified mailing fee in the amount of \$6.74 per
letter and a filing fee in the amount of \$15.00 to the Washington County Circuit
Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before November 24, 2015, a hearing will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing will be held Tuesday, November 24, 2015, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. You will be entitled to present evidence at this hearing concerning the amount of the lien the City of Springdale is claiming.

If you desire not to contest this amount, and desire not to have a hearing on the matter, please remit the total sum of \$530.13, which includes \$516.65 for cleaning up the property and \$13.48 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

If you should have any questions, please let me know.

Sincerely,



Sarah Sparkman  
Deputy City Attorney

enclosures  
SS:ch



**City of Springdale  
Code Enforcement**

218 Spring Street - Springdale, AR 72764 - Office 479/726-7713

**CITY ABATEMENT - 8/26/2015 11:07 AM (646 CITY ABATEMENT)**

Status: CITY ABATEMENT  
Order # CEHUN27046  
Property Address  
Before Picture

E Huntsville Ave 27046  
Attached Data

Before Picture



Attached Data



Type of Abatement  
Date of Abatement  
Officer on Site  
Supervisor on Job

Violation Notice / Lien  
8/26/2015 10:07 AM  
Tina Haden  
Henry Hernandez

Employee  
Employee  
HH Benefit Rate

Henry Hernandez  
\$18.65

Method of Compliance  
1 Method of Compliance

Mowing

**Equipment Used**

Equipment  
748 Grasshopper  
743 Kubota  
6030 Service Truck-Landscaping  
6038 1-ton Work Truck-Landscaping

748 Grasshopper, 743 Kubota, 6030 Service Truck-Landscaping, 6038 1-ton Work Truck-Landscaping  
\$55  
\$65  
\$35  
\$35

Time of Abatement in Hours  
Number of Temporary Laborers  
Temporary Labor Cost  
Employee Cost per hour  
Total Employee Cost  
Equipment Cost per hour

1  
9  
\$108  
\$18.65  
\$18.65  
\$190



**City of Springdale  
Code Enforcement**

210 Spring Street - Springdale, AR 72734 - Office 479750-7712

Total Equipment Cost	\$190
Mobilization Fee	\$200
Extra materials cost	\$0
Total Cost of Abatement	\$516.65
Final Photos	Attached Data

Final Photos

Attached Data



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<p><input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p><input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</p> <p><input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>Nathan Gairhan, Agent for United Bank 2600 South Thompson Springdale, AR 72764</p>	<p>A. Signature X <i>N. Gairhan</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	<p>B. Received by (Printed Name) Whitney Flores</p>
		<p>C. Date of Delivery 10/16/15</p>
	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p>	
	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label) 7014 1200 0001 0759 0883</p>		
PS Form 3811, July 2013	Domestic Return Receipt	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<p><input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p><input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</p> <p><input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>David &amp; Jennifer Wheeler 4304 W. Arlington Dr. Rogers, AR 72758</p>	<p>A. Signature X <i>David Wheeler</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	<p>B. Received by (Printed Name)</p>
		<p>C. Date of Delivery 10-16</p>
	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p>	
	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label) 7014 1200 0001 0759 0906</p>		
PS Form 3811, July 2013	Domestic Return Receipt	

Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing will be held Tuesday, November 24, 2015, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. You will be entitled to present evidence at this hearing concerning the amount of the lien the City of Springdale is claiming.

If you desire not to contest this amount, and desire not to have a hearing on the matter, please remit the total sum of \$354.90, which includes \$341.42 for cleaning up the property and \$13.48 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

If you should have any questions, please let me know.

Sincerely,

  
Sarah Sparkman  
Deputy City Attorney

enclosures  
SS:ch



# City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

**CITY ABATEMENT - Monday, August 03, 2015 7:59:42 AM (646 CITY ABATEMENT)**

User Name 646 CITY ABATEMENT  
User # 4797993582  
Form Started 8/3/2015 7:59:42 AM  
Property Address 3606 Iuvene  
Before Picture Attached Data

Before Picture



Attached Data



Type of Abatement Violation Notice / Lien  
Date of Abatement Monday, August 03, 2015 7:59:00 AM  
Officer on Site Mike Sidney  
Supervisor on Job Mike Hicklin  
Employee  
Employee Mike Hicklin

MH Benefit Rate	\$27.42
<b>Method of Compliance</b>	
1 Method of Compliance	Mowing
<b>Equipment Used</b>	
Equipment	752 Grasshopper, 6031 Service Truck-Landscaping
752 Grasshopper	\$55.00
6031 Service Truck-Landscaping	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	2
Temporary Labor Cost	\$24.00
Employee Cost per hour	\$27.42
Total Employee Cost	\$27.42
Equipment Cost per hour	\$90.00
Total Equipment Cost	\$90.00
Mobilization Fee	\$200.00
Extra materials cost	\$0.00
Total Cost of Abatement	\$341.42
Final Photos	Attached Data



Final Photos

Attached Data



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

United Bank  
2600 S. Thompson St.  
Springdale, AR 72764

**COMPLETE THIS SECTION ONLY IF NECESSARY**

A. Signature  
X *[Handwritten Signature]*  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery  
*[Blank]* *12/15/16*

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

3. Service Type  
 Certified Mail®  Priority Mail Express™  
 Registered  Return Receipt for Merchandise  
 Insured Mail  Collect on Delivery

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
(Transfer from service label)

7014 1200 0001 0759 0678

PS Form 3811, July 2013

Domestic Return Receipt

AFFIDAVIT

STATE OF ARKANSAS                    )  
  )SS  
COUNTY OF WASHINGTON            )

I, Sarah Sparkman, upon my oath, state as follows:

1. That I am a Deputy City Attorney for the Springdale City Attorney's Office.
2. That on October 13, 2015, the City Attorney's Office attempted to mail a letter to Gary G. and Jan E. Griffin, by certified mail and regular mail; however, the certified letter was returned "Unclaimed."
3. That on Monday, November 16, Jan Griffin contacted me regarding the letter received from the City Attorney's Office.

FURTHER, affiant sayeth naught.

*Sarah Sparkman*

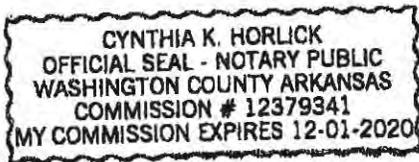
Sarah Sparkman

SUBSCRIBED AND SWORN to before me, a Notary Public, this 16<sup>th</sup> day of November, 2015.

My Commission Expires:

12/01/2020

*Cynthia K. Horlick*  
Notary Public





*Office Of The City Attorney*

201 Spring Street  
Springdale, Arkansas 72764  
Phone (479) 756-5900  
Fax (479) 750-4732  
www.springdalear.gov  
Writer's Email:  
sparkman@springdalear.gov

October 13, 2015

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Ernest B. Cate  
City Attorney

Taylor Samples  
Senior Deputy  
City Attorney

Sarah Sparkman  
Deputy City Attorney

David D. Phillips  
Deputy City Attorney

Lynda Belvedresi  
Case Coordinator/  
Victim Advocate

Steve Helms  
Investigator

Cindy Horlick  
Administrative Legal  
Assistant/Paralegal

Andrea K. Blakemore Jones  
16886 W. Hwy. 62  
Prairie Grove, AR 72753

Nationstar Mortgage, LLC  
350 Highland Dr.  
Lewisville, TX 75067

Nationstar Mortgage, LLC  
c/o The Corporation Company, Registered Agent  
300 Spring Building, Suite 900  
300 S. Spring St.  
Little Rock, AR 72201

RE: Notice of clean-up lien on property located at 720 Mill St.,  
Springdale, Washington County, Arkansas, Tax Parcel No. 815-  
25558-000.

