

CITY OF SPRINGDALE
Committee Agendas
Monday, January 20th, 2014
Multi-Purpose Room #236
City Administration Building
Meetings begin at 5:30 p.m.

Ordinance Committee, Chairman Mike Overton:

1. **A Discussion** concerning a petition by Frankie Klimek to allow raising chickens within the city limits.
2. **An Ordinance** amending Chapter 14 of the Code of Ordinance of the City of Springdale, presented by Ernest Cate, City Attorney (concerning vicious and dangerous dogs) **Pg.'s 2-10**
3. **An Ordinance** amending Chapter 22 of the Code of Ordinances of the City of Springdale, Arkansas; declaring an emergency and for other purposes, presented by Mike Chamlee, Chief Buildings Official. **Pg.'s 11-24**
4. **An Ordinance** amending Sections 50-27 of the Code of Ordinances of the City of Springdale, Arkansas; declaring an emergency and for other purposes, presented by Alan Pugh, Director of Engineering. **Pg.'s 25-27**

Street & CIP Committee, Chairman Rick Evans:

5. **A Discussion** concerning the purchase of property at 5620 Har-Ber Avenue in conjunction with the Har-Ber/56th Street Roundabout, presented by Alan Pugh, Director of Engineering. **Pg.'s 28-92**
6. **A Resolution** authorizing the execution of an amendment to a contract for professional services, presented by Alan Pugh, Director of Engineering (contract for roadway improvements to Don Tyson Parkway from 40th Street to Carley Road) **Pg.'s 93-98**

Fire and Police Committee, Chairman Eric Ford:

7. **A Discussion** of Fire Station #3 site selection, presented by Alan Pugh, Director of Planning. **Pg.'s 99-102**

Parks & Recreation Committee, Chairman Brad Bruns:

8. **A Discussion** concerning a request by Ed Clifford, Chief Executive Officer for the Jones Trust. **Pg.'s 103-117**
9. **A Discussion** concerning bleacher removal, replacement and installation of new bleachers at Tyson Park, presented by Rick McWhorter, Director of Parks and Recreation.

Personnel Committee, Chairperson Kathy Jaycox:

10. **A Resolution** amending the on call policy for the Police Department, presented by Kathy O'Kelley, Police Chief. **Pg.'s 118-119**

Finance Committee, Chairman Brad Bruns:

11. **A Resolution** amending the budget of the City of Springdale Police Department, presented by Kathy O'Kelley, Police Chief. **Pg.'s 120-123**
12. **A Presentation** of a request to purchase new equipment for the Public Works Department, presented by Sam Goade, Director of Public Works. **Pg.' 124-154**

An Ordinance authorizing the City of Springdale Public Works Department to purchase snow and ice removal equipment from Grand Truck Equipment Company; to waive competitive bidding; and for other purchases. **Pg.'s 155-156**

That which is underlined is added and that which is stricken through is deleted.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 14 OF THE
CODE OF ORDINANCES OF THE CITY OF SPRINGDALE,
ARKANSAS.**

WHEREAS, Chapter 14 of the Code of Ordinances of the City of Springdale, Arkansas contains the regulations pertaining to animals;

WHEREAS, the City of Springdale is in need of revising its animal ordinance to more effectively deal with potentially dangerous and vicious animals, in order to protect the public from these animals;

WHEREAS, it is in the best interest of the City of Springdale, Arkansas, for the City Council of the City of Springdale, Arkansas, to amend Chapter 14 of the Code of Ordinances of the City of Springdale, Arkansas.

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

Section 1: Section 14-57 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

Sec. 14-57. Authority.

The police department or Mayor is hereby authorized to appoint animal control officers to carry out the provisions of this article, and to take up, impound, ~~sell~~ or destroy any animal running at large in violation of the terms of this chapter, ~~or~~ any animal that has bitten a person or another animal, ~~or~~ any animal suspected of having a disease transmissible to human beings, any vicious animal, or any potentially dangerous animal. Such animal may be taken up or impounded without the necessity of filing a complaint and shall be subject to the provisions in this article. If a citizen complaint is made, the animal control officer or police officer shall cause the complaining citizen to complete a written witness statement at the time of the incident. Any vicious animal or potentially dangerous animal shall then be impounded until otherwise directed by the Springdale District Court.

Section 2: Section 14-1 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

Sec. 14-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal means all dogs, cats, cattle, horses and other equines, hogs, goats, rabbits, sheep, or wild mammals, reptiles, or fish that have been tamed, domesticated or captured.

Animal shelter means all pens, houses or fenced enclosures where animals are confined, such as, but not limited to, hutches, cotes, lofts, kennels, warrens, feed lots, barns, stables or other buildings or enclosures.

Bite means any actual or suspected abrasion, scratch, puncture, tear, bruise or piercing of the skin caused by any animal which is actually or is suspected of

being contaminated or inoculated with the saliva from the animal, directly or indirectly, regardless of the health of the animal causing such bite.

Breeder means any person who maintains an unaltered (unsterilized) dog or cat and breeds such animal for any consideration or profit, fee, or compensation.

Cable run means a metal cable that is mounted aboveground at a designated height to two (2) stationary objects for the purpose of attaching a pulley system that moves from one end of the cable to the other and to which a dog is tied or secured by means of a rope, chain, or cable attached to the dog's collar or harness

Cat is any member of the feline family.

City means the City of Springdale, Arkansas.

Dog is any member of the canine or dog family.

Free-roaming cat means a cat that is not kept inside of a house, business or other legal occupancy structure or kept in a fenced area enclosed with a top and containing a shelter. A cat that is allowed to go outside of such structure or fenced area is considered a free-roaming cat.

Fowl means all animals that are included in the zoological class Aves.

Habitual Animal Offender means any animal owner or harbinger, who within any twelve-month period, is charged with three violations, arising out of separate incidents of this title which pertains to animals from which conviction, guilty plea, no contest plea, deferred judgment, or plea bargain results. The controlling date is the date of each animal ordinance violation, not the date of the plea entered, or the conviction resulting therefrom.

Harboring means allowing any animal to habitually remain or lodge or to be fed within a home, store, yard, enclosure or place of business of any other premises in which a person resides or controls, which shall be considered as keeping and harboring such animal.

Inhumane treatment means any treatment of any animal which deprives the animal of necessary sustenance, including food, water and protection from weather, or any treatment of any animal such as overloading, overworking, tormenting, beating, mutilating or teasing or other abnormal treatment as may be determined by the animal control officer.

Potentially Dangerous Animal means, regardless of breed:

1) any dog or other animal that has shown a propensity, tendency, or disposition to attack without provocation and is able or likely to inflict injury to another person or animal; or

2) without justification, behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of serious injury or death; or

3) without provocation, chases, confronts, or threatens to attack a person or domestic animal; or

4) approaches a person or domestic animal on a street, sidewalk or public or private property in a menacing fashion such as would put a reasonable person in fear of attack.

~~Provocation means taunting, striking, or screaming at the animal or unauthorized entry into the premises where the animal is kept.~~

Running at large (to run at large) means not confined on the premises of the owner within a fenced enclosure or animal shelter or under the control of a person, either by lead, cord, leash, rope or chain; provided, further, that an animal may be considered confined if on a lead, rope or chain which is securely fastened or picketed in a manner which is sufficient to keep the animal on the premises. ~~Cat owners and harborers may only be charged with running at large if the cat is a habitual nuisance on the property of another or if they have failed to follow the conditions set forth under 14-37.~~ Running at large shall also include an animal not properly confined in a motor vehicle (for example, pick-up truck beds).

Swivel means pivoting hardware that can be used in a trolley system to attach a cable run to a tether or a tether to a dog's collar or harness in order to minimize twisting and tangling of the tether

Tether means a rope, chain, or cable that is attached to a dog's collar or harness for purposes of restraining the dog

Trolley system means a method of restraining a dog which utilizes a cable run, swivel and tether attached to a dog's collar or harness.

Vaccination means an injection of any vaccine for rabies approved by the state veterinarian and administered by a licensed veterinarian or the person authorized by law to administer such vaccine.

Veterinarian means a doctor of veterinary medicine licensed by the state.

Vicious dog or vicious animal means, regardless of breed, any dog or other animal that has bitten or attempted to bite any person, or caused serious injury to another domestic animal or livestock without provocation and is able or likely to inflict injury to another person.

Section 3: Section 14-2 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

Sec. 14-2. Penalty.

(a) Unless otherwise stated, any person who shall be convicted of violating any provision of this chapter shall be subject to the provisions of section 1-9 of the Springdale Code of Ordinances. Each day that a violation of this chapter occurs shall constitute a separate offense and shall be punishable as a separate violation.

(b) In addition to any fine imposed, in the case of a vicious dog or other vicious animal, or a wild animal or reptile, or potentially dangerous animal, the court may order the animal or reptile removed from the city or euthanized.

(c) Any person found guilty of harboring a vicious dog or other vicious animal, or of harboring or keeping a wild animal in the city, or harboring a potentially dangerous animal in violation of section 14-39, shall pay all reasonable expenses associated with housing, removal, or euthanizing that animal or reptile, including shelter, food, and veterinarian expenses, if any.

(d) Penalty, running at large. Conviction for running at large in violation of this section shall result in a fine as follows:

(1) For a sterilized dog:

a. The first conviction within a three-year period shall result in a minimum \$50.00 fine.

b. The second conviction within a three-year period shall result in a minimum \$75.00 fine.

c. The third and each subsequent conviction within a three-year period shall result in a minimum \$100.00 fine.

(2) For an unsterilized dog:

a. The first conviction within a three-year period shall result in a minimum \$150.00 fine, unless by time of sentencing for the violation, proof of sterilization of the animal has been produced, in which case the fine structure applicable to sterilized dogs in subsection (d)(1) herein shall apply.

b. The second and each subsequent conviction within a three-year period shall result in a minimum \$250.00 fine, unless by time of sentencing for the violation, proof of sterilization of the animal has been produced, in which case the fine structure applicable to sterilized dogs in subsection (d)(1) herein shall apply.

c. The fine structure applicable to sterilized dogs in subsection (d)(1) herein shall also apply to unsterilized dogs too elderly or infirm to breed, as previously certified in writing as such at the time of the dog's rabies vaccination by a veterinarian licensed to practice within the state.

(3) Deposit of funds.

a. The difference in the fine for unsterilized animals pursuant to subsection 14-2(d)(2) shall be deposited into a fund established for the city's low cost spay and neuter efforts.

b. The animal shelter manager shall be responsible for establishing procedures and guidelines for the utilization of the abovementioned fund.

Section 4: Section 14-5 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

Sec. 14-5. Control, protection of animals.

It shall be unlawful for any person to:

(1) Permit or allow any animal or fowl to run at large within the corporate limits of the city, except on property of the owner of the animal located in an agricultural (A-1) zone. However, this exception does not apply if the owner's property is in a platted subdivision, even if it is an A-1 zone.

(2) Permit or allow any fowl within the corporate limits of the city, except on property of the owner of the fowl located in an agricultural (A-1) zone. However, no fowl shall be permitted in a platted subdivision, even if the platted subdivision is zoned A-1.

Exception: This provision is not intended to apply to the ducks in Murphy Park, nor to indoor birds kept as pets, such as parakeets, nor to the lawful transportation of fowl through the corporate limits of the city.

(3) Carry out any inhumane treatment against any animal.

(4) Keep or harbor any animal which by loud, frequent or habitual barking, howling, yelping or other noise disturbs any person or neighborhood within the corporate limits of the city.

(5) Keep or harbor a vicious dog or other vicious animal within the corporate limits of the city.

(6) Allow unspayed female dogs to be away from confinement on the premises of the owner, except on a lead and under the control of an adult person, when such dog is in season.

(7) Keep or harbor a dog or cat over four months of age within the corporate limits of the city without such dog or cat having a current vaccination against rabies performed by a veterinarian and microchipping a dog or cat over six months of age. A rabies vaccination is hereby considered current for 12 months, or per veterinarian documentation in accordance with the State Board of Health regulations, following the date of vaccination; provided, vaccination may not be required if the owner of such dog or cat shall exhibit to the city clerk a statement from a veterinarian certifying that such vaccination would be injurious to such dog due to its health. All dogs and cats shall be provided with a collar by the owner to which shall be affixed the vaccination tag.

(8) Permit unsanitary conditions to exist on the premises where any animal is kept which would cause odors, attract flies or vermin, or which would be otherwise injurious to the public health and safety, or would obstruct the free use of property so as to interfere with the comfortable enjoyment of life or property by members of the neighborhood, city, or other persons.

(9) Sell, distribute or give away animals from public property and from commercially and industrially zoned lands.

Exception: established animal business enterprises with permanent structures and the Springdale Animal Shelter

(10) Keep or harbor any potentially dangerous animal, except as provided in Section 14-39.

Section 5: Section 14-17 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

Sec. 14-17. Animal bites.

When any animal has bitten, scratched, or otherwise caused an abrasion, puncture, or break in a person's skin that person or any other person having knowledge of such incident shall immediately notify the police department. The animal shall be quarantined for a period of ten days from the date of the bite either in the facilities of Springdale Animal Services, in which case the owner shall pay Springdale Animal Services the daily board rate and a rabies observation fee for the period of quarantine, or at a veterinary hospital within the city limits at the expense of the owner, or in the alternative, the owner may relinquish the animal to Springdale Animal Service and the animal shall be euthanized and its head taken to the state health department for a pathological examination. Home quarantine is permitted only upon approval by the Animal Shelter supervisor.

The owner shall receive notice upon receipt of the animal that they must reclaim the animal by the end of the 10th day, or if the 10th day is a non-business day, on the next business day thereafter. However, any vicious animal or potentially dangerous animal shall be impounded until otherwise directed by the Springdale District Court. If the owner fails to reclaim the animal at the end of the quarantine period, Springdale Animal Services, or its designee, may euthanize the animal provided that a representative of Springdale Animal Services attempts to contact the owner by telephone at least 48 hours before the animal is euthanized.

If the owner is unknown or an address cannot be determined for the animal after a diligent search, the animal may be euthanized at the end of the ten-day quarantine period.

Exception: The provisions of this chapter do not apply to law enforcement canines who bites a person or another animal while engaged in law enforcement related duties.

If the owner is unknown or an address cannot be determined for the animal after a diligent search, the animal may be euthanized at the end of the ten-day quarantine

period. However, any vicious animal or potentially dangerous animal shall be impounded until otherwise directed by the Springdale District Court.

Exception: The provisions of this chapter do not apply to law enforcement canines who bite a person or another animal while engaged in law enforcement related duties.

Section 6: Section 14-39 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

Sec. 14-39. Potentially Dangerous Animals.

It shall be unlawful for any person to keep within the city limits any potentially dangerous animal, except in compliance with the provisions of this section.

(1) *Permit required.* A potentially dangerous animal may be kept within the city limits only so long as the owner or custodian complies with the requirements and conditions in accordance with the potentially dangerous animal permit. Before a potentially dangerous animal permit may be issued:

(a) The owner or custodian shall pay an annual permit fee of one hundred dollars (\$100.00) for possession of a potentially dangerous animal, in addition to all other required fees; and

(b) Within seven (7) days of the potentially dangerous animal determination, the owner shall provide proof of liability insurance in an amount of not less than fifty thousand dollars (\$50,000), covering the medical and or veterinary costs resulting from future actions of the animal.

(2) *Conditions for keeping a potentially dangerous animal.* The requirements and conditions for keeping or maintaining a potentially dangerous animal within the city limits shall include:

(a) *Confinement.* All potentially dangerous animals shall be securely confined.:

~~(i) Indoors; or~~

~~(ii) In an enclosed and locked pen or physical structure upon the premises of the owner. The pen or physical structure must meet the minimum space requirements of 150 square feet and must have secure sides and a secure top attached to the sides. If no bottom is secured to the sides, the sides must be embedded into the ground no less than two (2) feet. The pen or physical structure must be capable of preventing the entry of the general public, including children, and must be capable of preventing the escape or release of the dog. Electronic containment devices shall not be used to confine dangerous dogs.~~

(b) *Spaying or Neutering Mandatory.* All animals that are deemed potentially dangerous must be spayed or neutered within fourteen (14) days of being designated as such.

(c) *Leash and muzzle.* The owner of a potentially dangerous animal shall not allow the animal to go outside of its kennel, pen or physical structure unless the animal is muzzled, restrained by a leash sufficient to control the animal, and under the physical control of an adult. The muzzle must not cause injury to the animal or interfere with its vision or respiration, but must prevent the animal from biting any human or animal. A muzzle is not required if the animal is:

(i) In the owner's yard if the yard is enclosed by a fence that is capable of preventing uninvited entry by other animals or people; and

(ii) Is restrained by means of a leash held by an adult.

~~(d) *Signs.*—The owner of a potentially dangerous animal shall provide public notice of the animal's presence on the premises by displaying a warning sign. The sign shall be placed in a prominent place on the owner's property, clearly visible from the public highway or thoroughfare. Similar signs shall be posted on the animal's kennel, pen or enclosed structure.~~

~~(e) *Photograph identification and microchip identification.* Within ten (10) days of the declaration of an animal as potentially dangerous, the owner or custodian shall: 1) provide the animal services division manager with two (2) digital-quality color photographs of such animal, clearly showing the color and approximate size of the animal, or shall make the animal available for photographing by the animal services division; and 2) provide the animal services division manager with proof of microchip identification as provided in Section 14-31, or shall make the animal immediately available for the injection of a microchip identification device.~~

~~(e)(f) *Change of status.* The owner or custodian of a potentially dangerous animal shall notify the animal services division immediately if the animal is unconfined and on the loose, or has attacked a human or a domestic animal.~~

~~(g) *Change of ownership.* If the owner of a potentially dangerous animal sells, gives away, or otherwise transfers custody of the animal, the owner shall contact the animal services division within 24 hours. The owner shall, within five (5) calendar days, provide the animal services division with written documentation containing the name, address, and telephone number of the new owner or custodian. The previous owner shall also before transferring ownership or custody of the dog, notify the new owner of the animal's designation as a potentially dangerous animal and, if the new owner resides within the city limits, of the requirements and conditions for keeping a potentially dangerous animal. This notice shall be in writing and a copy shall be provided to the animal services division. Upon being notified that a potentially dangerous animal has been removed to another jurisdiction, the animal services division is authorized, but not required, to notify the appropriate governmental department in the jurisdiction where the animal has been transferred that the animal has been declared potentially dangerous by the city.~~

~~(3) *Failure to comply.* It shall be unlawful for the owner or custodian of a dangerous animal to fail to comply with the requirements and conditions set forth in this section. Any animal found by a police officer or animal services to be kept in violation of this section shall be subject to immediate seizure and impoundment, and shall be impounded until otherwise directed by the Springdale District Court. A conviction for a violation of the requirements and conditions set forth in this section shall result in a fine of \$500 per day, and the animal shall be euthanized. In addition, failure to comply shall result in the immediate revocation of the potentially dangerous animal permit for such animal. In the event of permit revocation, the owner or custodian shall remove such animal from the city limits within twenty four (24) hours of receipt of the notice of revocation, or the animal shall become the property of the Springdale Animal Shelter. Notice of such revocation shall be mailed to the address the owner keeps updated with the animal shelter upon registering the potentially dangerous animal.~~

~~*Exemptions.* Dogs that are used regularly for law enforcement purposes shall not be subject to this section or the vicious animal section.~~

Defense to determination of vicious or dangerous animal.

It is a defense to the determination of an animal as vicious or potentially dangerous and to the prosecution of the owner of an animal:

(1) If the threat, injury, or damage was sustained by a person who at the time was committing a willful trespass or other tort upon the premises occupied by the owner of the animal;

- (2) If the person was teasing, tormenting, abusing or assaulting the animal or has, in the past, been observed or reported to have teased, tormented, abused or assaulted the animal;
- (3) If the person was committing or attempting to commit a crime;
- (4) If the domestic animal killed was at the time teasing, tormenting, abusing or assaulting the animal;
- (5) If the animal was protecting or defending a person within the immediate vicinity of the animal from an attack or assault;
- (6) If the animal was injured and responding to pain; or
- (7) If the animal was protecting its offspring, itself or its kennelmates.

Section 7: Section 14-59 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

Sec. 14-59. Time period for confinement; care.

An impounded animal that has not bitten a person or other animal, or that is not a vicious animal, or that is not a potentially dangerous animal, or that is not a diseased animal, shall be confined in the approved pound for a period of at least 72 hours before being disposed of, with such period of time beginning at 9:00 a.m. on the morning following the day of notification or of posting of the notification to the owner as provided in section 14-58. If the animal is a dog or cat that is unvaccinated and/or not covered by a permit, no notice is required and such animal shall be confined for a period of 72 hours before being disposed of, and said 72 hours begins at 9:00 a.m. of the morning following its capture. Such animal shall be provided with sufficient food, water and sanitary shelter.

Section 8: Section 14-65 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

Sec. 14-65. Confinement of animals that have bitten a person.

The director of animal services, in the course of his duties of investigating cases in which animals have bitten persons, shall immediately notify the owner of such animal which has bitten any person to surrender the animal to Springdale Animal Services, or a licensed veterinarian, to be kept for a period of not less than ten days after the biting of such person, during which period it shall be determined whether or not such animal is suffering from any disease. In case such animal is not suffering from any disease, it may be released after the ten-day observation period, provided that the animal has not been alleged to be a vicious animal or a potentially dangerous animal, and provided that payment of all fees and costs associated with the confinement have been paid. Confinement in the owners home is permitted only upon approval by the animal shelter supervisor. Any vicious animal or potentially dangerous animal shall be impounded until otherwise directed by the Springdale District Court.

Section 9: All other provisions of Chapter 14 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended by this ordinance shall remain in full force and effect.

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 _____, 2014.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

That which is underlined is added and that which is stricken through is deleted.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 22 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Chapter 22 of the Code of Ordinances of the City of Springdale, Arkansas, contains the Buildings and Building Regulations for the City of Springdale, Arkansas;

WHEREAS, it is in the best interest of the City of Springdale, Arkansas, for the City Council of the City of Springdale, Arkansas, to adopt the updated version of the various codes which comprise the Building Code for the City of Springdale, Arkansas;

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

Section 1: Section 22-31 of the Code of Ordinances of the City of Springdale, Arkansas, is hereby amended to read as follows:

Sec. 22-31. Adoption

A certain document, three copies of which are on file in the office of the city clerk of the City of Springdale, being marked and designated as the ~~2006-International Building Code, including Appendix Chapters A, B, C, D, E, F, G, I, J~~ 2012 Arkansas Fire Prevention Code as published by the International Code Council, Inc., be and is hereby adopted as the Building Code for the City of Springdale, Arkansas; for the control of building and structures as herein provided; and each and all of the regulations, provision, penalties, conditions and terms of said Building Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, and deletions and changes prescribed in the following section of this article.

Section 2: Section 22-32 of the Code of Ordinances of the City of Springdale, Arkansas, is hereby amended to read as follows:

Sec. 22-32. Amendments, deletions and additions.

(a) *Specific insertions.* That the following sections are hereby revised by inserting information as requested in the code:

(1) — ~~Sec. 101.1.~~ insert City of Springdale, Arkansas.

(2) — ~~Sec. 1612.3.~~ insert Benton County, Arkansas and Incorporated Areas, September 18, 1991 and Washington County, Arkansas and Incorporated Areas, December 20, 2000.

(b) *Deletions.* ~~That the following sections are hereby deleted in their entirety: Sec. 101.4.1, 101.4.2, 101.4.3, 101.4.4, 101.4.5, 101.4.7~~

(c) *Building code amendments.* That Section ~~108.2~~ 109.2 be revised to read as follows:

~~108.2~~ 109.2 *Schedule of permit fees.* On building, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the following schedule. The building inspection department is authorized to use current average construction costs per square foot as published by the International Code Council and updated yearly for the determination of valuations for building permit fees. All permit fees for donated projects conducted on property owned or leased by the city shall be waived.

a. Permit fee

Total Valuations	Fee
\$1,000 and less	No fee, unless inspection required, in which case a \$15.00 fee for each inspection shall be charged
\$1,000 to \$50,000	\$15.00 for the first \$1,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00
\$50,000 to \$100,000	\$260.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to an including \$100,000
\$100,000 to \$500,000	\$460.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.00
\$500,000 and up	\$1,660.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof

b. Moving fee. For the moving of any building or structure, the fee shall be \$100.00.

c. Demolition fee. For the demolition of any building or structure, the fee shall be:

0 up to 100,000 cu ft	\$50.00
100,000 cu ft and over	\$0.50/1,000 cu ft

d. Penalties. Where work for a permit is required by this code is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

e. Plan-checking fees. When the valuation of the proposed construction exceeds \$1,000.00 and a plan is required to be submitted by Section 106, a plan-checking fee shall be paid to the building official at the time of submitting plans and specifications for checking. Said plan-checking fee shall be equal to one-half of the building permit fee as set forth in Section 108. Such plan-checking fee is in addition to the building permit fee.

That Section ~~1805-2~~ 1809.4 be revised to set the minimum depth of footings below the undisturbed ground surface to 18 inches.

That Sec. ~~115~~ 116 *Unsafe Structures and Equipment* be removed and the following be inserted:

All buildings or structures which are unsafe, unsanitary or not provided with adequate egress; or which are substandard, constitute a fire hazard or are otherwise dangerous to human life; or which, in relation to existing use, constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment, are severally, in contemplation of this section, unsafe buildings. All such unsafe buildings are hereby declared illegal and shall

be abated by repair and rehabilitation or by demolition in accordance with the following provisions:

- a. Whenever the building official shall find any building or structure or portion thereof to be unsafe, as defined in this section, he shall, in accordance with established procedure for legal notices, give the owner, agent or person in control of such building or structure written notice stating the defects thereof. This notice shall require the owner within 30 days to purchase a building permit and to commence specified repairs or improvements, or to demolish and remove the building or structure or portion thereof. The building official shall set the time allowed to complete such repairs or removal. If the person to whom such notice and order is addressed cannot be found after diligent search, then such notice and order shall be sent by certified mail to the last known address of such person; and a copy of such notice shall be posted in a conspicuous place on the premises to which it relates. Such mailing and posting shall be deemed adequate service.
- b. Any owner, agent or person in control of such building or structure who shall fail, neglect or refuse within the stated time to comply with the notice from the building official to repair, rehabilitate or to demolish such building or structure or portion thereof shall be guilty of a misdemeanor and shall be subject to the penalties set out in section 22-7 of the Code of Ordinances.
- c. In case the owner, agent or person in control cannot be found within the stated time, or, if such owner, agent or person in control shall fail, neglect or refuse to comply with the notice to repair, rehabilitate or to demolish and remove such building or structure or portion thereof, the building official shall refer the matter of removing the building to the city council. If the city council deems the structure unsafe and that it is in the best interest of the city to proceed with the removal of the unsafe structure, it shall enact an ordinance ordering the property owner to raze and remove the unsafe structure, with work thereon to commence within ten days and be completed within 30 days. If the property owner fails to do so, the mayor or his authorized representative shall cause the unsafe structure to be razed and removed. The cost thereof shall be charged against such premises and shall constitute a lien thereon.
- d. The amount of the lien may be determined at a hearing before the city council held after 30 days' written notice by certified mail to the owner of the property if the name and whereabouts of the owner is known. If the name of the owner cannot be determined, then the amount will be determined only after publication of notice of the hearing once a week for four consecutive weeks. The determination of the city council is subject to appeal by the property owner to the chancery court. The amount so determined at the hearing, plus a ten-percent penalty for collection, shall be certified by the city council by ordinance to the tax collector of the county in which the property is located, to be placed on the tax books as delinquent taxes and collected accordingly. The amount, less three percent thereof, when so collected, shall be paid to the city by the county tax collector. In the alternative, the lien provided for pursuant to this chapter and state law may be enforced in chancery court at any time within 18 months after work has been done.
- e. In cases of emergency which, in the opinion of the building official, involve imminent danger to human life or health, he shall promptly cause such building, structure or portion thereof to be

made safe or removed, whether the procedure prescribed in this section has been instituted or not. For this purpose, he may at once enter such structure or land on which it stands, or abutting land or structures, with such assistance and at such cost as he may deem necessary. He may vacate adjacent structures and protect the public by an appropriate fence or such other means as may be necessary and, for this purpose, may close a public or private way.

Section 3305.1 is amended to read as follows:

A general contractor shall, upon the beginning of construction at any job site, provide adequate sanitary facilities for the convenience of all workers at the site. The use of temporary sanitary facilities that are portable, enclosed, and consist of a chemically treated, tank-tight unit ("porta-potty") are encouraged. Any porta-potty placed at a job site shall not be located within the side or rear building setbacks and not closer than five (5) feet to the curb. If a porta-potty is used, it shall be emptied a minimum of once a week. However, if the porta-potty is providing sanitary facilities to two or more job sites, the Chief Building Official or his authorized representative may require it to be emptied a minimum of two times per week. If the City receives a complaint regarding a sanitary facility at a job site, the Chief Building Official or his authorized representative shall notify the general contractor in writing regarding the complaint, and shall request that efforts be undertaken by the general contractor to remedy the situation. If subsequent complaints are received by the City pertaining to the same job site, the Chief Building Official or his authorized representative shall provide the general contractor with written notice that the general contractor has three (3) working days in which to remedy the situation. If the general contractor does not remedy the situation within that time, it shall be considered a violation of this Code, and shall be punishable pursuant to Section 1-9 of this Code. In addition, the Chief Building Official or his authorized representative shall cease all inspections until the job site complies with this ordinance.

That the following be added as Appendix ~~F~~ K— Moving of buildings.

It shall be unlawful to construct, repair, add to, alter, or move, draw, propel, pull, transport or carry over, along or upon any street, avenue, alley, public road or highway any building within the city limits of the City of Springdale, which building or construction, repair, addition or alteration is intended for new or continued use as the living quarters of any person, including, but not limited to, all new structures which may be moved from the foundation upon which it is presently situated or any other foundation, or be moved from outside the city limits into the city limits, except in compliance with and unless any such structure so moved shall comply, in every regard both as the original part of the structure and any additions, thereto, with the specific minimum requirements hereinafter set forth; provided, however, that any building, structure, addition or alteration not otherwise deemed substandard within the meaning of this section may be moved, drawn, propelled, pulled or transported outside the city limits; provided the center span of the floor joists, ceiling joists, studding and rafters do not exceed 24 inches.

- a. No person shall move any building on, through or over any street, alley, sidewalk or other public place in the city without having obtained a permit from the chief building inspector. Application for such permit shall be in writing and directed to the chief city inspector and shall state thereon the name and address of the applicant, the point from which the proposed move will commence, the proposed tract or tracts of land upon which the building will be located, the assessed valuation of the building, type of construction of the building, that the structure has been approved by the city fire marshal and the chief building inspector and the proposed route.

- b. The chief building inspector, as a condition precedent to the issuance of such permit, shall require a bond to be executed by person desiring such permit, with corporate surety to his satisfaction. Such bond shall be made payable to the city and for such amount as he prescribes. It shall indemnify the city against any damage caused by the moving of such building to streets, curbs, sidewalks, shade trees, lights and signals, shade trees, highways and any other property, which may be affected, by the moving of a building. Such surety bond shall also be conditioned upon and liable for strict compliance with the terms of said permit, as to route to be taken and limit of time in which to effect such removal and of repair or compensate for the repair and to pay said applicable governing body as liquidated damages an amount not exceeding \$50.00 to be prescribed by the building official for each and every day's delay in completing such removal or in repairing any damages to property or public improvement or in clearing all public streets, alleys or highways of all debris occasioned thereby.
- c. Whenever it shall be necessary to interfere with wires or cables of a public utility in moving a building, the terms of any special or franchise ordinance governing it shall apply and the bond therein specified shall be given in addition to the bond as required by section (b) above. If no such terms apply, then the chief building inspector shall determine the expense of repairing the wires and the bond to be given to cover such expense.
- d. Upon the issuance of said moving permit, the chief building inspector shall cause notice to be given to the superintendent of fire alarm, chief of fire department, telephone and electric companies, or others whose property may be affected by such removal. The building department shall set forth in all notices the route that will be taken, time started, and approximate time of completion.
- e. Every building which occupies any portion of public property after sundown shall have sufficient lights continuously burning between sunset and sunrise for the protection of the public. There shall be a minimum of five red lights placed on each street side of the building. Such red lights shall be attached to the building in such a fashion as to indicate extreme width, height and size. In addition to the red lights on the building, flares shall be placed at regular intervals for a distance of 200 feet up the street on each side of the building.

When more than 50 percent of the street, measured between curbs, is occupied at night by the building, or when in the opinion of the chief building inspector, flagmen are necessary to divert or caution traffic, the owner or person moving such building shall employ at their expense, two flagmen, one at each street intersection beyond the building. Such flagmen shall remain at these intersections diverting or cautioning traffic from sunset to sunrise. Red lights shall be employed in flagging traffic at night.

- f. The owner of any house, building or structure proposed to be moved shall make all necessary improvements required in order for said house, building or structure to comply with the requirements of this code within 90 days from the date of the issuance of the moving permit. Extension of time as deemed reasonable may be granted by the chief building inspector upon a showing of delay caused by matters beyond the control of the owner or house mover. The application for moving permit shall be accompanied by an application for a building permit, accompanied by complete plans and specifications showing the changes or

conditions of said house, building, or structure as the same is proposed to be when moving, and all contemplated improvements, signed by the owner or owner's agent.

~~That Appendix A be amended to removed Section A101.4 and A102.~~

Section 3: Section 22-33 of the Code of Ordinances of the City of Springdale, Arkansas, is hereby repealed as follows:

~~**Sec. 22-33. International Residential Code adopted.**~~

~~A certain document, three copies of which are on file in the office of the city clerk of the City of Springdale being marked and designated as the 2006 International Residential Code, including Appendix A, B, C, D, E, F, G, H, I, J, K, and L be and is hereby adopted by the City of Springdale, Arkansas.~~

Section 4: All other provisions of Chapter 22 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended by this ordinance shall remain in full force and effect.

Section 5: Emergency Clause: It is hereby declared that an emergency exists and that this ordinance being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, become effective immediately upon its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2014.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Sec. 22-31. Adoption.

A certain document, three copies of which are on file in the office of the city clerk of the City of Springdale, being marked and designated as ~~the 2006 International Building Code, including Appendix Chapters A, B, C, D, E, F, G, I, J~~ 2012 Arkansas Fire Prevention Code as published by the International Code Council, Inc., be and is hereby adopted as the Building Code City of Springdale, Arkansas; for the control of building and structures as herein provided; and each and all of the regulations, provision, penalties, conditions and terms of said Building Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, and deletions and changes prescribed in the following section of this article.

(Ord. No. 3268, § 1, 11-25-02, Ord. No. 3295, § 1, 2-25-03; Ord. No. 4270, § 2, 10-22-08)

Sec. 22-32. Amendments, deletions and additions.

(a)

Specific insertions. That the following sections are hereby revised by inserting information as requested in the code:

(1)

~~Sec. 101.1.~~ insert City of Springdale, Arkansas.

(2)

~~Sec. 1612.3.~~ insert Benton County, Arkansas and Incorporated Areas, September 18, 1991 and Washington County, Arkansas and Incorporated Areas, December 20, 2000.

(b)

~~*Deletions.* That the following sections are hereby deleted in their entirety:~~

~~Sec. 101.4.1, 101.4.2, 101.4.3, 101.4.4, 101.4.5, 101.4.7~~

(c)

Building code amendments. That Section 1089.2 be revised to read as follows:

~~1089.2~~ *Schedule of permit fees.* On building, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the following schedule. The building inspection department is authorized to use current average construction costs per square foot as published by the International Code Council and updated yearly for the determination of valuations for building permit fees. All permit fees for donated projects conducted on property owned or leased by the city shall be waived.

a.

Permit fee

Total Valuations	Fee
\$1,000 and less	No fee, unless inspection required, in which case a \$15.00 fee for each inspection shall be charged
\$1,000 to \$50,000	\$15.00 for the first \$1,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00
\$50,000 to \$100,000	\$260.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to an including \$100,000
\$100,000 to \$500,000	\$460.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.00
\$500,000 and up	\$1,660.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof

b.

Moving fee. For the moving of any building or structure, the fee shall be \$100.00.

c.

Demolition fee. For the demolition of any building or structure, the fee shall be:

0 up to 100,000 cu ft	\$50.00
100,000 cu ft and over	\$0.50/1,000 cu ft

d.

Penalties. Where work for a permit is required by this code is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

e.

Plan-checking fees. When the valuation of the proposed construction exceeds \$1,000.00 and a plan is required to be submitted by Section 106, a plan-checking fee shall be paid to the building official at the time of submitting plans and specifications for checking. Said plan-

checking fee shall be equal to one-half of the building permit fee as set forth in Section 108. Such plan-checking fee is in addition to the building permit fee.

That Section ~~1809.4 5.2.~~ be revised to set the minimum depth of footings below the undisturbed ground surface to 18 inches.

That ~~Sec. 116 445~~ *Unsafe Structures and Equipment* be removed and the following be inserted:

All buildings or structures which are unsafe, unsanitary or not provided with adequate egress; or which are substandard, constitute a fire hazard or are otherwise dangerous to human life; or which, in relation to existing use, constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment, are severally, in contemplation of this section, unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the following provisions:

a.

Whenever the building official shall find any building or structure or portion thereof to be unsafe, as defined in this section, he shall, in accordance with established procedure for legal notices, give the owner, agent or person in control of such building or structure written notice stating the defects thereof. This notice shall require the owner within 30 days to purchase a building permit and to commence specified repairs or improvements, or to demolish and remove the building or structure or portion thereof. The building official shall set the time allowed to complete such repairs or removal. If the person to whom such notice and order is addressed cannot be found after diligent search, then such notice and order shall be sent by certified mail to the last known address of such person; and a copy of such notice shall be posted in a conspicuous place on the premises to which it relates. Such mailing and posting shall be deemed adequate service.

b.

Any owner, agent or person in control of such building or structure who shall fail, neglect or refuse within the stated time to comply with the notice from the building official to repair, rehabilitate or to demolish such building or structure or portion thereof shall be guilty of a misdemeanor and shall be subject to the penalties set out in section 22-7 of the Code of Ordinances.

c.

In case the owner, agent or person in control cannot be found within the stated time, or, if such owner, agent or person in control shall fail, neglect or refuse to comply with the notice to repair, rehabilitate or to demolish and remove such building or structure or portion thereof, the building official shall refer the matter of removing the building to the city council. If the city council deems the structure unsafe and that it is in the best interest of the city to proceed with the removal of the unsafe structure, it shall enact an ordinance ordering the property owner to raze and remove the unsafe structure, with work thereon to commence within ten days and be completed within 30 days. If the property owner fails to do so, the mayor or his authorized representative shall cause the unsafe structure to be razed and removed. The cost thereof shall be charged against such premises and shall constitute a lien thereon.

d.

