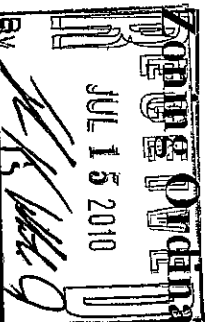


Application for a Zoning Ordinance Map Amendment



Date Received: _____
Case Number: _____

METROPOLITAN AREA
PLANNING COMMISSION
Jonesboro, Arkansas

LOCATION: _____
Site Address: E. Johnson Avenue & Oriole Drive

Side of Street: South between Oriole Drive and Old Bridgcr Road
Quarter: NE Section: 11 Township: 14N Range: 4E

Attach a survey plat and legal description of the property proposed for rezoning. A Registered Land Surveyor must prepare this plat. See attached

SITE INFORMATION:

Existing Zoning: R-1 Proposed Zoning: C-4, IJ-O Limited Use to Include
See Attached Ex¹A

Size of site (square feet and acres): 2.73 acres +/-
118,918.8 sq. ft. Sheet frontage (feet): 592.66 ft.

Existing Use of the Site: Single Family Residence (Vacant/Undeveloped)
Character and adequacy of adjoining streets: Asphalt surface, good condition, adequate for traffic flow.

Does public water serve the site? Yes
If not, how would water service be provided? N/A

Does public sanitary sewer serve the site? No
If not, how would sewer service be provided? Owner will extend service as necessary to support permitted use.

Use of adjoining properties:
North Zoned R-1-undeveloped
South Zoned R-1-single family
East Zoned C-4 IJ-O-undeveloped
West Zoned R-1-single family

Physical characteristics of the site: Vacant home w/associated building, portion undeveloped.
Mostly grass and pasture.

Characteristics of the neighborhood: Commercial developments to the West and North; Property to East is undeveloped; Single Family to the South.

Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Area Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is the 1st of each month. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.

REZONING INFORMATION:

The applicant is responsible for explaining and justifying the proposed rezoning. Please prepare an attachment to this application answering each of the following questions in detail:

- (1). How was the property zoned when the current owner purchased it? R-1
- (2). What is the purpose of the proposed rezoning? Why is the rezoning necessary? Best use of property.
- (3). If rezoned, how would the property be developed and used? Within the restrictions of the proposed limited use overlay.
- (4). What would be the density or intensity of development (e.g. number of residential units, square footage of commercial, institutional, or industrial buildings)? N/A
- (5). Is the proposed rezoning consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*? Yes
- (6). How would the proposed rezoning be the public interest and benefit the community? By serving the needs of the area.
- (7). How would the proposed rezoning be compatible with ongoing and planned development in the area.
- (8). Are there substantial reasons why the property cannot be used in accordance with existing zoning? Due to new hospital and 5 lane highway, property has limited to no value used as a single family residence
- (9). How would the proposed rezoning affect nearby property including impact on property value, traffic, drainage, visual appearance, odor, noise, light, vibration, hours of use or operation and any restriction to the normal and customary use of the affected property. Positive impact providing potential services to area in a convenient fashion.
- (10). How long has the property remained vacant? At least 2 years.
- (11). What impact would the proposed rezoning and resulting development have on utilities, streets, drainage, parks, open space, fire, police, and emergency medical services? Minimal impact.
- (12). If the rezoning is approved, when would development or redevelopment begin? Not determined at this time.
- (13). How do neighbors feel about the proposed rezoning? Please attach minutes of the neighborhood meeting held to discuss the proposed rezoning or notes from individual discussions. If the proposal has not been discussed with neighbors, please attach a statement explaining the reason. Failure to consult with neighbors may result in delay in hearing the application.
- (14). If this application is for a Limited Use Overlay (LUO), the applicant must specify all uses desired to be permitted. See attached Exhibit A

OWNERSHIP INFORMATION:

All parties to this application understand that the burden of proof in justifying and demonstrating the need for the proposed rezoning rests with the applicant named below.