Dear Property Owner/Lienholder:

On July 23, 2015, notice was posted on property located at 720 Mill St.,  
Springdale, Arkansas, that the property was in violation of Springdale City  
Ordinance 42-77, and 42-78, and needed to be remedied within seven (7) days.  
Notice was mailed to the owner of record on July 23, 2015, that the City intended  
to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if  
the violations were not remedied.

No action was taken by the owner to clean up the property within seven (7)  
business days. As a result, the City of Springdale took action to remedy the  
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or  
about August 5, 2015. As of this date, the total costs incurred by the City of  
Springdale to clean this property are \$477.42. I have enclosed an invoice  
evidencing the abatement costs incurred and paid by the City of Springdale to  
clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4),  
administrative fees may be added to the total costs incurred by the City of

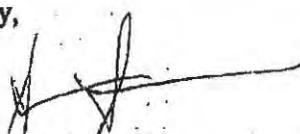
Springdale, which will include certified mailing fee in the amount of \$6.74 per letter and a filing fee in the amount of \$15.00 to the Washington County Circuit Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before November 24, 2015, a hearing will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing will be held Tuesday, November 24, 2015, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. You will be entitled to present evidence at this hearing concerning the amount of the lien the City of Springdale is claiming.

If you desire not to contest this amount, and desire not to have a hearing on the matter, please remit the total sum of \$497.64, which includes \$477.42 for cleaning up the property and \$20.22 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

If you should have any questions, please let me know.

Sincerely,

  
Sarah Sparkman  
Deputy City Attorney

enclosures

SS:ch

Cc: James H. Swindle, Jr., Attorney at Law  
Mickel Law Firm, P.A.  
1501 N. University, Suite 930  
Little Rock, AR 72207

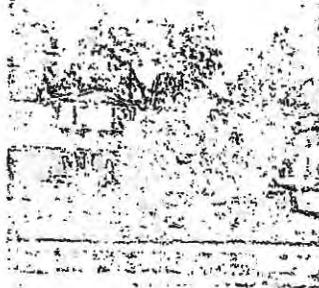


# City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

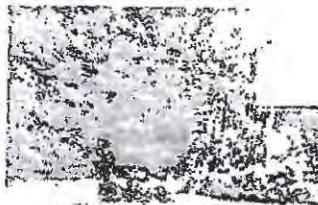
**CITY ABATEMENT - Wednesday, August 05, 2015 10:19:16 AM (646 CITY ABATEMENT)**

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	8/5/2015 10:19:16 AM
Property Address	720 mill
Before Picture	Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement	Violation Notice / Lien
Date of Abatement	Wednesday, August 05, 2015 10:19:00 AM
Officer on Site	Tina Haden
Supervisor on Job	Mike Hicklin
Employee	
Employee	Mike Hicklin
MH Benefit Rate	\$27.42
<b>Method of Compliance</b>	
1 Method of Compliance	Mowing
<b>Equipment Used</b>	
Equipment	752 Grasshopper, 743 Kubota, 6030 Service Truck-Landscaping, 6031 Service Truck-Landscaping
752 Grasshopper	\$55.00
743 Kubota	\$65.00
6030 Service Truck-Landscaping	\$35.00
6031 Service Truck-Landscaping	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	5
Temporary Labor Cost	\$60.00

Employee Cost per hour \$27.42  
Total Employee Cost \$27.42  
Equipment Cost per hour \$190.00  
Total Equipment Cost \$190.00  
Mobilization Fee \$200.00  
Extra materials cost \$0.00  
Total Cost of Abatement \$477.42  
Final Photos **Attached Data**



Final Photos **Attached Data**

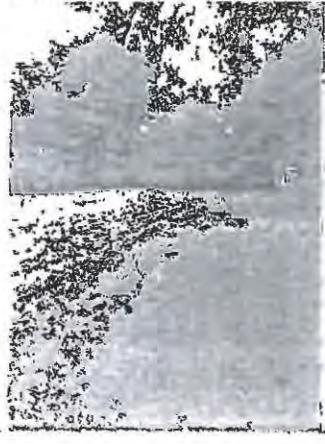


Final Photos **Attached Data**



Final Photos

Attached Data



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee <i>Larry Henry</i>	C. Date of Delivery 1 OCT 2015
1. Article Addressed to:  Nationstar Mortgage, LLC 350 Highland Dr. Lewisville, TX 75067	B. Received by (Printed Name) <i>Larry Henry</i>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
	3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

2. Article Number (transfer from service label) **7014 1200 0001 0759 0845**  
 PS Form 3811, July 2013 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>Adam Davis</i>	C. Date of Delivery 10/20
1. Article Addressed to:  Nationstar Mortgage, LLC c/o The Corporation Company, Registered Agent 300 Spring Building, Suite 900 300 S. Spring St. Little Rock, AR 72201	B. Received by (Printed Name) <i>Adam Davis</i>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No  10/20 2015
	3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

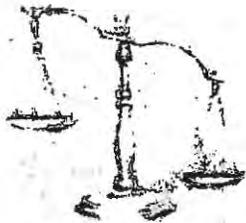
2. Article Number (transfer from service label) **7014 1200 0001 0759 0760**  
 PS Form 3811, July 2013 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>Jason Doss</i>	C. Date of Delivery 10/28/15
1. Article Addressed to:  Andrea B. Blakemore Jones 1680 W. Hwy. 62 Potts Grove, AR 72753	B. Received by (Printed Name) <i>Jason Doss</i>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
	3. Service Type <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

2. Article Number (transfer from service label) **7014 1200 0001 0759 0852**  
 PS Form 3811, July 2013 Domestic Return Receipt

P165

P165



Office Of The City Attorney

201 Spring Street
Springdale, Arkansas 72764
Phone (479) 756-5900
Fax (479) 750-4732
www.springdalear.gov
Writer's Email:
sparkman@springdalear.gov

October 15, 2015

Ernest B. Cate
City Attorney

Taylor Samples
Senior Deputy
City Attorney

Sarah Sparkman
Deputy City Attorney

David D. Phillips
Deputy City Attorney

Lynda Belvedere
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

JHCD Holdings, LLC
P.O. Box 547
Johnson, AR 72741

Brenda Vassaur Taylor, Registered Agent
for JHCD Holding, LLC
2949 N. Point Circle
Fayetteville, AR 72704

J. Thomas May, Registered Agent for
Simmons First National Bank
501 Main St.
Pine Bluff, AR 71601

RE: Notice of clean-up lien on property located at 3675 Serenity St.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
37557-000

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED
AND REGULAR MAIL

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

Dear Property Owner/Lienholder:

On June 15, 2015, notice was posted on property located at 3675 Serenity St.,
Springdale, Arkansas, that the property was in violation of Springdale City
Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days.
Notice was mailed to the owner of record on June 15, 2015, that the City intended
to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if
the violations were not remedied.

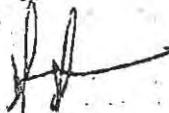
No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about August 18, 2015. As of this date, the total costs incurred by the City of
Springdale to clean this property are \$406.42. I have enclosed an invoice
evidencing the abatement costs incurred and paid by the City of Springdale to
clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4),
administrative fees may be added to the total costs incurred by the City of
Springdale, which will include certified mailing fee in the amount of \$6.74 per
letter and a filing fee in the amount of \$15.00 to the Washington County Circuit
Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before November 24, 2015, a hearing will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing will be held Tuesday, November 24, 2015, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. You will be entitled to present evidence at this hearing concerning the amount of the lien the City of Springdale is claiming.