The amount of the lien may be determined at a hearing before the city council held after 30 days' written notice by certified mail to the owner of the property if the name and whereabouts of the owner is known. If the name of the owner cannot be determined, then the amount will be determined only after publication of notice of the hearing once a week for four consecutive weeks. The determination of the city council is subject to appeal by the property owner to the chancery court. The amount so determined at the hearing, plus a ten-percent penalty for collection, shall be certified by the city council by ordinance to the tax collector of the county in which the property is located, to be placed on the tax books as delinquent taxes and collected accordingly. The amount, less three percent thereof, when so collected, shall be paid to the city by the county tax collector. In the alternative, the lien provided for pursuant to this chapter and state law may be enforced in chancery court at any time within 18 months after work has been done.

e.

In cases of emergency which, in the opinion of the building official, involve imminent danger to human life or health, he shall promptly cause such building, structure or portion thereof to be made safe or removed, whether the procedure prescribed in this section has been instituted or not. For this purpose, he may at once enter such structure or land on which it stands, or abutting land or structures, with such assistance and at such cost as he may deem necessary. He may vacate adjacent structures and protect the public by an

appropriate fence or such other means as may be necessary and, for this purpose, may close a public or private way.

Section 3305.1 is amended to read as follows:

A general contractor shall, upon the beginning of construction at any job site, provide adequate sanitary facilities for the convenience of all workers at the site. The use of temporary sanitary facilities that are portable, enclosed, and consist of a chemically treated, tank-tight unit ("porta-potty") are encouraged. Any porta-potty placed at a job site shall not be located within the side or rear building setbacks and not closer than five (5) feet to the curb. If a porta-potty is used, it shall be emptied a minimum of once a week. However, if the porta-potty is providing sanitary facilities to two or more job sites, the Chief Building Official or his authorized representative may require it to be emptied a minimum of two times per week. If the City receives a complaint regarding a sanitary facility at a job site, the Chief Building Official or his authorized representative shall notify the general contractor in writing regarding the complaint, and shall request that efforts be undertaken by the general contractor to remedy the situation. If subsequent complaints are received by the City pertaining to the same job site, the Chief Building Official or his authorized representative shall provide the general contractor with written notice that the general contractor has three (3) working days in which to remedy the situation. If the general contractor does not remedy the situation within that time, it shall be considered a violation of this Code, and shall be punishable pursuant to Section 1-9 of this Code. In addition, the Chief Building Official or his authorized representative shall cease all inspections until the job site complies with this ordinance.

That the following be added as Appendix ~~F~~ K— Moving of buildings.

It shall be unlawful to construct, repair, add to, alter, or move, draw, propel, pull, transport or carry over, along or upon any street, avenue, alley, public road or highway any building within the city limits of the City of Springdale, which building or construction, repair, addition or alteration is intended for new or continued use as the living quarters of any person, including, but not limited to, all new structures which may be moved from the foundation upon which it is presently situated or any other foundation, or be moved from outside the city limits into the city limits, except in compliance with and unless any such structure so moved shall comply, in every regard both as the original part of the structure and any additions, thereto, with the specific minimum requirements hereinafter set forth; provided, however, that any building, structure, addition or alteration not otherwise deemed substandard within the meaning of this section may be moved, drawn, propelled, pulled or transported outside the city limits; provided the center span of the floor joists, ceiling joists, studding and rafters do not exceed 24 inches.

a.

No person shall move any building on, through or over any street, alley, sidewalk or other public place in the city without having obtained a permit from the chief building inspector. Application for such permit shall be in writing and directed to the chief city inspector and shall state thereon the name and address of the applicant, the point from which the proposed move will commence, the proposed tract or tracts of land upon which the building will be located, the assessed valuation of the building, type of construction of the building, that the structure has been approved by the city fire marshal and the chief building inspector and the proposed route.

b.

The chief building inspector, as a condition precedent to the issuance of such permit, shall require a bond to be executed by person desiring such permit, with corporate surety to his satisfaction. Such bond shall be made payable to the city and for such amount as he prescribes. It shall indemnify the city against any damage caused by the moving of such building to streets, curbs, sidewalks, shade trees, lights and signals, shade trees, highways and any other property, which may be affected, by the moving of a building. Such surety bond shall also be conditioned upon and liable for strict compliance with the terms of said permit, as to route to be taken and limit of time in which to effect such removal and of repair or compensate for the repair and to pay said applicable governing body as liquidated damages an amount not exceeding \$50.00 to be prescribed by the building official for each and every day's delay in completing such removal or in repairing any damages to property or public improvement or in clearing all public streets, alleys or highways of all debris occasioned thereby.

c.

Whenever it shall be necessary to interfere with wires or cables of a public utility in moving a building, the terms of any special or franchise ordinance governing it shall apply and the bond therein specified shall be given in addition to the bond as required by section (b) above. If no such terms apply, then the chief building inspector shall determine the expense of repairing the wires and the bond to be given to cover such expense.

d.

Upon the issuance of said moving permit, the chief building inspector shall cause notice to be given to the superintendent of fire alarm, chief of fire department, telephone and electric companies, or others whose property may be affected by such removal. The building

department shall set forth in all notices the route that will be taken, time started, and approximate time of completion.

e.

Every building which occupies any portion of public property after sundown shall have sufficient lights continuously burning between sunset and sunrise for the protection of the public. There shall be a minimum of five red lights placed on each street side of the building. Such red lights shall be attached to the building in such a fashion as to indicate extreme width, height and size. In addition to the red lights on the building, flares shall be placed at regular intervals for a distance of 200 feet up the street on each side of the building.

When more than 50 percent of the street, measured between curbs, is occupied at night by the building, or when in the opinion of the chief building inspector, flagmen are necessary to divert or caution traffic, the owner or person moving such building shall employ at their expense, two flagmen, one at each street intersection beyond the building. Such flagmen shall remain at these intersections diverting or cautioning traffic from sunset to sunrise. Red lights shall be employed in flagging traffic at night.

f.

The owner of any house, building or structure proposed to be moved shall make all necessary improvements required in order for said house, building or structure to comply with the requirements of this code within 90 days from the date of the issuance of the moving permit. Extension of time as deemed reasonable may be granted by the chief building inspector upon a showing of delay caused by matters beyond the control of the owner or house mover. The application for moving permit shall be accompanied by an application for a building permit, accompanied by complete plans and specifications showing the changes or conditions of said house, building, or structure as the same is proposed to be when moving, and all contemplated improvements, signed by the owner or owner's agent.

~~That Appendix A be amended to removed Section A101.4 and A102.~~

(Ord. No. 3268, §§ 2—9, 11-25-02; Ord. No. 3295, §§ 2—9, 2-25-03; Ord. No. 3380, § 1, 9-23-03; Ord. No. 4270, § 3, 10-22-08; Ord. No. 4405, § 1, 2-23-10)

~~Sec. 22-33. International Residential Code adopted.~~

~~A certain document, three copies of which are on file in the office of the city clerk of the City of Springdale being marked and designated as the 2006 International Residential~~

~~Code, including Appendix A, B, C, D, E, F, G, H, I, J, K, and L be and is hereby adopted by the City of Springdale, Arkansas.~~

(Ord. No. 3268, § 10, 11-25-02; Ord. No. 3295, § 10, 2-25-03; Ord. No. 4271, § 2, 10-28-08)

Secs. 22-34—22-55. Reserved.

FOOTNOTE(S):

-- (2) --

Editor's note— Ord. No. 3295, §§ 1—10, adopted Feb. 25, 2003, amended Art. II, §§ 22-31, 22-32 in its entirety to read as herein set out. Former Art. II, §§ 22-31, 22-32, pertained to building code adoption and amendment. For complete derivation see the Code Comparative Table at the end of this volume. [\(Back\)](#)

That which is underlined is added.

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 50-27 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Section 50-27 of the Code of Ordinances of the City of Springdale, Arkansas, contains the findings of fact with regard to flood damage prevention in the City of Springdale, Arkansas;

WHEREAS, it is in the best interest of the City of Springdale, Arkansas, for the City Council of the City of Springdale, Arkansas, to update these findings of fact to include activities associated with the Razorback Greenway and the Downtown Springdale Revitalization Plan for the City of Springdale, Arkansas;

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

Section 1: Section 50-27 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

Sec. 50-27. Findings of fact.

- (a) The Federal Emergency Management Agency (FEMA) has identified Special Flood Hazard Areas of Springdale in the current scientific and engineering report entitled "The Flood Insurance Study (FIS) for Benton County, Arkansas and Incorporated Areas" dated June 5, 2012, with an effective flood insurance rate map (FIRM) dated June 5, 2012 and "The Flood Insurance Study (FIS) for Washington County, Arkansas and Incorporated Areas," dated May 16, 2008, with an effective flood insurance rate map (FIRM) dated May 16, 2008.
- (b) These special flood hazard areas are subject to periodic flooding events that result in loss of life and property, pose health and safety hazards, disrupt commerce and governmental services, and cause extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
- (c) These periodic flooding events are exacerbated by the cumulative effect of floodplain developments which cause an increase in flood heights and velocities, and by the placement of inadequately elevated, inadequately floodproofed or otherwise unprotected structures or uses vulnerable to floods into special flood hazard areas. Such structures or uses are inherently hazardous
- (d) In addition to the FIS and FIRM for Washington County noted in paragraph (a) above, FEMA has approved the Conditional Letter of Map Revision cited in Case Number 13-06-3506R which affects the Special Flood Hazard Area (SFHA) for Spring Creek in the area between Johnson Road and Shiloh Street. This Conditional Letter of Map Revision is hereby adopted and will be enforced as the regulatory SFHA for this area until such time a new map is issued by FEMA including this revision and adopted by the City in whole.

Section 2: All other provisions of Chapter 50 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended by this ordinance shall remain in full force and effect.

Section 3: Emergency Clause: It is hereby declared that an emergency exists and that this ordinance being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, become effective immediately upon its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2014.

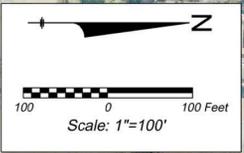
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

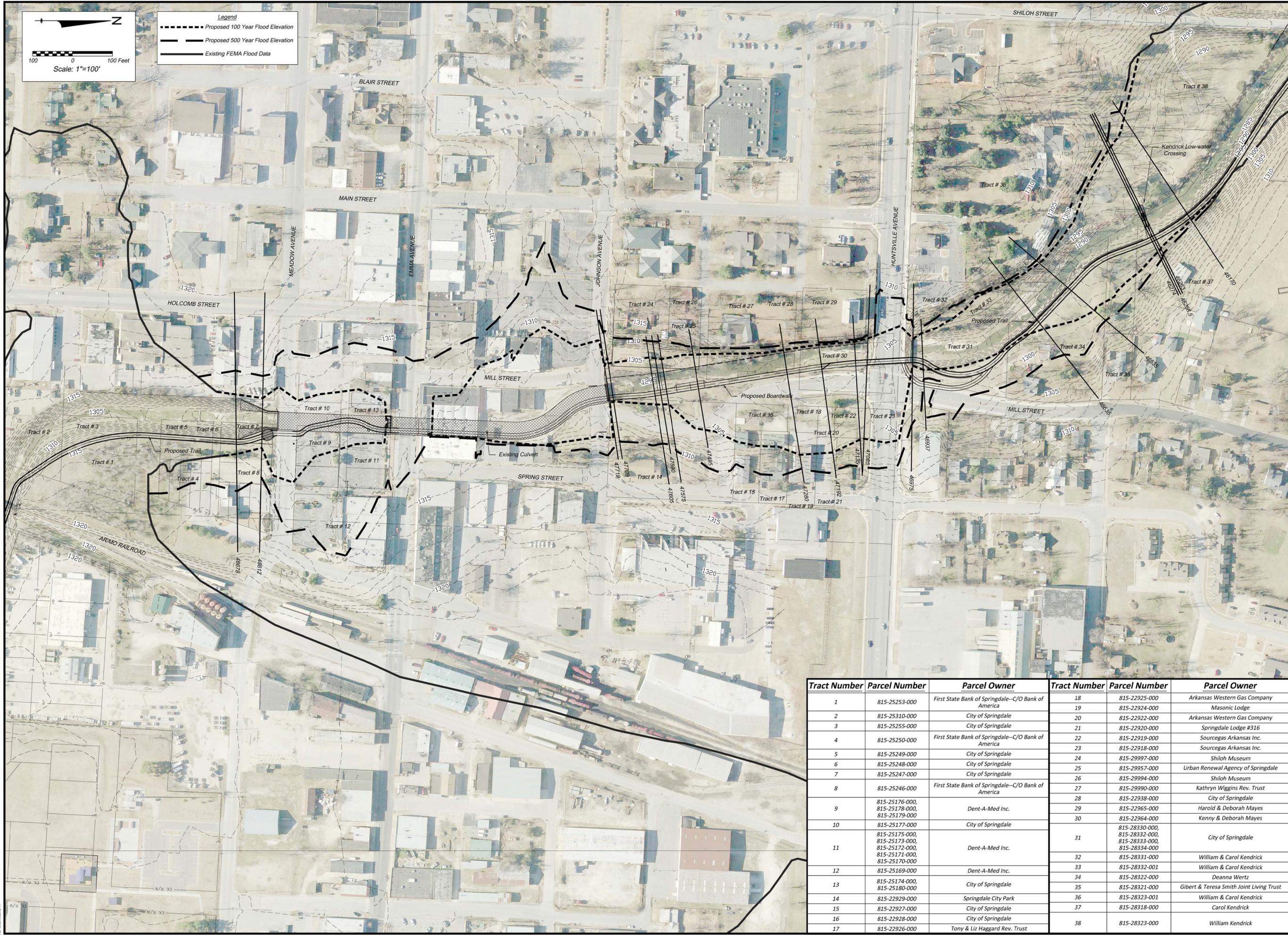
APPROVED AS TO FORM:

Ernest B. Cate, City Attorney



Legend

	Proposed 100 Year Flood Elevation
	Proposed 500 Year Flood Elevation
	Existing FEMA Flood Data



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US Consulting Engineers
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 Springdale
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 Springdale, Arkansas 72762
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 Fax: (479) 872-7718
 http://just-ce.com

**NWA Razorback
 Regional Greenway**
 Springdale, Arkansas

REVISIONS

NO	DATE	ITEM



DESIGNED: J. MCQUEEN
 REVIEWED: T. CARPENTER
 DRAWN: W. PATTENGILL
 1109023.00 PROJECT NO. APRIL 2013 DATE

**NWA Razorback
 Regional Greenway
 Contract Section II
 Meadow Avenue -
 Springdale Lake**

FLOODPLAIN MAP
 SHEET NO.

Tract Number	Parcel Number	Parcel Owner	Tract Number	Parcel Number	Parcel Owner
1	815-25253-000	First State Bank of Springdale--C/O Bank of America	18	815-22925-000	Arkansas Western Gas Company
2	815-25310-000	City of Springdale	19	815-22924-000	Masonic Lodge
3	815-25255-000	City of Springdale	20	815-22922-000	Arkansas Western Gas Company
4	815-25250-000	First State Bank of Springdale--C/O Bank of America	21	815-22920-000	Springdale Lodge #316
5	815-25249-000	City of Springdale	22	815-22919-000	Sourcegas Arkansas Inc.
6	815-25248-000	City of Springdale	23	815-22918-000	Sourcegas Arkansas Inc.
7	815-25247-000	City of Springdale	24	815-29997-000	Shiloh Museum
8	815-25246-000	First State Bank of Springdale--C/O Bank of America	25	815-29957-000	Urban Renewal Agency of Springdale
9	815-25176-000, 815-25178-000, 815-25179-000	Dent-A-Med Inc.	26	815-29994-000	Shiloh Museum
10	815-25177-000	City of Springdale	27	815-29990-000	Kathryn Wiggins Rev. Trust
11	815-25175-000, 815-25173-000, 815-25172-000, 815-25171-000, 815-25170-000	Dent-A-Med Inc.	28	815-22938-000	City of Springdale
12	815-25169-000	Dent-A-Med Inc.	29	815-22965-000	Harold & Deborah Mayes
13	815-25174-000, 815-25180-000	City of Springdale	30	815-22964-000	Kenny & Deborah Mayes
14	815-22929-000	Springdale City Park	31	815-28330-000, 815-28332-000, 815-28333-000, 815-28334-000	City of Springdale
15	815-22927-000	City of Springdale	32	815-28331-000	William & Carol Kendrick
16	815-22928-000	City of Springdale	33	815-28332-001	William & Carol Kendrick
17	815-22926-000	Tony & Liz Haggard Rev. Trust	34	815-28322-000	Deanna Wertz
			35	815-28321-000	Gibert & Teresa Smith Joint Living Trust
			36	815-28323-001	William & Carol Kendrick
			37	815-28318-000	Carol Kendrick
			38	815-28323-000	William Kendrick

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October 1, 2013

Engineering Department
Alan Pugh, Director

Randy and Sheila Cook
5620 Har-Ber Avenue
Springdale, AR 72764

201 Spring Street
Springdale, AR 72764
(479) 750-8105
(479) 750-8539 fax
www.SpringdaleAR.gov

Re: 12BPS8 56th Street (Har-Ber Avenue to Elm Springs Road)
Tract 41 - Offer Letter

Dear Mr. and Mrs. Cook:

As you are aware, the Capitol Improvement Program Committee voted on August 19, 2013 to proceed with a design utilizing roundabout intersections at the Har-ber Avenue and Elm Springs Road connections to the proposed extension of 56th Street. This revised design configuration will almost completely encompass your property, and therefore, the City is prepared to make an offer to purchase your entire property. Per our discussions following this vote, you requested that the City proceed immediately with performing the appraisal valuation of your property and subsequent offer to purchase.

Please find attached the appraisal report dated September 26, 2013 from Reed & Associates, Inc. This report has identified the value of your property to be \$135,000.00 and represents the City's offer of just compensation. This valuation did not include compensation for any personal property including your pool or any outbuildings since you expressed interest in retaining ownership of these features and relocating them to your future residence. Any additional assistance with moving expenses and the timing of the relocation for the pool/outbuildings will be discussed during the negotiation process. Please feel free to contact myself or James Breakfield if you have any questions.

Sincerely,

Alan Pugh, PE
Director

November 13, 2013

Sheila and Randy Cook
5620 Har-Ber Ave
Springdale, AR 72762

City of Springdale
Engineering Department
Alan Pugh, Director
201 Spring Street
Springdale, AR 72764

RECEIVED
NOV 15 2013
PLANNING OFFICE
CITY OF SPRINGDALE

Re: Second Response Letter for 5620 Har-Ber Ave, Springdale, AR

Dear Mr. Pugh and the City of Springdale

As per the conversation about said property on October 24, 2013, there was expression by you that you wanted a more itemized expense and clarification of items as stated prior.

You will find enclosed the second and revised expense rebuttal offer as your office requested. Of course as stated prior, at any time the amount may change an attorney should be aligned with the negotiation process.

Mr. Pugh, you may contact us further on this matter.

Sincerely,

Randy and Sheila Cook

Revised Expenses from Randy and Sheila Cook

November 13, 2013

Totals

Offer by the City of Springdale	\$ 135,000.00	add 10%	\$ 148,500.00
---------------------------------	---------------	---------	---------------

Improvements

Tankless Water Heater/Furnace/Air Conditioner and Condensing Unit	\$	12,500.00	
Enclosed Patio (improvement)	\$	1,500.00	
French doors	2 @ 900.00 each	\$	1,800.00
Attic ladder		\$	600.00
New flooring (living room)		\$	1,200.00
Ceiling fans	4 at \$100.00 each	\$	400.00
Light Fixture in Kitchen		\$	80.00
Privacy Fence		\$	5,000.00
Pool Deck		\$	4,000.00
	Not Included in this section (under Displacement)		\$ 27,080.00
	are trees described prior. Total number 27 (asking \$2305.00)		

Moving Expenses

Moving of Storage Building	\$	950.00	
Moving of Pool and Set Pool Back UP	\$	3,790.64	
Moving Household	\$	7,913.75	
			12654.39

		Totals
Displacement from current home		
Moving of 27 trees as described below by professional		\$ 22,275.00
Apple trees	5	
Cherry trees	2	
Mulberry trees	2	
Plum trees	5	
Peach trees	2	
Crepe Myrtles	11	
Other landscaping		
Climbing rose bush	\$ 75.00	\$ 365.00
Gooseberry bushes	5 at \$50.00 each	
Snowball bush	\$ 40.00	
<hr/>		
We have an Autistic child. Moving child will place child in mental turmoil. Last move to now our current location took child over one year for adjustment.		\$ 20,000.00
<hr/>		
Not being in close vicinity of ailing parents if not at present location		\$ 10,000.00
<hr/>		
Time lost trying to find another location to live. More than 100 hours have been spent of this activity to this date		
Wages Sheila 100 hours @ \$30.07	\$ 3,007.00	
Wages Randy 100 hours @ 11.05	\$ 1,105.00	
Gas and wear and tear on vehicle while looking at properties	\$ 950.00	\$ 5,062.00
Grand Total		\$ 245,936.39

October 7, 2013

Sheila (Needham) Cook and Randy Cook
5620 Har-Ber Ave
Springdale, AR 72762

RECEIVED
OCT 11 2013
PLANNING DEPARTMENT
CITY OF SPRINGDALE, AR

City of Springdale
Engineering Department
Alan Pugh, Director
201 Spring Street
Springdale, AR 72764

RE: Response to "Offer Letter" for 5620 Har-Ber Ave, Springdale, AR

Dear Mr. Pugh and the City of Springdale,

We received your Offer Letter in the mail as an offer of \$135,000 and the report by Reed & Associates, Inc. We are not in agreement on the price to be offered by the City of Springdale for our property.

In the report that was compiled by Reed & Associates it states (page 5) that Market Value is defined as a "buyer and seller are typically motivated." As for our part we are not motivated to sell our property. We have lived here for four years and had no intentions of moving. The City of Springdale is going to place a roundabout intersection where we live. The City of Springdale is enacting improvements causing us displacement, either by asking us or by eminent domain. Reed & Associates (page 5) of report states they are using Fee Simple Estate to give an appraisal analysis; being the definition of "Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental power of taxation, eminent domain, police power, and escheat." So we are sure if we object to selling, the City of Springdale, will use eminent domain to acquire our home and property.

In the findings by Reed & Associates, Inc. they failed to inform the City of Springdale that there is a mortgage in reference to our property; (page 9 of their report item #3) states, "The

property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.”
Nowhere in the document does it state that there is a lien holder. This property was purchased
October 2009 where a mortgage was signed and documented and monthly payments have been
made since that time.

In the letter that was sent along with the Reed & Associates, Inc. report, you would
discuss amount of assistance in the negotiation process. We are submitting what our counter
offer is at this time. At any time this might change if an attorney should need to be aligned with
the negotiation process.

Here are the items that we want to be compensated for at this time.

Offer by the City of Springdale	\$135,000
Mortgage to be paid off by City of Springdale (as of 10/1/2013)	82,000
Improvements of property (itemized copy is attached)	29,385
Moving expenses	20,000
<u>Displacement of our family from our present location</u>	<u>120,000</u>
Total amount to be compensated by the City of Springdale	\$386,385

Feel free to contact us to discuss further or contact us during the negotiation process,
which we have not been informed of day and time.

Sincerely,

Randy and Sheila Cook

Home Improvements Made Since Purchase		
Improvement		Cost
Tankless Water Heater		
Furnace		
Air Conditioner and Condensing Unit		
All new Duct Work	Total Cost of these items	\$ 12,500.00
Attic ladder		\$ 600.00
Enclosed Back Patio		\$ 1,500.00
French Doors	2 @ \$ 900.00 each	\$ 1,800.00
New Flooring in Living Room		\$ 1,200.00
Ceilings Fans	4 @ \$ 100.00 each	\$ 400.00
Light Fixture Kitchen		\$ 80.00
Privacy Fence around Back Yard		\$ 5,000.00
Pool Deck		\$ 4,000.00
Landscaping		
Apple Trees	5 @ \$ 30.00 each	\$ 150.00
Plum Trees	5 @ \$40.00 each	\$ 200.00
Cherry Trees	2 @ \$100.00 each	\$ 200.00
Peach Trees	2 @ \$ 200.00 each	\$ 400.00
Gooseberry bushes	5 @ \$50.00 each	\$ 250.00
Climbing Rose bush		\$ 75.00
Snow Ball Bush		\$ 40.00
Crepe Myrtles	3 @ \$50.00 each	\$ 150.00
Crepe Myrtles	8 @ \$100.00 each	\$ 800.00
Mulberry trees	2 @ \$20.00 each	\$ 40.00
Total for all of above		\$ 29,385.00



November 25, 2013

Engineering Department
Alan Pugh, Director

Randy and Sheila Cook
5620 Har-Ber Avenue
Springdale, AR 72764

201 Spring Street
Springdale, AR 72764
(479) 750-8105
(479) 750-8539 fax
www.SpringdaleAR.gov

Re: 12BPS8 56th Street (Har-Ber Avenue to Elm Springs Road)
Tract 41 – Counter Offer

Dear Mr. and Mrs. Cook:

Thank you for your time to meet with us and for the consideration given regarding that discussion. We are in receipt of your revised counter offer totaling \$245,936.39. We certainly appreciate your itemizing each cost and I will try and address them from the standpoint of City staff.

Per our conversation, staff does have the ability to negotiate a value up to 10% higher than the appraised value. In this instance the appraised value totaled \$135,000 and the addition of 10% brings the total to \$148,500 of which staff could support. However, given the other items listed, the Capital Improvement Program (CIP) Committee and Council will need to hear and ultimately approve the additional costs.

Regarding the additional items listed on your letter dated November 13, 2013, staff would be prepared to support the following items at the CIP Committee:

Offer by the City of Springdale:	\$135,000.00
Additional 10%:	\$13,500.00
Tankless water heater/Furnace	
Air Conditioner/Condenser	\$12,500.00
Pool Deck	\$4,000.00
Moving Expenses	\$12,654.39
Compensation for Trees	\$2,305.00
<u>Compensation for other landscaping</u>	<u>\$365.00</u>
Grand Total	\$180,324.39

The compensation above for the tankless water heater, furnace, air conditioner and condenser assumes that the city will be able to reclaim those items and utilize them in the CDBG program. Compensation for the pool deck is included as this item was not included in the appraisal as it was a considered a portion of the pool. The moving expenses listed in your latest letter seem reasonable to staff and we would support the payment of those moving expenses. However, we would need a copy

of the moving estimate from the moving company and a copy of the invoices for the tankless water heater, furnace, air conditioner and condenser for our records prior to closing.

In regard to the trees listed under the improvements to the home, it does not appear economical for the city to pay to move those trees. Rather, staff would recommend to committee that we compensate you for the trees. The compensation listed is from your original letter itemizing the cost of the trees and other landscaping.

All other items listed would be assumed to be included in the appraisal and/or the additional 10% being offered. However, it should be noted that compensation for relocating your child, not being in vicinity of you parents and time spent looking for a replacement location will need to be presented to the CIP Committee for discussion with the members as it will ultimately be their decision on the compensation amounts if any.

Again, we appreciate your time during these negotiations and the detailed letters presented. If you would like to move forward with the CIP meeting please let me know and I will have an item placed on the agenda. However, if you would like to discuss the items prior to a meeting with the CIP Committee we are happy to meet at your convenience. Please feel free to contact myself or James Breakfield if you have any questions.

Sincerely,



Alan Pugh, PE
Director

**APPRAISAL ANALYSIS
IN RESTRICTED USE FORMAT**

ON

5620 HAR-BER AVENUE,
SPRINGDALE, ARKANSAS;
WASHINGTON COUNTY

FOR

CITY OF SPRINGDALE
SPRINGDALE, ARKANSAS

BY

REED & ASSOCIATES, INC.
3739 N. STEELE BLVD., SUITE 220
FAYETTEVILLE, AR.

File #5172-1

AS OF

SEPTEMBER 9, 2013

Reed & Associates Inc.

Real Estate Appraisers – Consultants

*3739 N. Steele Blvd., Suite 140, Fayetteville, AR 72703 * 479-521-6313 * Fax: 479-521-6315 * www.reedappraisal.biz*

Tom Reed, MAI • Barbara Rhoads • Shannon Mueller • Brian Kenworthy • Katie Hampton

September 26, 2013

City of Springdale
Attn: Alan Pugh, PE, CFM
Engineering Department
201 North Spring Street
Springdale, AR 72764

RE: 5620 Har-Ber Avenue, Springdale, Arkansas; Washington County

Dear Mr. Pugh:

In compliance with your request and for the purpose of estimating the market value of the above captioned property, I hereby certify that I have made a survey of matters pertinent to the estimation of its value.

I further certify that I have no interest, present or contemplated, in the property appraised and that my fee was not contingent upon the value estimate reported.

The following report contains data gathered in my investigation, information from my files and shows the method of appraisal. This report is presented in a Restricted Use Format. Some of the supporting documentation is retained in the appraisal file.

Based upon an analysis of relevant data and contingent upon the Assumptions And Limiting Conditions which follow and appear later in this report, it is my opinion the market value of the fee simple estate of the subject property, as of September 9, 2013, was:

ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS
(\$135,000)

The preceding value estimate reflects terms equivalent to cash to the owner and represents that for real property only. No personal property has been included in this valuation.

The following Extraordinary Assumptions are utilized in this report:

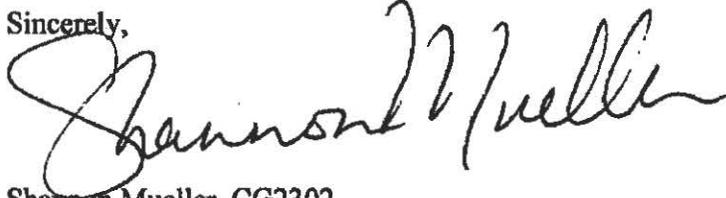
1. Subject and adjacent properties are in compliance with all applicable EPA regulations;
2. Subject dwelling and land sizes are approximately as indicated in this report.

If either, or both of the Extraordinary Assumptions prove to be untrue, the preceding value estimate could be influenced.

Additional Assumptions and Limiting Conditions appear later in the report.

The estimated exposure time for the subject property is one year or less.

Sincerely,



Shannon Mueller, CG2302
REED & ASSOCIATES, INC.



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RESTRICTED USE APPRAISAL REPORT – APPRAISAL ANALYSIS

CLIENT/INTENDED USER: City of Springdale

INTENDED USE: The intended use of this report is to assist the client in establishing the market value of the property.

IDENTIFICATION OF REAL ESTATE: Subject represents a 1,748± square foot (SF) dwelling, and related improvements, situated on a near rectangular shaped site containing an estimated .61± acre. The location is along the north side of Har-Ber Avenue, approximately .25± mile west of the intersection of Oak Grove Road and Har-Ber Avenue in the west part of Springdale, Arkansas. The physical address of the property is 5620 Har-Ber Avenue, Springdale, AR 72762.

The legal description of the site appears on the Warranty Deed pertaining to the subject property. The Warranty Deed is recorded at Instrument 2009/33693 in the Washington County Circuit Clerk's office. A copy is presented in the Addenda of this report.

CURRENT USE: Subject is currently an improved single family dwelling.

HIGHEST AND BEST USE: In my opinion, the highest and best use as vacant is for residential development; Continued residential use as improved.

REAL PROPERTY INTEREST VALUED: Fee simple estate

Fee simple estate is defined as follows:

"Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat."¹

PURPOSE OF THE ASSIGNMENT: The purpose of this appraisal is to estimate the market value of the subject property, as of the effective date.

Market Value is defined as follows:

"The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- a. buyer and seller are typically motivated;

^{1,2} Appraisal Institute, *The Dictionary of Real Estate Appraisal* – Fourth Edition, (Chicago: Appraisal Institute, 2002), P. 113.

- b. *both parties are well informed or well advised, and each acting in what they considers their best interest;*
- c. *a reasonable time is allowed for exposure in the open market;*
- d. *payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto, and;*
- e. *the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.*¹²

EFFECTIVE DATE OF VALUE OPINION: September 9, 2013

DATE OF REPORT: September 26, 2013

SCOPE OF WORK: The scope of this assignment involved the following:

- Inspection of the subject property, including the exterior of the subject dwelling; photographs were taken on the inspection;
- Review of the history of the subject property;
- Determination of the highest and best use of the subject property;
- Examination and analysis of comparable sales;
- Estimation of the market value of the fee simple estate of the subject property by applying the Sales Comparison Approach; application of the Cost and Income Capitalization Approaches was not considered necessary to produce credible appraisal results.

REPORT OPTION: This is a Restricted Use Appraisal Report which is intended to comply with the reporting requirements set forth under standards Rule 2-2(c) of the Uniform Standards Of Professional Practice for a Restricted Use Appraisal Report. As such, it does not present discussions of the data, reasoning, and analysis that were used in the appraisal process to develop the appraiser's opinions of value. Supporting documentation concerning the data, reasoning and analysis is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated. The appraiser is not responsible for unauthorized use of this report.

EXTRAORDINARY ASSUMPTION:

1. Subject and adjacent properties are in compliance with all applicable EPA regulations;
2. Subject dwelling and land sizes are approximately as indicated in this report.

HYPOTHETHICAL CONDITIONS: None Noted

OPINION OF VALUE: \$135,000

² Appraisal Institute, *The Dictionary of Real Estate Appraisal* – Fourth Edition, (Chicago: Appraisal Institute, 2002), P. 177-178.

INDICATED EXPOSURE TIME: The estimated exposure time for the subject property is one year or less.

HISTORY: The current owner of the subject property is indicated to be Sheila D. Needham.

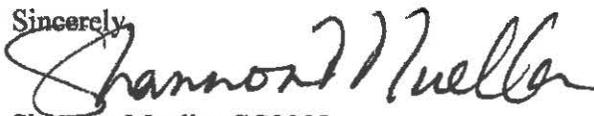
In the three years preceding the effective date of this report no recorded transactions have occurred pertaining to the subject property.

CERTIFICATE

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Appraisal Institute's Code of Professional Ethics and Standards of Professional Appraisal Practice, which include Uniform Standards of Professional Appraisal Practice.
- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the subject property and to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event, directly related to the intended use of the appraisal. The appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
- My analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- I, Shannon Mueller, have made a personal inspection of the property that is the subject of this report.
- No one provided significant professional assistance to the person signing this report.
- I certify that, to the best of my knowledge and belief, the reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.
- I certify that the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- As of the date of this report, I Shannon Mueller have completed the Standards and Ethics Education Requirement of the Appraisal Institute for Associate Members.
- Reed & Associates, Inc. has not previously performed services, as an appraiser, or in any other capacity regarding the property that is the subject of this report.

Sincerely,



Shannon Mueller CG2302
REED & ASSOCIATES, INC.



ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal report has been made with the following general assumptions:

1. This is a Restricted Use Appraisal Report which is intended to comply with the reporting requirements set forth under standard Rule 2-2(c) of the Uniform Standards of Professional Appraisal Practice for a Restricted Use Appraisal Report. As such, it does not include discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraisers' file. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. The appraiser is not responsible for unauthorized use of this report.
2. No responsibility is assumed for the legal description or for matters including legal or title consideration. Title to the property is assumed to be good and merchantable unless otherwise stated.
3. The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.
4. Responsible ownership and competent property management are assumed.
5. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
6. All engineering is assumed to be correct. The plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
7. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
8. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report.
9. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in the appraisal report.
10. It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or

private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

11. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.
12. "Unless otherwise stated in this report, the existence of hazardous materials which may or may not be present on the property was not observed by the appraiser. No responsibility is assumed for any such conditions or any expertise or engineering knowledge required to discover them. The client is urged to retain an expert if desired."

This appraisal report has been made with the following general limiting conditions:

1. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
2. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event only with proper written qualification and only in its entirety.
3. The appraiser herein by reason of this appraisal is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.
4. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the appraiser.
5. The Americans with Disabilities Act (ADA) became effective January 26, 1992. I (we) have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property together with a detailed analysis of the requirements of the ADA could reveal that the property is not in compliance with one or more of the requirements of the act. If so, this fact could have a negative effect upon the value of the property. Since I (we) have no direct evidence relating to this issue, I (we) did not consider possible noncompliance with the requirements of ADA in estimating the value of the property.