Owner of Record:

I certify that I am the owner of the property that is the subject of this rezoning application and that I represent all owners, including spouses, of the property to be rezoned. I further certify that all information in this application is true and correct to the best of my knowledge.

Applicant:

If you are not the Owner of Record, please describe your relationship to the rezoning proposal:

Name:	<u>Border Properties, LLC</u>	Name:	_____
Address:	<u>P.O. Box 59</u>	Address:	_____
City, State:	<u>Jonesboro, AR</u>	City, State:	_____
Telephone:	<u>(870) 930-4460</u>	Telephone:	_____
Facsimile:	<u>(870) 268-2033</u>	Facsimile:	_____
Signature:	<u><i>L.M. Mung</i></u>	Signature:	_____

Deed: Please attach a copy of the deed for the subject property. See Attached.

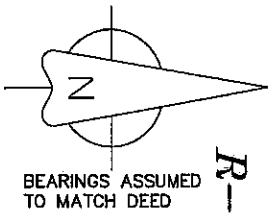
Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Area Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is the 1st of each month. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.

Ex. A

Proposed Rezoning:

C-4, LU-O Limited Uses to Include:

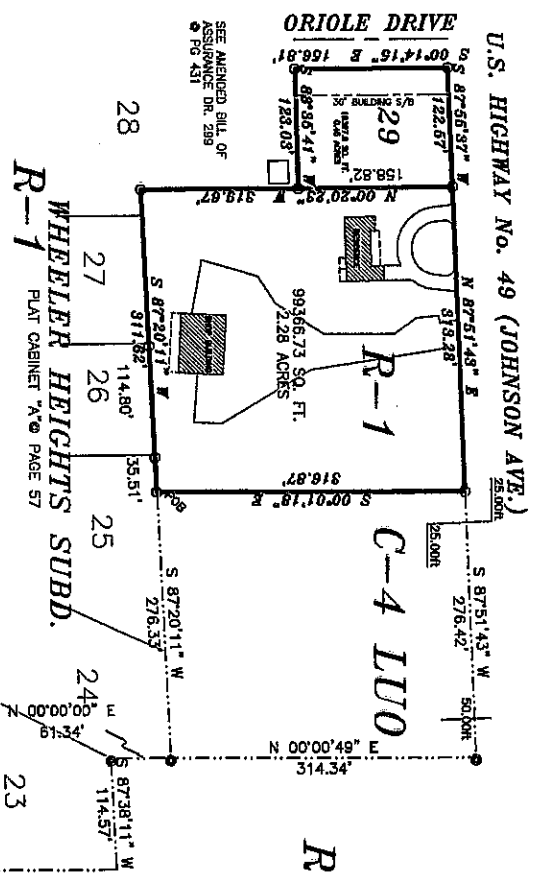
Animal Care, limited
Automated Teller Machine
Bank or Financial Institution
Car Wash
Church
Convenience Store
Day Care, limited (family home)
Day Care, general
Funeral Home
Government Service
Medical Service/Office
Office, general
Post Office
Restaurant, fast food
Restaurant, general
Retail/Service
Safety Services
Utility, Minor