If you desire not to contest this amount, and desire not to have a hearing on the matter, please remit the total sum of \$426.64, which includes \$406.42 for cleaning up the property and \$20.22 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

If you should have any questions, please let me know.

Sincerely,



Sarah Sparkman  
Deputy City Attorney

enclosures

SS:ch

cc: Simmons First National Bank  
New Hope Branch  
3975 W. New Hope Rd.  
Rogers, AR 72758-8410

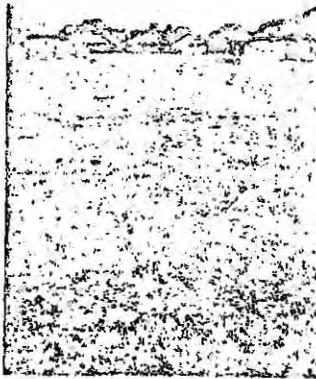


# City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/766-7712

**CITY ABATEMENT - Tuesday, August 18, 2015 1:13:43 PM (646 CITY ABATEMENT)**

User Name 646 CITY ABATEMENT  
 User # 4797993582  
 Form Started 8/18/2015 1:13:43 PM  
 Property Address 3675 serenity  
 Before Picture Attached Data



Type of Abatement **Violation Notice / Lien**  
 Date of Abatement **Tuesday, August 18, 2015 1:13:00 PM**  
 Officer on Site **Bobby Nivens**  
 Supervisor on Job **Mike Hicklin**

**Employee**

Employee **Mike Hicklin**  
 MH Benefit Rate **\$27.42**

**Method of Compliance**

1 Method of Compliance **Mowing**

**Equipment Used**

Equipment **752 Grasshopper,743 Kubota,6031 Service Truck-Landscaping**  
 752 Grasshopper **\$55.00**  
 743 Kubota **\$65.00**  
 6031 Service Truck-Landscaping **\$35.00**

Time of Abatement in Hours **1**

Number of Temporary Laborers **2**

Temporary Labor Cost	<b>\$24.00</b>
Employee Cost per hour	<b>\$27.42</b>
Total Employee Cost	<b>\$27.42</b>
Equipment Cost per hour	<b>\$155.00</b>
Total Equipment Cost	<b>\$155.00</b>
Mobilization Fee	<b>\$200.00</b>
Extra materials cost	<b>\$0.00</b>
Total Cost of Abatement	<b>\$406.42</b>
Final Photos	<b>Attached Data</b>



English

Customer Service

USPS Mobile

Register / Sign In

English

English



# USPS Tracking®



**Customer Service >**  
Have questions? We're here to help.



**Get Easy Tracking Updates >**  
Sign up for My USPS.

Tracking Number: 70141200000107591064

Updated Delivery Day: Friday, October 16, 2015

## Product & Tracking Information

Postal Product:

Features:  
Certified Mail™

DATE & TIME

STATUS OF ITEM

LOCATION

October 16, 2015 , 1:21 pm

Delivered

FAYETTEVILLE, AR 72704

Your item was delivered at 1:21 pm on October 16, 2015 in FAYETTEVILLE, AR 72704

October 16, 2015 , 9:20 am

Out for Delivery

FAYETTEVILLE, AR 72701

October 16, 2015 , 9:10 am

Sorting Complete

FAYETTEVILLE, AR 72701

October 16, 2015 , 4:49 am

Arrived at Unit

FAYETTEVILLE, AR 72701

October 16, 2015 , 1:06 am

Departed USPS Facility

FAYETTEVILLE, AR 72701

October 16, 2015 , 9:21 pm

Arrived at USPS Facility

FAYETTEVILLE, AR 72701

## Available Actions

Text Updates

Email Updates

## Track Another Package

Tracking (or receipt) number

Track It

## Manage Incoming Packages

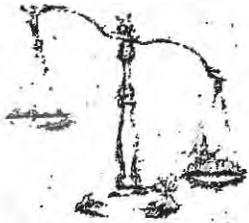
Track all your packages from a dashboard.  
No tracking numbers necessary.

Sign up for My USPS >



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p><input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p><input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</p> <p><input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>J. Thomas, Registered Agent for Simmons First National Bank 501 Main St. Pine Bluff, AR 71601</p>	<p>A. Signature <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p><i>Andre Butler</i></p> <p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p> <p>Andre Butler <span style="float: right;">10/19/15</span></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7014 1200 0001 0759 1057</p>
<p>PS Form 3811, July 2013</p>	<p>Domestic Return Receipt</p>

D171



Office Of The City Attorney

201 Spring Street
Springdale, Arkansas 72764
Phone (479) 756-5900
Fax (479) 750-4732
www.springdalear.gov
Writer's Email:
ssparkman@springdalear.gov

October 15, 2015

Ernest B. Cate
City Attorney

Taylor Samples
Senior Deputy
City Attorney

Sarah Sparkman
Deputy City Attorney

David D. Phillips
Deputy City Attorney

Lynda Belvedere
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

JHCD Holdings, LLC
P.O. Box 547
Johnson, AR 72741

Brenda Vassaur Taylor, Registered Agent
for JHCD Holding, LLC
2949 N. Point Circle
Fayetteville, AR 72704

J. Thomas May, Registered Agent for
Simmons First National Bank
501 Main St.
Pine Bluff, AR 71601

RE: Notice of clean-up lien on property located at 3697 Serenity St.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
37558-000

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED
AND REGULAR MAIL

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

Dear Property Owner/Lienholder:

On May 20, 2015, notice was posted on property located at 3697 Serenity St.,
Springdale, Arkansas, that the property was in violation of Springdale City
Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days.
Notice was mailed to the owner of record on May 20, 2015, that the City intended
to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if
the violations were not remedied.

No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about June 15, 2015 and August 18, 2015. As of this date, the total costs incurred
by the City of Springdale to clean this property are \$812.84. I have enclosed an
invoice evidencing the abatement costs incurred and paid by the City of
Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-
54-903(c)(4), administrative fees may be added to the total costs incurred by the
City of Springdale, which will include certified mailing fee in the amount of
\$6.74 per letter and a filing fee in the amount of \$15.00 to the Washington County
Circuit Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before November 24, 2015, a hearing will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing will be held Tuesday, November 24, 2015, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. You will be entitled to present evidence at this hearing concerning the amount of the lien the City of Springdale is claiming.

If you desire not to contest this amount, and desire not to have a hearing on the matter, please remit the total sum of \$833.06, which includes \$812.84 for cleaning up the property and \$20.22 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

If you should have any questions, please let me know.