QUALIFICATIONS OF SHANNON REED MUELLER

EDUCATION

B.S.B.A. in Finance/Real Estate-University of Arkansas, 5-94

PROFESSIONAL EXPERIENCE

May 2006-Present – Certified General Appraiser for REED & ASSOCIATES, INC., Fayetteville, Arkansas
May 2005–May 2006 – State Licensed Appraiser for REED & ASSOCIATES, INC., Fayetteville, Arkansas
April 2003-May 2005 – Appraiser Trainee for REED & ASSOCIATES, INC., Fayetteville, Arkansas
1994-April 2003-Commercial Credit Analyst and Appraisal Review for First National Bank of Springdale, Springdale, Arkansas

PROFESSIONAL AFFILIATIONS AND DESIGNATIONS

Arkansas Real Estate Salesperson's License - 1994
Member of the Northwest Arkansas Appraisal Section
State Certified General Appraiser – Arkansas – CG2302
Associate Member of The Appraisal Institute-2006-Present

PROFESSIONAL COURSES COMPLETED

Real Estate Principles – UA – 1993
Real Estate Investment & Appraisal – UA – 1994
Real Estate Finance – UA – 1993

RELEVANT COLLEGE COURSES

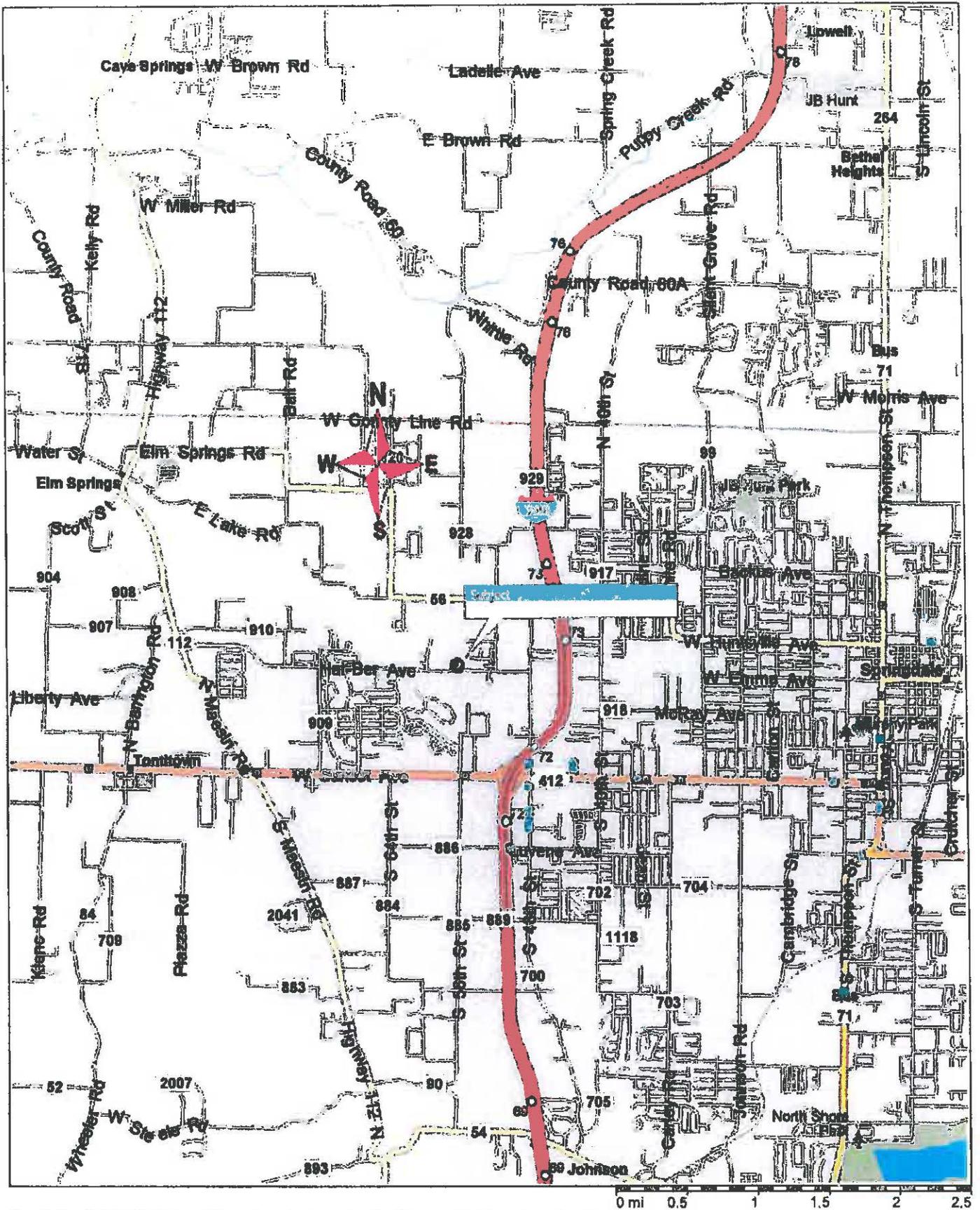
Accounting Principles I & II, Business Law, Microeconomics, Macroeconomics, Financial Theory & Practice, Information Systems Mgt., Organizational Behavioral Theory, Strategic Management, Principles of Marketing, Business Statistics, Principles of Real Estate, Real Estate Investment, Real Estate Finance, Commercial Banking, Principles Of Banking & Finance

PROFESSIONAL COURSES & SEMINARS COMPLETED

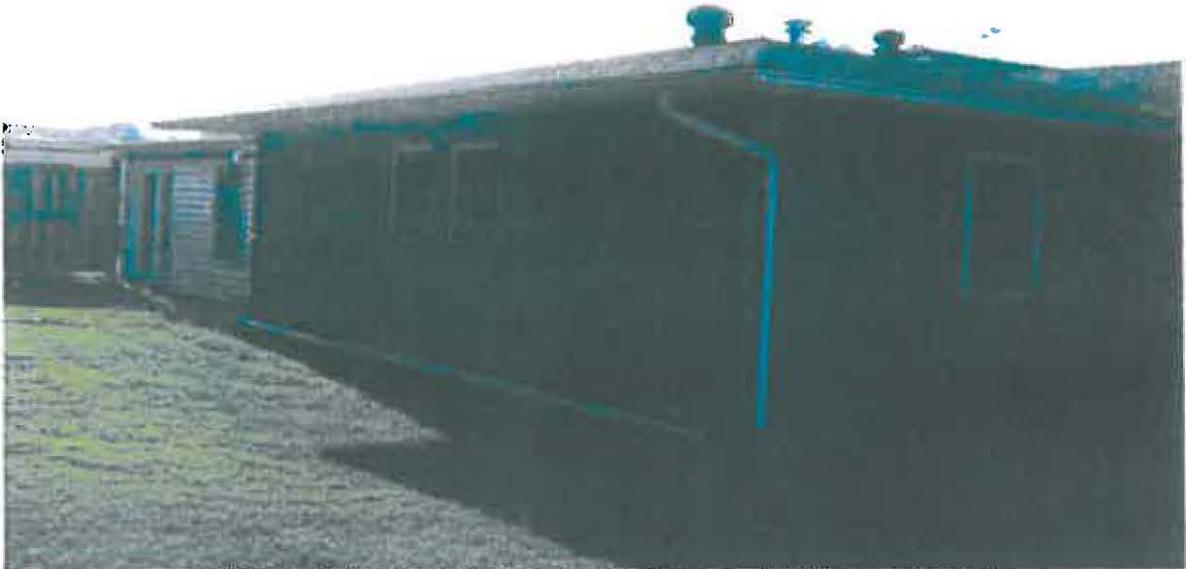
Uniform Standards of Professional Appraisal Practice, (USPAP) – Russellville, AR-2003
Fundamentals of Real Property Appraisal – Russellville, AR-2004
Land/Site Valuation & Sales Comparison Approach – Russellville, AR-2004
Evaluating Residential Construction – Ozark Chapter of The Appraisal Institute, Bentonville, AR-2005
General Report Writing – Appraisal Institute, Chicago, IL-2005
National Uniform Standards of Professional Appraisal Practice, (USPAP Update)-Chicago, IL-2005
Eminent Domain and Condemnation – Appraisal Institute Seminar-2005
Basic Income Capitalization – Ozark Mountain Chapter of The Appraisal Institute, Rogers, AR-2006
Business Practices and Ethics – Ozark Mountain Chapter of The Appraisal Institute, Joplin, MO-2007
National Uniform Standards of Professional Appraisal Practice, (USPAP Update)-Joplin, MO-2007
General Market Analysis and Highest and Best Use – Green Country Chapter of The Appraisal Institute, Tulsa, OK-2008
National Uniform Standards of Professional Appraisal Practice, (USPAP Update)-Fayetteville, AR-2010
Appraising Distressed Commercial Real Estate – Ozark Mountain Chapter of The Appraisal Institute-Rogers, AR-2010
Forecasting Revenue – Ozark Mountain Chapter of The Appraisal Institute-Rogers, AR-2010
Analyzing Rural Residential Outbuildings- Northwest Arkansas Appraisal Section-Fayetteville, AR-2010
Business Practices and Ethics – Ozark Mountain Chapter of The Appraisal Institute, Cassville, MO-2011
National Uniform Standards of Professional Appraisal Practice, (USPAP Update)-Rogers, AR-2012
Advance Income Capitalization-Little Rock, AR-2012

PART I - PROPERTY DESCRIPTION

LOCATION MAP



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SUBJECT DWELLING (REAR)-LOOKING SOUTHEASTERLY



SUBJECT DRIVE – LOOKING NORTHERLY

SUBJECT PHOTOGRAPHS



SUBJECT DWELLING (FRONT)- LOOKING NORTHWESTERLY



SUBJECT DWELLING (WEST SIDE)-LOOKING NORTHEASTERLY



SUBJECT PROPERTY-LOOKING NORTHEASTERLY



FRONTAGE ALONG HAR-BER AVENUE-LOOKING WESTERLY



FRONTAGE ALONG HAR-BER AVENUE-LOOKING EASTERLY



INTERIOR VIEW OF LIVING ROOM

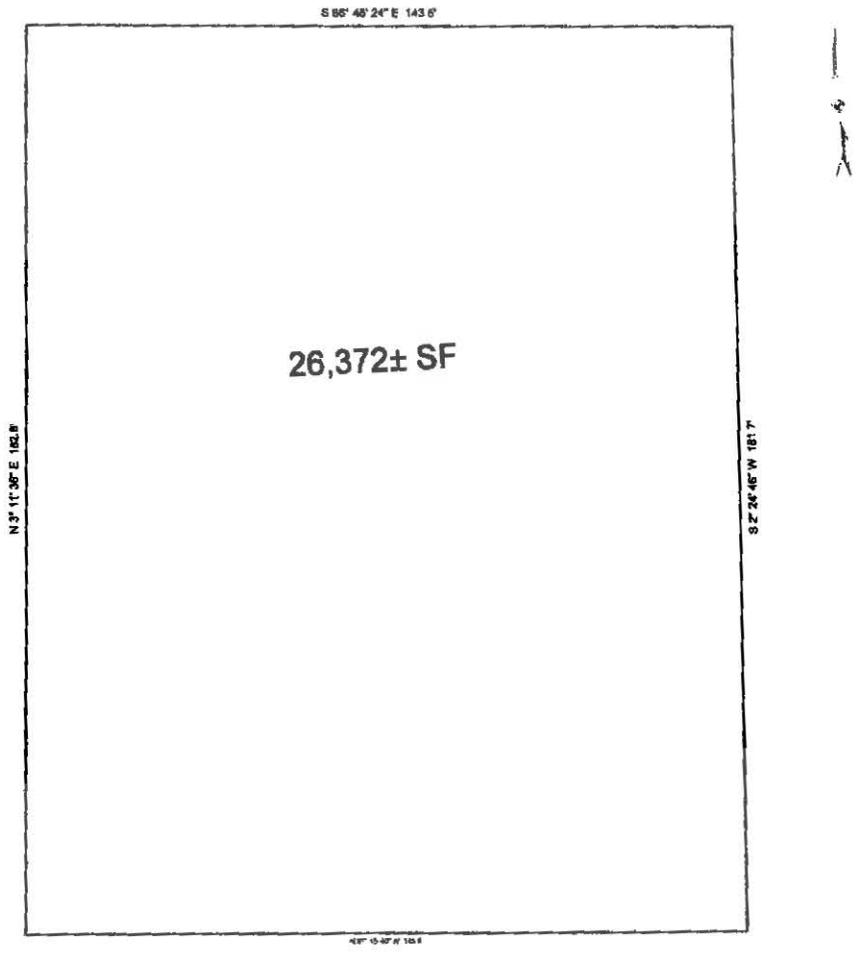


INTERIOR VIEW OF KITCHEN

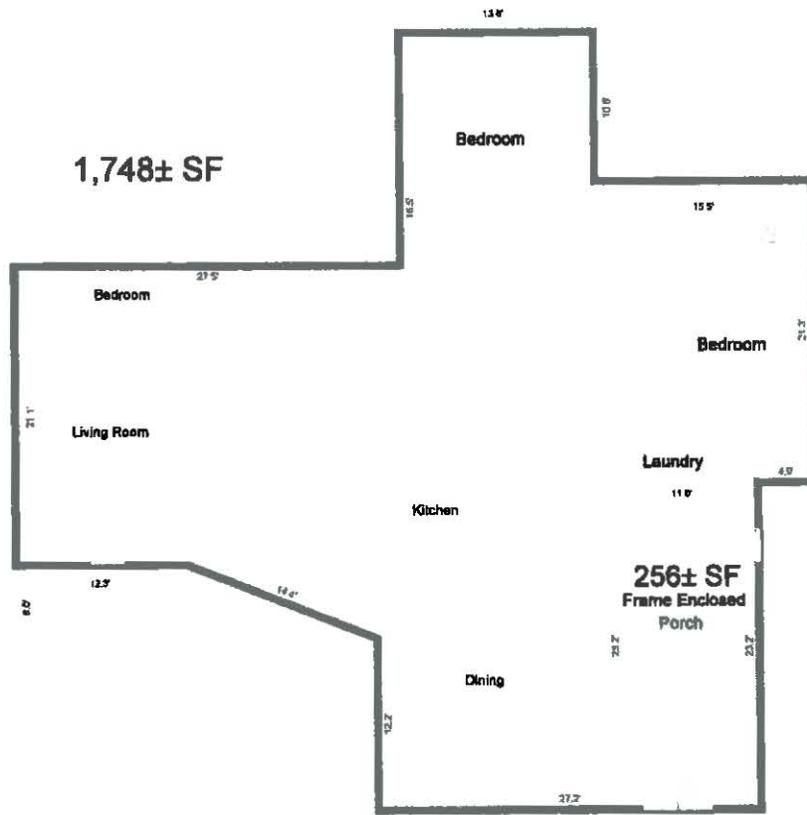
AERIAL MAP



SITE SKETCH



DWELLING SKETCH



PROPERTY DESCRIPTION

The subject property is located along the north side of Har-Ber Avenue, approximately .25± mile west of the intersection of Oak Grove Road and Har-Ber Avenue in the west part of Springdale, Arkansas. The physical address of the property is 5620 Har-Ber Avenue, Springdale, AR 72762.

Springdale had a 2010 population of 69,797±, according to the U.S. Census Bureau. The City of Fayetteville is located just to the south of Springdale and had a 2010 population of 73,580±. The majority of Springdale lies within Washington County; the extreme northern portion of Springdale extends into Benton County. The indicated 2010 populations of Benton and Washington Counties were 221,339 and 203,065, respectively. Washington, Benton, and Madison Counties, in Arkansas, and McDonald County, in Missouri, comprise the Fayetteville-Springdale-Rogers MSA. The 2010 population of the MSA was indicated to be 465,780±.

Market Area

Market Area is defined as follows:

*"The geographic or locational delineation of the market for a specific category of real estate, i.e., the area in which alternative, similar properties effectively compete with the subject property in the minds of probable, potential purchasers and users."*³

Subject property is located in a residential/commercial/agricultural Market Area near the west boundary of the Springdale City Limits.

The Market Area appears to consist of properties lying west of I-540, north of U.S. 412 West, east of State Highway 112, and south of Elm Springs Road/Lake Elmdale/Elm Springs City Limits. The Market Area is estimated to be between 50% and 75% built-up.

Property uses visible in the Market Area primarily include residential, agricultural, and commercial. Commercial usage is principally located along U.S. 412, with some commercial use also visible just north of U.S. 412, particularly in the Har-Ber Meadows development. Har-Ber Meadows is a Planned Unit Development located in the central and south parts of the Market Area, containing approximately 400± acres. When totally completed, the project will contain approximately 600 residential units, including patio homes and larger estate and lakefront homes. An elementary school (Bernice Young Elementary) opened in the Fall of 2000, and is located along the south side of Har-Ber Avenue, in the northwest part of Har-Ber Meadows. Approximately 56± acres in Har-Ber Meadows are designated for commercial development, 55± acres for parks, and 35± acres for lakes. Considerable development has taken place in Har-Ber Meadows since the project began in 1995-1996. Noted commercial projects include the Walker Brothers Insurance Office Building, Circle of Life Hospice Facility, branch banks, Harp's Grocery Store, The Maples Nursing Home, The Church of Latter Day Saints, Washington Regional Springdale Center For Health, Arkansas Sports Network Office Building, Farm Bureau

³ Appraisal Institute, *The Dictionary of Real Estate Appraisal – Fourth Edition*, (Chicago: Appraisal Institute, 2002), P. 174-175.

Insurance Office Building, Buffalo Wild Wings, Boomerang Car Wash, branch banks, office and retail/service strip centers, etc.

Commercial development, as stated, is visible in the south part of the Market Area along U.S. 412. Office, retail and service uses were noted. Brush Creek Golf Course, a nine-hole course, is located along the north side of Har-Ber Avenue, north of Har-Ber Meadows.

Newer multi-family and single-family residential construction was noted along Jones Road and Har-Ber Avenue west and north, respectively, of the Har-Ber Meadows development. The Vineyards at Jones Road is a two-family and multi-family project recently completed on the west side of Jones Road, a short distance northerly from U.S. 412. Brandon's Way Subdivision is a single-family development located at the northwest corner of the intersection of Har-Ber Avenue and Bur Oak Road. Covenant Creek is a single-family subdivision located at the northwest corner of Oak Grove Road and Har-Ber Avenue. The Falls is a single-family subdivision located on the north side of Har-Ber Avenue, west of Oak Grove Road. Other nearby subdivisions include Arbor Estates and Tuscan Village. Arbor Estates is located west of Jones Road, a short distance south of Har-Ber High School. Tuscan Village is located along Har-Ber Avenue west/northwest of Hellstern Middle School.

An Assisted Living Facility is located along the west side of Jones Road, south of Har-ber Avenue. Just north/northwest of this site, at the southwest corner of Har-ber Avenue and Jones Road, is Har-ber High School. Hellstern Middle School is located just west of the high school. Har-Ber High School and Hellstern Middle School each opened for the 2005-2006 school year. An extension of the Market Area to the northwest along Elm Springs Road includes a new Elementary School that opened for the 2007-2008 school year.

A short distance south of the Market Area, at the southwest corner of Watkins Avenue and South 56th Street, is the Minor League Ballpark for the Northwest Arkansas Naturals. The Northwest Arkansas Naturals are an AA affiliate of the Kansas City Royals. The stadium was completed for the 2008 season. The City of Springdale is attempting to promote commercial growth around the stadium. South 56th Street interests U.S. 412 in the south part of the Market Area.

The topography of the Market Area is undulating to gently sloping/rolling, for the most part. Soil and subsoil conditions are not generally considered adverse to building construction. Overall, drainage is considered adequate. However, Brush Creek does traverse the north central and east central parts of the Market Area.

Utilities available in the Market Area include public water and sewer, electricity, natural gas, cable T.V., and telephone service. Public sewer is currently not available throughout the entire Market Area.

Accessibility to/from I-540 is available at the U.S. 412 Interchange in the southeast part of the Market Area and at the Elm Springs Road interchange in the northeast part of the Market Area.

The Market Area is in the growth stage of its life cycle, overall; however, growth in the near-term is expected to be much slower than what was experienced in the early to mid-part of the

past decade. This is due to oversupply issues in the Northwest Arkansas real estate market which have been prolonged by the slow improvement in economic conditions. The real estate market in Northwest Arkansas is currently in a correction period that is expected to last through 2013.

Subject Property

The size of the subject site is estimated to be approximately 26,372 ± square feet (SF), or .61± acre. The site is near rectangular in shape. The topography is undulating to gently sloping.

Soil and subsoil conditions are not believed adverse to building construction; however, a soil test report on the site has not been examined. The subject property does not appear to be located within the 100-Year Flood Zone. Please see the Flood Zone Map which appears in the Addenda.

Utilities available to the subject site include electricity, telephone service, natural gas, cable, T.V., public sewer, and public water. No adverse easements or encroachments were noted on the inspection.

Subject site is zoned SF-1, Low Density Single Family Residential.

The site is currently improved with a 1,748± square foot single family dwelling, and related site improvements. The building represents Class "D" construction, with brick veneer and frame exterior. The foundation is closed piers. The roof cover is composition shingle. Interior finish consisted of wood and carpet flooring, paneling and drywall interior walls, and drywall ceilings. The dwelling includes central heat and air, tankless water heater, wood stove, attached porch, 2 bathrooms, 3 bedrooms, kitchen, dining room, living room, and a glass enclosed porch.

The dwelling is considered to be in average condition. The dwelling is indicated to have been completed in 1969. Functional obsolescence is indicated in layout and design when compared to newer structures. External obsolescence is indicated due to present market conditions. In my opinion, the effective age of the dwelling is 25± years and the remaining economic life is 30± years. It should be noted that the functional and external obsolescence is reflected in the effective age.

Additional improvements include: asphalt and concrete drives, above ground pool, 2 outbuildings, chain-link and privacy fence, etc.

A copy of the tax assessment records pertaining to the subject property is presented in the Addendum of this report. The estimated 2012 property tax is \$1,086.54. The 2012 tax is due by October 15, 2013. The property was appraised for tax purposes in 2013 at \$137,600.

The subject property is located within the Springdale Public School District.

PART II - COMPARABLE SALES

Comparable Sale 1



Address: 4313 Alma Street **City:** Springdale **State:** AR
Location Description: East side of Alma Street.

Sale Date: 06/05/2013
Sale Price: \$135,000
Living Area (SF): 1,792
Sale Price/SF: \$75.33
Site Description 0.28± Acre Lot

Bedrooms:	3	Fireplace:	1-Gas Log
Bathrooms:	1	Garage:	Attached Two Car, 440± SF
Effective Age:	22	Levels:	1
Construction:	Average; Brick		
Condition:	Average		

Remarks: Multiple Listing Service (MLS) records indicate that this dwelling was originally listed for \$138,500. The dwelling includes central heat and air. The dwelling includes attached porches, 3 outbuildings, and chain-link fencing.

Comparable Sale 2



Address: 1803 Willard Street **City:** Springdale **State:** AR
Location Description: East side of Willard Street.

Sale Date: 05/01/2013
Sale Price: \$141,000
Living Area (SF): 1,806
Sale Price/SF: \$78.07
Site Description: .30± Acre Lot

Bedrooms:	3	Fireplace:	One-Gas Log
Bathrooms:	2	Garage:	Attached 2 Car-529± SF
Effective Age:	22±	Levels:	1
Construction:	Average; Brick Veneer		
Condition:	Average		

Remarks: Multiple Listing Service (MLS) records indicate that this dwelling was originally listed for \$148,900. The dwelling includes central heat and air and attached porches. The site includes privacy fencing.

Comparable Sale 3



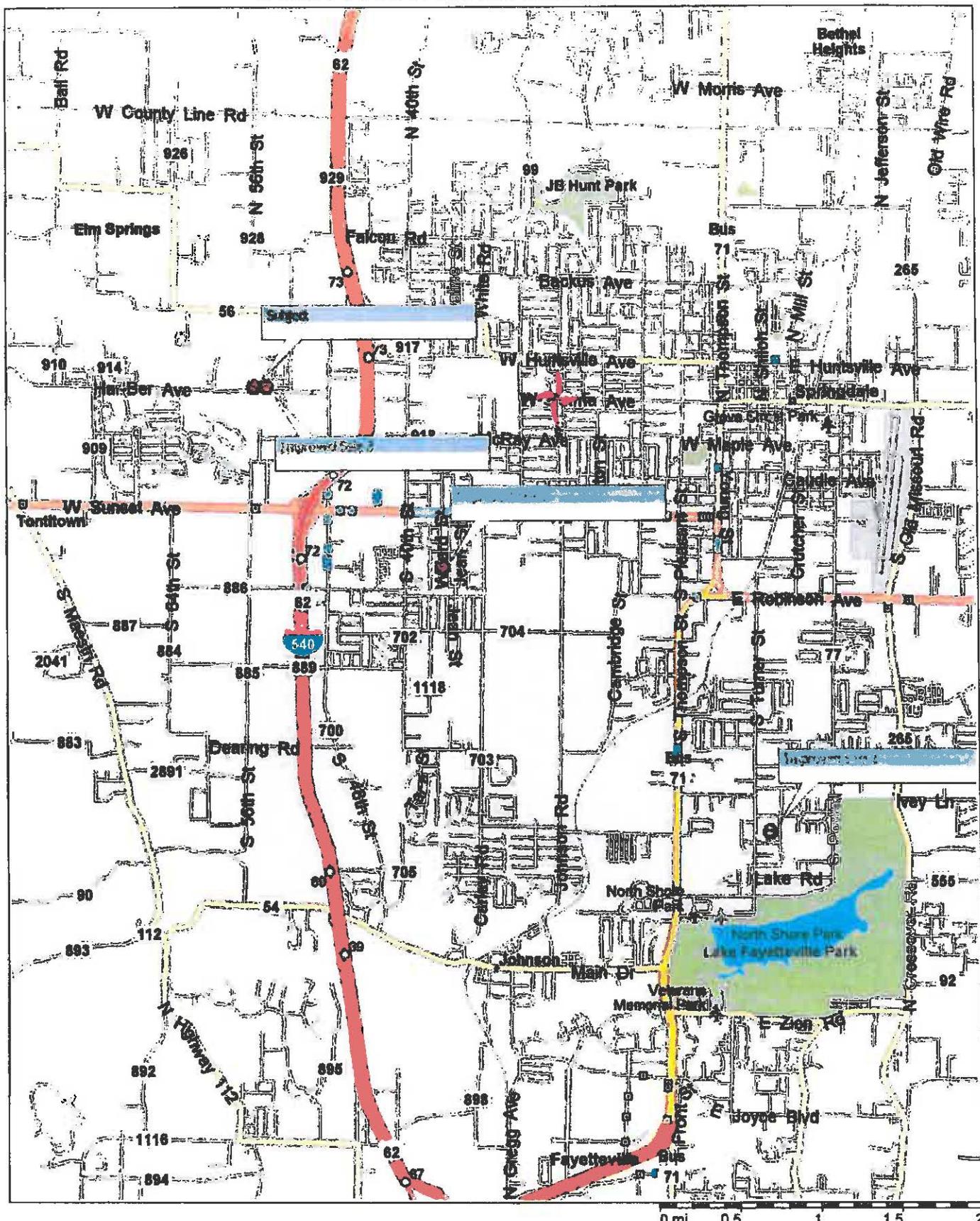
Address: 5508 Har-Ber Avenue **City:** Springdale **State:** AR
Location Description: North side of Har-Ber Avenue

Sale Date: 10/24/2012
Sale Price: \$125,000
Living Area (SF): 1,870
Sale Price/SF: \$66.85
Site Description: .75± Acre Lot

Bedrooms:	4	Fireplace:	None
Bathrooms:	2	Garage:	2-Car Attached-506± SF
Effective Age:	25±	Levels:	1
Construction:	Average; Brick Veneer		
Condition:	Average		

Remarks: Multiple Listing Service (MLS) records indicate that this dwelling was originally listed for \$129,900. The dwelling includes central heat and air and attached porches. The site contains a shop building and storage building.

COMPARABLE IMPROVED SALES MAP



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PART III - CONCLUSION

CONCLUSION

Comparable One is located in Springdale along the east side of Alma Street. This location is east of the intersection of South Turner Street and Henson Street, and southeast of subject. The physical address is 5620 Har-Ber Avenue. The comparable is larger in dwelling size than the subject, and includes a smaller site size. The exterior of the dwelling is brick veneer. This is a 1-level dwelling that has 3 bedrooms, 2 bathrooms, kitchen, living room, dining room, etc. This comparable includes attached porches, and an attached two-car garage. The dwelling has central heat and air, and a fireplace. The overall quality is similar to subject. Site improvements include concrete driveway, fencing, outbuildings, landscaping, etc. Comparable Dwelling One has a superior effective age when compared to subject. Comparable One sold 06/05/2013 for \$135,000. It should be noted that the property is zoned SF-2, Medium Density Residential. The exposure time for this property was 39± days. Overall, this comparable is considered slightly inferior to subject.

Comparable Two is located in Springdale along the east side of Willard Street. This location is a short distance east of South 40th Street, and southeast of subject. The physical address of the comparable is 1803 Willard Street. The comparable is larger in dwelling size than the subject, and includes a smaller site. The comparable includes 3 bedrooms, 2 bathrooms, kitchen, living room, etc. The comparable includes an attached two-car garage, central heat and air, fireplace, and attached porches. Site improvements include a concrete drive, fencing, outbuilding, landscaping, etc. Comparable Dwelling Two is superior in effective age to subject and similar in quality. It should be noted that the property is zoned SF-2, Medium Density Residential. Comparable Two sold 05/01/2013 for \$141,000. The exposure time for this property was 30± days. Overall, this comparable is considered slightly superior to subject.

Comparable Three is also located in Springdale along the north side of Har-Ber Avenue. This location is west of the intersection of Oak Grove Road and Har-Ber Avenue, and just east of subject. The physical address is 5508 Har-Ber Avenue. The comparable is larger than subject in dwelling size, and includes a slightly larger site. The comparable includes an attached two-car garage, 4 bedrooms, 2 bathrooms, kitchen, living room, dining room, etc. Site improvements include a concrete drive, landscaping, fencing, shop building, etc. Comparable Dwelling Three is similar in effective age to subject, however is slightly inferior in quality. It should be noted that the property is zoned A-1, Agricultural. Comparable Three sold on 10/24/2012 for \$125,000. The exposure time for this property was 352± days. Overall, this comparable is considered inferior to subject.

Analysis of Comparable Sales: Three comparable sales were identified in estimating the value of the subject property. All of the sales are located in Springdale, as is subject. The locations are considered reasonably similar to that of subject.

An adjustment grid appears below and reflects the comparison of the sales to the subject properties. The unit of comparison is whole property.

Adjustment Grid

Sale No.	1	2	3
Sales Price	\$135,000	\$141,000	\$125,000
Property Rights	0	0	0
Conditions of Sale	0	0	0
Market Conditions	0	0	0
After Market Conditions	\$135,000	\$141,000	\$125,000
Location	0	0	0
Physical Characteristics			
Site	+10,000	+5,000	0
Dwelling Effective Age	-4,050	-4,230	0
Dwelling Quality	0	0	+12,500
Dwelling Size	-1,320	-1,740	-3,660
Garage/Other	-4,000	-4,000	-4,000
Indicated Value	\$135,630	\$136,030	\$129,840

The three comparable sales utilized in this report occurred between the time period of September 2012 and May 2013. These sales are considered fairly recent and are believed to reflect current market conditions. The mean of the sales is \$133,833, and the median is \$135,630.

Based upon an analysis of relevant data and contingent upon the Assumptions And Limiting Conditions which follow and appear later in this report, it is my opinion the market value of the fee simple estate of the subject property, as of September 9, 2013, was:

ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS
(\$135,000)

The preceding value estimate reflects terms equivalent to cash to the owner and represents that for real property only. No personal property has been included in this report.

1. Subject and adjacent properties are in compliance with all applicable EPA regulations;
2. Subject dwelling and land sizes are approximately as indicated in this report.

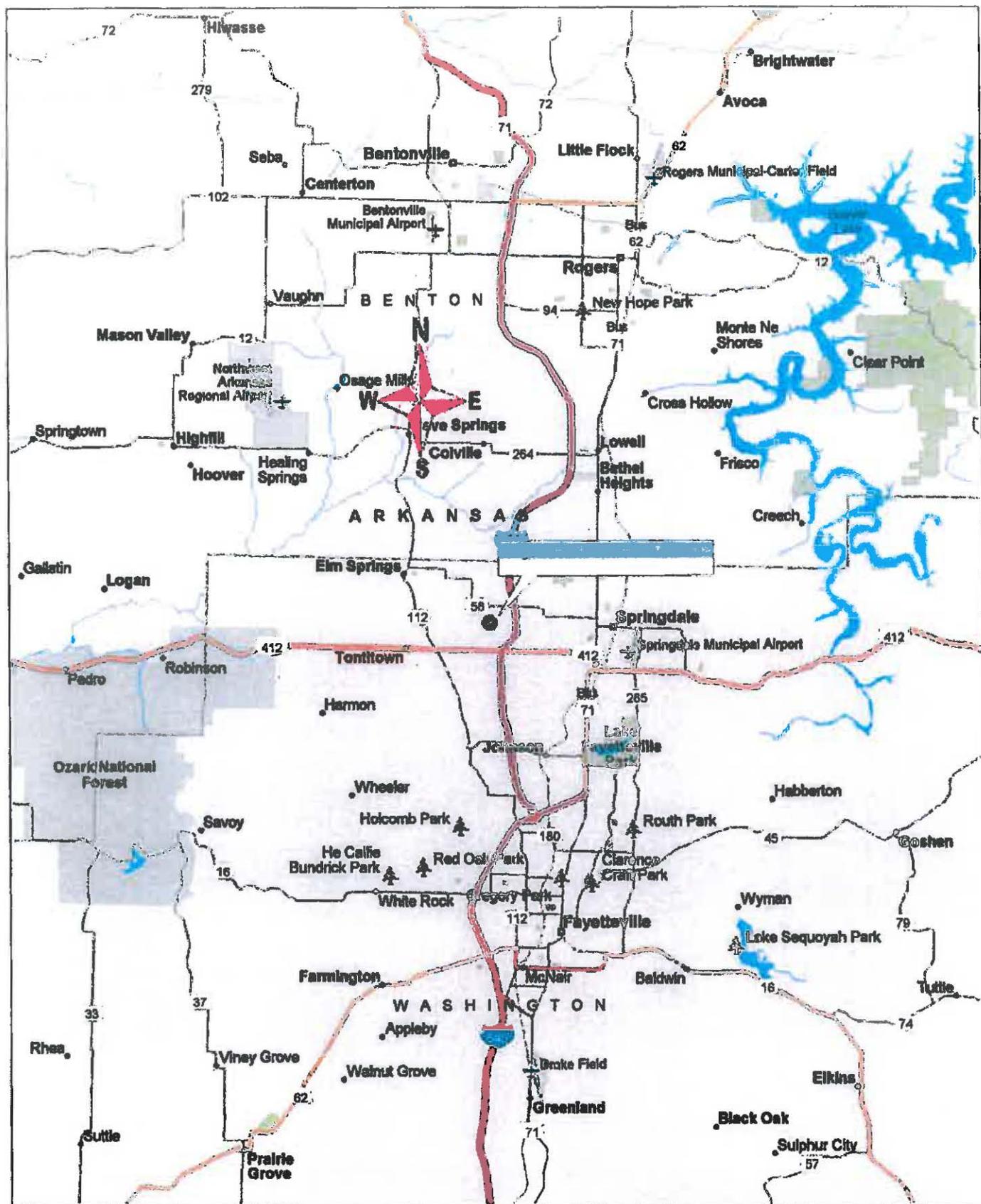
If any, or all of the Extraordinary Assumptions prove to be untrue, the preceding value estimate could be influenced.

Additional Assumptions and Limiting Conditions appear later in the report.

The estimated exposure time for the subject property is one year or less.

PART IV - ADDENDA

AREA MAP



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AREA DATA

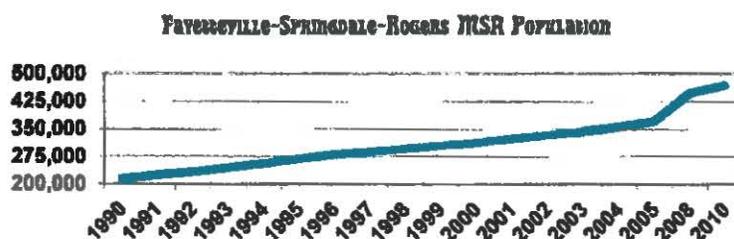
The Trade Area includes Washington and Benton Counties in Arkansas, as well as Madison County, Arkansas and McDonald County, Missouri. The four counties are located in the extreme northwestern part of Arkansas and extreme southwestern part of Missouri, respectively, and make up the Fayetteville-Springdale-Rogers, AR Metropolitan Statistical Area (MSA). This area is bordered by the Oklahoma State line on the west, Newton County (Missouri) on the north, Carroll, Newton and Barry (Missouri) Counties on the east, and Crawford, Franklin and Johnson Counties on the south. The total area of Benton County is 886± square miles, Washington County 963± square miles, Madison County 837± square miles, and McDonald County 540± square miles. It should be noted that 92%± of the population of the MSA is located in Washington and Benton Counties. As a result, figures for this analysis primarily reflect Washington and Benton Counties.

The value of real property reflects and is influenced by the interaction of basic forces that motivate human activity. These forces are divided into four major categories: Social trends; Economic circumstances; Governmental controls and regulations; and, environmental conditions. These forces exert pressure on human activities and are also affected by these activities. The interaction of all the forces influences the value of every parcel of real estate in the market.

Social Forces: Social forces are exerted primarily through population characteristics. The demographic composition of the population reveals the potential, basic demand for real estate services.

The 1980 Census showed population figures of 78,115 and 100,494, respectively, for the two counties. This totals 178,607 for the two-county area. The population of Benton County in 1990 was 97,499, while Washington County indicated a population 113,409. The combined population of the two counties in 1990 was 210,908, representing an 18.1% increase over 1980, or 1.81% per year. The 2000 Census indicated populations for Benton and Washington Counties of 153,406 and 157,715, respectively. The total for the two counties, 311,121, represents a 47.5%± increase over 1990, or 4.75%± per year. The 2007 populations were indicated to be 210,963 for Benton County, and 194,696 for Washington County. Finally, based on data released by the U.S. Census Bureau, the population of the two-county area as of 2010 was 424,404, with Benton County reflecting a total of 221,339 and Washington County a total of 203,065. The growth between 2000 and 2010 is indicated to be 36.4%, or 3.64% per year. The U.S. Census Bureau data reflected the population of the MSA as of 2010 to be 465,780.

The following chart reflects the population trend in the four-county MSA since 1990:



Source: U.S. Census

Bentonville is the County Seat of Benton County. This city is located in the north part of the county. Bentonville had a population of 11,257 in 1990, a 28.6%± increase since 1980. The 2000 population of Bentonville was approximately 19,730. This represents a 75.3%± increase since 1990. The 2005 population was indicated to be 29,530, an increase of 49.7% over the five-year period since 2000, or 9.9% per year. The 2010 population was indicated to be 35,301, a 19.5% increase from 2005. Rogers is the largest city in the county. Its 1990 population of 24,692 reflects a 41.7%± increase since 1980. The 2000 population was indicated to be 38,829. This represents a 57.3%± increase since 1990. The 2005 population was indicated to be 48,353, an increase of 24.5% from 2000, or 4.9% per year. The 2010 population was indicated to be 55,964 a 15.7% increase since 2005. Siloam Springs, located on the Oklahoma line in the southwest part of the county, is the third major city in Benton County. It grew from a population of 8,151 in 1980 to 10,843 in 2000, a 33%± increase. The 2005 population of Siloam Springs was indicated to be 13,604, an increase of 25.5% from 2000, or 5.1% per year. The 2010 population was indicated to be 15,039 a 10.5% increase from 2005.

Some of the smaller cities and towns in Benton County include Gentry, Gravette, Pea Ridge, Lowell, Centerton, Decatur, Cave Springs, Bella Vista, etc. It should be noted that the City of Centerton, located just west of the Bentonville City Limits, reflected an increase in population from 491 in 1990 to 2,146 in 2000, 5,477 in 2005, 8,593 in 2008, and 9,515 in 2010. This reflects an increase of 343% from 2000 to 2010, or 34.3% per year. Within the county, there are a total of 18± incorporated towns and cities. It should also be noted that Lowell, lying between Springdale and Rogers, experienced an increase in population between 1990 and 2000 of 309.6%±. The 2000 population of Lowell was indicated to be 5,013±, while the 2005 population grew to 7,042, an increase of 40.5% from 2000, or 8.1% per year. The 2010 population of Lowell was 7,327.

Fayetteville is the County Seat of Washington County. This city is located in the north central part of the county. Fayetteville had a population of 40,099 in 1990. This represented a 15% increase since 1980. The 2000 population of Fayetteville was indicated to be 58,047. This represents a 37.9%± increase since 1990. The 2005 population was indicated to be 66,656, an increase of 14.8% from 2000, or 3.0% per year. The 2010 population was indicated to be 73,580, an increase of 10.4% from 2005. Fayetteville is also the largest city in the county. Springdale is the second largest city in Washington County. Its 1990 population of 29,941 showed a 27.6% increase since 1980. The 2000 population of Springdale was indicated to be 45,798. This represents a 53%± increase since 1990. The 2000 population figure for Springdale includes an indicated 2,011 people living in that part of Springdale located in Benton County. The 2005 population for Springdale was indicated to be 62,459, an increase of 36.4% from 2000, or 7.3% per year. The 2010 population of Springdale was indicated to be 69,797, an increase of 11.7% from 2005.