R-1

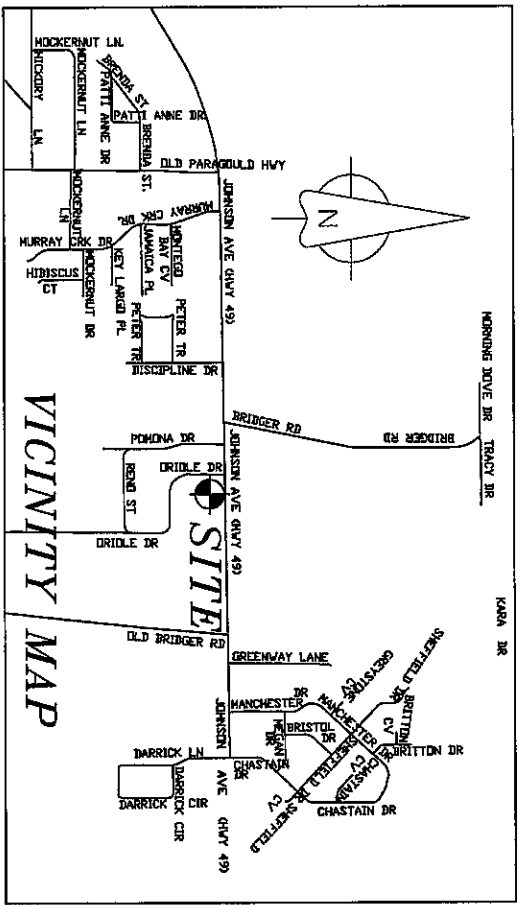
LEGEND

- These standard symbols will be found in the drawings:
- FOUND CORNER AS NOTED
 - SET 1/2" REBAR W/ CAP
 - ⊕ IR COTTON PICKER SPRINKLE
 - ▲ HIGHWAY RIGHT OF WAY MARKER
 - ▲ FOUND REBAR
 - △ CALCULATED CORNER
 - FENCE LINE
 - ELECTRIC LINE
 - SET IR NAIL
 - POWER POLE



R-1

R-1



VICINITY MAP

R-1

DESCRIPTION:

A PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast corner of the Northwest Quarter of the Northeast Quarter of said Section 11; thence North 00°00'00" East 867.91 feet; thence South 87°20'11" West 114.57 feet; thence North 0°00'00" East 61.34 feet; thence South 87°20'11" West 276.33 feet to the point of beginning proper; thence continue South 87°20'11" West 311.62 feet; thence North 0°20'23" West 319.67 feet; thence North 87°51'43" East 313.28 feet; thence South 0°01'18" West 316.87 feet to the point of beginning proper, containing 2.28 acres more or less and being subject to all public and private roads and easements.

And Lot 29 of Wheeler Heights Subdivision, Jonesboro, Arkansas as shown by plat in Plat Cabinet "A" at page 57 in the Office of Circuit Clerk and Ex-Officio recorder, Craighead County, Arkansas, and being subject additional Highway right of way along the North line.

CONTAINING IN ALL 2.73 ACRES MORE OR LESS



H&S HIME PROFESSIONAL SURVEYING SERVICES
 PMB #283, 2704 SO. CULBERHOUSE STE "L"
 JONESBORO, ARKANSAS

SURVEYOR'S CERTIFICATION:
 THIS IS TO CERTIFY I HAVE ON THIS DATE SURVEYED THE ABOVE DESCRIBED PROPERTY IN ACCORDANCE WITH MONUMENTS FOUND AND THIS PLAT CONFORMS TO THAT SURVEYED.

Brandon Popovic, LLC

A. M. Wray

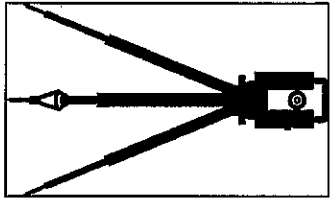
OWNER CERTIFICATION:
 WE HEREBY CERTIFY THAT WE, THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE ADOPT THE PLAN OF THE SUBDIVISION AND DEDICATED PERPETUAL USE OF ALL STREETS AND EASEMENTS AS NOTED AND WE FURTHER CERTIFY THAT WE HAVE READ AND ACKNOWLEDGED THE FOLLOWING STATEMENT.

REZONING PLAT

H&S Hime Professional Surveying Services
 PMB #283
 2704 SO. CULBERHOUSE STE "L"
 JONESBORO, ARKANSAS 72401

PHONE: 870 972 1288
 FAX: 870 972 1011
 E-MAIL: hshime_butch@yahoo.com

drawn by: HH	R-1 EXISTING
date: 7-12-2010	C-4UO REQUESTED
scale: 1"=200'	client: BORDER PROPERTIES, LLC.