Sincerely,

  
Sarah Sparkman  
Deputy City Attorney

enclosures

SS:ch

cc: Simmons First National Bank  
New Hope Branch  
3975 W. New Hope Rd.  
Rogers, AR 72758-8410



# City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

**CITY ABATEMENT - Tuesday, August 18, 2015 9:30:57 AM (646 CITY ABATEMENT)**

User Name 646 CITY ABATEMENT  
 User # 4797993582  
 Form Started 8/18/2015 9:30:57 AM  
 Property Address 3697 serenity  
 Before Picture Attached Data



Type of Abatement Violation Notice / Lien  
 Date of Abatement Tuesday, August 18, 2015 9:30:00 AM  
 Officer on Site Toby Lankford  
 Supervisor on Job Mike Hicklin

**Employee**  
 Employee Mike Hicklin  
 MH Benefit Rate \$27.42

**Method of Compliance**  
 1 Method of Compliance Mowing

**Equipment Used**  
 Equipment 752 Grasshopper, 743 Kubota, 6031 Service Truck-Landscaping  
 752 Grasshopper \$55.00  
 743 Kubota \$65.00  
 6031 Service Truck-Landscaping \$35.00

Time of Abatement in Hours 1  
 Number of Temporary Laborers 2

Temporary Labor Cost	<b>\$24.00</b>
Employee Cost per hour	<b>\$27.42</b>
Total Employee Cost	<b>\$27.42</b>
Equipment Cost per hour	<b>\$155.00</b>
Total Equipment Cost	<b>\$155.00</b>
Mobilization Fee	<b>\$200.00</b>
Extra materials cost	<b>\$0.00</b>
Total Cost of Abatement	<b>\$406.42</b>
Final Photos	<b>Attached Data</b>





# City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

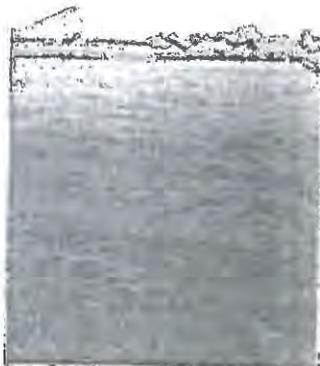
**CITY ABATEMENT - Monday, June 15, 2015 2:31:42 PM (646 CITY ABATEMENT)**

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	6/15/2015 2:31:42 PM
Property Address	3697 serenity
Before Picture	Attached Data

Before Picture



Attached Data



Type of Abatement  
Date of Abatement  
Officer on Site  
Supervisor on Job  
Employee

Violation Notice / Lien  
Monday, June 15, 2015 2:31:00 PM  
Toby Lankford  
Mike Hicklin  
  
Mike Hicklin

MH Benefit Rate	\$27.42
<b>Method of Compliance</b>	
1 Method of Compliance	Mowing
<b>Equipment Used</b>	
Equipment	752 Grasshopper, 743 Kubota, 6031 Service Truck-Landscaping
752 Grasshopper	\$55.00
743 Kubota	\$65.00
6031 Service Truck-Landscaping	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	2
Temporary Labor Cost	\$24.00
Employee Cost per hour	\$27.42
Total Employee Cost	\$27.42
Equipment Cost per hour	\$155.00
Total Equipment Cost	\$155.00
Mobilization Fee	\$200.00
Extra materials cost	\$0.00
Total Cost of Abatement	\$406.42
Final Photos	Attached Data

Final Photos



Attached Data



English

Customer Service

USPS Mobile

Register / Sign in

English

Español



# USPS Tracking®



Customer Service ›  
Have questions? We're here to help.



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Sign up for My USPS.

Tracking Number: 70141200000107591019

Updated Delivery Day: Friday, October 16, 2015

## Product & Tracking Information

Postal Product:

Features:  
Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
October 16, 2015 , 1:21 pm	Delivered	FAYETTEVILLE, AR 72704

Your item was delivered at 1:21 pm on October 16, 2015 in FAYETTEVILLE, AR 72704

October 16, 2015 , 9:20 am	Out for Delivery	FAYETTEVILLE, AR 72701
October 16, 2015 , 9:10 am	Sorting Complete	FAYETTEVILLE, AR 72701
October 16, 2015 , 8:10 am	Arrived at Unit	FAYETTEVILLE, AR 72701
October 16, 2015 , 1:06 am	Departed USPS Facility	FAYETTEVILLE, AR 72701
October 15, 2015 , 9:22 pm	Arrived at USPS Facility	FAYETTEVILLE, AR 72701

## Available Actions

Text Updates

Email Updates

## Track Another Package

Tracking (or receipt) number

Track It

## Manage Incoming Packages

Track all your packages from a dashboard.  
No tracking numbers necessary.

Sign up for My USPS ›



P178

**SENDER'S USE ONLY**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
**J. Thomas May, Registered Agent**  
**for Simmons First National Bank**  
**501 Main St.**  
**Pine Bluff, AR 71601**

**CONFIRM THE RECEIPT OF DELIVERY**

A. Signature  Agent  
 Addressee  
*Andre Butler*

B. Received by (Printed Name) C. Date of Delivery  
**Andre Butler** **10/19/15**

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

3. Service Type

Certified Mail®  Priority Mail Express™  
 Registered  Return Receipt for Merchandise  
 Insured Mail  Collect on Delivery

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) **7014 1200 0001 0759 1026**



Office Of The City Attorney

201 Spring Street
Springdale, Arkansas 72764
Phone (479) 756-5900
Fax (479) 750-4732
www.springdalear.gov
Writer's Email:
sparkman@springdalear.gov

October 15, 2015

Ernest B. Cate
City Attorney

Taylor Samples
Senior Deputy
City Attorney

Sarah Sparkman
Deputy City Attorney

David D. Phillips
Deputy City Attorney

Lynda Belvedresi
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
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Fayetteville, AR 72704

J. Thomas May, Registered Agent for
Simmons First National Bank
501 Main St.
Pine Bluff, AR 71601

RE: Notice of clean-up lien on property located at 3721 Serenity St.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
37559-000

Dear Property Owner/Lienholder:

On May 20, 2015, notice was posted on property located at 3721 Serenity St.,
Springdale, Arkansas, that the property was in violation of Springdale City
Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days.
Notice was mailed to the owner of record on May 20, 2015, that the City intended
to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if
the violations were not remedied.

No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about June 15, 2015 and August 18, 2015. As of this date, the total costs incurred
by the City of Springdale to clean this property are \$802.84. I have enclosed an
invoice evidencing the abatement costs incurred and paid by the City of
Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-
54-903(c)(4), administrative fees may be added to the total costs incurred by the
City of Springdale, which will include certified mailing fee in the amount of
\$6.74 per letter and a filing fee in the amount of \$15.00 to the Washington County
Circuit Court.

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED
AND REGULAR MAIL

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

This is to notify you that in the event this amount is not paid to the City of Springdale on or before November 24, 2015, a hearing will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing will be held Tuesday, November 24, 2015, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. You will be entitled to present evidence at this hearing concerning the amount of the lien the City of Springdale is claiming.

If you desire not to contest this amount, and desire not to have a hearing on the matter, please remit the total sum of \$823.06, which includes \$802.84 for cleaning up the property and \$20.22 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

If you should have any questions, please let me know.

Sincerely,



Sarah Sparkman  
Deputy City Attorney

enclosures

SS:ch

cc: Simmons First National Bank  
New Hope Branch  
3975 W. New Hope Rd.  
Rogers, AR 72758-8410



# City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

**CITY ABATEMENT - Monday, June 15, 2015 2:02:53 PM (646 CITY ABATEMENT)**

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	6/15/2015 2:02:53 PM
Property Address	3721 serenity
Before Picture	Attached Data

Before Picture



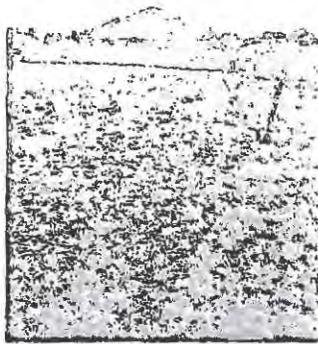
Attached Data



Type of Abatement	Violation Notice / Lien
Date of Abatement	Monday, June 15, 2015 2:02:00 PM
Officer on Site	Toby Lankford
Supervisor on Job	Mike Hicklin
Employee	
Employee	Mike Hicklin