Some of the smaller cities in Washington County include Prairie Grove, Lincoln, Farmington, West Fork, Johnson, Elm Springs, etc. There are a total of 13± incorporated cities and towns within Washington County. A small part of Elm Springs is also located in Benton County.

The following table reflects population changes for major cities in the MSA since 1990:

City	2000	2005	2007	2008	2010	2000-2010 % Increase
Fayetteville	58,047	66,656	72,208	73,372	73,580	26.8%
Springdale	45,798	62,459	66,881	68,180	69,797	52.4%
Rogers	38,829	48,353	54,959	56,726	55,954	44.1%
Bentonville	19,730	29,530	33,744	35,526	35,301	78.9%
Lowell	5,017	7,042	7,044	7,173	7,327	46.0%
Centerton	2,146	5,477	8,162	8,593	9,515	343.4%
Siloam Springs	10,843	13,604	14,480	14,825	15,039	38.7%

Source: U.S. Census

The increased population trend is expected to continue in the Benton-Washington County area. This should have a positive effect on real property values. However, it should be noted that the rate of growth has declined significantly since the peak period between July 1, 2004, and July 1, 2005. The net monthly population growth in the Benton-Washington County area between July 1, 2004, and July 1, 2005, was indicated to be 1,256± people. Between 2008 and 2009, the net monthly population growth was indicated to be 748 people. This reflects a 40.4% decline. Oversupply issues in the real estate market and deterioration in economic conditions, particularly the decline in the rate of growth of non-farm employment, have impacted population growth. The country officially went into a recession in December 2007. The recession officially ended in June 2009; however consumer sentiment doesn't necessarily support this.

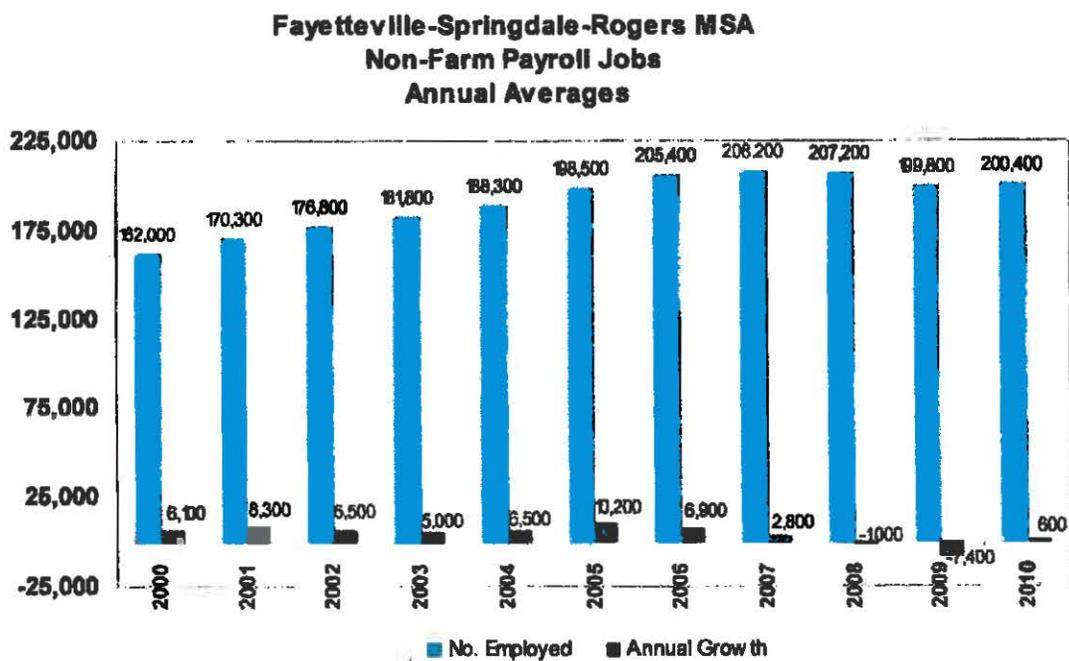
Economic Forces: Economic forces are also significant to real property values. It is necessary to analyze the fundamental relationships between current and anticipated supply and demand and the economic ability of the population to satisfy its wants, needs, and demands through its purchasing power.

For 2003, the Fayetteville-Springdale-Rogers MSA ranked 1st nationally in Forbes/Milliken Institute's "Best Performing Cities: Where America's Jobs are Created" measuring economic vibrancy and potential.

For 2004, the Fayetteville-Springdale-Rogers Metropolitan Statistical Area (MSA) was listed as the 5th "Best Small Metro for Business" by *Forbes*. This publication also listed the MSA as #1 in job growth.

For 2005, The Milliken Index named Northwest Arkansas to the Top Ten in Job Growth.

The following chart represents Non-Farm Employment Growth for the MSA since 2000:



Source: Arkansas Department of Workforce Services

As previously indicated, the country was officially in a recession between December 2007 and June 2009. This recession referred to as the Great Recession, lasted 18 months. The previously longest recorded recessions since the Great Depression, the 1973-75 recession and the 1981-82 recession, each lasted 16 months. The Great Depression lasted 43 months. The recessions in 1991 and 2001 each lasted 8 months.

The recession obviously impacted the rate of job growth in the Fayetteville-Springdale-Rogers MSA. While the United States as a whole experienced negative year on year non-farm employment growth through all of 2008, the Fayetteville-Springdale-Rogers MSA remained positive through part of the year. However, non-farm employment numbers (year on year) did turn negative in this MSA in 2008 and remained negative throughout 2009. Obviously, local economic activity was affected by the national recession. In May 2010, non-farm employment numbers (year on year) turned positive and remained positive through June 2011.

Employment gains for the MSA continue to be concentrated in the service sector. Specifically, education and health services, and professional and business services have exhibited percentage gains. Leisure, hospitality and other services are also creating jobs. The largest losers in employment are the natural resources, mining and construction, manufacturing, trade, transportation, and utilities, government and financial activities sectors.

The civilian labor force in Benton County averaged 108,150 for the year 2010. Washington County averaged 99,925 for the same time period. In 2010, Benton County's unemployment rate averaged 6.4% while Washington County's rate averaged 6.3%. The 2010 average, annual

unemployment rates for the State of Arkansas and the United States were 7.9% and 9.6%, respectively. All of the preceding rates are not seasonally adjusted rates.

U.S. Census data reflect the following income figures for the Benton-Washington County area:

Benton County

	2000	2010	Change
Median Household Income	\$40,276	\$54,592	35.5%
Average Household Income	\$50,556	\$66,147	30.8%
Per Capita Income	\$19,377	\$24,912	28.6%

Washington County

	2000	2010	Change
Median Household Income	\$34,683	\$45,544	31.3%
Average Household Income	\$44,747	\$56,617	26.5%
Per Capita Income	\$17,347	\$21,840	29.5%

Combined Counties

	2000	2010	Change
Median Household Income	\$37,483	\$50,588	40.0%
Average Household Income	\$47,604	\$61,551	29.3%
Per Capita Income	\$18,348	\$23,441	27.8%

The real estate market in Benton and Washington Counties expanded at a rapid rate between 2003 and mid-2006. Oversupply issues in the residential sector became very visible in 2006, particularly in the latter half of the year. There were definite indicators in 2005 that this sector of the market was headed in this direction. As of the second Quarter of 2011, Benton County totaled approximately 9,511 empty, single-family and duplex lots in final, or near final, approved subdivisions. The total for Washington County was approximately 6,637. Based on projected annual household growth, and the historical percentage of households that represent owner occupancy, the total empty lot supply could constitute a 7 to 8 year inventory. This likely overstates the situation as near 20%± of the empty lot inventory should never have been constructed, and does not actually make the market. Regardless, the current lot supply in the two-county area is significant. Housing starts and residential construction activity have been minimal in both counties over the last several quarters; however, new construction picked-up somewhat in the first half of 2011. The stimulus package that was approved by Congress in early 2009, the American Recovery and Reinvestment Act, appears to have positively impacted the housing market nationally. Interest rates are low which is a positive for the housing market; however, this has not spurred refinancing and home purchases as much as expected. This is due to the large number of homeowners with no equity in their home, and also due to the employment picture. The tax credit for first time and move-up home buyers was also a positive factor for both the new and existing home market. This program ended in 2010, and the housing market immediately declined; however, has since rebounded somewhat.

Problems in the housing market are viewed by many as what led us into the recession, and there is a belief that a rebound in this sector is necessary for the country to pull out of the current

economic downturn. Obviously, the decrease in home values and the high rates of residential foreclosures across the country have negatively impacted consumer sentiment. Many economists feel that the housing market bottomed in the Fourth Quarter of 2011, with an average decline in value from peak to trough of 30% to 35%±.

The multi-family residential of the real estate market in Benton and Washington Counties was previously facing oversupply issues; however, vacancy rates have declined significantly in the past several years. In the multi-family sector, the two-county area indicated an overall vacancy rate of 2.58% in the First Quarter of 2013. The Fayetteville multi-family market has a good history of strength, due to the University of Arkansas. It should be noted that a substantial amount of new product has been added over the past 1-2± years. The Rogers, Bentonville, Siloam Springs, and Springdale multi-family markets also appear to each be in good shape with a range of vacancy rates between 1.54% to 3.98% as of First Quarter 2013. The Rogers and Bentonville markets in particular are doing well with vacancy rates of 2.37% and 1.54%, respectively.

With respect to the commercial market, the primary concerns are the professional office, retail, service, and development land sectors. The professional office sector of the market, Class "A" and "B" properties, has been oversupplied for some time in the two-county area. The overall vacancy rate for Class "A" and "B" professional office space for the First Quarter of 2013 was slightly above 15%. This is for investment grade, non-owner occupied space. Obviously, job creation is critical to the absorption of office space. It should be noted that the overall professional office vacancy rate was thought to have peaked in the mid/late 2010, with vacancy slowly decreasing since that time.

The retail sector of the commercial market had been the strength of the market through the first half of 2008; however, in the second half of the year vacancy began to rise. In the Fourth Quarter of 2009 the overall vacancy rate in this sector of the market was estimated between 15% and 16%. Obviously, problems in the national economy impacted the local retail community. The overall vacancy rate in the retail sector slowly declined since 2010 and was near 10% (Class "A" and "B") in the First Quarter of 2013. This too, is for investment grade, non-owner occupied space.

The service sector, hotel/motel and restaurants, are suffering at both the national and local levels. This is due to oversupply issues, change in business travel, cutback in consumer spending, etc. Locally, substantial new hotel and restaurant space has been added over the last few years. Occupancy rates and average daily room rates have been on the decline in the hotel sector. Based on the December 2010, population estimate for the two-county area, there are between 13 and 14 people per full-service restaurant seat.

Lastly, commercial development land must be considered. The two areas of concern are in the north part of Fayetteville and the southwest part of Rogers. Land that was acquired at the peak of prices in 2005/2006 is facing refinancing. With a decline in values in this sector, in order to refinance and keep loan to value ratios within bank guidelines, the borrower may have to bring funds to the closing table. This is the mark to market issue that has been discussed nationally over the past few years.

Following is a listing of building permit values for cities in Benton and Washington Counties:

NWA BUILDING PERMITS

City	2007	2008	2009
Johnson	\$12,894,627.00	\$11,480,561.00	\$2,201,298
Elkins	\$1,448,865.00	\$2,992,700.00	\$1,659,255
Bentonville	\$175,179,387.00	\$84,042,846.00	\$166,253,077
Tontitown	\$9,117,183.00	\$12,317,817.00	\$5,943,915
Rogers	\$364,610,284.00	\$221,417,100.00	\$66,680,186
Lowell	\$23,018,357.00	\$10,507,847.00	\$5,156,363
Siloam Springs	\$26,571,074.00	\$8,369,852.00	\$51,494,178
Fayetteville	\$282,642,878.00	\$301,388,827.00	\$90,257,059
Pea Ridge	\$10,613,632.00	\$11,617,647.00	\$1,701,901
Little Flock	\$1,997,419.00	\$1,801,420.00	\$1,807,373
Bella Vista	\$39,336,280.00	\$19,235,786.00	\$12,059,939
Prairie Grove	\$9,276,304.00	\$7,929,728.00	\$3,298,300
Greenland	\$1,411,691.66	\$173,470.00	\$707,300
Cave Springs	\$9,715,915.00	\$4,835,350.00	\$6,622,764
West Fork	\$2,412,200.00	\$1,568,000.00	\$414,100
Goshen	\$4,246,683.80	\$2,824,327.43	\$2,104,269
Lincoln	\$2,507,545.00	\$0.00	\$191,944
Elm Springs	\$500,000.00	\$150,000.00	\$1,056,647
Farmington	\$11,793,393.00	\$10,730,420.00	\$8,577,800
Springdale	\$114,491,552.00	\$111,956,457.00	\$59,871,046
Gentry	\$2,034,963.90	\$1,705,248.20	\$526,450
Bethel Heights	\$5,582,958.00	\$702,967.00	\$675,967
Centerton	\$18,033,067.00	\$9,928,847.00	\$5,712,560
Decatur	\$1,150,000.00	\$252,000.00	\$9,471,500
Gravette	\$2,149,440.00	\$840,115.00	\$5,726,000
Total	\$1,132,735,699.36	\$838,769,332.63	\$510,171,191

WASHINGTON COUNTY PERMITS

City	2007	2008	2009
Johnson	\$12,894,627.00	\$11,480,561.00	\$2,201,298
Elkins	\$1,448,865.00	\$2,992,700.00	\$1,659,255
Tontitown	\$9,117,183.00	\$12,317,817.00	\$5,943,915
Fayetteville	\$282,642,878.00	\$301,388,827.00	\$90,257,059
Prairie Grove	\$9,276,304.00	\$7,929,728.00	\$3,298,300
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Goshen	\$4,246,683.80	\$2,824,327.43	\$2,104,269
Lincoln	\$2,507,545.00	\$0.00	\$191,944
Elm Springs	\$500,000.00	\$150,000.00	\$1,056,647
Farmington	\$11,793,393.00	\$10,730,420.00	\$8,577,800
Springdale	\$114,491,552.00	\$111,956,457.00	\$59,871,046
Total	\$452,742,922.46	\$463,512,307.43	\$176,282,933

BENTON COUNTY PERMITS

City	2007	2008	2009
Bentonville	\$175,179,387.00	\$84,042,846.00	\$166,253,077
Rogers	\$364,610,284.00	\$221,417,100.00	\$6,668,0186
Lowell	\$23,018,357.00	\$10,507,847.00	\$5,156,363
Siloam Springs	\$26,571,074.00	\$8,369,852.00	\$51,494,178
Pea Ridge	\$10,613,632.00	\$11,617,647.00	\$1,701,901
Little Flock	\$1,997,419.00	\$1,801,420.00	\$1,807,373
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Cave Springs	\$9,715,915.00	\$4,835,350.00	\$6,622,764
Gentry	\$2,034,963.90	\$1,705,248.20	\$526,450
Bethel Heights	\$5,582,958.00	\$702,967.00	\$675,967
Centerton	\$18,033,067.00	\$9,928,847.00	\$5,712,560
Decatur	\$1,150,000.00	\$252,000.00	\$9,471,500
Gravette	\$2,149,440.00	\$840,115.00	\$5,726,000
Total	\$679,992,776.90	\$375,257,025.20	\$333,888,258

The economic base of the region consists of four basic areas: **First**, agricultural production with the primary commodities being beef cattle, dairy cattle, and poultry. The general offices of Tyson Foods, Inc., the largest poultry producer in the world, are located in Springdale in Washington County. Benton and Washington Counties have a considerable amount of rural

acreage and, therefore, it would stand to reason that agriculture would be important to the area. There is also some cropland in the area, primarily green bean and orchard production (grapes). According to the USDA, Benton and Washington counties had total agricultural sales in 2007 of \$433,957,000 and 417,965,000, respectively. **Second**, influence from the University of Arkansas located in Fayetteville. Total enrollment for Fall 2012 at the University was 24,537, an increase of 5.8% since the Fall 2011. The University provides considerable employment opportunities for area residents. It is not uncommon for residents of the outlying areas of Benton and Washington Counties to work at the University. A second public academic institution, the Northwest Arkansas Community College, is located in Bentonville. Fall 2012 enrollment for the school was indicated to be 8,341, a decrease of 2.2% from the Fall 2011. In addition to the main campus, the N.W.A.C.C. also has branch campuses located in Springdale, Rogers, Fayetteville, and Bella Vista. **Third**, recreational usage primarily in the northeast part of Washington County, and the southeast, east, and northeast parts of Benton County. This recreational usage is primarily provided by Beaver Lake, a Corps of Engineer Reservoir on the White River. Beaver Lake affords typical fresh water sports such as boating, fishing, skiing, swimming, etc. **Fourth**, the large number of manufacturing businesses and industries located within the two counties. Again, residents of outlying areas of the two counties will commute to Fayetteville, Springdale, Rogers, Bentonville, etc. to work at these facilities. The general offices of Wal-Mart, Inc., the world's largest retailer, are located in Bentonville. Wal-Mart has had a tremendous impact on the area, particularly Benton County. Over the past several years, Wal-Mart vendors have been locating branch offices in the Benton County area in order to better service their account with Wal-Mart. Both professional office and residential construction increased significantly due to the influx of these suppliers. The general offices of J.B. Hunt, Inc., a major trucking company, are located in Lowell. As previously indicated, the general offices of Tyson Foods, Inc. are located in Springdale. Most of the major industries are located in the larger cities in the counties. According to the 2002 Economic Census, total value of shipments by manufacturers in Benton County was \$2,615,524,000. According to the 2007 Economic Census, total value of shipments by manufacturers in Washington County was \$3,497,554. Retail sales estimates for Benton and Washington Counties for 2008, from the Economic Census Report, were \$1,487,818,000 and \$2,142,085,000, respectively.

The following table represents major employers in the MSA (as of 2010):

Employer	# of Employees±	Sector/Product	Main Location
Wal-Mart Stores (Home Office, DC's & Stores)	28,500	Retail	Bentonville
Tyson Foods	12,800	Protein Processing/Marketing	Springdale
University of Arkansas	4,578	Education	Fayetteville
Simmons Foods, Inc.	3,922	Poultry Processing	Siloam Springs
J.B. Hunt Transport Services	2,500	Transportation	Lowell
Springdale School District	2,195	Education	Springdale
Arvest Bank Group	2,115	Banking/Finance	Bentonville
George's Inc.	2,000	Poultry	Springdale

Source: Northwest Arkansas Business Journal

In addition, Northwest Arkansas is the home of several satellite offices of Fortune 500 companies supplying products to Wal-Mart Stores, Inc. Fortune 500 companies with a presence in Northwest Arkansas include:

IBM, Coca-Cola, Proctor & Gamble, Pfizer, Gillette, Mattel, Hershey, Sara Lee, Kimberly Clark, Heinz, Colgate, Clorox, Ball Corp., Disney, General Mills, Kellogg, Hormel, Newell Rubbermaid, Johnson & Johnson, Pepsico, Philip Morris, etc.

There are many financial institutions in Benton and Washington Counties. These institutions have typically provided an adequate supply of funds for residential, commercial, industrial, and agricultural growth. It should be noted that credit conditions tightened in 2008 as financial institutions dealt with problem real estate loans, and deteriorating economic conditions. The Federal Government infused funds into the financial market in an attempt to provide liquidity and ease credit. The major financial institutions in the area are located in Bentonville, Fayetteville, Rogers, Siloam Springs, and Springdale, with smaller banks and branches situated in many of the smaller communities. Currently, interest rates on long-term (15-30 years) residential first mortgages are generally in the 3.75% - 4.25% range. Federal Deposit Insurance Corporation (FDIC) data indicate there are a total of 37 financial institutions in the Fayetteville-Springdale-Rogers MSA. Deposits as of June 30, 2011, totaled \$7,491,000± based on the FDIC data.

Real estate development in the area has primarily been centered in the major cities, and in such smaller communities as Centerton, Farmington, Prairie Grove, and Lowell. However, rural development is also occurring with small acreage homesites visible throughout the two counties.

Economic data at the present time is less than favorable in the two-county area. The long-term outlook is that economic forces will have a positive effect on real estate values in Benton and Washington Counties; however, at the present time the two-county area continues in a correction period that is likely to last beyond 2013.

Governmental Forces: Governmental, political, and legal actions at all levels have a great impact on property values.

The county seats of Benton and Washington Counties, as previously discussed, are Bentonville and Fayetteville, respectively. These two cities are some 20± minutes apart via I-540.

County government in each county is under the direction of the County Judge and Quorum Court. Other elected county officials include the County Clerk, Circuit Clerk, Collector, Assessor, Treasurer, Sheriff, Coroner, etc.

Property taxes in Arkansas are collected at the county level and distributed to the counties, cities, and school districts. In Arkansas, all real property, except agricultural land, is to be appraised at market value. Agricultural land is valued based upon soil class productivity. The appraised value is multiplied by a 20% assessment ratio to arrive at the assessed value. The assessed value is then multiplied by the appropriate millage rate to arrive at the annual property tax. However, in 2001, a tax relief act was passed in Arkansas, which limits the annual increase in property tax from the base year. A new term was created, called Taxable Value. Taxable Value is now multiplied by the applicable millage rate to arrive at the annual real estate tax. The annual property tax is due by October 15th in the year after it is levied. Individual property taxes in Benton and Washington Counties have increased significantly, in many cases, due to recent and

continuing reappraisal. Recently, due to declines in real estate values as a result of oversupply issues and deterioration in economic conditions, both Benton and Washington Counties are making adjustments in real estate appraised values for property tax purposes.

Benton County does not have county zoning at the present time. Washington County; however, passed an ordinance introducing zoning regulations to unincorporated parts of Washington County. This zoning ordinance became effective in December of 2007. This zoning is enforced by the Washington County Planning Board. The major cities in the area also have zoning regulations. There are no adverse legislative restrictions on the use and development of real property in the area. However, it should be noted the City of Fayetteville has imposed limitations on property development within a 660' distance of I-540/Fulbright Expressway, as they traverse the city. This is referred to as the Overlay District.

Benton and Washington Counties are considered to have adequate medical, school, lodging, and religious facilities to service the Trade Area.

The following table reflects area schools' enrollments for the previous years:

Area School Enrollment	Fall 2006	Fall 2008	Fall 2009	Fall 2010	Fall 2012
Fayetteville Public Schools	8,450	8,409	8,566	8,838	9,017
Springdale Public Schools	16,500	17,429	18,188	18,810	20,131
Rogers Public Schools	13,220	13,647	13,774	14,145	14,456
Bentonville Public Schools	11,108	12,547	13,701	14,147	14,911
University of Arkansas – Fayetteville	17,938	19,194	19,849	23,199	24,537
Northwest Arkansas Community College Rogers/Bentonville	5,731	7,216	8,006	8,365	8,341
John Brown University – Siloam Springs	2,065	2,046	2,073	2,130	2,183

Source: Schools' Administration Offices

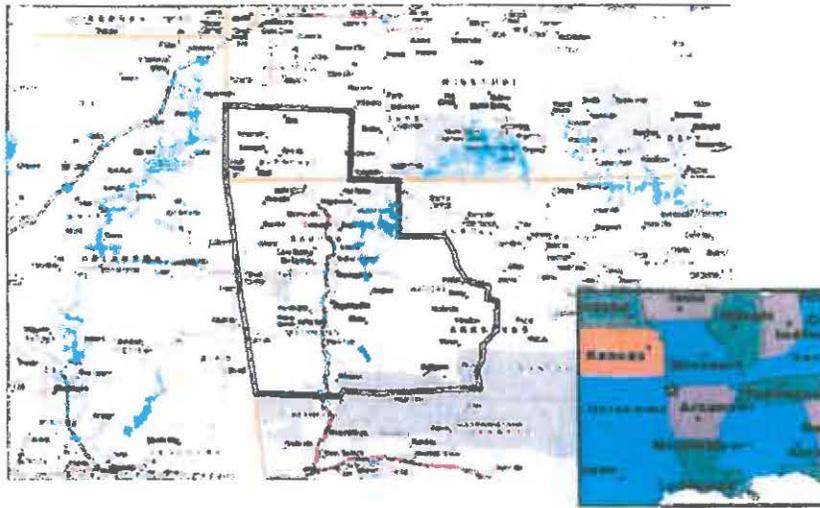
Public utilities available in the rural areas of Benton and Washington Counties include electricity and telephone service. Natural gas and public water are also available in certain areas. Public sewer is available in the major cities and in some of the smaller communities.

Overall, governmental forces in the area provide a positive effect on real property values. Lack of public water and sewer in certain rural areas is a drawback. However, the Two Ton Water Project and Benton-Washington County Water Authorities are addressing rural water needs in the two counties.

Environmental Forces: Both natural and man-made environmental forces influence real property values. Environmental forces include climatic conditions, topography and soil, natural barriers to future development, primary transportation systems, and the nature and desirability of the immediate area surrounding a property.

The two-county area has relatively warm summers and mild winters. High temperatures in summer are often accompanied by high humidity. The average daily temperature is about 57 degrees. Each year there are about 58 days when temperatures go above 90 degrees and only a few days when temperatures drop to freezing or below. The area has an average of 6 to 12± inches of snow annually. Rainfall averages around 46± inches annually.

The following map illustrates the relationship between the cities and counties of the MSA (the four-county MSA is outlined in black):



The area is part of the Ozark Highlands. In Benton County, topography ranges from broad plains and rolling hills in the western and central parts to rocky, rough, steeper hills in the east. Much of the eastern one-third of the county is covered by Beaver Reservoir. The elevation increases from west to east and ranges from 1,000± to 1,700± feet above sea level. The elevation of Washington County also varies from 1,000± to 1,700± feet. In general, the topography of Washington County is rough along the western, eastern, and northwestern boundaries. Extending through the heart of the county, from the Oklahoma line to the City of Springdale, is a plateau-like area consisting of rolling, reasonably level land. The City of Fayetteville, located in the edge of the Boston Mountain Range, is quite hilly. Soil and subsoil conditions within the two counties range from fair to good for agricultural purposes.

There are natural barriers to real property development in the area. These consist primarily of mountainous regions, rivers, etc. However, many of these barriers have a positive effect on agricultural usage.

The primary transportation routes in the two counties are I-540 and U.S. 71B (north-south) and U.S. 412 (east-west). From Fayetteville north to Bella Vista, I-540 provides divided highway access. South from Fayetteville, I-540 provides divided highway access to Interstate 40 at Alma. U.S. 71 south from Fayetteville was made a Scenic Byway in 1998. Divided highway access is now available from the region to Fort Smith to the south via I-540/40 and to Little Rock to the southeast via I-540/40. Also, U.S. 412 provides divided highway access from Tontitown westerly to Siloam Springs near the Oklahoma State Line. Divided highway access is available westerly from the region to Tulsa, Oklahoma. U.S. 71B, I-540 and U.S. 412 are each heavily traveled traffic arteries. U.S. 71B traverses Fayetteville, Springdale, Rogers, Bentonville, and Bella Vista. U.S. 412 traverses Springdale, Tontitown, and Siloam Springs. Construction on a new phase of U.S. 412 east of Springdale was completed in 2001. U.S. 412 is now 5 lanes or divided highway from U.S. 71B east to just east of the small community of Hindsville. Plans and construction are underway for an extension of the U.S. 412 divided highway to the east.

U.S. Highway 62 also provides east-west access. In addition, there are numerous state highways and county roads providing adequate access throughout the area. Proposed major highway construction in the two-county area includes a Bella Vista Bypass and a northern Springdale Bypass. The timing of these new highway construction projects is unknown due to funding problems.

It should be noted that a new airport for the region opened in November 1998. The Northwest Arkansas Regional Airport is located near the small community of Highfill in the northwest part of the region. Total construction cost was estimated near \$109± million. Some 2,185± acres were involved. There are two runways, both 8,800± feet in length by 150'± in width. There is also a 75' x 8,800'± taxiway. The terminal building was indicated initially near 69,000± square feet in size; however, has been expanded adding a new terminal. The new terminal reportedly cost \$20-25 million, and allowed parking space for twelve additional planes. The addition reportedly added 51,000± SF. Direct flights are now available to many of the major MSA's across the country. In 2010, the airport served some 1,139,801± passengers. New transportation routes to the airport are also projected. The first may be a toll road that will leave I-540 near the Wagon Wheel Road Exit and provide direct access to the airport. Construction of this road is likely years away. This airport, along with improvement in highway transportation routes, represents a major plus for the area. Growth has occurred toward the airport, especially along State Highway 12 from Bentonville. The airport exceeded initial projections on the number of people utilizing the facility.

The two county area is reasonably well located and is within relatively short driving times of major metropolitan areas. Driving time to Tulsa is less than 2± hours, to Little Rock is 2.5-3± hours, and to Kansas City is 3-4± hours.

Environmental forces, for the most part, are considered favorable for real property development in the area.

CONCLUSIONS

Each of the major forces affecting real property values has been discussed in this section. The conclusion is that these forces appear, basically, to favorably influence real property values in the area with the exception of current economic conditions. The trend in Benton and Washington Counties, overall, had been upward through 2005 and into 2006. The long-term outlook is still considered good; however, currently the real estate market in the two-county area is in a correction period. This correction period is the result of excessive supply brought to the market in the 2003 to early 2006 time period, and has been prolonged by the slow improvement in economic conditions. Oversupply problems first became evident in the single-family and professional office sectors of the market. The professional office sector still faces oversupply issues; however, conditions have improved since late 2011. The single-family residential sector also experienced improvement in 2012, and into 2013, and appears to have stabilized and is on the upswing. The Class "A" retail sector had been the strength of the commercial market through the first half of 2008; however, vacancy rates increased during the second half of the year and, as economic conditions continued to deteriorate, remained at higher than desired levels through 2009, 2010, 2011, and 2012. It should be noted; however, that the retail sector has

shown continued slow improvement since 2010. The multi-family residential sector had been very healthy in the Northwest Arkansas Area for several years. As a result of the introduction of substantial new product, the multi-family sector experienced increasing vacancy rates in 2007. Higher than norm vacancy levels continued through 2008, 2009, and 2010. However, significant improvement has occurred in the multi-family residential sector since mid 2010. This sector of the real estate market was the first to rebound from the "Great Recession". Finally, the majority of industrial growth has been limited to the expansion of existing industries. There is also substantial vacancy in the office/warehouse sector of the real estate market in Benton and Washington Counties at the present time; however, this sector of the market has also improved since late 2011.

The Benton-Washington County Area continues to experience a favorable interest rate environment, which is a positive demand indicator. In addition, year on year non-farm employment numbers reflect good positive growth. July 2012/July 2013 preliminary employment numbers reflect a gain of 10,800 non-farm payroll jobs in the MSA. Overall, total non-farm employment in the Fayetteville-Springdale-Rogers MSA was actually at a higher level in mid-2013 than in the 2006 time period. Employment obviously impacts population growth. The latest census figures are through July 2010. At that time the Fayetteville-Springdale-Rogers MSA reflected a total population of 465,780. The unemployment rate for the Fayetteville-Springdale-Rogers MSA remains favorable relative to the national and state levels. The July 2013 unemployment rate for the MSA was reported at 5.9%. The July 2012 rate for the MSA was reported at 6.1%. For July 2013, the State of Arkansas reported an unemployment rate of 7.4%. The Bureau of Labor Statistics reported the United States unemployment rate at 7.4% for July 2013. These represent non-seasonally adjusted rates.

The current correction period in the Benton-Washington County real estate market is expected to last well into 2013, and possibly beyond. As previously stated, the long-term outlook for the Northwest Arkansas Area is considered good.



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Kind: WARRANTY DEED
Recorded: 10/21/2009 at 02:17:00 PM
Fee Amt: \$20.00 Page 1 of 2
Washington County, AR
Bette Stamps Circuit Clerk

File **2009-00033693**



Please Return To:

Lenders Title Company
1046 Stearns Road
Fayetteville AR, 72703
Phone: 479-444-3333
Fax: 479-443-4256

File Number: 09-034357-500

Approved as to form by:
J. Mark Spradley, Attorney-at-Law
Transactional data completed by Lenders Title Company

FOR RECORDER'S USE ONLY

**WARRANTY DEED
(MARRIED PERSONS)**

KN

KNOW ALL MEN BY THESE PRESENTS:

Needham

That, William Stillie McCollough and Dolly McCollough, husband and wife, Grantor(s), for and in consideration of the sum of ~~---TEN AND 00/100---~~ DOLLARS~~---(\$10.00)---~~ and other good and valuable consideration in hand paid by Sheila D. Needham, a single person, Grantee(s), the receipt and sufficiency of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the Grantee(s), and unto her heirs and assigns forever, the following lands lying in the County of Washington and the State of Arkansas to-wit:

LTC. 09-034357-500

Part of the NE 1/4 of the SE 1/4 of Section 32, Township 18 North, Range 30 West, City of Springdale, Washington County, Arkansas, being more particularly described as follows: Beginning at the SE corner of said NE 1/4 of the SE 1/4, being a point in the approximate center of Har Ber Avenue, thence along said avenue N 87°15'40" W 145.93 feet, thence leaving said avenue N 03°11'36" E 182.84 feet to a set iron pin, thence S 86°48'24" E 143.45 feet to a set iron pin; thence S 02°24'54" W 181.70 feet to the point of beginning, containing 0.61 acres and subject to the right-of-way of Har Ber Avenue on the South side of the property and any other easements of record or fact.

Subject to existing assessments, building lines, easements, mineral reservations and/or conveyances, and restrictions, of record, if any.

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

And the Grantor(s) hereby covenant with the Grantee(s) that they will forever warrant and defend the title to the above described lands against all claims whatsoever. (aka Dollie McCollough)

And we, William Stillie McCollough and Dolly McCollough, husband and wife, for the consideration recited herein, do hereby release and relinquish unto the Grantee(s) and unto her heirs and assigns, all of our right of dower, curtesy, and homestead in and to said lands.

WITNESS our hand(s) and seal(s) on this 20th day of October, 2009.

I hereby certify under penalty of false swearing that the legally correct amount of documentary stamps have been placed on this instrument. Exempt of no consideration paid if none shown.

GRANTEE OR AGENT:

GRANTEE'S ADDRESS:

Sheila D. Needham
Sheila D. Needham
5620 Har-Ber Ave
Springdale, AR 72768



William Stillie McCollough
William Stillie McCollough

Dollie McCollough
Dollie McCollough aka Dolly McCollough

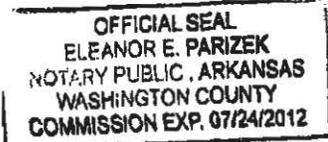
ACKNOWLEDGMENT

STATE OF ARKANSAS)
) SS.
COUNTY OF WASHINGTON)



BE IT REMEMBERED, that on this day came before me, the undersigned, a notary public within and for the County and State aforesaid, duly commissioned and acting, William Stillie McCollough and Dolly McCollough, husband and wife, to me well known as (or satisfactorily proven to be) the persons whose names are subscribed to the foregoing instrument and acknowledged that they had executed the same for the consideration, uses and purposes therein mentioned and set forth.

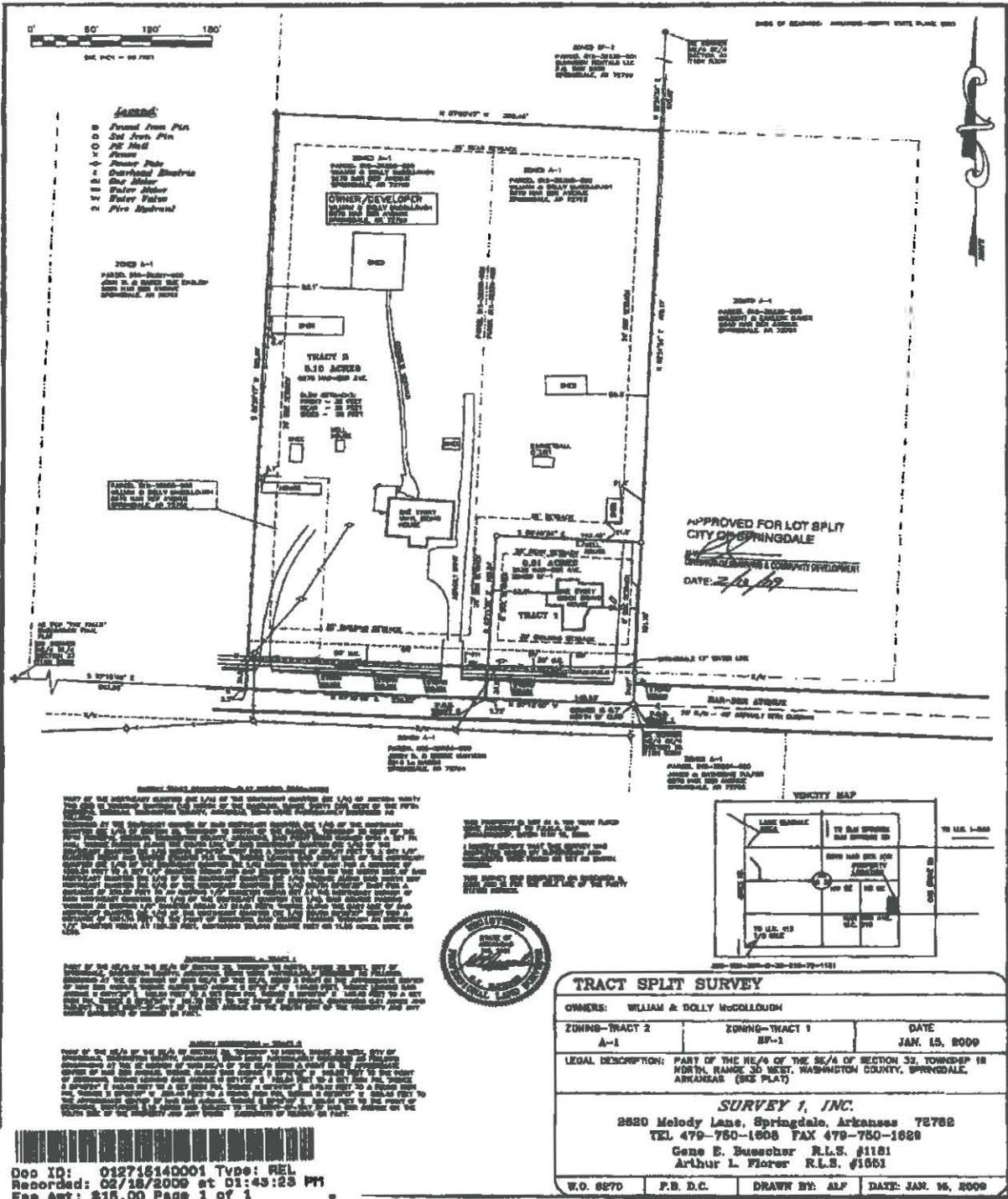
IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 20th day of October, 2009.