Please Return To:

Lenders Title Company
2207 Fowler Avenue
Jonesboro AR, 72401
Phone: 870-935-7410
Fax: 870-935-6548

File Number: 08-02153-300

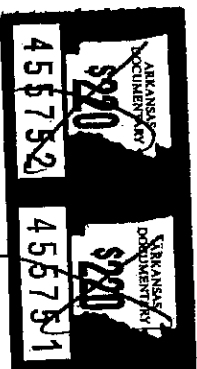
Approved as to form by:
J. Mark Spradley, Attorney-at-Law
Transactional data completed by Lenders Title Company

①
Warranty Deed - LLC (Artes).rtf



WARRANTY DEED
(LIMITED LIABILITY COMPANY)

FOR RECORDER'S USE ONLY



KNOW ALL MEN BY THESE PRESENTS:

That, BPC Investments, LLC, Grantor, organized under and by virtue of the laws of the State of Arkansas, by and through its Managing Member, duly authorized and empowered hereto by its Operating Agreement and law, 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, Border Properties, LLC, Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto the Grantee and unto its successors and assigns forever, the following described land, situated in the County of Craighead and the State of Arkansas to-wit:

Tract 1: Lot 29 of Wheeler Heights Subdivision, Jonesboro, Arkansas as shown by Plat in Plat Cabinet "A" Page 57, being subject to easements as shown on recorded plat.

Tract 2: Part of the Northwest Quarter of the Northeast Quarter of Section 11, Township 14 North, Range 4 East, more particularly described as follows: Begin at the Southeast corner of the Northwest Quarter of the Northeast Quarter of Section 11, Township 14 North, Range 4 East; thence North along the East line of the Northwest Quarter of the Northeast Quarter of Section 11 aforesaid 867.91 feet; thence South 87 degrees 38' 11" West 114.57 feet; thence North 61.34 feet; thence South 87 degrees 20' 11" West 276.33 feet to the point of beginning proper; thence continue South 87 degrees 20' 11" West 311.47 feet; thence North 0 degree 20' 43" West 319.62 feet to the South right of way line of United States Highway #49; thence North 87 degrees 51' 14" East along said South right of way line 313.28 feet; thence South 316.87 feet to the point of beginning proper.

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 and unto its successors and assigns forever, with all tenements, appurtenances, and hereditaments therunto belonging.

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

IN TESTIMONY WHEREOF, The name of the Grantor is hereunto affixed by its Managing Member and its seal affixed this day of April, 2008.

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

BPC INVESTMENTS, LLC

GRANTER OR AGENT:

[Signature]
Borber Properties, LLC

By: *[Signature]*
Bill Cope, Manager Member

GRANTER'S ADDRESS: *

PO Box 59
Jonesboro, AR 72403

ACKNOWLEDGMENT

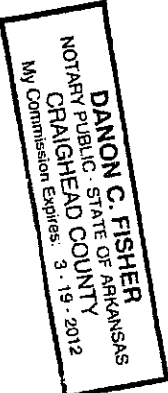
STATE OF ARKANSAS)
) SS.
COUNTY OF CRAIGHEAD)

BE IT REMEMBERED that on this 21 day of April, 2008, came before me, the undersigned, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, Bill Cope, to me personally well known (or satisfactorily proven to be), who stated that he was the Managing Member of BPC Investments, LLC, a limited liability company, and was duly authorized in his capacity to execute the foregoing instrument for and in the name and on behalf of said limited liability company, and further stated and acknowledged that he had so signed, executed and delivered the foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 21 day of April, 2008.

[Signature]
Notary Public

My commission Expires: _____



DEED BK 772 PG 235 - 236
DATE 04/23/2008
TIME 03:41:52 PM
RECORDED IN OFFICIAL RECORDS OF
CRAIGHEAD COUNTY
ANN HUDSON
CIRCUIT CLERK
RECEIPT # 174965
D.C.