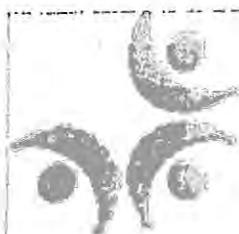
MH Benefit Rate	\$27.42
Method of Compliance	
1 Method of Compliance	Mowing
Equipment Used	
Equipment	752 Grasshopper, 743 Kubota, 6031 Service Truck-Landscaping
752 Grasshopper	\$55.00
743 Kubota	\$65.00
6031 Service Truck-Landscaping	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	2
Temporary Labor Cost	\$24.00
Employee Cost per hour	\$27.42
Total Employee Cost	\$27.42
Equipment Cost per hour	\$155.00
Total Equipment Cost	\$155.00
Mobilization Fee	\$200.00
Extra materials cost	\$0.00
Total Cost of Abatement	\$406.42
Final Photos	Attached Data

Final Photos



Attached Data





# City of Springdale

## Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

CITY ABATEMENT - Tuesday, August 18, 2015 10:06:51 AM (646 CITY ABATEMENT)

User Name 646 CITY ABATEMENT  
 User # 4797993582  
 Form Started 8/18/2015 10:06:51 AM  
 Property Address 3721 serenity  
 Before Picture Attached Data



Type of Abatement Violation Notice / Lien  
 Date of Abatement Tuesday, August 18, 2015 10:06:00 AM  
 Officer on Site Bobby Nivens  
 Supervisor on Job Mike Hicklin

**Employee**

Employee Mike Hicklin  
 MH Benefit Rate \$27.42

**Method of Compliance**

- 1 Method of Compliance Mowing
- 2 Method of Compliance Mowing

**Equipment Used**

Equipment 752 Grasshopper, 755 Grasshopper, 6031 Service Truck-Landscaping  
 752 Grasshopper \$55.00  
 755 Grasshopper \$55.00  
 6031 Service Truck-Landscaping \$35.00

Time of Abatement in Hours 1

Number of Temporary Laborers	2
Temporary Labor Cost	\$24.00
Employee Cost per hour	\$27.42
Total Employee Cost	\$27.42
Equipment Cost per hour	\$145.00
Total Equipment Cost	\$145.00
Mobilization Fee	\$200.00
Extra materials cost	\$0.00
Total Cost of Abatement	\$396.42
Final Photos	Attached Data



English

Customer Service

USPS Mobile

Register / Sign In

English

Español



# USPS Tracking®



Customer Service ›  
Have questions? We're here to help.



Get Easy Tracking Updates ›  
Sign up for My USPS.

Tracking Number: 70141200000107590982

Updated Delivery Day: Friday, October 16, 2015

## Product & Tracking Information

Postal Product:

Features:  
Certified Mail™

## Available Actions

Text Updates

Email Updates

DATE & TIME	STATUS OF ITEM	LOCATION
October 16, 2015 , 1:21 pm	Delivered	FAYETTEVILLE, AR 72704

You also may view the 1:21 pm on October 16, 2015 in FAYETTEVILLE, AR 72704:

October 16, 2015 , 9:20 am	Out for Delivery	FAYETTEVILLE, AR 72701
October 16, 2015 , 9:10 am	Sorting Complete	FAYETTEVILLE, AR 72701
October 16, 2015 , 4:49 am	Arrived at Unit	FAYETTEVILLE, AR 72701
October 16, 2015 , 1:08 am	Departed USPS Facility	FAYETTEVILLE, AR 72701
October 15, 2015 , 9:25 pm	Arrived at USPS Facility	FAYETTEVILLE, AR 72701

## Track Another Package

Tracking (or receipt) number

Track It

## Manage Incoming Packages

Track all your packages from a dashboard  
No tracking numbers necessary.

Sign up for My USPS ›



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

J. Thomas May, Registered Agent  
for Simmons First National Bank  
501 Main St.  
Pine Bluff, AR 71601

**2. Article Number**  
(Transfer from service label)

7014 1200 0001 0759 0975

**RECIPIENT: COMPLETE THIS SECTION ON DELIVERY**

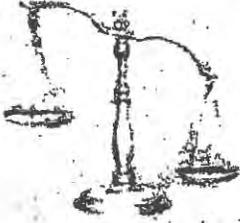
**A. Signature**  
*Andre Butler*  Agent  Addressee

**B. Received by (Printed Name)** **C. Date of Delivery**  
*Andre Butler* *10/19/15*

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

**3. Service Type**  
 Certified Mail®  Priority Mail Express™  
 Registered  Return Receipt for Merchandise  
 Insured Mail  Collect on Delivery

**4. Restricted Delivery? (Extra Fee)**  Yes



Office Of The City Attorney

201 Spring Street
Springdale, Arkansas 72764
Phone (479) 756-5900
Fax (479) 750-4732
www.springdalear.gov
Writer's Email:
ssparkman@springdalear.gov

October 15, 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ernest B. Cate
City Attorney

Taylor Samples
Senior Deputy
City Attorney

Sarah Sparkman
Deputy City Attorney

David D. Phillips
Deputy City Attorney

Lynda Belvedere
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

Jose Luis Chavez
1609 Steele Ave.
Springdale, AR 72762-2933

The Bank of New York Mellon
fka The Bank of New York
One Wall Street
New York, NY 10286

RE: Notice of clean-up lien on property located at 1609 Steele Ave.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
22150-000

Dear Property Owner/Lienholder:

On April 2, 2015, notice was posted on property located at , Springdale, Arkansas,
that the property was in violation of Springdale City Ordinance 42-27, 42-77 and
42-78, and needed to be remedied within seven (7) days. Notice was mailed to
the owner of record on April 30, 2015, that the City intended to seek a clean-up
lien on this property pursuant to Ark. Code Ann. §14-54-903 if the violations
were not remedied.

No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about September 16, 2015. As of this date, the total costs incurred by the City of
Springdale to clean this property are \$397.65. I have enclosed an invoice
evidencing the abatement costs incurred and paid by the City of Springdale to
clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4),
administrative fees may be added to the total costs incurred by the City of
Springdale, which will include certified mailing fee in the amount of \$6.74 per
letter and a filing fee in the amount of \$15.00 to the Washington County Circuit
Court.

P188

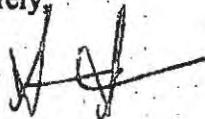
D100

This is to notify you that in the event this amount is not paid to the City of Springdale on or before November 24, 2015, a hearing will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing will be held Tuesday, November 24, 2015, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. You will be entitled to present evidence at this hearing concerning the amount of the lien the City of Springdale is claiming.

If you desire not to contest this amount, and desire not to have a hearing on the matter, please remit the total sum of \$411.13, which includes \$397.65 for cleaning up the property and \$13.48 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

If you should have any questions, please let me know.