Eleanor E. Parizek
Notary Public

My commission Expires:

7/24/12



Doc ID: 012715140001 Type: REL
 Recorded: 02/18/2009 at 01:43:23 PM
 Fee Amt: \$15.00 Page 1 of 1
 Washington County, AR
 Betts Stamps Circuit Clerk

File 2009-00004832

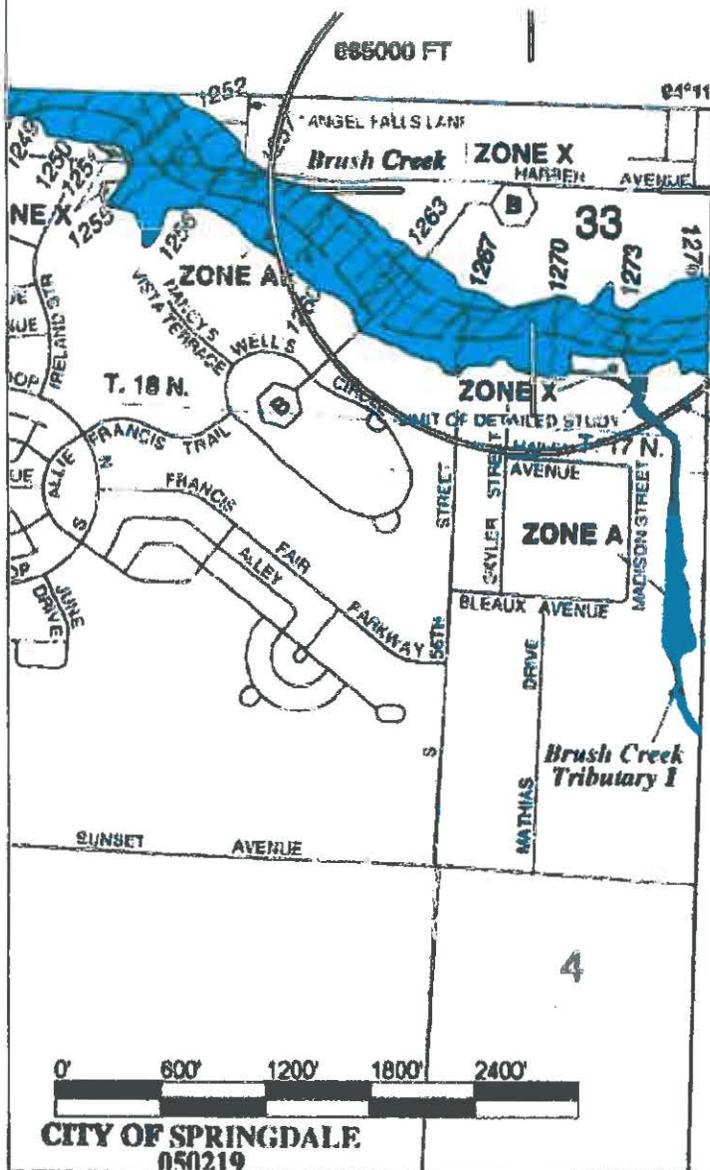
TRACT SPLIT SURVEY		
OWNERS: WILLIAM & DOLLY McCOLLOUGH		
ZONING-TRACT 2 A-1	ZONING-TRACT 1 AP-1	DATE JAN. 15, 2009
LEGAL DESCRIPTION: PART OF THE NE/4 OF THE SE/4 OF SECTION 32, TOWNSHIP 18 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, SPRINGDALE, ARKANSAS (SEE PLAT)		
SURVEY 1, INC.		
8820 Melody Lane, Springdale, Arkansas 72782 TEL 479-750-1608 FAX 479-750-1628 Gene E. Suescher R.L.S. #1181 Arthur L. Florer R.L.S. #1661		
W.O. 6870	P.B. D.C.	DRAWN BY: ALP DATE: JAN. 15, 2009



STDBONLINE.com
FLOODSOURCE
FLOODSCAPE™



PROPERTY ADDRESS:
 5620 Har Ber Ave, Springdale, AR, 72762



FLOODSCAPE™

Flood Hazards Map

Map Number
 05143C0065F

Effective Date
 May 16, 2008

Flood Legend

- High flood risk
- Moderate flood risk
- Low flood risk

This report makes no representations or warranties concerning its content, accuracy or completeness.

STDBonline.com
 469.574.1234

Powered by FloodSource
 877.77.FLOOD
 www.floodsource.com

Parcel: 815-36228-001
 Prev. Parcel: 815-36228-000
 As of: 8/19/2013 ID: 113830

Washington County Report

Property Owner		Property Information	
Name:	NEEDHAM, SHEILA D	Physical Address:	5620 HAR- BER AVE
Mailing Address:	5620 HAR-BER AVE SPRINGDALE, AR 72762	Subdivision:	32-18-30 SPRINGDALE OUTLOTS
Type:	(RI) - Res. Improv.	Block / Lot:	/
Tax Dist:	(501) - SPRINGDALE SCH, SPG	S-T-R:	32-18-30
Millage Rate:	52.20	Size (in Acres):	
Legal:	PT NE SE 0.61A		

Market and Assessed Values:

	Estimated Market Value	Full Assessed (20% Market Value)	Taxable Value
Land	\$40,500	\$8,100	\$8,100
Building	\$97,100	\$19,420	\$19,420
Total	\$137,600	\$27,520	\$27,520

Homestead 350.00 Status: (O) - OwnerOcc Note: Tax amounts are estimates only. Contact the county tax collector for exact amounts.
 Credit:

Land:

Land Use	Size	Units
	1.000	House Lot

Tax History

Year	Taxable Value	Ad Valorem Tax	Imp. Dist. Tax	Timber Tax	Voluntary Tax	A79 Credit	Net Total Tax	Total Tax Paid	Amount Due
2012	\$27,520	\$1,436.54	\$0.00	\$0.00	\$68.80	\$350.00	\$1,155.34	\$1,086.54	\$0.00
2011	\$27,520	\$1,436.54	\$0.00	\$0.00	\$68.80	\$350.00	\$1,155.34	\$1,086.54	\$0.00
2010	\$26,140	\$1,327.91	\$0.00	\$0.00	\$65.35	\$350.00	\$1,043.26	\$977.91	\$0.00
2009	\$32,960	\$1,674.37	\$0.00	\$0.00	\$82.40	\$350.00	\$1,406.77	\$1,324.37	\$0.00

Available Tax Payment Receipt(s)

Year	Receipt #	Payment Date	Ad Valorem Tax	Imp. Dist. Tax	Timber Tax	Voluntary Tax	Penalty	Payment
2012	2850	3/21/2013	\$1,086.54	\$0.00	\$0.00	\$0.00	\$0.00	\$1,086.54
2011	2434	3/29/2012	\$1,086.54	\$0.00	\$0.00	\$0.00	\$0.00	\$1,086.54
2010	8857	4/11/2011	\$977.91	\$0.00	\$0.00	\$0.00	\$0.00	\$977.91
2009	28286	7/9/2010	\$1,324.37	\$0.00	\$0.00	\$0.00	\$0.00	\$1,324.37
2009	24346	6/17/2010	\$1,324.37	\$0.00	\$0.00	\$0.00	\$0.00	\$1,324.37

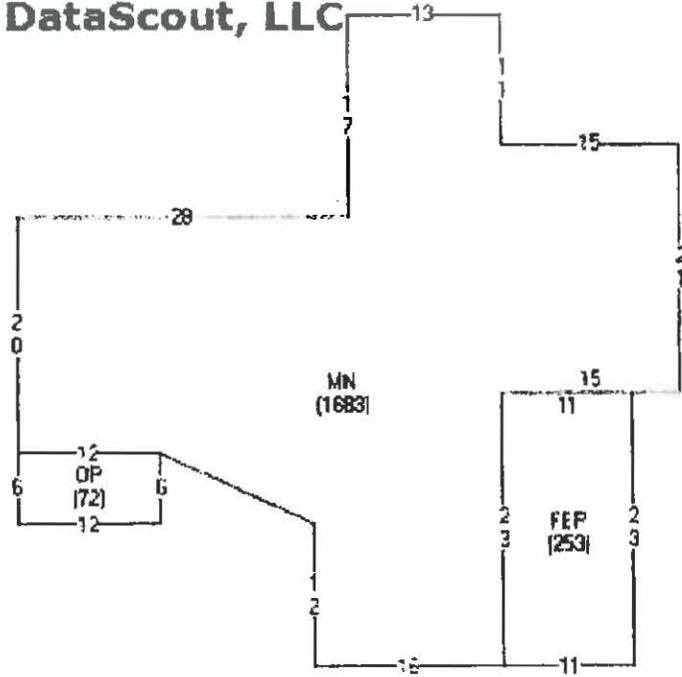
Deed Transfers:

Date	View Deed	Book	Page	Deed Type	Stamps	Est. Sale	Grantee	Code	Type
11/5/2009	<u>2009-4832</u>	2009	4832	SV			NEEDHAM, SHEILA D		
10/20/2009	<u>2009-33693</u>	2009	33693	WD	422.40	128000	NEEDHAM, SHEILA D	UV	I

Details for Residential Card 1

Occupancy	Story	Finish	1st Liv Area	Other Liv Area	Total Liv Area	Grade	Year Built	Age	Condition	Beds
Single Family	ONE	Masonry Veneer	1683	0	1683	4	1969	38	Average	
Exterior Wall:	BV		Plumbing:			Full:	2			
Foundation:	Closed Piers		Fireplace:			Type:	1s Sgl.			
Floor Struct:	Wood with subfloor		Heat/Cool			Central				
Floor Cover:	Carpet & Tile		Basement:			N/A				
Insulation:	Ceilings Walls		Basement Area:			N/A				
Roof Cover:	Asphalt Shingle		Year Remodeled:			N/A				
Roof Type:	Hip		Style:			N/A				

DataScout, LLC



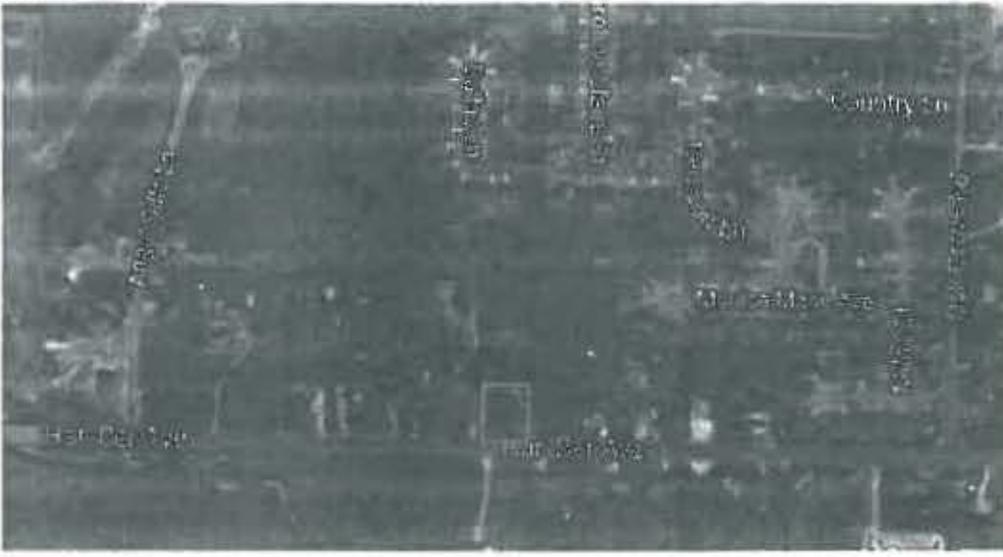
Base Structure:

Item Label	Description	Area
A MN	Main Living Area	1683
B FEP	Frame enclosed porch	253
C OP	Porch, open	72

Outbuildings and Yard Improvements:

Item	Type	Size/Dim	Unit	Multi.	Quality	Age
Asphalt Driveway		16 x 175	1			
Driveway, concrete		13 x 14	1			
Outbuilding		6 x 8				
Outbuilding, frame		10 x 25				
Fence, wood 6'		230				
Fence, wood 3'		110				

Map:



RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE EXECUTION
OF AN AMENDMENT TO A CONTRACT FOR
PROFESSIONAL SERVICES**

WHEREAS, the City of Springdale entered into a contract with USI Consulting Engineers, Inc. relating to roadway improvements to Don Tyson Parkway from 40th Street to Carley Road, and

WHEREAS, the City desires to remove the proposed 40th Street Signal from the overall project and bid it separately, and

WHEREAS, the compensation included in the contract will be increased by \$7,090 plus \$150 in reimbursable expenses for the additional work of producing and bidding two separate contracts;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor is hereby authorized to execute amendment no. 2 to USI Consulting Engineers, Inc. contract for roadway improvements to Don Tyson Parkway from 40th Street to Carley Road.

PASSED AND APPROVED this 28th day of January, 2014.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

AMENDMENT NO. 2

TO PROFESSIONAL SERVICES AGREEMENT

**CITY OF SPRINGDALE, AR
2013 STREET IMPROVEMENT BOND PROGRAM**

**DON TYSON PARKWAY (40TH STREET TO CARLEY RD.)
CITY OF SPRINGDALE PROJECT NO. 12BPS3
USI PROJECT NO. 1309001**

WHEREAS, on November 27, 2012, the CITY entered into an Agreement for Engineering Services (the "Agreement") with the ENGINEER to perform professional engineering services for roadway improvements to Don Tyson Parkway from 40th Street to Carley Road (referred to as the "Project").

WHEREAS, it is necessary to amend the original Agreement in order to modify the scope of the Project to accommodate a separate construction contract for the signalization of Don Tyson Parkway at 40th street in order to insure that the construction is complete by August, 2014 prior to the start of the fall semester of school.

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained, Owner and Engineer hereby stipulate and agree that the Agreement dated November 27, 2012 is amended in the following particulars:

Attachment "D" . Compensation for Basic Services

Add the item "40th Street Signalization Bid Documents" in the amount of \$3,180.
Add the item "40th Street Signalization Bid Services" in the amount of \$3,910.

The total increase in Basic Services for this amendment is \$7,090.

Increase the reimbursable expenses in the amount of \$150.

All other provisions of the original Agreement remain in full force and effect.

IN WITNESS THEREOF, the PARTIES to this AGREEMENT have hereunto set their hands of the day and year first above written.

CITY OF SPRINGDALE, ARKANSAS

USI CONSULTING ENGINEERS, INC.

By: _____

By: _____

Honorable Doug Sprouse, Mayor
Title

Charles R. Nickle, CEO
Title

Attest

Attest

Denise Pearce, City Clerk
Title

Terry W. Carpenter, President
Title

**ATTACHMENT "B" (AMENDMENT NO. 2)
40TH STREET SIGNALIZATION**

SCHEDULE

PROFESSIONAL SERVICES AGREEMENT

**CITY OF SPRINGDALE, ARKANSAS
2012 STREET IMPROVEMENT BOND PROGRAM**

**DON TYSON PARKWAY (40th STREET TO CARLEY ROAD)
CITY OF SPRINGDALE PROJECT NO. 12BPS3
USI PROJECT NO. 1309001**

The ENGINEER shall begin work under this AMENDMENT within ten (10) calendar days of issuance of Notice to Proceed and shall complete the work in accordance with the schedule below:

- Final Design 45 calendar days after Notice to Proceed for Amendment No. 2

B

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Rev. 1-22-2008

ATTACHMENT "D" (AMENDMENT NO. 2)

COMPENSATION

PROFESSIONAL SERVICES AGREEMENT

**CITY OF SPRINGDALE, ARKANSAS
2012 STREET BOND PROGRAM**

**DON TYSON PARKWAY (40th STREET TO CARLEY ROAD)
CITY OF SPRINGDALE PROJECT NO. 12BPS3
USI PROJECT NO. 1309001**

- CITY shall pay ENGINEER for Basic Services rendered an amount equal to 8.0% of the actual construction cost of the project, plus \$17,800 for Re-alignment of Roadway, \$15,000 for Geotechnical Investigation, \$35,000 for a Traffic Study and Traffic Signal Design, \$71,375 for Right-of-Way Document Preparation, \$3,180 for 40th Street Signalization Bid Documents, \$3,910 for 40th Street Signalization Bid Services, and reimbursable expenses.
- Basic Services: Payment by CITY shall be based on percentage of actual construction cost and shall approximate the following payment categories. Payment for a specific phase shall not exceed the scheduled amount prior to completion of that phase. Because an actual construction cost will not be known until the bid process is completed, payments for Basic Services rendered prior to the bid/award phase will be made based on the Engineer's Estimate of Probable Construction Costs. Once the project is bid and an actual construction cost is established, payments made based on estimated construction cost shall be adjusted to reflect actual construction cost. At completion of the job, payment to the ENGINEER will be adjusted based on the final construction costs including any change orders to ensure that the actual compensation to the ENGINEER for Basic Services is equal to 8.0% of actual construction costs, plus \$17,800 for Re-alignment of Roadway, \$15,000 for Geotechnical Investigation, \$35,000 for a Traffic Study and Traffic Signal Design, \$71,375 for Right-of-Way Document Preparation, \$3,180 for 40th Street Signalization Bid Documents, \$3,910 for 40th Street Signalization Bid Services and reimbursable expenses. Underruns in one phase may be used to offset overruns in another phase as long as the total contract amount is not exceeded.

Re-alignment of Roadway	<u>\$17,800</u>
Geotechnical Investigation	<u>\$15,000</u>
Traffic Study and Traffic Signal Design	<u>\$35,000</u>
Right-of-Way Document Preparation	<u>\$71,375</u>
40 th Street Signalization Bid Documents	<u>\$ 3,180</u>
40 th Street Signalization Bid Services	<u>\$ 3,910</u>

D-1

Rev. 01-06-2014

Concept Design Phase, to include Topographic, Right-of-Way and Utility Surveys	<u>2.25 %</u>
Preliminary Design Phase	<u>1.75 %</u>
Final Design Phase	<u>2.00 %</u>
Bid/Award Phase (Excluding 40 th Street Signals)	<u>2.00 %</u>
SUB-TOTAL Basic Services	<u>8.00 % Plus \$146,265 for Geotechnical Investigation, Traffic Study & Traffic Signal Design, Right-of-Way Document Preparation, 40th Street Signalization Bid Documents and Bid Services</u>

- **Construction Phase:** Payment by CITY shall be based on actual construction cost. CITY shall pay ENGINEER for Construction Services rendered an amount equal to 4% of the actual construction cost, plus reimbursable expenses. Actual construction cost shall be adjusted to reflect any change orders approved by the City. Payments for Construction Services shall be made monthly and shall be proportional to the amount of work completed by the CONTRACTOR during the preceding month. The final payment for Construction Services shall be adjusted to ensure that total project compensation paid by the CITY to the ENGINEER is equal to 8.0% of total construction cost (inclusive of any change orders approved by the City) for Basic Services rendered and 4.0% of total construction cost (inclusive of any change orders approved by the City) for Construction Services rendered, \$17,800 for Re-alignment of Roadway, \$15,000 for Geotechnical Investigation, \$35,000 for a Traffic Study and Traffic Signal Design, \$71,375 for Right-of-Way Document Preparation, plus reimbursable expenses.
- The maximum payment to the ENGINEER for Basic Services and Construction Services under this Agreement shall not exceed 12.0% of actual construction cost, inclusive of any change orders approved by the City, plus \$17,800 for Re-alignment of Roadway, \$15,000 for Geotechnical Investigation, \$35,000 for a Traffic Study and Traffic Signal Design, \$71,375 for Right-of-Way Document Preparation, \$3,180 for 40th Street Signalization Bid Documents, \$3,910 for 40th Street Bid Services plus reimbursable expenses.
- **Additional Services:** Any and all Additional Services must be approved, and maximum amount to be paid for said services agreed to, in writing by CITY prior to rendering of same. CITY shall pay ENGINEER for Additional Services rendered an amount equal to the cumulative hours charged to the Project for each class of ENGINEER's employees multiplied by ENGINEER'S Hourly Rates as shown on the Attached Exhibit "1", plus approved Reimbursable Expenses and ENGINEER'S Consultant charges, if any. For

D-2

Rev. 01-06-2014

ENGINEER's Consultant charges, the CITY shall pay the ENGINEER the amount billed to the ENGINEER times a factor of 1.00.

An allowance for Additional Services is established as part of this Agreement. The ENGINEER shall proceed with Additional Services only upon the written authorization of the CITY that specifically states the scope of work to be accomplished and paid for under the additional services allowance.

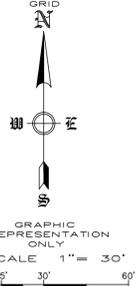
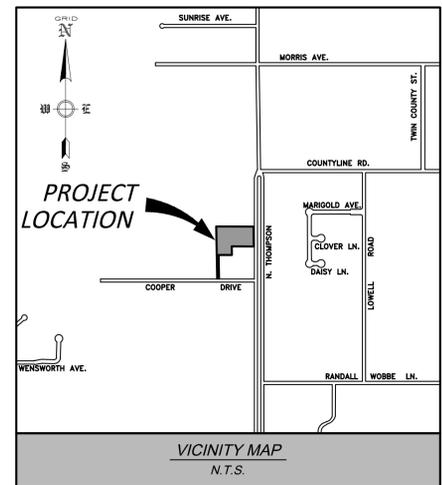
SUB-TOTAL Additional Services Allowance \$ 20,000 .

- CITY shall pay ENGINEER the actual cost of Reimbursable Expenses incurred in connection with Basic and Additional Services. Reimbursable Expenses must be approved by the CITY prior to the incurrence of such expenses. The estimated amount of Reimbursable Expenses to be incurred in connection with Basic Services is:

SUB-TOTAL Reimbursable Expenses \$ 5,150 .

- The maximum payment to the ENGINEER for Additional Services and Reimbursable Expenses under this Agreement shall not exceed \$ 25,150 .
- ENGINEER shall submit invoices monthly for services rendered and expenses borne. For Additional Services, the invoice will be itemized by payment categories including hours worked for each class of ENGINEER's employees multiplied by the hourly rates as shown in Exhibit 1. If requested, the invoices shall be accompanied by a copy of the timesheets for all ENGINEER's personnel working on the project.
- The Hourly Rates used as a basis for payment for Additional Services mean salaries and wages (basic and incentive) paid to all personnel engaged directly on the PROJECT, including, but not limited to, engineers, architects, surveyors, designers, draftsman, specification writers, estimators, other technical personnel, stenographers, typists and clerks; plus the cost of customary and statutory benefits including, but not limited to, social security contributions, unemployment, excise and payroll taxes, workers' compensation, health and retirement benefits, bonuses, sick leave, vacation and holiday pay applicable thereto; plus operating margin or profit, non-project operating costs, and all general and administrative overhead costs, including but not limited to, furnishing and maintaining office facilities, furniture, utilities, vehicles and equipment.

Reimbursable Expenses mean the actual expenses incurred directly or indirectly in connection with the PROJECT for printing and reproduction costs and ENGINEER's consultant charges. Any and all expenditures for reimbursable expenses must be approved by the CITY prior to rendering or obtaining same. Overtime salary costs are not considered Reimbursable Expenses.



OWNER/DEVELOPER: TOBS INVESTMENTS INC.
P.O. BOX 1793
SPRINGDALE, AR 72765-1793

ENGINEERS: ENGINEERING SERVICES, INC.
1207 S. OLD MISSOURI RD.
P.O. BOX 282
SPRINGDALE, AR 72762

ZONING: I-1

PROPOSED SPLIT TRACT SURVEY DESCRIPTION:
A PART OF THE SOUTH HALF (S 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION TWENTY-SIX (26), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTY (30) WEST OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF THE SAID NE 1/4 OF THE NE 1/4, BEING A FOUND 1/2" REBAR; THENCE ALONG THE SOUTH LINE OF SAID 40 ACRE TRACT, S88°26'17"E A DISTANCE OF 750.93 FEET TO A SET IRON PIN WITH CAP "PLS 1439" AND THE POINT OF BEGINNING; THENCE LEAVING SAID SOUTH LINE, N102°25'00"E A DISTANCE OF 691.59 FEET TO A FOUND IRON PIN WITH CAP "PLS 1489"; THENCE S80°16'37"E A DISTANCE OF 478.99 FEET TO A FOUND IRON PIN WITH CAP "PLS 1078" AND THE WESTERN RIGHT-OF-WAY FOR U.S. HIGHWAY 71 BUSINESS (a.k.a. N. THOMPSON STREET); THENCE ALONG SAID WESTERN RIGHT-OF-WAY (VARIABLE WIDTH) S02°34'13"W A DISTANCE OF 252.43 FEET TO A SET IRON PIN WITH CAP "PLS 1439"; THENCE LEAVING SAID WESTERN RIGHT-OF-WAY, N86°17'51"W A DISTANCE OF 281.28 FEET TO A SET IRON PIN WITH CAP "PLS 1439"; THENCE S02°30'56"W A DISTANCE OF 108.77 FEET TO A SET IRON PIN WITH CAP "PLS 1439"; THENCE N86°25'32"W A DISTANCE OF 100.15 FEET TO A FOUND 5/8" IRON PIN; THENCE S02°25'46"W A DISTANCE OF 299.98 FEET TO A SET IRON PIN WITH CAP "PLS 1439" AND THE SAID SOUTH LINE OF SAID 40 ACRE TRACT; THENCE ALONG SAID SOUTH LINE, N86°26'17"W A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.
SAID TRACT OR PARCEL OF LAND CONTAINING 3.42 ACRES (149,014 SQUARE FEET), MORE OR LESS



**SITE PLAN
COOPER FIRE STATION
SPRINGDALE, ARKANSAS**

REVISION	DATE	DESCRIPTION

SCALE: 1"=30'
DATE: Jan, 2014
ENGINEER: BSW
DRAWN BY: XXX
W.O. #: 12950

1

**ENGINEERS STATEMENT OF PROBABLE CONSTRUCTION COSTS
FIRE STATION - DEWEY JOHNSON SITE
SPRINGDALE, AR - 01/08/2014**

Item No.	Approx. Quantity	Unit	Item Description	Unit Price	Total Amount
1	3500	CY	Excavation	\$12.00	\$42,000.00
2	500	CY	Undercut and Backfill	\$19.00	\$9,500.00
3	16000	CY	Embankment	\$12.00	\$192,000.00
4	250	LF	18" RCP	\$55.00	\$13,750.00
5	80	LF	24" RCP	\$65.00	\$5,200.00
6	2	EA	18" Flared End Section RCP	\$5,500.00	\$11,000.00
7	3	EA	24" Flared End Section RCP	\$6,000.00	\$18,000.00
8	4	EA	Drop Inlet	\$6,500.00	\$26,000.00
9	1250	SY	Class 7 Base Course 6" Thick (Asphalt)	\$7.00	\$8,750.00
10	2600	SY	Class 7 Base Course 4" Thick (Concrete)	\$5.00	\$13,000.00
11	1100	SY	Asphaltic Concrete Surface Course (3" Thick)	\$17.00	\$18,700.00
12	2300	SY	Concrete Paving (Unreinforced)	\$60.00	\$138,000.00
13	1500	LF	Concrete Combination Curb and Gutter	\$11.00	\$16,500.00
14	1	LS	Retaining Wall	\$16,500.00	\$16,500.00
15	1700	SY	Concrete Sidewalk	\$30.00	\$51,000.00

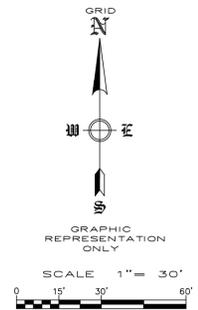
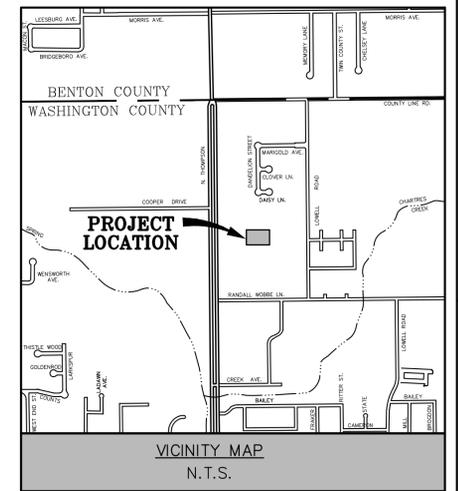
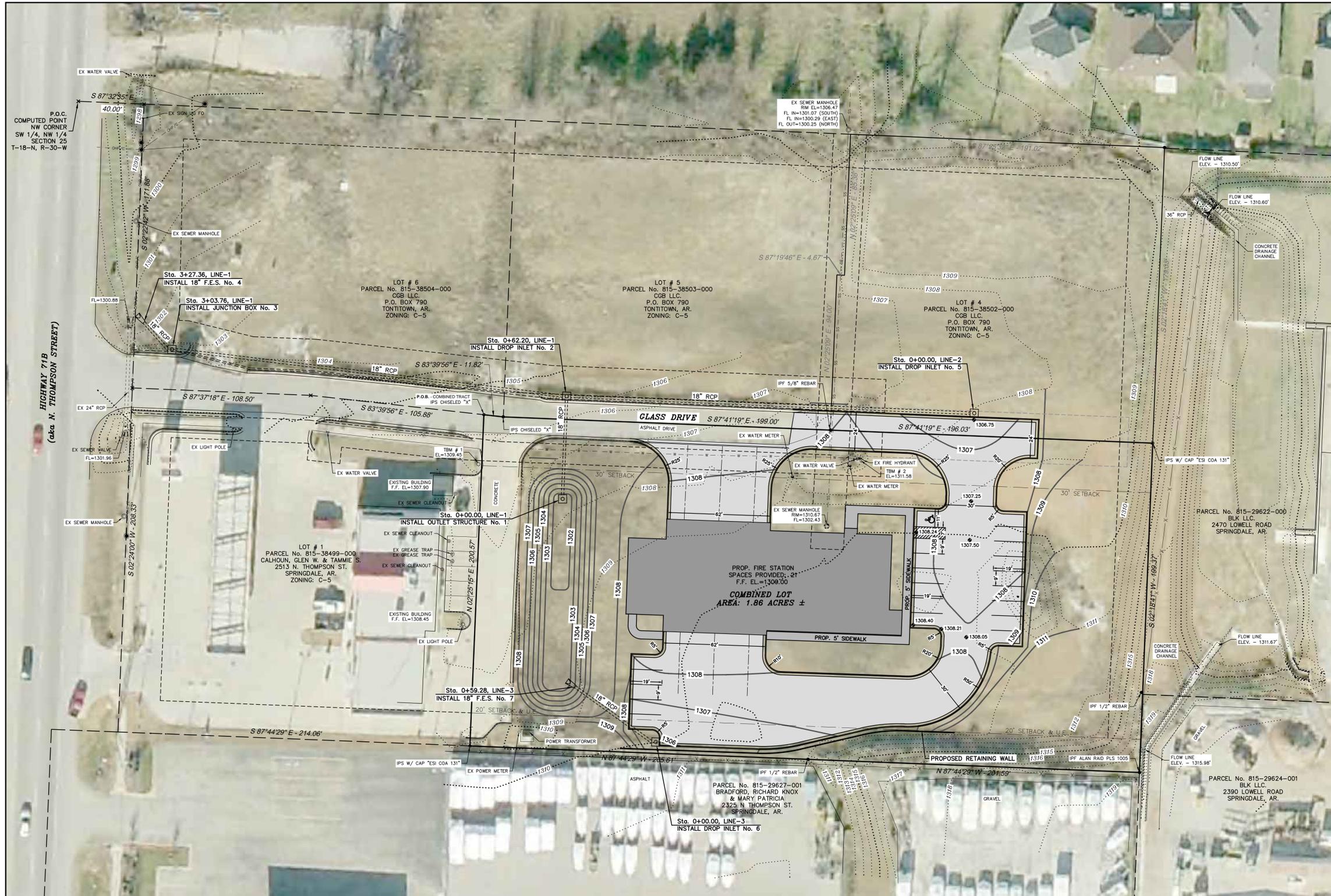
TOTAL - Sitework Improvements

\$579,900.00

*CONTINGENT UPON CITY APPROVALS.

*THE GEOTECHNICAL REPORT INDICATES THAT FILL MATERIAL EXISTS ON TOP OF COMPRESSIBLE SOILS ON A PORTION OF THIS PROPERTY. IT SHOULD BE NOTED THAT SETTLEMENTS GREATER THAN 1 INCH ARE ANTICIPATED TO OCCUR, INCLUDING DIFFERENTIAL SETTLEMENTS UP TO 1/2 INCH. REMOVING THIS COMPRESSIBLE SOIL ADDS CONSIDERABLE COST TO THIS ESTIMATE.

*ROCK EXCAVATION, EASEMENT ACQUISITION, AND RIGHT OF WAY ACQUISITION ARE NOT INCLUDED.



**FIRE STATION
CONCEPTUAL LAYOUT OPTION 9
SPRINGDALE, ARKANSAS**

REVISION	DATE	DESCRIPTION

SCALE: 1"=30'
 DATE: Jan, 2014
 ENGINEER: BM
 DRAWN BY: ---
 W.O. #: 12950

**ENGINEERS STATEMENT OF PROBABLE CONSTRUCTION COSTS
 FIRE STATION - GLASS DRIVE SITE
 SPRINGDALE, AR - 01/08/2014**

Item No.	Approx. Quantity	Unit	Item Description	Unit Price	Total Amount
1	4600	CY	Excavation & Haul Off	\$12.00	\$55,200.00
2	500	CY	Undercut and Backfill	\$19.00	\$9,500.00
3	500	CY	Embankment	\$12.00	\$6,000.00
4	340	LF	18" RCP	\$55.00	\$18,700.00
5	275	LF	24" RCP	\$65.00	\$17,875.00
6	1	EA	24" Flared End Section RCP	\$6,000.00	\$6,000.00
7	1	EA	18" Flared End Section RCP	\$5,500.00	\$5,500.00
8	3	EA	Drop Inlet	\$6,500.00	\$19,500.00
9	1	EA	Outlet Structure	\$7,500.00	\$7,500.00
10	450	SY	Class 7 Base Course 6" Thick (Asphalt)	\$7.00	\$3,150.00
11	2500	SY	Class 7 Base Course 4" Thick (Concrete)	\$5.00	\$12,500.00
12	350	SY	Asphaltic Concrete Surface Course (3" Thick)	\$17.00	\$5,950.00
13	2100	SY	Concrete Paving (Unreinforced)	\$60.00	\$126,000.00
14	1200	LF	Concrete Combination Curb and Gutter	\$11.00	\$13,200.00
15	1	LS	Retaining Wall	\$15,000.00	\$15,000.00
16	1300	SY	Concrete Sidewalk	\$30.00	\$39,000.00

TOTAL - Sitework Improvements

\$360,575.00

*CONTINGENT UPON CITY APPROVALS.

*ROCK EXCAVATION, EASEMENT ACQUISITION, AND RIGHT OF WAY ACQUISITION ARE NOT INCLUDED.

THE JONES TRUST

And

THE
Jones[™]
CENTER

A proposal of in-kind support made to:

The City of Springdale

December 18, 2013

The Jones Trust

The Jones Trust is a Charitable Operating Foundation founded by the late Harvey and Bernice Jones of Springdale. The Jones Trust currently has over 550,000 square feet of specialty space that include **The Jones Center For Families, Center for Nonprofits @ The JTL Shops and The Harvey Jones Education Building, all located in Springdale, and The Center for Nonprofits @ St. Mary's in Rogers.** Rent is charged to community service organizations at below market lease rates, offering a "One Stop Serve" environment of community service organizations.

The Jones Center:

Bernice Jones had a dream of providing a regional center where people of diverse backgrounds could access quality recreational and educational offerings. She founded The Jones Center in 1995, repurposing the 220,000 square foot former Jones Truck Line Terminal Building. The mission of the Center is to serve families, strengthen community and serve God, making it a better place to live. Our vision is a premier destination where all are welcome to "learn, play and belong."

The indoor Pools Complex & Ice Arena, Gym and Fitness Center are at the core of Bernice's mission to improve the *Quality of Life* for families in Springdale and across NWA. Another core program of the Center is providing affordable meeting space to the community with our low-cost room rates for nonprofits and community groups. Youth programs, such as our summer day camp and after-school programs, are the Center's other core objective. The Jones Center serves as an anchor to downtown Springdale and will be a trailhead on the new Razorback Greenway Trail system.

Business Model and Accessibility:

The Jones Trust and The Jones Center remain separate 501(c)3 legal entities. The Jones Center's annual operating budget is \$3.5 million. We are in the second full year of a new business model as we work towards financial sustainability of The Jones Center. Revenue streams now include day-use fees, memberships, room rentals, lease agreements, grants and major gifts, individual giving, giving circles, corporate sponsorships & naming opportunities, and special fundraising events like our 7th annual Golf Outing and the Big Night gala. A 20-member Development Council of regional professionals works closely with the Jones Trust board and Advancement Department to raise operational funding for the Center. The Jones Trust board will expand from 8 to 10 community leaders in January 2014.

Essential to the business model is the formation of collaborative partnerships to provide high quality programs to the community while reducing the Center's direct costs. Youth Programs are provided in the Center by Camp War Eagle, Youth Strategies and the Schmieding Foundation; Healthy Living Programs by the American Red Cross; and Educational Programs by NWACC and NTI. In 2014, Ozark Education is preparing to open a preschool in the Center.

In October 2012, the Center transitioned to a Recreational Membership business model. Memberships offer a better financial value for our regular patrons, generates revenue for the Center, and provides the ability to capture high quality usage data and demographics. The Jones Center is still one of the best values in the region.

Accessibility is of extreme importance to our Trust board and staff. To continue to be accessible to the low income segment of the Springdale and Northwest Arkansas population, we will continue to offer membership and program scholarships.

Area of need:

One challenge we face is keeping The Jones Trust properties in pristine and efficient working order. For example, The Jones Center is in its 18th year and there are a number of building infrastructure updates that need to take place. The Jones Trust has embarked on a capital improvement plan to address the needs of the Springdale Campus. This includes many “back of the house” improvements focused on reduction of our long-term operating expenses. The total cost of the capital improvements in Springdale will exceed \$3.0 million. The capital improvements include new boilers, new building controls, new HVAC equipment, removal of the berm around the Harvey Jones Health Education Building, improvements to the playgrounds and Community Park, conversion of the former ropes course to youth soccer fields and many other amenities necessary to best serve the community.

Reasons for City Support:

Many Springdale citizens use The Jones Center on a regular basis, and substantially benefit from our services and those offered by our onsite collaborative partners. In addition, hundreds of thousands benefit from the services offered through our community partners at the Center for Nonprofits @ The JTL Shops and the Harvey Jones Health Education Building. Our facilities are home to organizations such as Community Clinic, Children’s Safety Center, EOA of Washington County, Arkansas Support Network, CCOA, Arkansas Department of Health, Child Care Aware of NWA, Arkansas Crisis Center, the Springdale Schools ALE program and many others. Many of these nonprofits are in or entering a critical period where Federal grants are uncertain, funding levels are reducing, and a renewed focus on sustainable operations is necessary. These organizations are able to focus on service to the community because of the below market rents that are paid.

Challenging economic times have not allowed the Jones Trust to make the necessary parking repairs as we have focused on our own sustainability without having to raise rents of our community partners. As previously noted, the Jones Trust is in the middle of a three year capital improvement plan where we are making investments into our “back of the house” equipment and infrastructure in order to reduce our daily energy and utility costs by 5-7%. This focus is critical to maintaining low expenses to our community partners, but does not make funds available for parking repairs that are needed.

Request of the City of Springdale:

We respectfully request support from the City of Springdale in the form of in-kind assistance with parking lot improvements, consisting of the milling and new surfacing of the west parking lot of The Jones Center and the east and west access drives to the Center for Nonprofits @ The JTL Shops (See attached sketch). This access and parking are in poor condition and yet are heavily used by the Springdale and NWA community as they visit The Jones Center and the 40 nonprofits in the Jones Trust buildings on Emma Avenue. In addition, these access roads and parking lots are used by the general public when accessing the community park, when attending both Springdale High School swim meets and practices, as well as for staging for parades on Emma Avenue. When repaved, these lots will provide excellent overflow parking for events in Downtown Springdale in the future. We believe the cost to the City of these improvements will be approximately \$100,000.

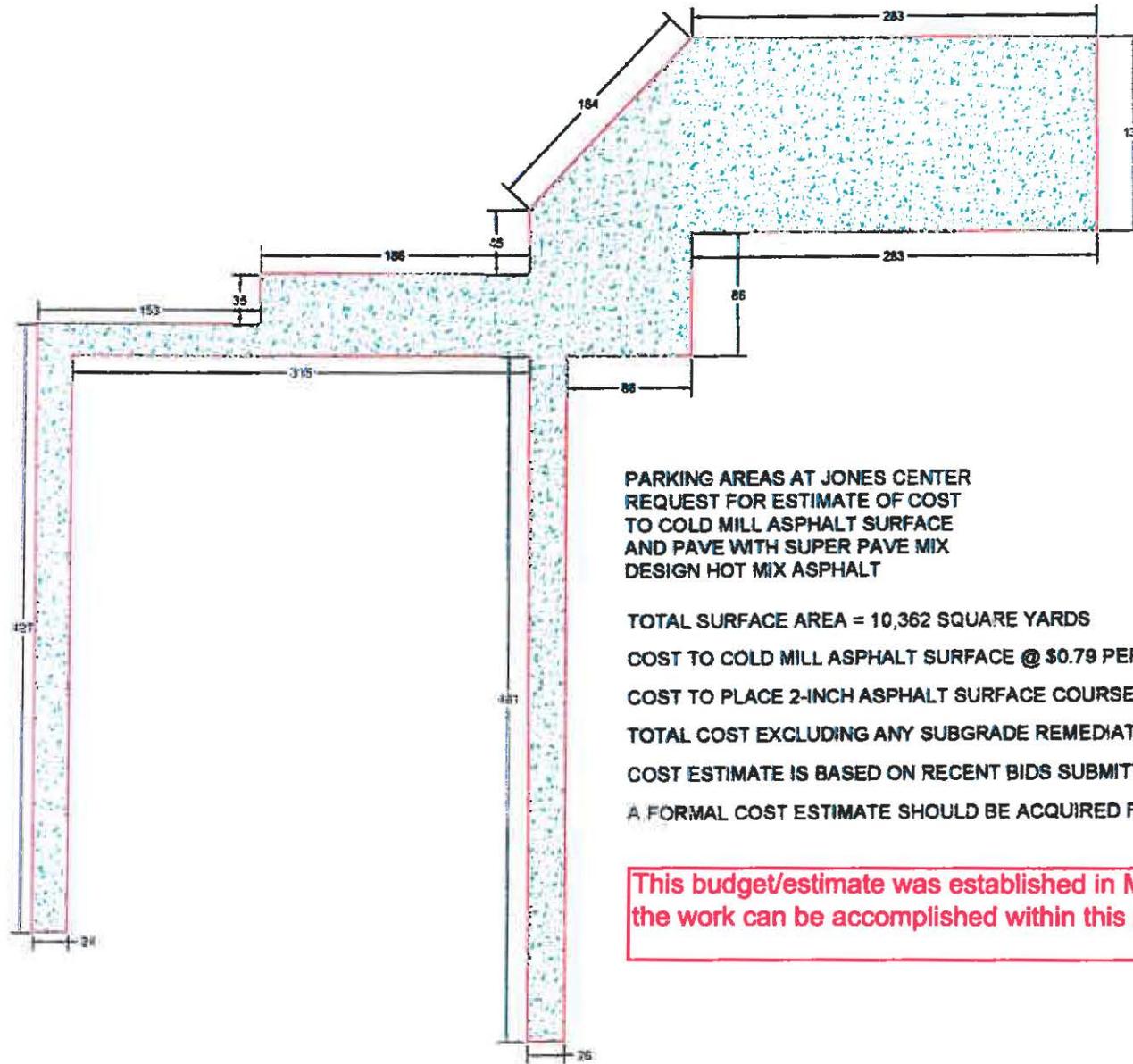
We also request support from the City of Springdale in the form of financial contributions in order to install a cover over the current outdoor basketball courts located in the Community Park area on the

west side of The Jones Center. This need is a result of increased structured program activities and new sports leagues using The Jones Center's gymnasium, causing the use of the exterior courts to significantly increase. This outdoor covered gym space will offer quality courts open and available to the residents of our community. Our Board of Directors and Management Staff feel these improvements could make a tremendous positive impact in this highly-diverse and low-income section of Springdale. Budgeted costs for this project are \$475,000, including engineering and construction costs.

I look forward to the opportunity to discuss in more detail the specifics of this proposal as well as make a formal presentation to the City Council for their consideration. Please don't hesitate to contact me with any questions at (479) 756-8090 ext. 2151 or eclifford@jonestrust.org.

Thank you for your important consideration,

Ed Clifford
Chief Executive Officer
The Jones Trust



**PARKING AREAS AT JONES CENTER
 REQUEST FOR ESTIMATE OF COST
 TO COLD MILL ASPHALT SURFACE
 AND PAVE WITH SUPER PAVE MIX
 DESIGN HOT MIX ASPHALT**

TOTAL SURFACE AREA = 10,362 SQUARE YARDS

COST TO COLD MILL ASPHALT SURFACE @ \$0.79 PER SQUARE YARD = \$8,185

COST TO PLACE 2-INCH ASPHALT SURFACE COURSE @ \$9.05 PER SQUARE YARD = \$93,772

TOTAL COST EXCLUDING ANY SUBGRADE REMEDIATION = \$101,957

COST ESTIMATE IS BASED ON RECENT BIDS SUBMITTED TO THE CITY OF SPRINGDALE IN 2011 AND 2012

A FORMAL COST ESTIMATE SHOULD BE ACQUIRED FROM AREA PAVING CONTRACTORS

This budget/estimate was established in May of 2012. We are still of the opinion that the work can be accomplished within this budget.



Bentonville Division

1801 SW Regional Airport Blvd., Bentonville, AR
Cell: 479.531.9846 • Office: 479.203.7550 • Fax: 479.203.7550

Mike Gilbert
Chief Operating Office
601-A E, Emma Ave, Suite K
Springdale, Ar. 72764

RE: *Jones Center Springdale, Ar.*

PROPOSAL

Mr. Gilbert,

Please accept the following proposal for **(FDR) of 11,513 sqft and re-install surface mix asphalt overlay of 1-1/2"**. Also, **AXYS Seal-Coating the entire parking lot along with re-strip (512,556 sqft)**. Prices and quantities were based on an onsite visit with yourself.

Full depth recycling or full depth reclamation (FDR), is a process that rebuilds worn out asphalt pavements by recycling the existing roadway.

Old asphalt and base materials are pulverized using a specialized machine called a re-claimer. On top of the pulverized material, water is added to reach the optimal moisture content for compaction and then a variety of materials, such as dry cement, lime, fly ash, or asphalt emulsion are incorporated for stabilization. A re-claimer is used again to mix all the materials. After shaping and grading, the new base is compacted to produce a strong, durable base for either an asphalt or concrete surface.

Since this method recycles the materials *in situ*, there is no need to haul in aggregate or haul out old material for disposal. The vehicle movements are reduced and there is no need for detours since it can be done under traffic, making this process more convenient for local residents.

FDR with cement saves money while preserving natural resources by using existing materials and conserving virgin aggregates. The road performance is improved through better stabilization, building a stronger, low-maintenance road that will last for many years.

With proper engineering and testing protocols the FDR process provides a design life-cycle of 30-years. It is important to note that FDR is a manufacturing process and not an installation. Other pavement materials, such as concrete, asphalt, or aggregate base go through a rigorous quality control program that meets a qualified standard prior to site delivery and contractor installation. The FDR process requires the same level of understanding and product controls during lab testing and field verification to meet long-term performance goals.

AXYS, a mix of asphalt emulsion, fine aggregate, and post-consumer and industrial waste, protects your investment, minimizes future maintenance treatments, and gets traffic back on the pavement sooner.

- Applies black and stays black
- Delivers consistent results
- Protects pavement from further degradation
- Lasts longer than similar products

GREEN

Corporate Office

P.O. Box 535457, Grand Prairie, TX 75053 • 3022 Roy Orr Blvd., Grand Prairie, TX 75050
Office: 972.263.3223 • Fax: 972.263.6551



Bentonville Division

1801 SW Regional Airport Blvd., Bentonville, AR
Cell: 479.531.9846 • Office: 479.203.7550 • Fax: 479.203.7550

- Contains the highest amount of recycled content to improve quality and performance
- May contribute to LEED and other environmental certifications

FAST

- Sets up fast
- Ready for traffic in 2 to 4 hours

COST-EFFECTIVE

- Extends the life cycle of your pavement

FDR with 1-1/2" surface mix overlay :..... (1LS) **\$ 77,757.00**

AXYS Seal-Coating and re-striping :.....(1LS) **\$ 35,687.00**

TOTAL FOR COMPLETE PROJECT: \$113,444.00

Please don't hesitate to contact me if you have any questions.

Thank you,

Daniel Duncan
Pavecon, Ltd.
1801 SW Regional Airport Blvd.
Suite #7
Bentonville AR 72712
(O) 479-203-7550
(C) 479-270-3142



www.pavecon.com

Corporate Office

P.O. Box 535457, Grand Prairie, TX 75053 • 3022 Roy Orr Blvd., Grand Prairie, TX 75050
Office: 972.263.3223 • Fax: 972.263.6551



Asphalt Paving/Crushed Limestone



www.hutchensconstruction.com

Main Office: 1007 Main Street
 Cassville, MD 65625
 phone (417) 847-2469
 fax (417) 847-5563
 Toll Free (888) PAVEIT2 - (888) 728-3482

Springdale Office: 515 Sanders Ave
 Springdale, AR 72764
 phone (479) 927-0000
 fax (479) 927-0096

Quote To: JONES CENTER
 922 E. EMMA
 SPRINGDALE, AR
Attn: MIKE GILBERT
Phone: 756.8090
Fax:
Mobile:

Job Name: JONES CENTER OVERLAY
Job Location: SPRINGDALE, AR
Proposal Date: 7.18.12
Bid Date:
Addendum#/Date:
Plans By: VISUAL INSPECTION

Owner:

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
10	MILLING AT EDGES AS REQUIRED FOR TRANSITION	3,700.00	LF	1.90	7,030.00
20	PREP WORK - PARKING BLOCKS, SPEED BUMPS	1.00	LS	1,200.00	1,200.00
30	EXC. & INSTALL 8" REINFORCED CONCRETE @ DUMPSTER	1.00	LS	13,000.00	13,000.00
40	INSTALL 2" SURFACE ON PREPARED PARKING LOT	10,400.00	SY	7.25	75,400.00
50	INSTALL PARKING BLOCKS	11.00	EA	115.00	1,265.00
GRAND TOTAL					\$97,895.00

NOTES:

***ALL MILLING TO BE PERFORMED IN ONE MOBILIZATION PER YOUR INSTRUCTIONS. PAVING TO OCCUR THE FOLLOWING DAYS WEATHER PERMITTING.
 HUTCHENS CONSTRUCTION NOT RESPONSIBLE FOR ANY LIABILITY OR DAMAGES THAT MAY OCCUR ON THE PROJECT.

***PARKING BLOCK PLACEMENT IS BASED ON INSTALLING NEW BLOCKS AS EXISTING BLOCKS ARE USUALLY BROKEN IN THE REMOVAL PROCESS. ANY EXISTING BLOCKS THAT CAN BE REUSED WILL RESULT IN A \$25 CREDIT FOR EACH.

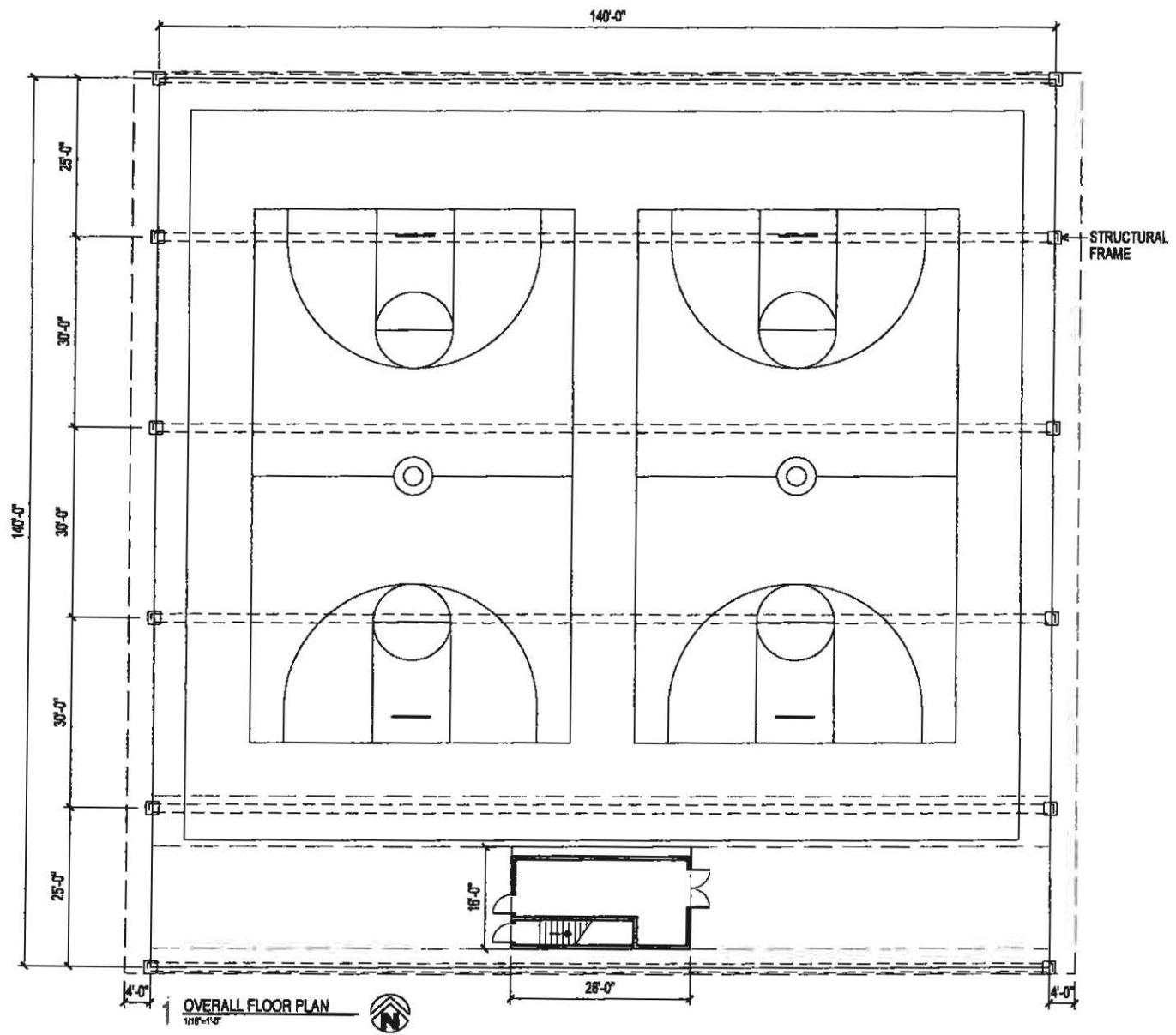
**AS DISCUSSED, WE WILL NEED TO CLOSE AN ENTRANCE AT A TIME TO PAVE, ALSO THE AREA BY THE CLINIC AND THEN THE AREA BEHIND THE JONES CENTER. ALL PAVING SHOULD BE ABLE TO BE COMPLETED IN 2 DAYS.

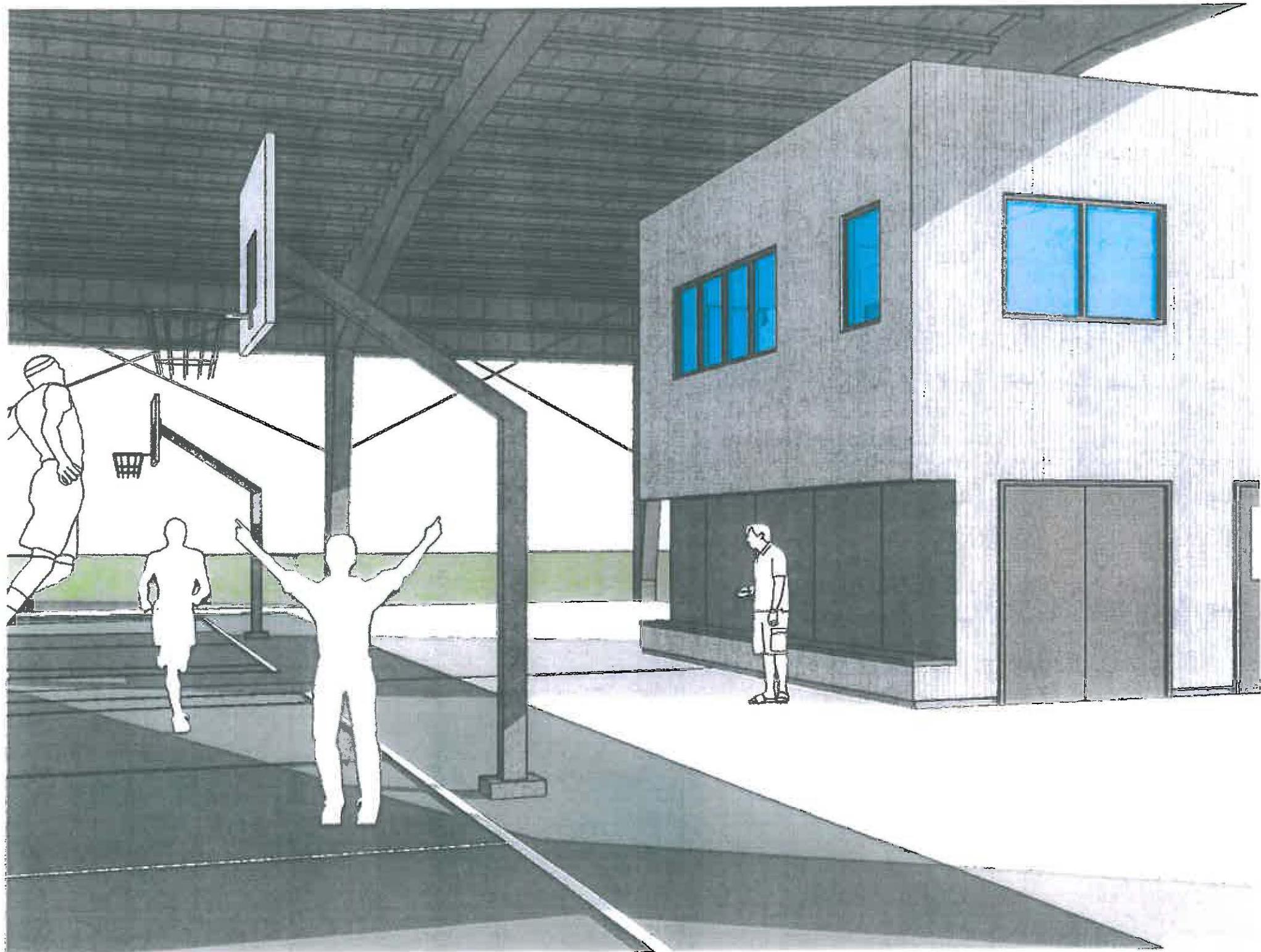
Miscellaneous Notes

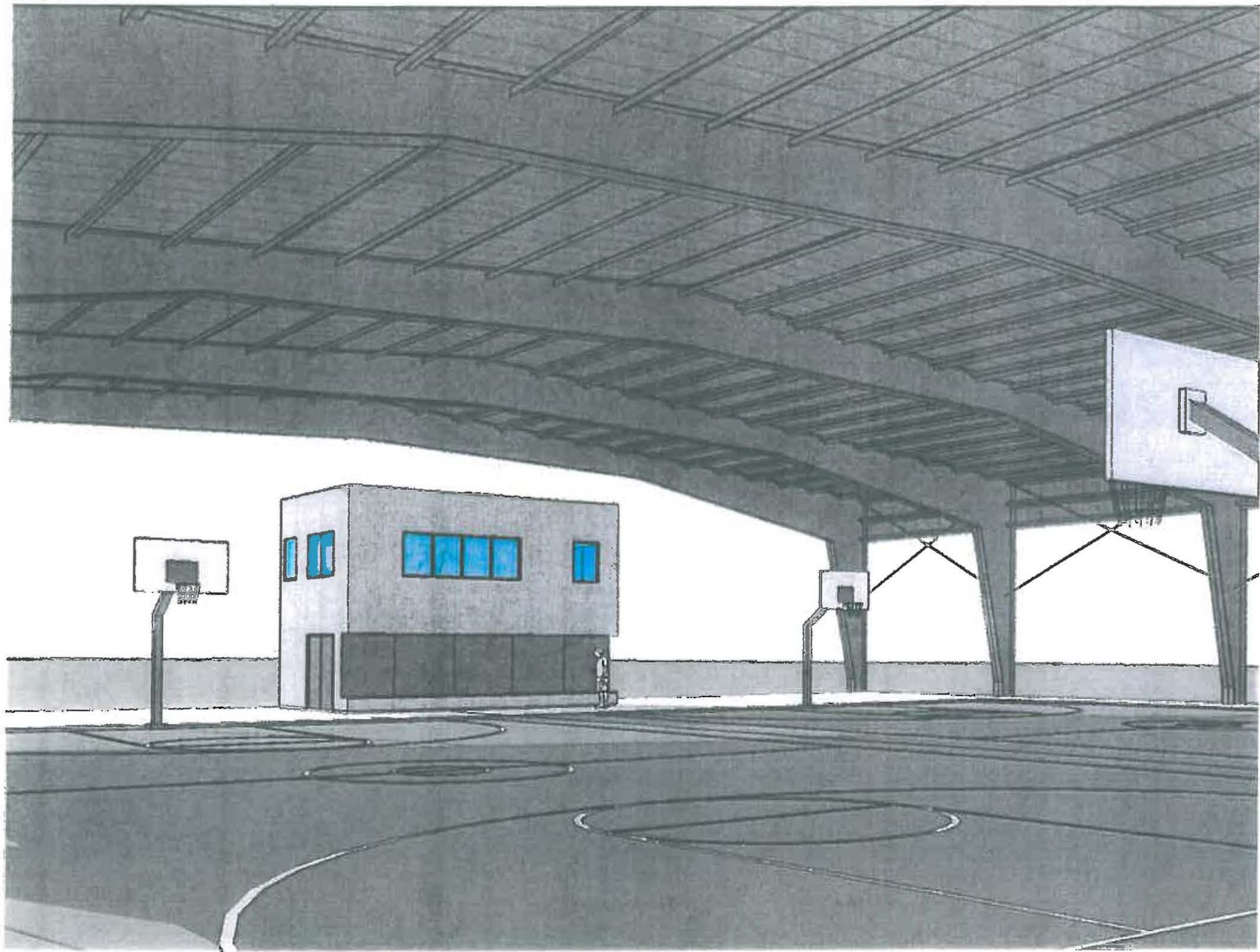
Hutchens Construction Co., Inc. is not to be held responsible for drainage problems where the percent of fall is less than 2%. If after paving, corrective action is required on these areas, compensation in the form of time and materials will be required.

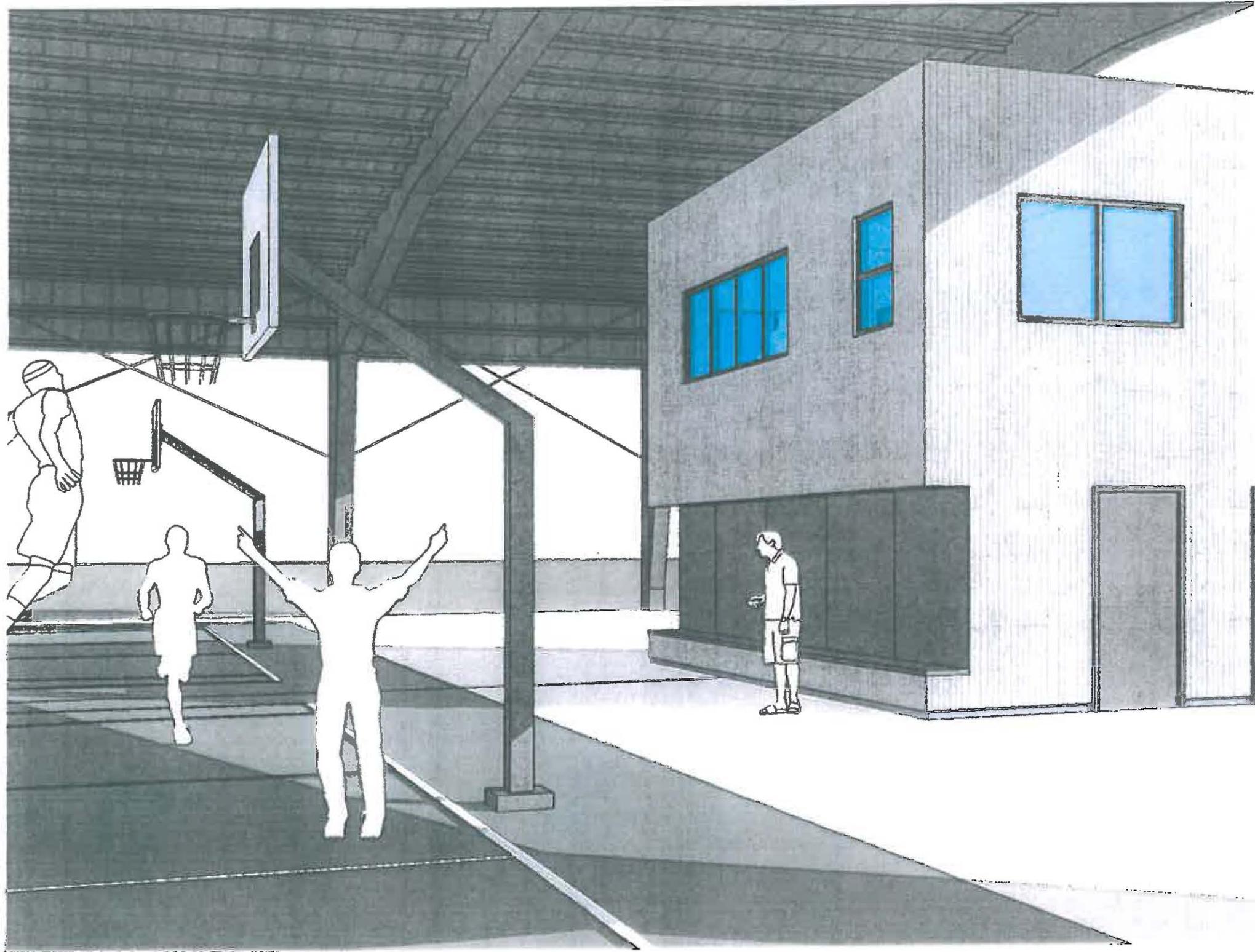
*****Final payment to be based on actual installed quantities.*****

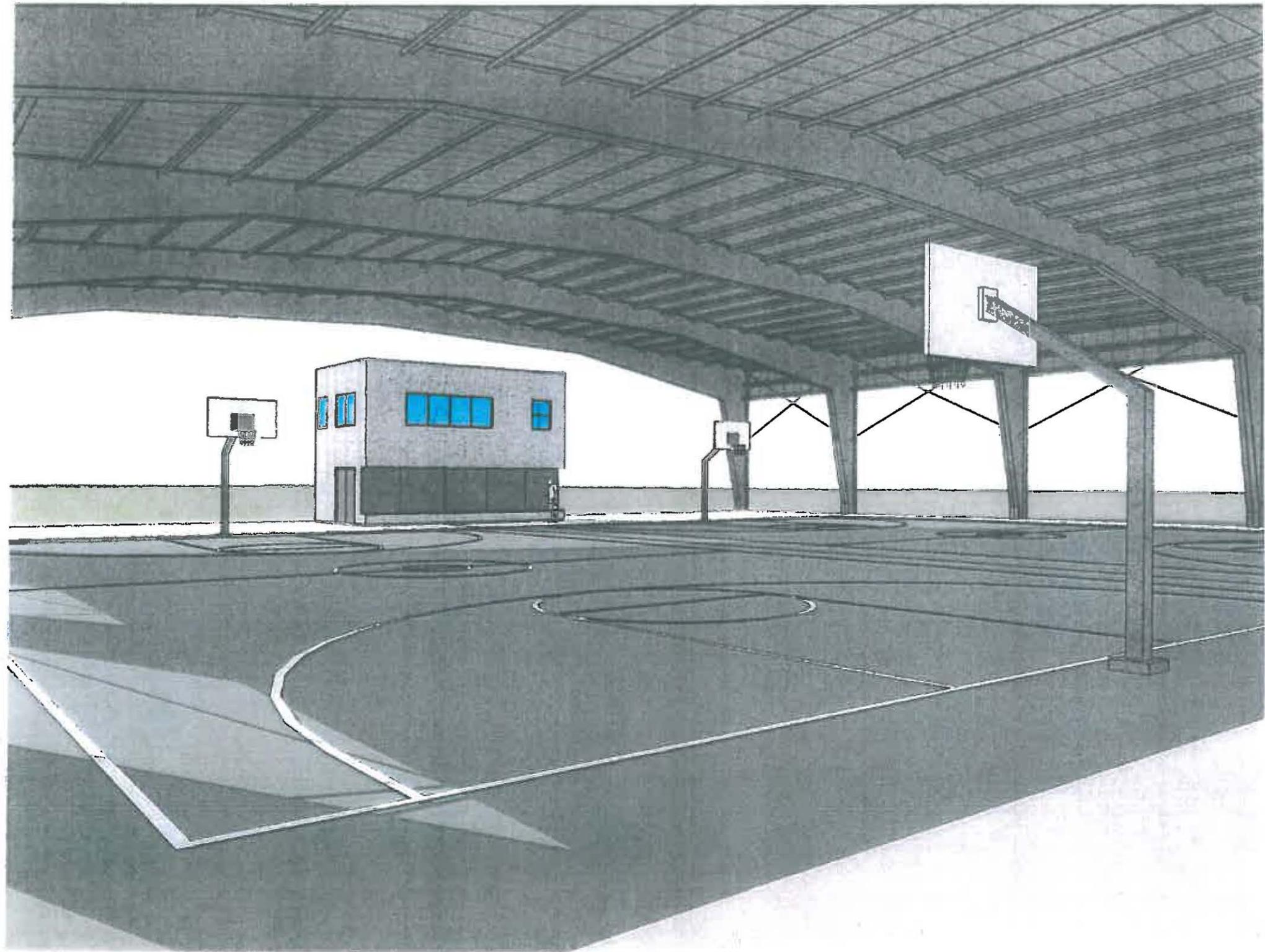
*Unless specifically listed above, prices do not include construction control, testing, bonding or construction signs, except for those required in our flagging operations.

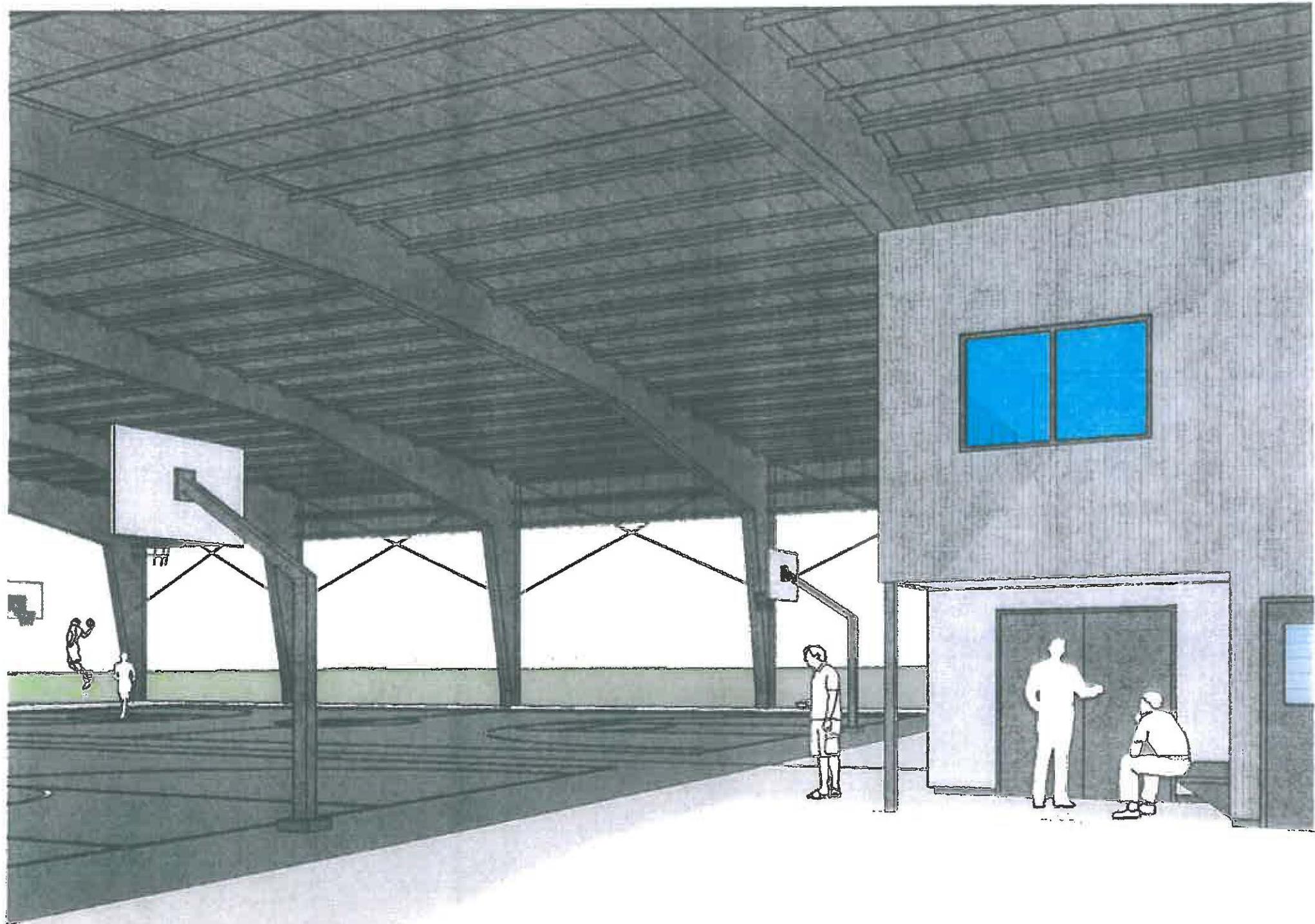


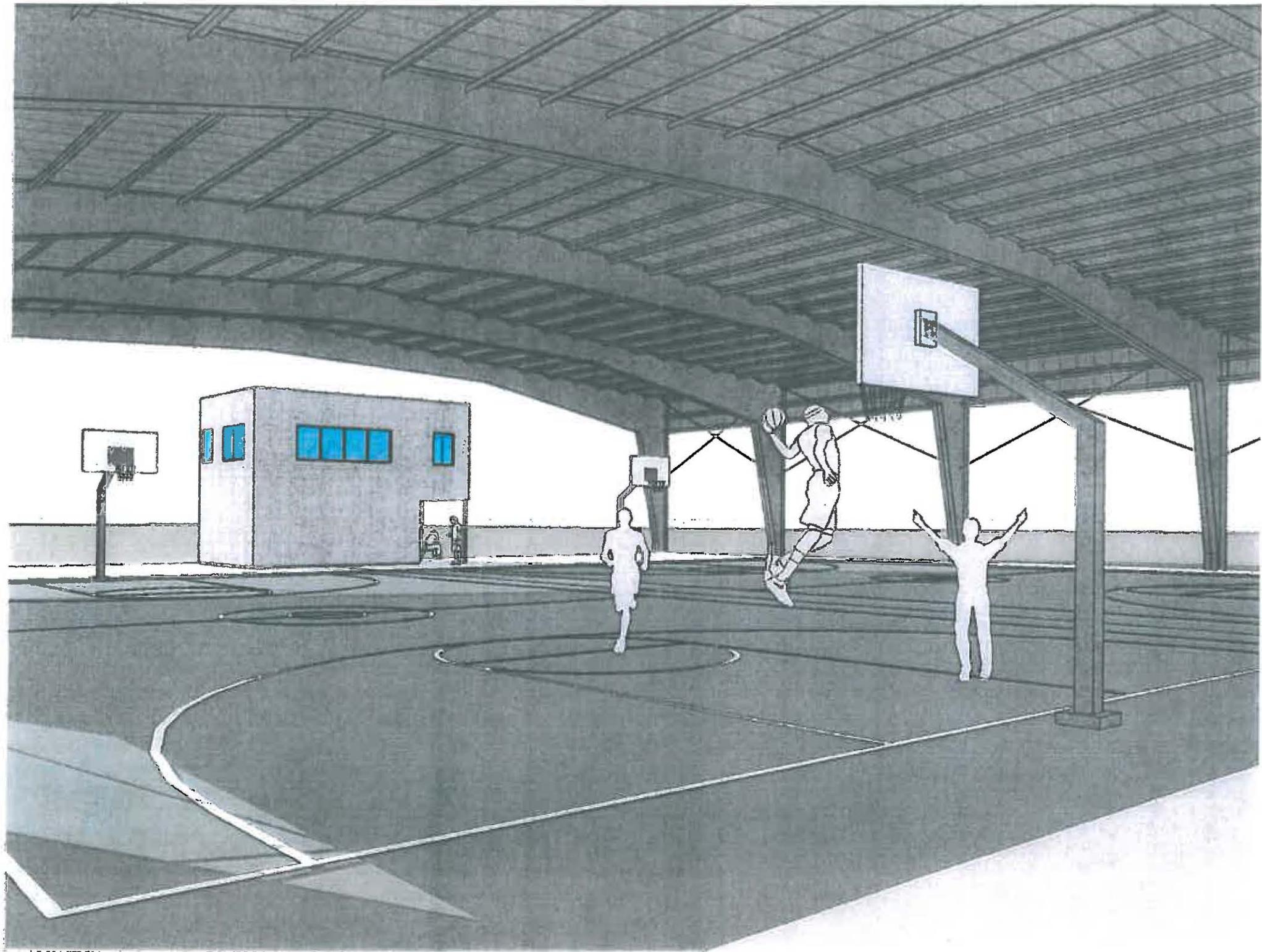












RESOLUTION NO. _____

A RESOLUTION AMENDING SECTION 4.10 OF THE PERSONNEL AND PROCEDURES MANUAL FOR THE CITY OF SPRINGDALE, ARKANSAS

WHEREAS, on January 14, 2014, the City Council for the City of Springdale, Arkansas, adopted a Resolution amending Section 4.10 of the Personnel and Procedures Manual for the City of Springdale, Arkansas, to create "On-Call" pay for certain City employees;

WHEREAS, certain employees of the Springdale Police Department should be included in the list of employees entitled to "On-Call" pay, pursuant to Section 4.10 of the Personnel and Procedures Manual for the City of Springdale, Arkansas;

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

Section 1: Section 4.10 of the Personnel and Procedures Manual for the City of Springdale, Arkansas is hereby amended to read as follows:

4.10 Additional Compensation for Certain Employees:

In addition to regular pay, including any holiday compensation, certified full-time paramedics of the Springdale Fire Department shall receive an additional salary compensation, to be determined by the City Council. Those full-time firefighters who are members of HAZMAT shall receive additional compensation in an amount to be determined by the City Council.