Sincerely,



Sarah Sparkman  
Deputy City Attorney

enclosures

SS:ch

cc: Mackie, Wolf, Zientz & Mann, P.C.  
124 W. Capitol Ave., Suite 1560  
Little Rock, AR 72201  
MWZM No.: 12-003382-670



# City of Springdale Code Enforcement

210 Spring Street – Springdale, AR 72764 – Office 479/756-7712

**CITY ABATEMENT - Wednesday, September 16, 2015 9:08:26 AM (646 CITY ABATEMENT)**

User Name           **646 CITY ABATEMENT**  
User #               **4797993582**  
Form Started       **9/16/2015 9:08:26 AM**  
Property Address   **1609 Steele Av**  
Before Picture      **Attached Data**

Before Picture



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Wednesday, September 16, 2015 9:08:00 AM

Officer on Site

Bobby Nivens

Supervisor on Job

Henry Hernandez

**Employee**

Employee

Henry Hernandez

HH Benefit Rate

\$18.65

**Method of Compliance**

1 Method of Compliance

Mowing

**Equipment Used**

Equipment

748 Grasshopper, 743 Kubota, 6038 1-ton Work Truck-Landscaping

748 Grasshopper

\$55.00

743 Kubota

\$65.00

6038 1-ton Work Truck-

\$35.00

Landscaping

Time of Abatement in

1

Hours

Number of Temporary

2

Laborers

Temporary Labor Cost

\$24.00

Employee Cost per hour

\$18.65

Total Employee Cost

\$18.65

Equipment Cost per hour \$155.00  
Total Equipment Cost \$155.00  
Mobilization Fee \$200.00  
Extra materials cost \$0.00  
Total Cost of Abatement \$397.65  
Final Photos Attached Data



Final Photos

Attached Data



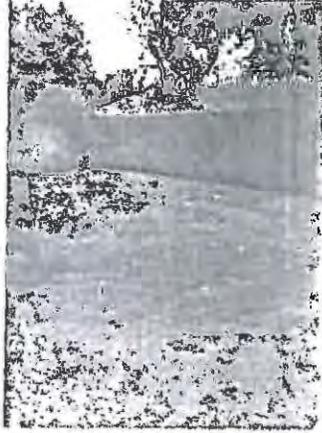
Final Photos

Attached Data



Final Photos

Attached Data



AFFIDAVIT

STATE OF ARKANSAS                    )  
  )SS  
COUNTY OF WASHINGTON            )

I, Steve Helms, upon my oath, state as follows:

1. That I am the Investigator for the Springdale City Attorney's Office.
2. That on October 15, 2015, the City Attorney's Office attempted to mail a letter to Jose Luis Chavez, by certified mail and regular mail; however, the certified letter was returned "Unclaimed."
3. That on Monday, October 16, 2015, I left my business card at the residence of 1609 Steele Ave., Springdale, Arkansas. Jose Luis Chavez contacted me by phone and informed me he was working in Branson and would be back to Springdale later that evening. I told him I would place a copy of the letter on the door of the Steele Ave. address and requested he call me when he got the letter.
4. On Tuesday, November 17, 2015, Jose Luis Chavez contact me again by phone and acknowledged that he did receive the letter.

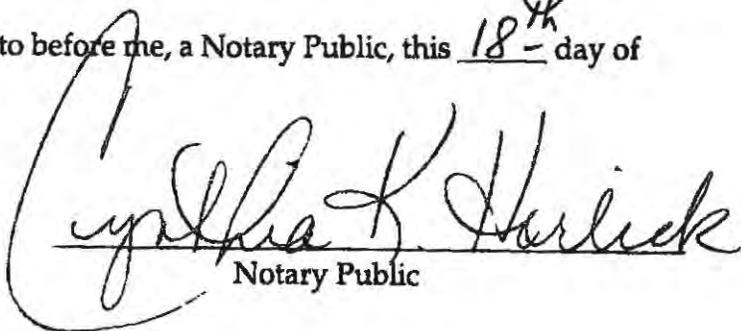
FURTHER, affiant sayeth naught.

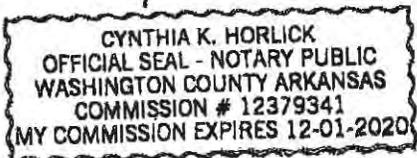
  
\_\_\_\_\_  
Steve Helms

SUBSCRIBED AND SWORN to before me, a Notary Public, this 18<sup>th</sup> day of November, 2015.

My Commission Expires:

12/1/2020

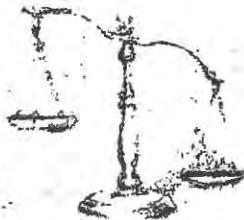
  
\_\_\_\_\_  
Notary Public



SENDER: COMPLETE THIS SECTION	ADDRESSEE: COMPLETE THIS SECTION FOR DELIVERY
<p><input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also, complete item 4 if Restricted Delivery is desired.</p> <p><input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</p> <p><input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>The Bank of New York Mellon          aka The Bank of New York          One Wall Street          New York, NY 10286</p>	<p>A. Signature  <input checked="" type="checkbox"/> Agent  <input checked="" type="checkbox"/> Addressee  <b>X</b> Mohamed Aderis          BNY Mellon, 101 Barclay St          New York, NY 10286</p> <p>B. Received <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery          10-19-15</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          if YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail™ <input type="checkbox"/> Priority Mail Express™  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number          (Transfer from service label)</p>	<p>7014 1200 0001 0759 0944</p>

PS Form 3811, July 2013

Domestic Return Receipt



Office Of The City Attorney

201 Spring Street
Springdale, Arkansas 72764
Phone (479) 756-5900
Fax (479) 750-4732
www.springdalear.gov
Writer's Email:
ssparkman@springdalear.gov

October 15, 2015

Ernest B. Cate
City Attorney

Taylor Samples
Senior Deputy
City Attorney

Sarah Sparkman
Deputy City Attorney

David D. Phillips
Deputy City Attorney

Lynda Belvedere
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

Cirilo Garcia
1156 A Van Someren Pl.
Springdale, AR 72764

BOKF, National Association
c/o The Corporation Company
d/b/a CT Corporation, Registered Agent
124 W. Capitol Ave., Suite 1900
Little Rock, AR 72201

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED
AND REGULAR MAIL

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

RE: Notice of clean-up lien on property located at 1156 Van Someren
Place, Springdale, Washington County, Arkansas, Tax Parcel No.
815-32004-000

Dear Property Owner/Lienholder:

On June 23, 2015 and July 6, 2015, notice was posted on property located at 1156
Van Someren Place, Springdale, Arkansas, that the property was in violation of
Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within
seven (7) days. Notice was mailed to the owner of record on July 7, 2015, that the
City intended to seek a clean-up lien on this property pursuant to Ark. Code Ann.
§14-54-903 if the violations were not remedied.

No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about August 26, 2015. As of this date, the total costs incurred by the City of
Springdale to clean this property are \$516.65. I have enclosed an invoice
evidencing the abatement costs incurred and paid by the City of Springdale to
clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4),
administrative fees may be added to the total costs incurred by the City of
Springdale, which will include certified mailing fee in the amount of \$6.74 per
letter and a filing fee in the amount of \$15.00 to the Washington County Circuit
Court.

This is to notify you that in the event this amount is not paid to the City of
Springdale on or before November 24, 2015, a hearing will be held before the
Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the
amount of the clean-up lien to which the City is entitled for cleaning up the

property. The hearing will be held Tuesday, November 24, 2015, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. You will be entitled to present evidence at this hearing concerning the amount of the lien the City of Springdale is claiming.

If you desire not to contest this amount, and desire not to have a hearing on the matter, please remit the total sum of \$530.13, which includes \$516.65 for cleaning up the property and \$13.48 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

If you should have any questions, please let me know.

Sincerely,



Sarah Sparkman  
Deputy City Attorney

enclosures  
SS:ch



**City of Springdale  
Code Enforcement**

110 Spring Street - Springdale, AR 72764 - Office 479/791-7772

**CITY ABATEMENT - 8/26/2015 10:14 AM (646 CITY ABATEMENT)**

Status: CITY ABATEMENT  
Order # CVAN1156B  
Property Address  
Before Picture

Van Someren Pl 1156B  
Attached Data

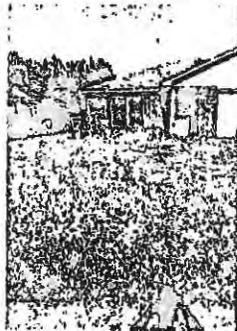
Before Picture

Attached Data



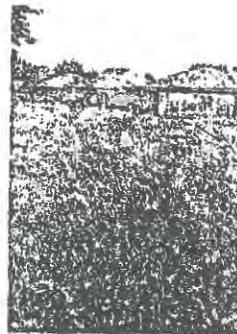
Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement  
Date of Abatement  
Officer on Site

Violation Notice / Lien  
8/26/2015 9:14 AM  
Tina Haden





**City of Springdale  
Code Enforcement**

218 Spring Street - Springdale, AR 72734 - Office 479/756-7117

**Supervisor on Job**

Henry Hernandez

**Employee**

Henry Hernandez

**Employee**

**HH Benefit Rate**

\$18.65

**Method of Compliance**

**1 Method of Compliance**

Mowing, Junk and Trash Removal from Curb

**Equipment Used**

**Equipment**

748 Grasshopper, 743 Kubota, 6030 Service Truck-Landscaping, 6038 1-ton Work Truck-Landscaping

748 Grasshopper

\$55

743 Kubota

\$65

6030 Service Truck-Landscaping

\$35

6038 1-ton Work Truck-Landscaping

\$35

**Time of Abatement in Hours**

1

**Number of Temporary Laborers**

9

**Temporary Labor Cost**

\$108

**Employee Cost per hour**

\$18.65

**Total Employee Cost**

\$18.65

**Equipment Cost per hour**

\$190

**Total Equipment Cost**

\$190

**Mobilization Fee**

\$200

**Extra materials cost**

\$0

**Total Cost of Abatement**

\$516.65

**Final Photos**

Attached Data



**Final Photos**

Attached Data



**Final Photos**

Attached Data



**City of Springdale**  
**Code Enforcement**

218 Spring Street - Springdale, AR 72764 - Office 479/734-7712

Final Photos

Attached Data



AFFIDAVIT

STATE OF ARKANSAS                    )  
  )SS  
COUNTY OF WASHINGTON            )

I, Steve Helms, upon my oath, state as follows:

1. That I am the Investigator for the Springdale City Attorney's Office.
2. That on October 15, 2015, the City Attorney's Office attempted to mail a letter to Cirilo Garcia at 1156A Van Someren Pl., Springdale, Arkansas, by certified mail; however, said letter was returned "Not Deliverable as Addressed."
3. That on October 26, 2015, I made contact with the Elvia Baragan Garcia, wife of Cirilo Garcia at 3807 West Easy St., Rogers, Arkansas and gave her a copy of the letter from the City Attorney's Office dated October 15, 2015.

FURTHER, affiant sayeth naught.

Steve Helms  
Steve Helms

SUBSCRIBED AND SWORN to before me, a Notary Public, this 26<sup>th</sup> day of October, 2015.

My Commission Expires:  
12/1/2020

Cynthia K. Horlick  
Notary Public



SENDER: COMPLETE THIS SECTION	ADDRESSEE: COMPLETE THIS SECTION ON DELIVERY	
<input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.	<b>A. Signature</b> <b>CT CORPORATION</b> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
<b>1. Article Addressed to:</b>  <b>BOKE, National Association            c/o The Corporation Company            d/b/a CT Corporation, Registered Agent            124 W. Capitol Ave., Suite 1900            Little Rock, AR 72201</b>	<b>B. Received by (Print Name)</b> <b>OCT 20 2013</b>	<b>C. Date of Delivery</b>
<b>2. Article Number</b> <i>(Transfer from service label)</i>	<b>D. Is delivery address different from item 1?</b> <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
<b>PS Form 3811, July 2013</b>	<b>3. Service Type</b> <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery <b>4. Restricted Delivery? (Extra Fee)</b> <input type="checkbox"/> Yes	
	<b>7014 1200 0001 0759 0913</b> <b>Domestic Return Receipt</b>	

P 202

P 202



Office Of The City Attorney

201 Spring Street
Springdale, Arkansas 72764
Phone (479) 756-5900
Fax (479) 750-4732
www.springdalear.gov
Writer's Email:
sparkman@springdalear.gov

October 15, 2015

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

Ernest B. Cate
City Attorney

Taylor Samples
Senior Deputy
City Attorney

Sarah Sparkman
Deputy City Attorney

David D. Phillips
Deputy City Attorney

Lynda Belvedresi
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

U.S. Bank, National Association
c/o The Corporation Company
d/b/a CT Corporation, Registered Agent
124 W. Capitol Ave., Suite 1900
Little Rock, AR 72201

RE: Notice of clean-up lien on property located at 2073 Wheatland
Ave., Springdale, Washington County, Arkansas, Tax Parcel No.
815-32549-000

Dear Property Owner:

On May 1, 2015 and May 11, 2015, notice was posted on property located at 2073
Wheatland Ave., Springdale, Arkansas, that the property was in violation of
Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within
seven (7) days. Notice was mailed to the owner of record on May 11, 2015, that
the City intended to seek a clean-up lien on this property pursuant to Ark. Code
Ann. §14-54-903 if the violations were not remedied.

No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about August 21, 2015 and August 31, 2015. As of this date, the total costs
incurred by the City of Springdale to clean this property are \$772.30. I have
enclosed an invoice evidencing the abatement costs incurred and paid by the City
of Springdale to clean this property. Also, in accordance with Ark. Code Ann.
§14-54-903(c)(4), administrative fees may be added to the total costs incurred by
the City of Springdale, which will include certified mailing fee in the amount of
\$6.74 per letter and a filing fee in the amount of \$15.00 to the Washington County
Circuit Court.

This is to notify you that in the event this amount is not paid to the City of
Springdale on or before November 24, 2015, a hearing will be held before the
Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the
amount of the clean-up lien to which the City is entitled for cleaning up the

property. The hearing will be held Tuesday, November 24, 2015, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. You will be entitled to present evidence at this hearing concerning the amount of the lien the City of Springdale is claiming.

If you desire not to contest this amount, and desire not to have a hearing on the matter, please remit the total sum of \$779.04, which includes \$772.30 for cleaning up the property and \$6.74 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

If you should have any questions, please let me know.

Sincerely,



Sarah Sparkman  
Deputy City Attorney

enclosures

SS:ch

cc: Wilson & Associates, P.L.L.C.  
1521 Merrill Dr., Suite D220  
Little Rock, AR 72211  
W&A No. 206221



# City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

**CITY ABATEMENT - Friday, August 21, 2015 11:02:26 AM (646 CITY ABATEMENT)**

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	8/21/2015 11:02:26 AM
Property Address	2073 wheatland av
Before Picture	Attached Data

Before Picture



Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement	<b>Violation Notice / Lien</b>
Date of Abatement	<b>Friday, August 21, 2015 11:02:00 AM</b>
Officer on Site	<b>Bobby Nivens</b>
Supervisor on Job	<b>Henry Hernandez</b>
<b>Employee</b>	
Employee	<b>Henry Hernandez</b>
HH Benefit Rate	<b>\$18.65</b>
<b>Method of Compliance</b>	
<b>Equipment Used</b>	
Equipment	<b>748 Grasshopper, 743 Kubota</b>
748 Grasshopper	<b>\$55.00</b>
743 Kubota	<b>\$65.00</b>
Time of Abatement in Hours	<b>1</b>
Number of Temporary Laborers	<b>3</b>
Temporary Labor Cost	<b>\$36.00</b>
Employee Cost per hour	<b>\$18.65</b>
Total Employee Cost	<b>\$18.65</b>
Equipment Cost per hour	<b>\$120.00</b>
Total Equipment Cost	<b>\$120.00</b>
Mobilization Fee	<b>\$200.00</b>

Extra materials cost \$0.00  
Total Cost of Abatement \$374.65  
Final Photos Attached Data



Final Photos Attached Data

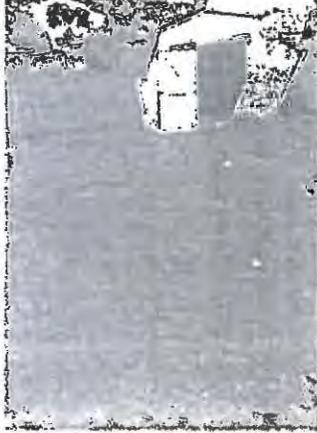


Final Photos Attached Data



Final Photos

Attached Data





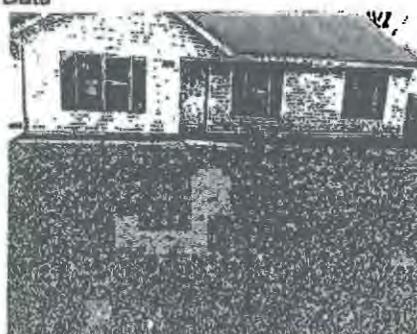
**City of Springdale**  
Code Enforcement

219 Spring Street - Springdale, AR 72754 - Office 479-206-3712

**CITY ABATEMENT - 8/31/2015 9:46 AM (646 CITY ABATEMENT)**

Property Address  
Before Picture

2073 Wheatland  
Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement  
Date of Abatement  
Officer on Site  
Supervisor on Job

Violation Notice / Lien  
8/31/2015 8:46 AM  
Tina Haden  
Henry Hernandez



**City of Springdale  
Code Enforcement**

218 Spring Street - Springdale, AR 72754 - Office 479-738-7712

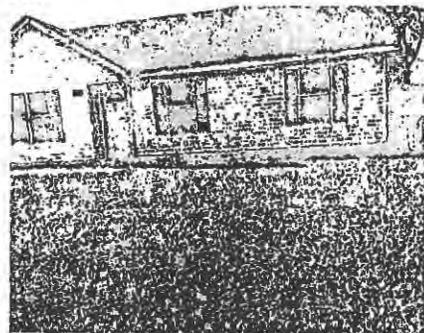
**Employee**  
**Employee** Henry Hernandez  
**HH Benefit Rate** \$18.65

**Method of Compliance**

**Equipment Used**

**Equipment** 748 Grasshopper, 743 Kubota, 6038 1-ton Work Truck-Landscaping  
 748 Grasshopper \$55  
 743 Kubota \$65  
 6038 1-ton Work Truck-Landscaping \$35

**Time of Abatement in Hours** 1  
**Number of Temporary Laborers** 2  
**Temporary Labor Cost** \$24  
**Employee Cost per hour** \$18.65  
**Total Employee Cost** \$18.65  
**Equipment Cost per hour** \$155  
**Total Equipment Cost** \$155  
**Mobilization Fee** \$200  
**Extra materials cost** \$0  
**Total Cost of Abatement** \$397.65  
**Final Photos** Attached Data



**Final Photos**

Attached Data



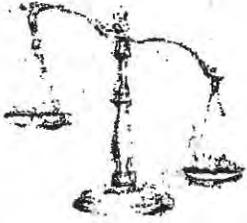
**Final Photos**

Attached Data

SENDER: COMPLETE THIS SECTION	ADDRESSEE: COMPLETE THIS SECTION ONLY IF DELIVERY
<p><input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p><input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</p> <p><input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>U.S. Bank, National Association  c/o The Corporation Company  d/b/a Corporation, Registered Agent  124 Capital Ave., Suite 1900  Little Rock, AR 72201</p>	<p>A. Signature  X <b>CL CORPORATION</b> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by <b>POSTAL SERVICE</b> <input type="checkbox"/> Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number  (Transfer from service label)</p>	<p>7014 1200 0001 0759 0876</p>
<p>PS Form 3811, July 2013 Domestic Return Receipt</p>	

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Office Of The City Attorney

201 Spring Street
Springdale, Arkansas 72764
Phone (479) 756-5900
Fax (479) 750-4732
www.springdalear.gov
Writer's Email:
ssparkman@springdalear.gov

October 15, 2015

Ernest B. Cate
City Attorney

Taylor Samples
Senior Deputy
City Attorney

Sarah Sparkman
Deputy City Attorney

David D. Phillips
Deputy City Attorney

Lynda Belvedresi
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

JMG Property Solutions, LLC
7960 Eastridge Dr.
LaMesa, CA 91941

JMG Property Solutions, LLC
1903 Corte Escena
Cula Vista, CA 91914

JMG Property Solutions, LLC
c/o June Brown, Registered Agent
10507 Don Pico Rd.
Spring Valley, CA 91978

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED
AND REGULAR MAIL

RE: Notice of clean-up lien on property located at 1307 Young St.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
20876-000

Dear Property Owner:

On May 18, 2015, notice was posted on property located at 1307 Young St.,
Springdale, Arkansas, that the property was in violation of Springdale City
Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days.
Notice was mailed to the owner of record on May 18, 2015, that the City intended
to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if
the violations were not remedied.

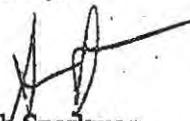
No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about August 18, 2015. As of this date, the total costs incurred by the City of
Springdale to clean this property are \$406.42. I have enclosed an invoice
evidencing the abatement costs incurred and paid by the City of Springdale to
clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4),
administrative fees may be added to the total costs incurred by the City of
Springdale, which will include certified mailing fee in the amount of \$6.74 per
letter and a filing fee in the amount of \$15.00 to the Washington County Circuit
Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before November 24, 2015, a hearing will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing will be held Tuesday, November 24, 2015, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. You will be entitled to present evidence at this hearing concerning the amount of the lien the City of Springdale is claiming.

If you desire not to contest this amount, and desire not to have a hearing on the matter, please remit the total sum of \$426.64, which includes \$406.42 for cleaning up the property and \$20.22 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

If you should have any questions, please let me know.

Sincerely,



Sarah Sparkman  
Deputy City Attorney

enclosures  
SS:ch



# City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

## CITY ABATEMENT - Tuesday, August 18, 2015 2:29:27 PM (646 CITY ABATEMENT)

User Name 646 CITY ABATEMENT  
User # 4797993582  
Form Started 8/18/2015 2:29:27 PM  
Property Address 1307 young  
Before Picture Attached Data



Type of Abatement Violation Notice / Lien  
Date of Abatement Tuesday, August 18, 2015 2:29:00 PM  
Officer on Site Tina Haden  
Supervisor on Job Mike Hicklin

### Employee

Employee Mike Hicklin  
MH Benefit Rate \$27.42

### Method of Compliance

1 Method of Compliance Mowing

### Equipment Used

Equipment 752 Grasshopper, 743 Kubota, 6031 Service Truck-Landscaping  
752 Grasshopper \$55.00  
743 Kubota \$65.00  
6031 Service Truck-Landscaping \$35.00

Time of Abatement in Hours 1

Number of Temporary Laborers 2

Temporary Labor Cost	<b>\$24.00</b>
Employee Cost per hour	<b>\$27.42</b>
Total Employee Cost	<b>\$27.42</b>
Equipment Cost per hour	<b>\$155.00</b>
Total Equipment Cost	<b>\$155.00</b>
Mobilization Fee	<b>\$200.00</b>
Extra materials cost	<b>\$0.00</b>
Total Cost of Abatement	<b>\$406.42</b>
Final Photos	<b>Attached Data</b>