Police officers who have attained any certificate, except the Basic Certificate, under the Arkansas Commission on Law Enforcement Standards, shall receive an additional compensation each month for each certificate earned above the "Basic Certificate," and said compensation amount shall be set by the City Council.

Animal Control Officers, employees of the Information Technology Department, and employees of the Public Works Signalization Division, and designated employees of the Police Department shall receive additional compensation of \$15.00 per day when required to be "On-Call" after normal work hours. The designated employees of the Police Department entitled to "On-Call" compensation shall be: 1) Criminal Investigation Division Sergeant; 2) Criminal Investigation Division Detective; 3) In-House Narcotics Detective; 4) Drug Enforcement Agency Detective; and 5) 4th Judicial Drug Task Force Detective.

All additional pay set out in this policy is paid bi-weekly, and such compensation is set out on the employee's paycheck.

Section 2: All other provisions of Section 4 not specifically modified herein shall remain in full force and effect.

PASSED AND APPROVED, this _____ day of _____, 2014.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney



CITY of SPRINGDALE

POLICE DEPARTMENT

CRIMINAL INVESTIGATIONS DIVISION

7 January 2014

To: Chief Kathy O'Kelley
From: Captain R. Farris and Lt. Scott Lewis
Ref: Estimated on call cost

1. Criminal Investigation Division: one Sergeant and one Detective are on call every day of the year.

$365 \times \$30.00 = \$10,950$

2. In-House Narcotics Detective: One Detective on call to respond to Potential Seized Property or Intelligence Debriefing.

$365 \times \$15.00 = \5475

3. Drug Enforcement Agency Detective: currently on call one week every seven weeks.

$56 \text{ days (8 weeks)} \times \$15.00 = \$ 840$

4. 4th Judicial Drug Task Force Detective: currently on call one week a month.

$84 \text{ days (12 weeks)} \times \$15.00 = \$1,260$

****Depending on manpower at the DEA and 4th these numbers could change.****

Grand Total estimated cost per year: \$ 18,525

ADMINISTRATION BUILDING, 201 NORTH SPRING STREET, SPRINGDALE, ARKANSAS 72764
(479) 756-8200

CRIMINAL INVESTIGATIONS DIVISION

RESOLUTION NO. _____

**A RESOLUTION AMENDING THE 2014
BUDGET OF THE CITY OF SPRINGDALE
POLICE DEPARTMENT**

WHEREAS, the City of Springdale Police Department received \$7,360.38 from the City of Fayetteville for reimbursement of training costs for one of our officers that resigned and went to work for the Fayetteville Police Department after attending the Arkansas Law Enforcement Academy; and

WHEREAS, this money was deposited in the 2013 Miscellaneous Revenue account and the Police Chief has requested this revenue be allocated to the Police Department's 2014 budget and placed in the Operational Supplies account, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the 2014 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	10105014216002	Operational Supplies	115,000	7,360		122,360

PASSED AND APPROVED this 28th day of January, 2014.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

MEMO

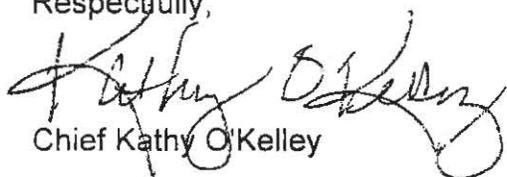
Date: 1/6/14
To: Wyman Morgan
From: Chief Kathy O'Kelley
Re: Revenue Transfer

Wyman:

On 12/31/13 the City of Springdale received reimbursement per Arkansas Statute 12-9-209 from the Fayetteville Police Department (FPD) for the training cost for Officer Brandon Abrams. Officer Abrams resigned from the Springdale Police Department to accept employment with the Fayetteville Police Department shortly after attending the Arkansas Law Enforcement Academy.

The reimbursement of \$7,360.38 was deposited in a 2013 Miscellaneous Revenue account. I am requesting this revenue to be allocated to the Police Department's 2014 budget and placed in 60-02, Operational Supplies.

Respectfully,


Chief Kathy O'Kelley

Memo 60-02 OPERATIONAL Supplies

STATEMENT

DECEMBER 17, 2013

FAYETTEVILLE POLICE DEPARTMENT
ATTN: ACCOUNTS PAYABLE
100 W. ROCK STREET
FAYETTEVILLE, AR 72701

RE: REIMBURSEMENT FOR TRAINING COSTS
OFFICER BRANDON ABRAM

SALARY AND BENEFITS \$ 7,360.38
(July 29th - October 18th)

TOTAL DUE \$ 7,360.38

PLEASE MAKE CHECK PAYABLE TO:
CITY OF SPRINGDALE

MAIL PAYMENT TO:
CITY OF SPRINGDALE
ATTN: LAURA FAVORITE
201 SPRING ST.
SPRINGDALE, AR 72764

CITY OF SPRINGDALE
*** CUSTOMER RECEIPT ***

Batch ID: CITYCLERK 12/31/13 01 Receipt no: 11881

Type	SvcCd	Description	Amount
MP		MISC/ACCT # REQUIRED	
	Qty	1.00	\$7360.38

CITY OF FAYETTEVILLE
OTHER INCOME / MISC 10105013810000
POLICE DEPT - REIMB SALARY &
BENEFITS - B ABRAM

Tender detail

CK Ref#:	415381	\$7360.38
Total tendered:		\$7360.38
Total payment:		\$7360.38

Trans date: 12/31/13 Time: 16:18:52

THANK YOU FOR YOUR PAYMENT



Public Works Department

Streets and Public Facilities

MEMORANDUM

Date: January 16, 2014
To: Mayor Doug Sprouse
From: Sam Goade 
RE: Snow/Ice Removal Equipment and Material Storage Building
CC: Finance Committee Chairman

I have attached documentation that shows the equipment and infrastructure required for Public Works to adequately implement our new roadway pretreatment program. The equipment categories are as follows:

1. Snow Plow with ice scarifier and squeegee
2. Fixed Angle Underbody Scraper
3. Integrated Granular/Pre-wet/Direct Liquid Application Spreader
4. In-Cab Controls for Plows and Material Spreader and Hydraulic System
5. Salt Storage Building (general size) final configuration including liquid storage, mixing and conveying equipment to be determined by consulting engineering study in partnership with Public Works

We need 2 each of items 1-4. The attached quotes are for one (1) unit. Therefore, the cost for all of the required equipment is as follows:

Item 1.	\$18,700 each.	Total for two (2)	\$37,400
Item 2.	\$8,751 each	Total for two (2)	\$17,502
Item 3.	\$36,117 each	Total for two (2)	\$72,234
Item 4.	\$14,988 each	Total for two (2)	\$29,976
Total cost for all equipment			\$157,112

I have also attached the maps showing our snow/ice treatment/ removal routes divided by wards. With five (5) spreader trucks and five (5) snow/ice plows we could complete our major pretreatment routes in 1.5 to 2.0 hours then start working on the streets in our four (4) wards.

I am also seeking permission to engage the services of a consulting engineering firm to assist me with a study for construction of the bulk salt storage building. The consulting engineering services would address all of the issues and regulations required for construction of the building foundation, pad, sidewalls, collection of salt laden moisture runoff, and foundations for liquid storage tanks, tank sizing and associated liquid pumping design plus all of the associated Federal, State and City environmental and building construction requirements.

Public Works will partner with the consulting engineer such that our personnel can contribute to construction of certain aspects of the project such as the site plan preparation, building and liquid storage tanks foundation and pad layout and construction, placing and assembly of the liquid storage tanks and other associated aspects of the project with the exception of the actual construction of the salt storage building. Our participation in construction of the project will result in considerable savings on this project. My best estimate for the cost of the salt storage/liquid storage project including the cost of the consulting engineering services is \$130,000 to \$140,000.

With the additional equipment and material storage facilities the City of Springdale will be ready to fight future winter storm events at a level that our citizens and visitors now expect.

Grand Truck Equipment Co, LLC

**451527 Sparrow Hawk Circle, Afton, OK 74331 - Fax 918.782.1011
Cell 816.665.3394 - Email pcarrott@gmail.com**

QUOTATION

January 14, 2014

TO: Sam Goade
Springdale Public Works
269 Randall Wobbe Lane
Springdale, AR 72764

From: Phil Carrott

RE: Henderson 10' HD Snow Plow

Henderson Model RSP 36-10-TE – SnoFoe Reversible Snow Plow – Trip Edge

10' overall length
36" overall height
Weight approximate 1750lbs

One piece moldboard construction - 10 ga. 304SS steel construction
Level lift design allows the plow to remain level with road in any position with a
Henderson hitch

Integral moldboard shield

Torsion spring trip edge Moldboard trip with adjustable
Standard circle frame with *outboard* mount angle cylinders
Five moldboard-to-push frame pivot points with 1 1/4" bushings pinned to two
5/8" mounting ears.

8 – 1/2" x 3 1/2" edge rolled ribs

4" x 4" x 3/4" reinforced bottom angle

3 1/2" x 2 1/2" x 3/8" top angle

3/4" x 6" **Carbide** cutting edge with cover blade - AASHO punched

Single wrap around **Curb Guard**

96" push frame with **Parking Jack – screw adjustable**

Push frame semi-circle 3 1/2" x 3 1/2" x 1/2" angle welded to 4" x 4" x 3/8"
structural tube.

All seams continuous welded

Phosphate cleaned and degreased before powder paint

Powder Coat - Highway Orange back, front SS

Accepted by:

PO#

Please fax to Phil Carrott, 918-782-1011

Terms: Credit card or COD

Grand Truck Equipment Co, LLC

**451527 Sparrow Hawk Circle, Afton, OK 74331 – Fax 918.782.1011
Cell 816.665.3394 - Email pcarrott@gmail.com**

Page 2 -- City of Springdale Public Works

Integral moldboard shield – curvature designed to improve
snow movement minimizing “drift” and snow blow over
(Not a bolt on type shield)

12” Rubber Deflector – installed

36” Side Markers - 3/8” galvanized cable reinforced

8” Caster wheels – with screw jack adjustment

Quick Hitch Plow Portion -installed on plow

Pushframe and hitch components Powder Coated Black

Quick Hitch truck portion – manual tilt

allows hood to tilt - hitch width 30.5” center to center

Bumper to frame mounting kit

Hydraulic lift cylinder **4” x 2” x 10”** – Nitrided Lift Cylinder

(2) **3” x 1 ½” x 16”** reversing nitrided cylinders with cushion valve

TOTAL FOB Springdale, AR \$13,162.00

OPTION:

Air operated trailing Squeegee Blade (installed on plow) \$ 3,960.00

Air operated Scarifier (mounts in front of Squeegee) \$ 1,578.00

DELIVERY: 60 - 75 Days ARO

WARRANTY: 12 month full warranty on plow supplied by Henderson Products

PAYMENT: Full payment required on delivery of snow plow & hydraulics

TAXES: Subject to Arkansas Sales Tax

Accepted by:

PO#

Please fax to Phil Carrott, 918-782-1011

Terms: Credit card or COD

SNOW REVERSIBLE PLOW FOE™ SERIES

Henderson

Henderson puts you in the fast lane with your snow and ice control program.

Whether it be city, rural or interstate highway snow and ice control, the Henderson SNOWfoe Series reversible plow takes an adversarial attitude toward the most demanding conditions. This entry into the snow and ice control field comes with an impressive pedigree: Henderson has long been recognized as a leader in spreaders and pre-wetting equipment, and the Mark Series of dump bodies is legendary.

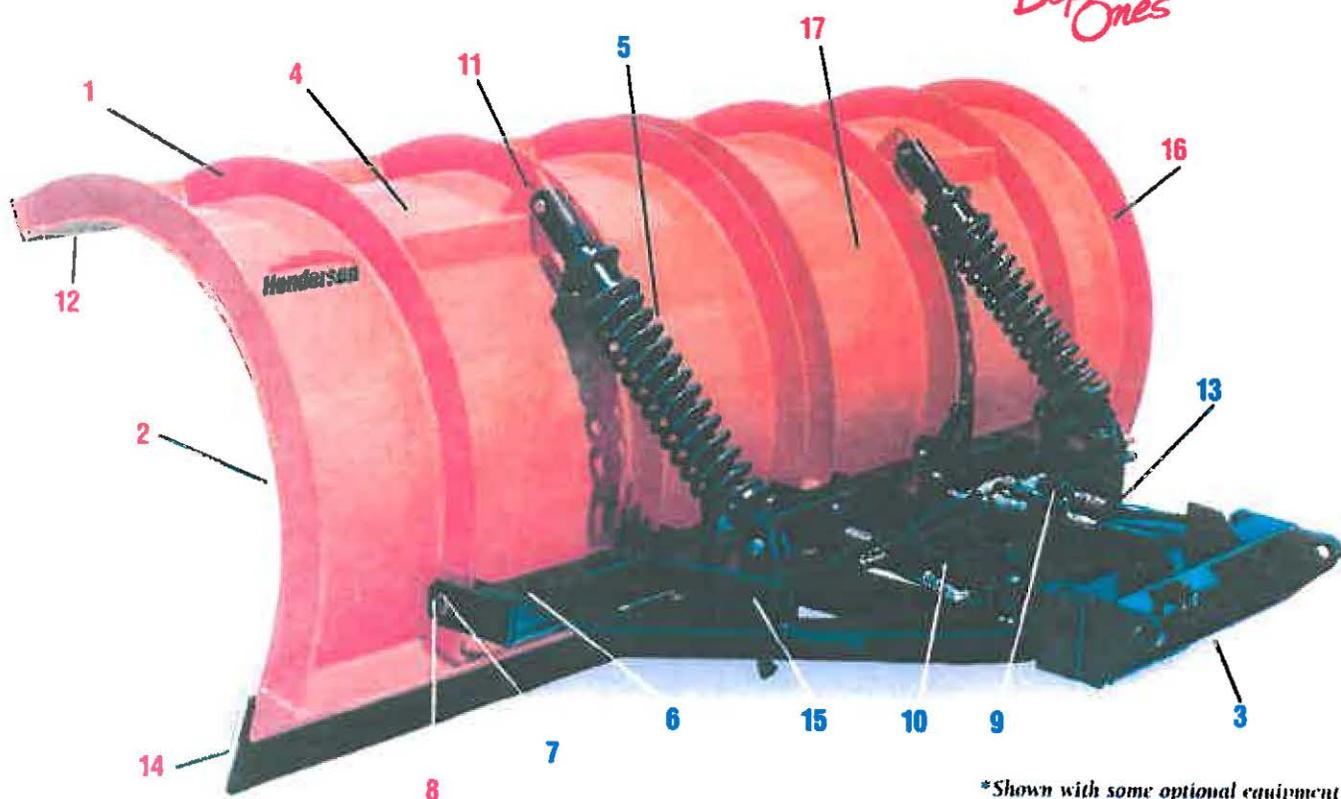
Designed from the ground up, the Henderson SNOWfoe series reversible plows are state-of-the-art. They're designed to manhandle snow and ice and to last longer while they're doing it.

Many innovative features have been engineered into the SNOWfoe Series to provide you with a plow that moves snow and ice cleaner and quicker because its unique moldboard curvature rolls material out of the way smoothly and almost effortlessly. It is virtually self-cleaning with less chance for back-up and reduced drift to obscure driver vision.

Yet, they are priced to help you stay within budget on your initial purchase...and their ruggedness will surely serve you for years to come.

Once again, you can rely on...

The Dependable Ones



*Shown with some optional equipment

- 1 Light 1/2" x 3 1/2" edge-rolled ribs for extra strength and rigidity.
- 2 Moldboard curvature designed to improve snow moving capabilities while minimizing drift.
- 3 Supported by the Henderson Hitch, the plow in any position, remains level to the road.
- 4 One piece moldboard is rolled instead of break-formed presenting a smooth, clean surface for better material flow.
- 5 Two sets of adjustable compression springs limit tire/plow contact for a stable contact at the operating angle.
- 6 Extended mesh tube (14) longer than other makes gives greater blade stability.

- 7 Five moldboard-to-push frame pivot points more evenly distribute push force throughout the entire plow (six pivot points on adjustable cutting edge tips).
- 8 1-1/4" bushings are welded through ribs to provide greater pivot pin bearing surface and enhanced durability.
- 9 Plow-mounted cushion valve is standard.
- 10 Twin reversing cylinders are located along the push frame for protection against road debris.
- 11 Three position attack angle adjustment (5°, 10°, 20°) approx 5 to meet all snow and ice removal conditions.
- 12 Moldboard height measures from the road surface to inside of air - not top of ribs as with some manufacturers.

- 13 Twin 3 x 10" nitrided hydraulic cylinders are double-acting for heavy-duty power reversing.
- 14 One piece 3/8" x 3/8" cutting edge gives extended wear.
- 15 Trip-spring anchor plates are encased and continuously welded to the push frame providing greater strength.
- 16 All parts are continuously welded which minimizes corner joint points.
- 17 All surfaces are high pressure cleaned and degreased with phosphate solution before powder coat Highway orange paint. Push frame assembly and hitch components are powder coat painted black.

FEATURES AND SPECIFICATIONS

TWO MAJOR TYPES OF TRIP DESIGNS TO MEET YOUR PLOWING CONDITIONS:

1) FULL MOLDBOARD TRIP

- Twin Compression Springs
- *Adjustable Twin Compression Spring Trip
- Cannon

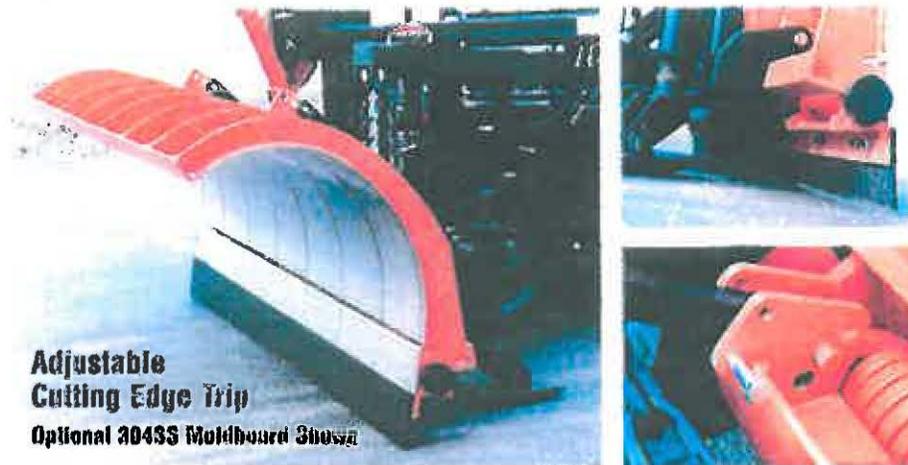
2) CUTTING EDGE TRIP

- One-piece adjustable torsion spring



*ADJUSTABLE TRIP TENSION MOLDBOARD

The exclusive, patented, Henderson five-position compression spring settings are easily adjustable to provide variable control of trip force for all snow and ice conditions. (OPTIONAL)



Adjustable Cutting Edge Trip
Optional 304SS Moldboard Shoes

ADJUSTABLE CUTTING EDGE TRIP FEATURES

- Five 3/4" Square Torsion Springs
- Zero insertion force for easy and SAFE spring replacement
- Each spring features individual three-position trip tension adjustment, wrench included
- Cutting edge trip design allows for "smoother" trip action and minimizes shock to the truck chassis and driver

AVAILABLE OPTIONS

- Rectangular Wear Shoes, Carbide Shoes, Mushroom Shoes, 8" and 10" Castor Wheels, Pneumatic Wheels, Moldboard Shoes
- Curb Bumper
- Wraparound Curb Guard
- Rubber Deflector
- Sight Markers
- Carbide Cutting Edge
- Rubber Cutting Edge
- Polymer Moldboard
- 3/16" Moldboard

- 3 x 2 x 10 Lift/Reversing Cylinder
- 4 x 2 x 10 Lift/Reversing Cylinder
- Integral shield extends a minimum of 19" beyond cutting edge

OPTIONAL 304SS MOLDBOARD SHEET

- More corrosion resistant
- Higher brinell hardness increases wear resistance
- 304SS has lower friction coefficient and allows snow to flow smoothly

Plow Model #	Length	Height	Approx. Wt./Lbs.
RSP-10-36-FI-ST	10'	36"	1750
RSP-10-42-FI-ST	10'	42"	1760
RSP-10-48-FI-ST	10'	48"	1790
RSP-11-36-FI-ST	11'	36"	1810
RSP-11-42-FI-ST	11'	42"	1830
RSP-11-48-FI-ST	11'	48"	1860
RSP-12-36-FI-ST	12'	36"	1875
RSP-12-42-FI-ST	12'	42"	1890
RSP-12-48-FI-ST	12'	48"	1925

CUTTING PATH

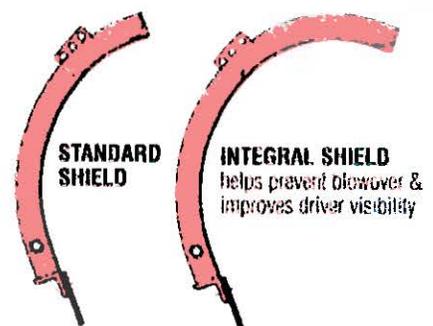
Cutting path at 35° for a 10' length is 8'2"
 Cutting path at 35° for a 11' length is 9'0"
 Cutting path at 35° for a 12' length is 9'10"

MOLDBOARD

- "Level lift" design allows the plow to remain level with road in any position when using Henderson Hitch
- 10GA Grade 50 rolled moldboard with 1/2" x 3-1/2" rolled ribs
- Continuous welded one-piece moldboard
- Reinforced 4" x 4" x 3/4" bottom angle
- 3-1/2" x 2-1/2" x 3/8" top angle with holes to allow moisture to escape
- Two horizontal braces for added rigidity
- Attack angle is adjustable to 5°, 10° and 20°
- 5/8" x 8" one-piece cutting edge with AASHO punching is standard

PUSH FRAME

- Push frame width is 96"
- Semi-circle is 3-1/2" x 3-1/2" x 1/2" angle welded to 4" x 4" x 3/8" structural tube
- Five moldboard-to-push frame pivot points with 1-1/4" bushings pin to two 5/8" mounting ears (Six pivot points on adjustable cutting edge trip)



Henderson

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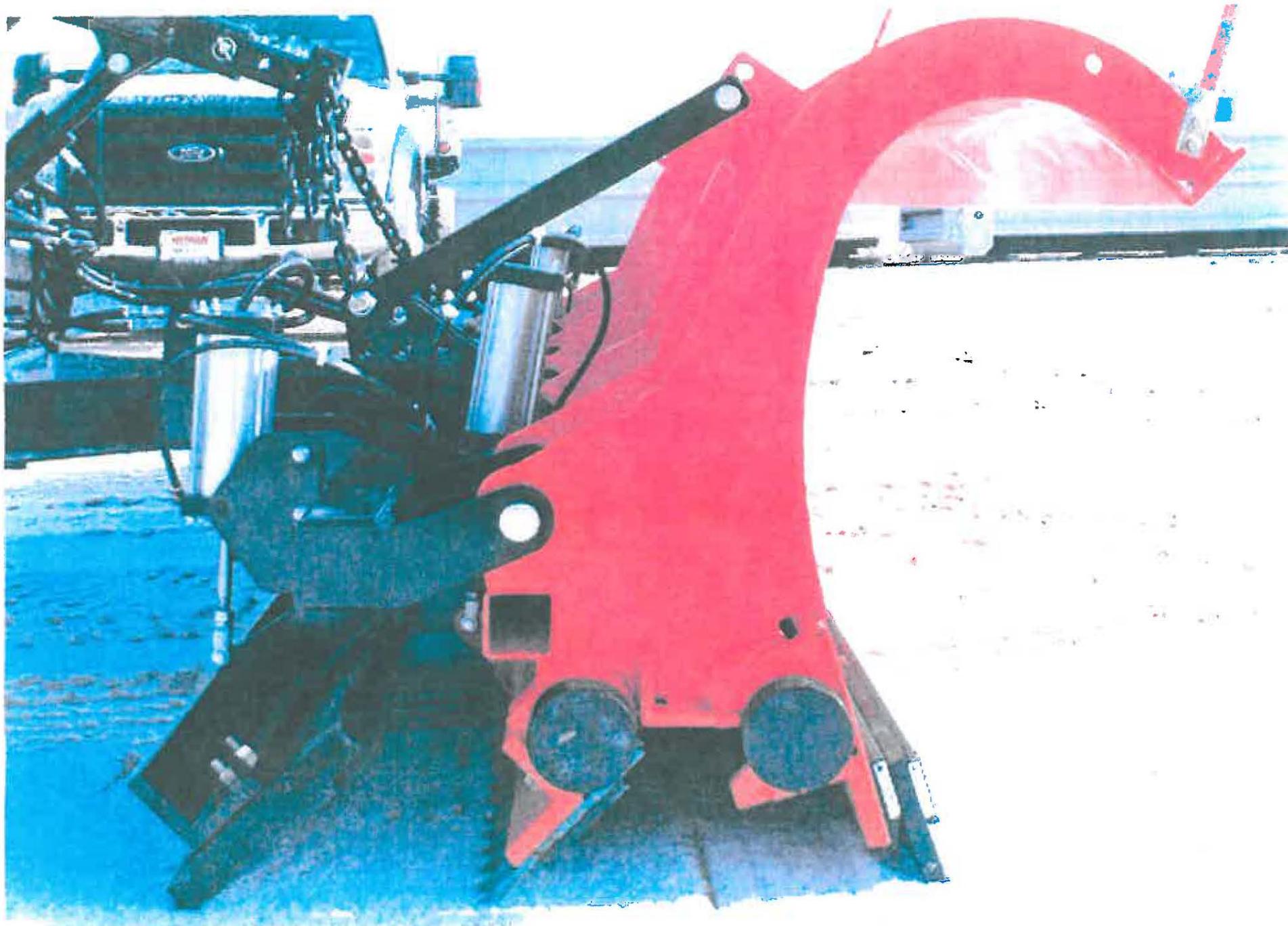
GRAND TRUCK EQUIPMENT

www.grandtruckequipment.com

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Grand Truck Equipment Co, LLC

**451527 Sparrow Hawk Circle, Afton, OK 74331 - Fax 918.782.1011
Cell 816.665.3394 - Email pcarrott@gmail.com**

QUOTATION

January 16, 2014

TO: Sam Goade
Springdale Public Works
269 Randall Wobbe Lane
Springdale, AR 72764

From: Phil Carrott

RE: Henderson "Fixed Angle" UBS - Underbody Scraper

Blade lengths: 10 foot or 11 foot
1/2" thick x 20" height (40/50 Carbon Steel) Moldboard offset & punched for
standard cutting edges
Scraping angle 35 or 45 degrees
One piece 5/8" formed steel hanger board.
1" thick hold down blocks with (3), 1" grade 8 bolts.
Trip spring canisters include (1) 3-1/2" bore x 9" stroke x 2" dia. Nitrided rod.
(Springs are .87 dia. wire x 5.88 O.D. x 18" long)
3/4" thick truck mount hanger plate
All pivot points are greaseable
Hydraulic tubing across hanger board and hoses from trip canister cylinders
included
Push frame is primed with a high quality catalyzed primed and finish painted
black.
Moldboard "Powder coat" Orange

Relief valve for scraper "down" pressure
Right side "curb" guard
3/4" Carbide cutting edge in lieu of standard steel

Power unit - double acting 12VDC with switch for cab

FOB: Springdale, AR

\$5,978.00

Accepted by:

PO#

Please fax to Phil Carrott, 918-782-1011
Terms: Credit card or COD

Grand Truck Equipment Co, LLC

451527 Sparrow Hawk Circle, Afton, OK 74331 - Fax 918.782.1011

Cell 816.665.3394 - Email pcarrott@gmail.com

Page 2 - Springdale, AR - Underbody Scraper

OPTIONS:

11' moldboard in lieu of 10' (will clean truck track at preset angle of 45 degrees)	\$ 324.00
1" thick moldboard in lieu of 1/2"	\$1,397.00
Extra lift cylinder for total (2)	\$1,052.00

DELIVERY: 60 -- 75 Days ARO

WARRANTY: 12 month full warranty on Henderson products

TERMS: Payment required on delivery

INSTALLATION: Plus installation

TAXES: Subject to Arkansas Sales Tax

Accepted by:

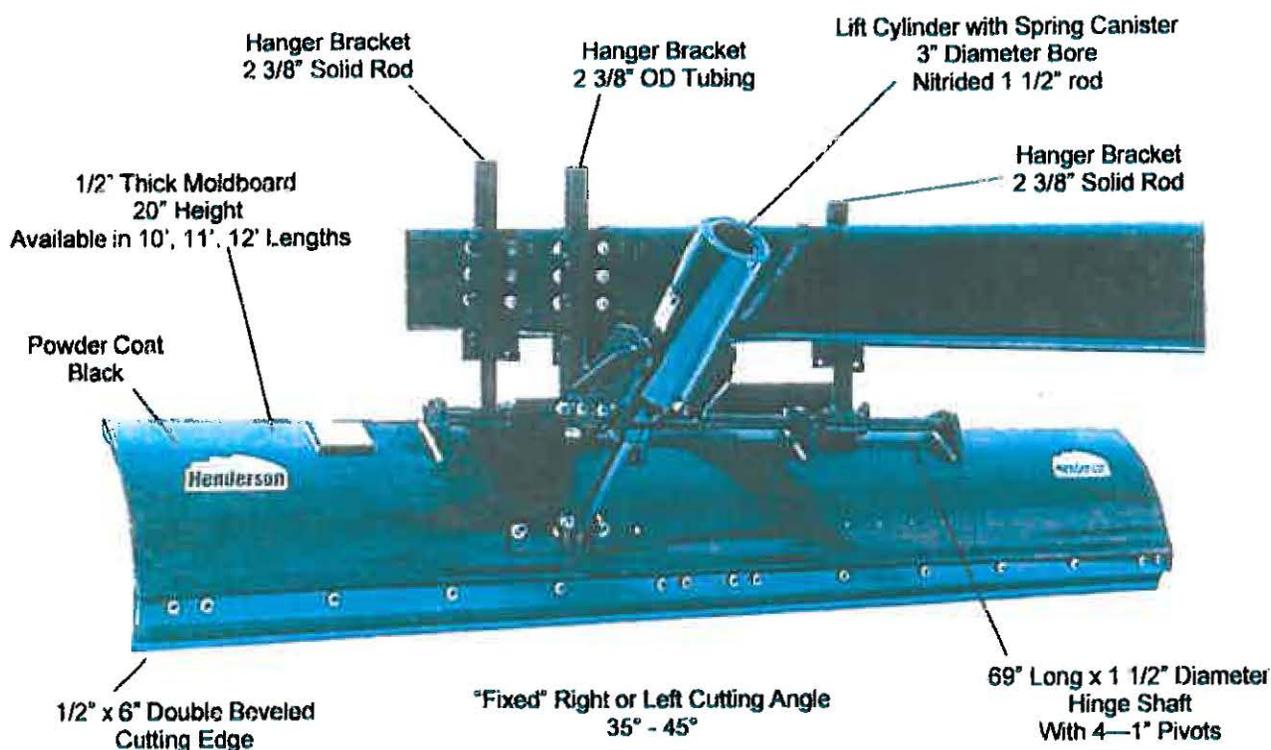
PO#

Please fax to Phil Carrott, 918-782-1011

Terms: Credit card or COID

Fixed Angle Underbody Scraper

SNOW^{FOE} Series™



This rugged, fixed angle underbody scraper is designed to remove snow and ice at high speeds under the toughest conditions imaginable. Easy installation/removal and single lever operation, makes for ease of use. Then by removing unnecessary parts and simplifying the hydraulics, this SNOW^{FOE} Fixed Angle Underbody Scraper is priced to fit within your budget. All from the ...

The Dependable Ones

Plow Model	HFA-UBS 10'	HFA-UBS 11'	HFA-UBS 12'	OPTIONS
Overall Length	10'	11'	12'	<ul style="list-style-type: none"> • Relief Valve for Down Pressure • Wrap Around Curb Guard • 5/8" x 8" Curved Cutting Edge • 3/4" x 6" Curved Carbide Cutting Edge • Double lift canisters • 1" Thick Moldboard
Overall Height	20"	20"	20"	
Cutting Width @ 45°	84"	93"	102"	
Moldboard Thickness	1/2"	1/2"	1/2"	

HENDERSON MANUFACTURING, INC.

1085 S. 3rd Street - PO Box 40 - Manchester, IA 52057 - Phone (800)-359-4970 - www.henderson-mfg.com

INSTALLATION INSTRUCTIONS – SINGLE CYLINDER



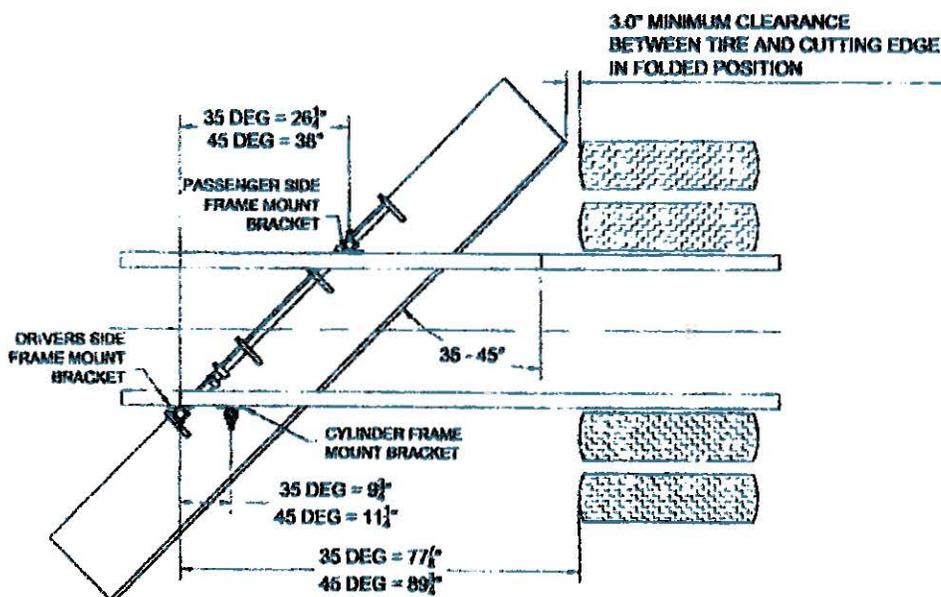
NOTICE: This “Safety” symbol is a reminder to follow all safety messages and precautions involved when installing or operating the Underbody Scraper-Fixed Angle. It means to be **CAREFUL, ALERT** and **SAFETY CONSCIOUS!**

1. Slide hanger legs and the main bracket assembly onto moldboard's hinge shaft with collars, as shown on page 4-3. Do not torque.
2. Place moldboard at 35° - 45° angle under vehicle as shown below. Check end of cutting edge to be sure it discharge beyond rear tire.
3. Place driver's side frame mount bracket on truck frame and drill (6) mounting holes through frame. Secure frame mount bracket with (6) bolts, lock nuts, and washers. (5/8-11 x 2 1/2" Grade 8) Apply rust inhibitor or paint to any drilled holes.
4. With moldboard in retracted position, place into desired location, maintaining minimum clearance to rear tires of 3" as shown below. Place passenger side frame mount bracket on frame and drill (6) holes through frame. Secure with (6) bolts, lock nuts and washers. (5/8-11 x 2 1/2" Grade 8)



Stay clear of area beneath moldboard while hoisting it to underside of truck frame.

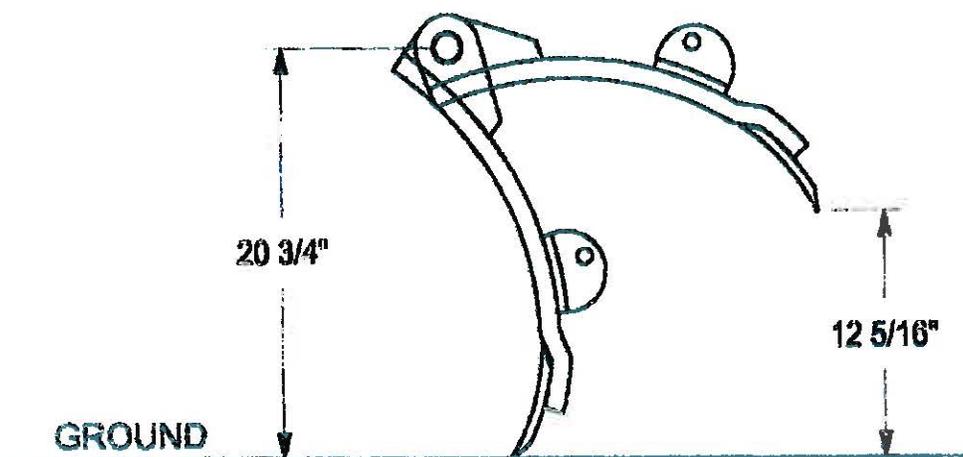
5. Place cylinder frame mount bracket on truck frame and drill (6) holes through frame. Secure frame bracket with (6) bolts, lock nuts and washers. (5/8-11 x 2 1/2" Grade 8)



12' SCRAPER SHOWN

6. Attach the cylinder leg tube weldment to the cylinder support bracket by installing the bolt and lock washer through bottom of cylinder support bracket. **Note:** The 1" washer must be tack welded to the bottom of the cylinder support bracket when it is lined up to prevent the washer from slipping.
7. With moldboard in retracted position, slide support legs and cylinder leg into tube of mounted frame brackets. Raise moldboard so that the center of hinge shaft is $20 \frac{3}{4}$ " off ground and the cutting edge is approximately $12 \frac{5}{16}$ " off ground. Verify 3" clearance between tire and cutting edge.

 **Stay clear of area beneath and near moldboard assembly while performing these operation tests. Use caution!**



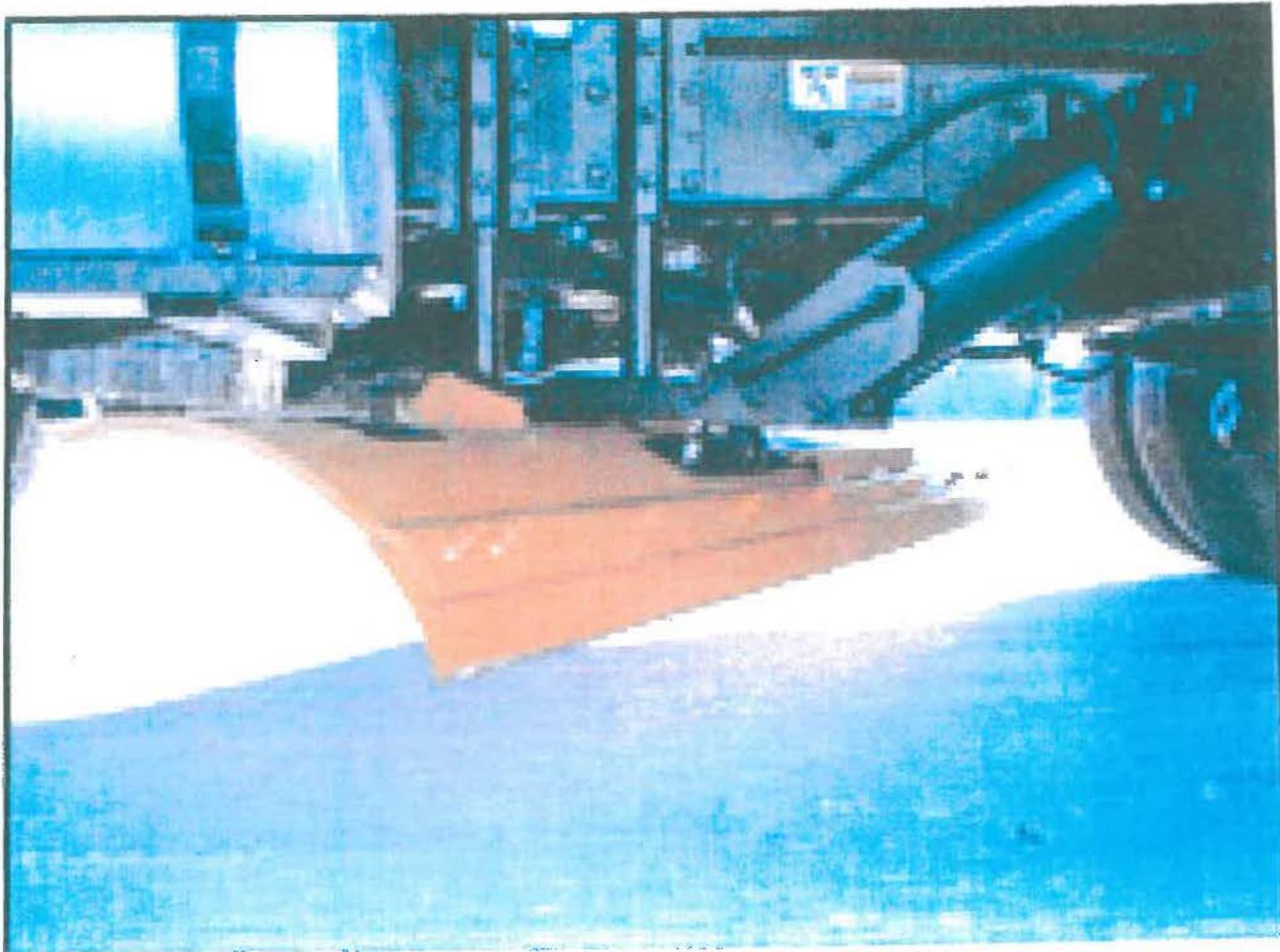
8. After finalizing positions of all collars and brackets, tighten all bolts and set screws. Remove three set screws from frame mount brackets and counter-sink $\frac{1}{2}$ " hole in cylinder leg tubes, then replace. Anchor canister assembly to moldboard.
9. Connect hoses to the cylinder.

Operate all scraper functions and check for oil leaks.

 **Stay clear of area beneath and near moldboard assembly while performing these operation tests. Use caution!**

Caution: After some usage, check all set screws and bolts to be sure they are tight. Do not exceed 1850 PSI for retract hydraulic pressure.

These mounting instructions are intended as a guide to aid you in the installation of your Henderson Fixed Angle Scraper. All dimensions noted in the instructions are approximate and may vary due to: make and model of chassis, tire size, type of suspension, spring deflection, customer preference, and interference caused by immovable attachments such as a transfer case. Ideally, the scraper should be mounted to get full usage of the cutting edge without wearing into the moldboard. Henderson Manufacturing assumes no responsibility for improper installation, unless installed at a Henderson Manufacturing Truck Equipment location. Mounting location should be discussed by the end-user and the installer prior to installation in order to achieve the best possible installation.



Grand Truck Equipment Co, LLC

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Cell 816.665.3394 - Email pcarrott@gmail.com

QUOTATION

January 14, 2014

TO: Sam Goade
Springdale Public Works
269 Randall Wobbe Lane
Springdale, AR 72764

From: Phil Carrott

RE: Henderson TaskForce Stainless Steel Granular / Liquid Spreader

Henderson TaskForce 201 Stainless Steel Granular & Liquid Spreader
Integrated **Granular/Pre-wet/Direct Liquid** Application Material Spreader
14' overall length
56" side height
84" body width ID

Sloping front on spreader to accommodate dump body "doghouse"
9.7 cubic yard struck capacity
Dual 7" diameter variable pitch augers - 24" conveyor
Conveyor motor with integral speed sensor
Standard spinner disk with SS spinner vanes

201 SS unit unpainted with non 201 SS components painted aluminum
Heavy Duty top grate screens with safety interlock
201 SS Inverted "V" factory installed
Rear bumper kit
Dump body hold down kit - Nylon ratchet type hold down straps & kit
Trunion latch for tailgate
Front grease tube extended to rear
Rear mount ladder - 304 SS installed
Rubber side shields - installed

201 Stainless steel 9 light - light bar with stop, turn, tail, backup lights
2 - directional spinner work lights - Installed to rear of spreader

Accepted by:

PO#

Please fax to Phil Carrott, 918-782-1011

Terms: Credit card or COD

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Page 2 - City of Springdale, AR

304 SSI Taskforce stand with leg kit, includes wheel guides
and boom mounts - Stainless Steel - installed

Dual 400 gallon pre-wet/liquid tanks

Direct Liquid Kit - 8.5 GPM pump @ 1725 RPM, liquid valving, flow meter
and all plumbing with single lane adjustable (14" to 20") SS Boom. Pre-wet
kit with VDO nozzles, pump & flow meter with control valve. Independent
motorized control valves for 1 or 2 lane applications. Electrical terminations
in a weather pack connector.

Slurry tube - last 6' in spreader - installed

3 lane boom option ILO standard - installed

System flush kit

TOTAL: FOB Springdale, AR \$35,791.00

Plus Arkansas Sales Tax

OPTIONS:

54" side height in lieu of 48" (10.3 cu yd) \$ 326.00

DELIVERY: 60 - 75 Days ARO

WARRANTY: 12 month full warranty on Henderson products

TERMS: Payment required on delivery

INSTALLATION: Plus installation

Accepted by:

PO#

Please fax to Phil Carrott, 918-782-1011

Terms: Credit card or COD

TaskForce

Integrated Granular / Pre-wet / Direct Liquid Applications

Henderson

READINESS IT'S IN THE GENES

When it comes to precision ice control, the Henderson TaskForce has it all... granular, pre-wetted granular, and liquid deicer. All on board in one integrated unit that delivers its material on demand from the cab, on the fly. Whatever the road condition, the TaskForce is ready to attack it with the proper material to get the job done quickly and efficiently.

The Henderson TaskForce incorporates the latest de-icing/anti-icing technologies. It is designed to interface with all leading industry closed loop controllers. Application rates to meet varying conditions are controlled from the cab and metered automatically on the go.

The all-in-one TaskForce incorporates proven Henderson proprietary products combined into a single unit that's always ready to attack your ice control problems. The legendary Henderson FSH spreader forms the core of TaskForce and provides the means for granular material distribution, while the Henderson LAS (Liquid Application System) furnishes the pre-wet and liquid application functions.

Available in any array of sizes, the TaskForce is another example of excellence from...

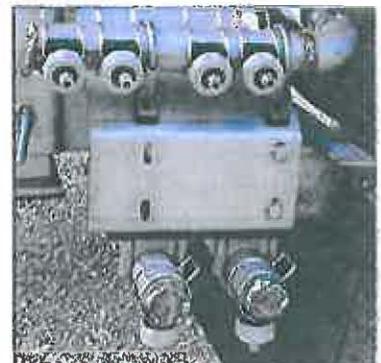
The Dependable Ones



Optional Equipment Shown in all Illustrations



Enclosed spinner chute has top mounted motor to maximize material flow. Three adjustable external deflectors provide infinite adjustment of spread pattern.



Liquid spray boom has clip-on nozzle bodies for easy maintenance and replacement. Applies material to one, two or three lanes, all controlled from the cab. Available with multiple boom configurations.

FEATURE & SPECIFICATIONS



The OPTIONAL free-standing storage stand simplifies dismounting and storage. To mount, simply raise the dump body slightly to slide the rear platform under the TASKFORCE stand and back up. Lower the body and continue in reverse. The collapsible stand legs fold up and out of the way. Once fully mounted, strap it down and get moving. Takes less than five minutes. Reverse the procedure to dismount and store. No tools required.

BODY

Sides, ends and side supports are of 10 ga. 304 stainless steel, continuous seam welded from the inside. Side slope is 45° with front slope at 18° and 9° rear slope. Floor and longsills are 7 ga. stainless steel. Top edge of hopper is formed "J" channel. Feedgate is 10" x 18" screw-jack adjustable from curb side. Also available in carbon steel.

CONVEYOR

Rear discharge pintle type conveyor chain has 3/8" x 1-1/2" crossbars on 4-1/2" centers and powered by 50:1 worm gear box drive. Chain tension idler adjusts up to 4" using a 5/8" stainless steel rod. Conveyor extends 3 foot behind rear of hopper to allow room for stands, pump systems and for easy adjustment and maintenance. Chain and sprockets are protected by bolt-in replaceable chain shields.

SPINNER CHUTE ASSEMBLY

Completely enclosed telescopic design is 10 ga. stainless steel. Top-mounted hydraulic spinner motor is enclosed in the chute for protection and to maximize material flow to the stainless steel spinner disk. It is mounted directly to the spinner to eliminate shaft and bearings. Two (2) internal baffles direct material flow onto the spinner disk for directional spread control. Three external easily replaceable, adjustable deflectors and one front-fixed deflector with overlapping corners contribute to precise control of materials. 20" 10 ga. stainless steel spinner with six (6) bolt-on stainless steel vanes and replaceable hub and provides enhanced wear and eliminates corrosion.

LENGTH	CU YD CAPACITY (Struck/Rounded)	WEIGHTS (Approx.)	RECOMMENDED CAB TO AXLE (Inches)	LIQUID TANKS (Qty 2)
10'	6.9	2070	84	400 gallon
11'	7.6	2225	96	400 gallon
12'	8.3	2380	108	400 gallon
13'	9.0	2535	96 C.T.	400 gallon
14'	9.8	2690	108 C.T.	800 gallon
15'	10.3	2845	120 C.T.	800 gallon
16'	10.9	3001	132 C.T.	800 gallon

LIQUID TANKS

UV stabilized polyethylene liquid reservoir tank. 10' to 13' units utilizes 2-200 gallon tanks and 14' and up utilizes 2-400 gallon tanks. Features all molded-in threaded fittings.

Maximum use of manifold flange mount fittings for ease of maintenance and replacement.



Boom control valve motors are easily removable from butterfly valve using a single simple push pull pin.



Under-tank sump basin standard on all 800 gallon systems prevents air suction pump damage. All hose clamps are stainless steel.



OPTIONAL: Air flow baffle mounted ahead of the liquid spray boom helps prevent drift due to travel speed and wind turbulence.

OPTIONS

Mild steel • Self-storage stand (also available in stainless) • Inverted vee • Extended front idler grease tubes • Rubber side spill shields • Catwalks and frame mount kit • Roller chain • Spacer bars • Side tubes and rear hoses • Rear ladder • Rear bumper • Light bar • Self-aligning front/side sills • Cab shield • Hold down kit • Top grate screens • Single or dual auger (safety interlock required) • Hose kit with quick couplers • Automatic control systems

Henderson

P.O. Box 40 • Manchester, Iowa 52057
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GRAND TRUCK EQUIPMENT
www.grandtruckequipment.com
pcarrotr@gmail.com
816-665-3394

HSS

Henderson Spreader Stands

Henderson

The Henderson Spreader Stands make the loading and unloading process of V-box spreaders, combination units, and liquid systems from dump bodies easy and efficient, while providing a safe storage location that can change each time the truck returns.

Using only the hoist of your dump body the spreaders can be loaded and unloaded, eliminating the use of forklifts and overhead hoist systems. By simplifying this previously dreaded task you can free up dedicated spreader trucks for other uses on fair weather days.



HSS are constructed in three different models to fit your specific needs:

- 'HD' (Heavy Duty): Welded structural tubing
- 'US' (Universal Stands): Bolt together construction
- 'IS' (Integral Stands): Bolt-on no subframe

All models available with adjustable height legs that can be adapted to fit various truck bed heights. The HSS are also constructed to fit most existing V-box spreaders utilizing a 24" side support spacing. The powder coated or optional stainless steel provides a strong, weather resistant and long lasting construction.

Sturdy legs along with well placed pins, handles, and rollers on all of the HSS make installing or unloading your spreader a simple roll in/roll out one person process. Individually telescoping rear legs are lighter and easier to operate, while front legs are lifted by truck body during loading.

Choose one of our three constructions and optional materials to get the longevity and operation you need to meet your budgets.

Henderson Spreader Mount Stands are just another reason we're known as...

The Dependable Ones

FEATURES & SPECIFICATIONS

HSS - 'HD' (Heavy Duty)



SPECIFICATIONS

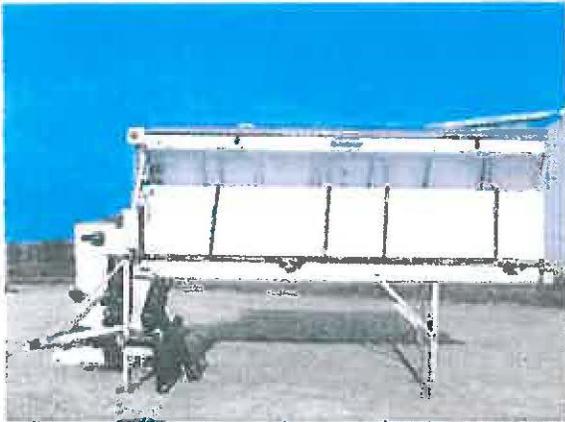
- All welded structural tubing; very stable design
- Main rails 5" x 3" x 1/4"
- Adjustable legs constructed of 4" x 4" tube
- 1" x 2" bar cross supports
- 5" steel wheels with roller bearings and lubrication point
- Center mounted legs avoid interference with liquid tanks
- Powder coat paint
- Provides added protection of spinner chute
- Can be used with LAS and Taskforce units

OPTIONS

- Body guides or guide wheels
- Ladder

*Shown with some optional equipment

HSS - 'US' (Universal Stands)



SPECIFICATIONS

- Bolt together construction—provides easy modification and adaptable to spreaders with varying cross support spacing
- 8" fabricated main rails constructed of 7 GA
- Adjustable legs constructed of 3 1/2" x 3 1/2" fabricated tube
- 5" steel wheels with roller bearings and lubrication point
- Rear legs incorporate provisions for direct liquid spray booms
- Can be used with LAS and Taskforce units

OPTIONS

- Available in stainless steel construction
- Body guides or guide wheels
- Bumper
- Ladder

*Shown with some optional equipment

HSS - 'IS' (Integral Stands)



SPECIFICATIONS

- Low mounting height—Doesn't increase overall mounting height of spreader
- Fits any length spreader
- Front box section constructed of 7 GA
- Adjustable legs constructed of 3.5" x 3.5"
- 5" stainless steel pins to resist corrosion and ease adjustment
- 5" steel wheels with roller bearings and lubrication point

OPTIONS

- Available in stainless steel construction
- Body guides or guide wheels
- Bumper
- Ladder

*Shown with some optional equipment

*All stands are designed to have little or no materials in them during loading and unloading.

Henderson

P.O. Box 40 · Manchester, Iowa 52057

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 816-665-3394

Grand Truck Equipment Co, LLC

**451527 Sparrow Hawk Circle, Afton, OK 74331 - Fax 918.782.1011
Cell 816.665.3394 - Email pcarrott@gmail.com**

QUOTATION

January 14, 2014

TO: Sam Goade
Springdale Public Works
269 Randall Wobbe Lane
Springdale, AR 72764

From: Phil Carrott

RE: Electronic central hydraulic system with temperature control

Hydraulic Pump:

The hydraulic pump will be crankshaft driven using a 1280/1310-driveline assembly.

The piston pump (load sensing type) must be capable of 48 GPM and 3000 PSI at 2500 RPM.

Pump must have side to avoid multiple 90-degree bends in suction line (rear ports are unacceptable).

The case drain must be positioned as high as possible and directed back to the reservoir without passing through the return line filter.

The pump must have the ability for a internal bleed down compensator option, a 1 1/4" keyed shaft drilled and tapped, a 1" split flange pressure port and a 2" split flange suction port.

A normally closed 12VDC low oil shut down valve shall mount directly to the pump pressure port and be activated by the low oil level switch in the tank.

The pump must have a pressure gauge port integral to the rear cover of the pump. Sauer-Danfoss model JRL075 no exceptions.

Pump Drive:

The driveline must be 1280/1310 series solid shaft style.

The driveline shall come with all crosses, pump end yoke and flange for engine.

The pump shall be driven off the engine crankshaft.

The pump shall get a companion flange that un-bolt from driveshaft for easy belt replacement.

Certified Power SG01010016 no exceptions accepted.

Accepted by:

PO#

Please fax to Phil Carrott, 918-782-1011

Terms: Credit card or COD

Grand Truck Equipment Co, LLC

**451527 Sparrow Hawk Circle, Afton, OK 74331 - Fax 918.782.1011
Cell 816.665.3394 - Email pcarrott@gmail.com**

Page 2 - City of Springdale, AR - TaskForce hydraulics

Hydraulic Reservoir

Reservoir shall be 30-gallon minimum with breather cap, magnetic drain plug and suction screen.

Fill neck must be screened and a sight/temperature gauge mounted on the reservoir so easily visible for inspection.

Symmetrical side ports to allow mounting on either side of truck frame.

Suction screen to be 2" NPT with built in bypass.

Suction port shall have a 2" full flow ball valve installed for ease of pump service.

Bottom suction is not acceptable.

Reservoir must have provision for the mounting of a tank mounted return line filter.

Hydraulic Stack Valve:

The valve shall be of a mobile stackable design load sensing type.

The valve shall be all cast iron design and all sections must be of the same valve series.

The valve shall be capable of a nominal 35 GPM with published flow curves to 40 GPM.

The valve must be pressure and flow compensated.

Inlet and outlet ports to be 3/4" O-ring, all working ports shall be 5/8" O-ring minimum.

Valve to be arranged as follows:

Inlet cap with top ported pressure and tank, load sense and drain ports.

Single acting cylinder spool for hoist 0-32 GPM, proportional 12VDC operated, with spring return to neutral. Section shall have manual handle overrides with stroke limiters.

Single acting cylinder spool for plow lift, proportional 12VDC operated with spring return to neutral. Pressure compensated 0-15 GPM main spool. Section shall have manual handle overrides and stroke limiters. Plow float shall be incorporated and controlled by console.

Double acting cylinder spool for plow angle, proportional 12VDC operated with spring return to neutral. Pressure compensated 0-15 GPM main spool. Section shall have manual handle overrides and stroke limiters.

Single acting 0-15 GPM spool for feeder, proportional 12VDC spring to center with manual override.

Single acting 0-7 GPM spool for spinner, proportional 12VDC spring to center with manual override.

Accepted by:

PO#

Please fax to Phil Carrott, 918-782-1011

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Page 3 - City of Springdale, AR - TaskForce hydraulics

Spreader and pre-wet sections shall be part of a manifold assembly that has a pressure reducing valve and solenoid drain and has the ability to have a cartridge added for anti-ice applications.
Certified Power PVG32 valve no exceptions.

Hydraulic Valve Enclosure:

Hydraulic valve shall be mounted in a weather tight enclosure.
Enclosure shall be 3 pieces, the enclosure body, valve mounting plate and the lid.
Enclosure body and valve plate shall be constructed of ¼" steel.
The lid shall be made of 10-gauge steel with a minimum 1" lip all around it to help seal.
The sides of the body shall have formed mounting angles as an integral part.
Valve plate shall go to the inside of the enclosure for ease of mounting.
There shall be a formed Buna gasket to seal the valve plate to the enclosure.
The top and front of the enclosure shall be open with the lid off.
The valve shall be bulkhead fitting mounted to valve plate and ports will come out bottom.
Outside lip of enclosure shall have a gasket all the way around to seal from weather when lid is installed.
Lid shall have 2 lifting handles.
Shall have multiport electric board to connect to each valve coil that must be plug and play, IP68 rated, having to put connectors on will not be accepted.
Certified Power MTEA2001000*** is acceptable model.

Hydraulic Return Filter:

Filter shall be top tank mounted type 10 microns with a by-pass and replaceable cartridge element.
Filter shall be capable of 80 GPM flow capacity.
Filter shall have one 1 ¼" SAE port with the ability to be machined for another.
A bypass condition gauge shall be provided.
Certified Power model SG03020010 no exceptions.

"TPE" Wiring Specification:

Wiring and harness system should meet ISO rating IP68 and NEMA 6.
The connectors should be zinc die cast E-coated, similar to a MIL spec connector.
Each should have three sealing points- the lock ring itself, a raised portion of the molded plastic around each pin, and a viton O-ring that seals the whole connector.

Accepted by:

PO#

Please fax to Phil Carrott, 918-782-1011

Terms: Credit card or COD

Grand Truck Equipment Co, LLC

**451527 Sparrow Hawk Circle, Afton, OK 74331 – Fax 918.782.1011
Cell 816.665.3394 - Email pcarrott@gmail.com**

Page 4 - City of Springdale, AR - TaskForce hydraulics

- The cable jacket should be TPE- thermoplastic elastomer, and molded to the connectors.
- Connectors and harness should be rated and tested for a temperature range from – 30C to + 70C.
- Connectors should be tested to be water tight when submerged in 6' of water for 24 hours, in 275' of water for 1 hour, and when subjected to a 1000-psi pressure wash.
- The connectors should be designed to have NO corrosion after 500 hours in a 35C salt spray.
- Cabling should be rated excellent in low temperature flexibility and in its resistance to oxidation, heat, oil, weather, sun, ozone, abrasion, electrical priorities, flame, water, acid, alkali, gasoline, benzol, toluol, degreaser solvents, alcohol, and weld slag.
- All cabling for the hydraulic system and pre-wet system must be this style. Certified Power TPE Yellow Jacket cables no exceptions

Freedom 2.1 Spreader Control:

- Control to have 3 PWM output channels
- 1 channel shall be ground speed oriented conveyor/spreader, 1 channel for spinner, and 1 channel for a liquid function.
- Liquid function shall be configurable to control either a pre-wet or anti-ice function
- Control to have a simple operator interface consisting of 3 buttons, two knobs and an interactive touch screen.
- Knobs to be rotary encoders with no maximum or minimum limit position.
- Programming of unit shall not require the use of an ancillary device
- Touch screen shall be used for calibration of the unit.
- There shall be a USB port on the side of the unit for data download
- USB shall also function as an upload port to allow field upgrade of the software or capabilities of the system
- Unit shall be available in 3 versions, and software shall be available for purchase to allow unit to be reconfigured to any version.
- Unit delivered shall be Freedom 2.1 as manufactured by Certified Power
- To prevent glare at night, there shall be a "night mode" for the touch screen
- The unit shall be supplied with 8MB of RAM and 4MB of flash memory
- The front panel shall be backlit for night viewing
- There shall be a field replaceable fuse to protect the system.
- Fuse shall be easily accessible.

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Help screens for troubleshooting and calibration shall be embedded in the on board software.

The system shall support a remote blast and remote pause functions.

Control shall be open loop (no feedback sensor)

PWM circuits shall be current regulated to reduce hysteresis

There shall be an input to sense a stall of the spreader

A float input circuit shall be provided to turn off liquid system at low level

Storm totals shall be available either on screen or via USB download

Unit dimensions shall be approximately 7.8L, 4H, 3.8 D

A standard hoop style bracket shall be provided for ease of mounting.

Spreader control shall be mounted in a factory made control console that also controls the functions for Body, Plow, and Scraper.

Console Design:

Shall be a totally modular control arm design for a variety of joystick controls, spreader controls and switch configurations.

Unit shall come with 2 fully proportional joysticks for hoist and plow control.

Shall have a single axis control with dead man switch for hoist.

Shall have a dual axis "+" design for snowplow up/dn, and left/right control.

Shall have a dual axis "+" design for scraper up/dn, and left/right control.

Armrest style console shall be fully adjustable to accommodate automatic or manual transmissions, and mount like it part of the driver's seat.

Unit shall be completely powder-coated Black in color.

Unit shall be fully adjustable left to right.

Switches shall control items similar to the following, exact switch functions to be described in detail when awarded.

When switches get power they shall light in the color green, when they are activated they shall turn red.

Switches shall be programmable for either maintained or momentary without changing the switch itself.

Switches shall be capable of sensing a ground fault with the circuit it is running.

All indicators shall be on the in cab display and show up in English stating the function. Indicator lights will not be accepted.

Certified Power model SG21*0000*.

Snow Plow Cushion Valve:

A double relief cushion valve must be installed for the plow angle and scraper left/right..

The valve shall be set at 2000 PSI and have #8 SAE o-ring ports.

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The valve shall be constructed of a high-tensile cast iron body with ball and spring style relief that has hardened seat.

The valve shall be plumbed at the front of the truck for snowplow angle.

Certified Power model DRV5HH no exceptions.

Hydraulic Hoses:

All hoses shall be properly rated for pressure of hydraulic system.

All hose ends connecting to valve assembly shall be 90-degree female JIC swivel.

Suction Hose shall be 2" ID SAE 100R4 style, connecting the pump and reservoir with a king nipples, with both ends being double clamped with T-bolt style stainless steel super clamps.

Pressure hose shall be 1" ID 2000 PSI rated with female JIC swivels at both ends.

Return line shall be 1 1/4" ID SAE 100R4 style with female JIC swivels at both ends.

Hoist lines shall be 1" ID 2250 PSI rated with female JIC swivels at both ends.

Plow lines 1/2" ID 2250 PSI rated, ran to front of truck with female JIC swivels at both ends.

Auger line shall be 3/4" ID 2250 PSI rated and have female JIC swivels at both ends.

Spinner line shall be 1/2" ID 2250 PSI rated and have female JIC swivels at both ends.

Spreader return line shall be 1" ID SAE 100R4 style with female JIC swivels at both ends.

Pump case drain shall be 3/4" ID minimum 2250 PSI rated and have female JIC swivels at both ends.

Load sense line shall be 3/8" ID 2250 PSI rated and have female JIC swivels at both ends.

System:

To interface with Henderson TaskForce granular / liquid spreader. Requires system to be all electronic. Includes control modules, junction box for plug and play wiring and interface with liquid / slurry application.

ACS control for 3 lane anti-ice capabilities.

Console to include joystick control of dump body hoist and plow functions.

Hydraulic hosing not included.

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FOB: Springdale, AR	\$13,988.00
OPTION: Air / Road Temperature sensor	\$ 1,000.00

TERMS: Pay on receipt
DELIVERY: 60 - 75 days ARO
TAXES: Subject to Arkansas Sales Tax

Accepted by:

PO#

Please fax to Phil Carrott, 918-782-1011
Terms: Credit card or COD

Storm Guard

CONTROLGUARD

The ControlGuard system incorporates our Multi-function 3-axis Joystick. The Joystick is standard with blast and pass buttons for operator ease. The ControlGuard Joystick has four operating modes and can control up to 12 valve sections and 3 axes simultaneously. This allows for the consolidation of multiple functions into one, easy to use control

The ControlGuard System incorporates our new ACS Operator Panel with

Specialty designed and welded cast iron controls and ergonomic design for a more comfortable operator.

Both the ControlGuard and MultiGuard systems allow for joystick programming for dead-band, ramp and rathem control parameters.

ADDITIONAL FEATURES

Both the ControlGuard and MultiGuard systems allow for joystick programming for dead-band, ramp and rathem control parameters.



SG219 w/Armrest

ACCESSORY PACKS

Model 2000 Joystick
Model 2000 Joystick w/ACS
Model 2000 Joystick w/ACS
Model 2000 Joystick w/ACS

SG219 w/Armrest



DISPLAY MODULE

The ACS display features a large 5.7" Transflective Technology monochrome display for ease of visibility. The display incorporates a light sensor for backlight adjustment that is programmable for night and daytime use. Our new display uses an Ethernet connection using Microsoft's Internet Explorer for data retrieval, file saving and updates.

SG219 w/o Armrest



ACCESSORY PACKS

Model 2000 Joystick
Model 2000 Joystick w/ACS
Model 2000 Joystick w/ACS
Model 2000 Joystick w/ACS

SG219 w/o Armrest



Freedom ACS Control Systems Additional Features:

- All joystick systems are available in either 2000 or 2000 series.
- Joystick systems are available in either 2000 or 2000 series.

MULTIGUARD

The MultiGuard system incorporates many of the same features as the ControlGuard system. The operator, switch panel and armrest options are all the same.

The MultiGuard designs utilize individual joysticks. Each joystick can be specified with many different options such as single and dual axis, integrated switches for dead-man, pass and float functions.

Both the ControlGuard and MultiGuard control systems allow for joystick programming for dead-band, ramp and rathem control parameters.



- All joystick systems are available in either 2000 or 2000 series.
- Joystick systems are available in either 2000 or 2000 series.



1395 John Fitch Blvd.
 South Windsor, CT 06074
 Phone: 800-603-4445
 Fax: 800-457-8887

* Bid Confirmation	ORDER DATE	PAGE NO.
644794	1/07/14	1
SHIP VIA		
FedEx Ground		

ClearSpan Fabric Structures * Bid Confirmation *

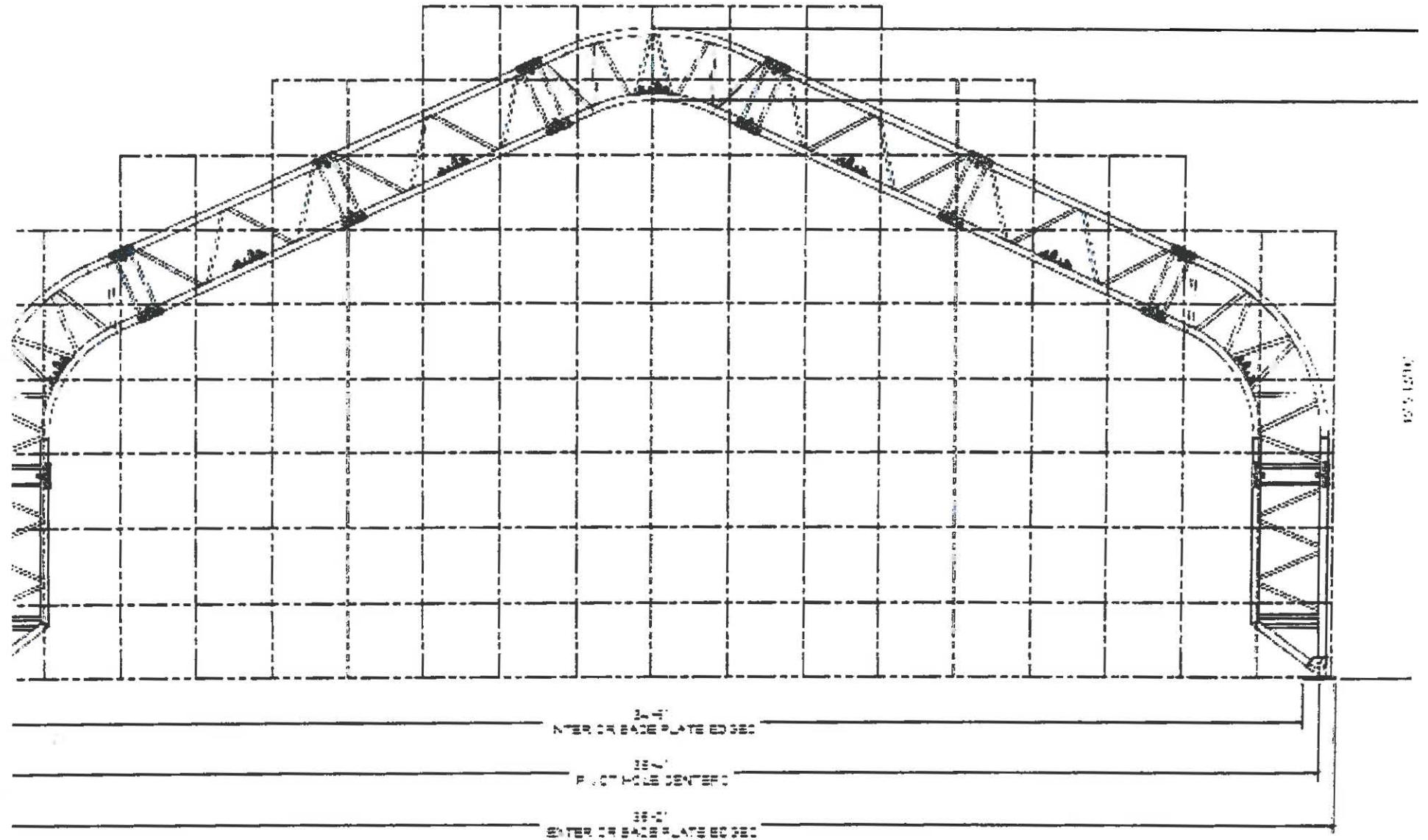
ORDER REF.	SHIP REF.	SALESPERSON	PURCHASE ORDER NO.	PAYMENT INFORMATION
6065308		BWILLI		INT
ORDER ORIGIN		COLLECT	SHIP DATE	PAYMENT TERMS
4 PHONE ORDERS		X		NET 20 DAYS
CUST NO. 6065308		Complete Order		
SOLD TO SAM GOADE CITY OF SPRINGDALE PUBLIC WORK 269 E RANDALL WOBBE LANE SPRINGDALE AR 72764		SHIP TO		
		479-601-4270 * Bid Confirmation *		

ORDERED	SHIPPED	BACK ORDERED	ITEM	DESCRIPTION	UNIT PRICE	AMOUNT
			The following item(s) sent to: SAM GOADE CITY OF SPRINGDALE PUBLIC WORK 269 E RANDALL WOBBE LANE SPRINGDALE AR 72764			
EA	1		100106	35W HA by 60L Truss Bldg 15'OC 10/90	13855.00	13855.00
EA	1		100106	35W End Wall Package	1550.00	1550.00
EA	1		100106	Flame Retardant Material Upgrade	1250.00	1250.00
EA	1		110452	36"Wx36H" WALL LOUVER	189.95	189.95
SF	1		700001	STAMPED ENGINEERED DRAWING	1500.00	1500.00
EA	1		100106	Standard Wage Installation	17250.00	17250.00
EA	1		100007	SALE OF FREIGHT	1917.00	1917.00
			Precast Blocks, Materials to connect them together, and the labor to constrcut the foundation not included			

THIS PROPOSAL AND PRICING IS SUBJECT TO CHANGE

Merchandise	37511.95	Miscellaneous	.00
Shipping/Handling	.00	Sales Tax	.00
		Total	37,511.95

FRONT PROFILE (GRID)
• GRID REPRESENTS 2'







ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY OF SPRINGDALE PUBLIC WORKS DEPARTMENT TO PURCHASE SNOW AND ICE REMOVAL EQUIPMENT FROM GRAND TRUCK EQUIPMENT COMPANY; TO WAIVE COMPETITIVE BIDDING; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the Public Works Department for the City of Springdale, Arkansas, has developed a winter precipitation pretreatment program that requires additional equipment for timely implementation of the program in order to maximize effectiveness;

WHEREAS, part of the existing Public Works snow and ice removal program, equipment has been supplied, outfitted, maintained, and critical parts inventory made reliably available in partnership with Grand Truck Equipment Company for many years;

WHEREAS, it is in the best interest of the City of Springdale to maintain consistency with the existing equipment for reasons stated in paragraph two (2) above;

WHEREAS, the quote for the equipment attached hereto as Exhibit "A" accommodates assembly of the new equipment hydraulic power supply and the in-cab equipment control system to the existing Public Works Mack dump trucks as a substantial cost and time savings component;

WHEREAS, delivery of the equipment shown in the attached Exhibit "A" will be timely as required in 60-75 days;

WHEREAS, it has come to the attention of the City Council that because the Public Works Department has benefited from and has been provided good service in the past with reasonable prices by Grand Truck Equipment Company, it is in the best interest of the City of Springdale to purchase the equipment shown in the attached Exhibit "A" and waive competitive bidding.

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

Section1. Due to the immediate need for snow and ice removal equipment competitive bidding is not feasible or practical for the reasons herein stated and is hereby waived for purchases not to exceed **\$157,112.00** plus applicable Arkansas tax. The Public Works Department is hereby authorized to purchase the equipment at the prices set forth in the quotes attached hereto as Exhibit "A"; further, the requirement of competitive bidding is hereby waived as it is not deemed feasible.

Section2. 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 _____ day of _____, 2014.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney