

Quattlebaum, Grooms, Tull & Burrow

A PROFESSIONAL LIMITED LIABILITY COMPANY

300 S. Church

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Jonesboro, Arkansas 72401

Ginger C. Hyneman

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May 14, 2008

Mayor Doug Formon and City Council Members
515 West Washington Avenue
Jonesboro, AR 72401

VIA HAND DELIVERY

Re: King's Ranch Conditional Use Permit Appeal

Dear Mayor Formon and City Council Members:

Skip Mooney and I represent several of the neighbors who are opposing Dr. Eddie Cooper's request for a conditional use permit for a children's group home ("King's Ranch") on property at 2908 Day Drive in Jonesboro. This property is currently zoned R1 residential and is surrounded by other R1 residential property and is bordered by RidgePointe and Upper Duckswater subdivisions.

We oppose the King's Ranch conditional use permit because King's Ranch is a "business," and a residential district is simply not the appropriate location for it. In describing this "business," the Coopers have stated that they want to begin with one home for eight (8) children and two houseparents. They also plan to have other paid employees including relief houseparents, an administrator, director of social services, secretary, maintenance supervisor, and caseworkers. Additionally, King's Ranch intends to maintain an office, conference area, counseling department, and indoor arena and stables at the facility, and they plan to be licensed by the Arkansas Department of Human Services. The King's Ranch website further states that they plan to hold concerts, fundraisers, and group meetings, as well as, hope to create a Ranch Learning Center with accredited curriculum and trained teachers. Most importantly, this is a twenty-four hour a day business which will house troubled youth up to age 18, which creates numerous safety and security concerns for the neighboring landowners. Although Dr. Cooper has stated that the facility will have careful screening and supervision policies in place and will not accept children with severe emotional or behavioral problems, he has recognized in his appeal letter that such problems could develop. Neighbors whose homes surround the Cooper's property are concerned that once a problem occurs with a youth, such as running away, or worse, a

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Page 2

a dangerous act or crime, it would be too late. Finally, this twenty-four hour business would invite noise and traffic into a residential neighborhood where access to and from the property is through a very narrow Day Drive and across a private road with easement.

Although we do not want to inundate your file with information already available to you through the MAPC file, we did want to provide you with important information as you consider this conditional use permit appeal. Thus, I am enclosing the following for your review and consideration:

- (1) Petition in Opposition to King's Ranch with 68 signatures of surrounding neighbors
- (2) Transcript of March 11, 2008 MAPC meeting in which MAPC voted to deny the King's Ranch conditional use permit
- (3) Information Regarding Incidents/911 Calls at House of Refuge Christian Group Home for Girls which is located at 3703 South Culberhouse
- (4) Information Reflecting the Restrictive Covenants Placed by Sandy Modelevsky on Property Sold to Dr. Cooper in May 2004 and the intent that this property be residential use only

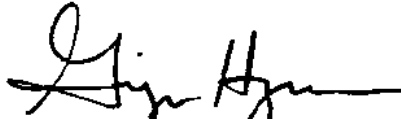
As you know, one very important purpose of the City of Jonesboro Zoning Ordinance is to "to promote the safety, order, convenience, prosperity, and general welfare of the citizens of Jonesboro," and its regulations are intended to protect the character and stability of residential areas of the city. Further, the Conditional Use regulations specifically allow the City of Jonesboro to determine whether a use may or may not be appropriately located within a district "due to their unusual or unique characteristics of operation and external effects." Whether a use is appropriate depends upon several factors, including that the use is "designated, located and proposed to be operated that the public health, safety and welfare will be protected," and that the use is "compatible with and will not adversely affect other property in the area."

We believe that the MAPC made the correct decision in denying the King's Ranch conditional use permit in this residential area, thus, protecting the rights and the properties of the citizens of Jonesboro. We would like to thank you for your consideration of this very important issue and ask that you continue to promote the purposes of the Zoning Ordinance and vote to deny the King's Ranch conditional use permit request.

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Page 3

If you have any questions or would like further information, please feel free to contact me at (870) 931-1701.

Sincerely,



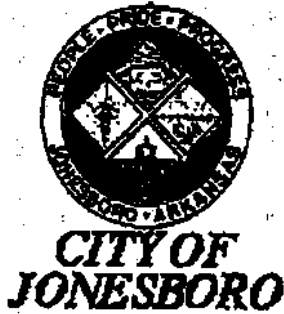
Ginger C. Hyneman

Enclosures

cc: Otis T. Spriggs Via Hand Delivery (w/enclosures)
Skip Mooney Via E-Mail (w/o enclosures)

SECTION

ONE



DATE: 02-15-08
TO: STEVE BAKER
FAX: 910-6981
ATTN:
SUBJECT: PETITION IN OPPOSITION
SENDER:
NUMBER OF PAGES: 21 COVER SHEET + 1 PAGE(S) = 22

PETITION IN OPPOSITION

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By: Steve Baker (signature)
STEVE BAKER (print name)
3007 DAY DRIVE (address)

By: Wallace W. Fowler (signature)
WALLACE W. FOWLER (print name)
5304 LACOSTE (address)

By: Beverly Daniel (signature)
BEVERLY DANIEL (print name)
2213 RIDGEPOINTE DRIVE (address)

By: Susan Baker (signature)
SUSAN BAKER (print name)
3007 Day Drive (address)

By: Michael F. Hoover (signature)
Michael F. Hoover (print name)
2512 Tumbocweed St. (address)

By: Elizabeth A. Levinson (signature)
Elizabeth A. Levinson (print name)
2704 Bloom Meadow St (address)

By: Mark A. Levinson (signature)
Mark A. Levinson (print name)
2704 Bloom Meadow (address)

By: [Signature] (signature)
Mark Duckworth (print name)
2964 Wood Springs Rd (address)

By: D. J. Duckworth (signature)
D. J. Duckworth (print name)
2964 Woodsprings Rd. (address)

By: _____ (signature)
_____ (print name)
_____ (address)

By: _____ (signature)
_____ (print name)
_____ (address)

By: Mike Case (signature)
Mike Case (print name)
3216 Woodsprings Rd. Jonesboro 72404 (address)

By: J. Lyons (signature)
Jim Lyons (print name)
3710 Pebble Beach, Jonesboro (address)
72404

By: _____ (signature)
_____ (print name)
_____ (address)

By: _____ (signature)
_____ (print name)
_____ (address)

By: _____ (signature)
_____ (print name)
_____ (address)

By: _____ (signature)
_____ (print name)
_____ (address)

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By: William B. French (signature)

WILLIAM B. FRENCH (print name)

3008 Moon Circle (address)

By: Mark & Julia Lamar (signature)

MARK AND JULIA LAMAR (print name)

3201 DAY DR (address)

Jennifer Young Harding (signature)

Jennifer Young Harding (print name)

2905 Woodsprings Rd. (address)

By: _____ (signature)

_____ (print name)

_____ (address)

By: _____ (signature)

_____ (print name)

_____ (address)

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By: Jammie House (signature)

Jammie House (print name)

3207 Casey Springs / 5700 Ridgeview Dr.
"Parker Family Farm" (address)

By: Bonnie Parker (signature)

Bonnie Parker (print name)

3212 Casey Springs (address)

By: James Parker (signature)

James Parker (print name)

3213 Casey Springs (address)

By: Connie Parker (signature)

Connie Parker (print name)

3213 CASEY Springs Rd.
Jonashoro Ar 72409 (address)

By: Weyne Rustey Parker (signature)

Weyne Rustey Parker (print name)

3207 Casey Springs Rd. / 727 CE311
"Parker Family Farm" / Jonashoro, Ar 72409 (address)

By: Marta Rusley-Parker (signature)

Marta Rusley-Parker (print name)

3207 Casey-Sawyer Rd / 727 CR 24
Parker Family Farm (address)
5000000 Rd 12-14

By: John D. Parker (signature)

JOHN D. PARKER (print name)

1803 TALL BIRCH (address)

By: Janette E. Parker (signature)

JANETTE PARKER (print name)

1803 Tall Birch (address)

By: Georgia A. Spence (signature)

Georgia A. Spence (print name)

308 Oxford Cove (address)

Parker Family Farm

By: _____ (signature)

_____ (print name)

_____ (address)

By: _____ (signature)

_____ (print name)

_____ (address)

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By: L Williams (signature)
Heather Williams (print name)
3807 Casey Springs Rd (address)

*Heather Shipman
2605 Casey Springs
Jonesboro, OR 97404*

By: Karen Carpenter (signature)
~~2508 Tumbweed St~~ Karen Carpenter (print name)
2508 Tumbleweed St. (address)

By: Eumar Tagupa (signature)
Eumar Tagupa (print name)
2114 Spring Hollow Dr (address)
Jonesboro

By: Ashley Bailey (signature)
Ashley Bailey (print name)
2733 A Greenbriar Drive (address)

By: Scott Howard (signature)
Scott Howard (print name)
2733A Greenbriar Drive (address)

By: _____ (signature)

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By: Suzy Schrantz (signature)
Suzy Schrantz (print name)

2700 Duckwater (address)
Jonesboro, AR 72404

By: James L. Schrantz (signature)
James L. Schrantz (print name)

2700 Duckwater (address)

By: Lavera Abraham (signature)

2608 Duckwater (print name)

Lavera Abraham (address)

By: Robert Abraham (signature)

Robert Abraham (print name)

2608 Duckwater (address)

By: A. Harry Herbert (signature)

A. HARRY HERBERT (print name)

2705 Bloom Meadow (address)

Rv: _____ (signature)

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By: Brenda Herget (signature)
BRENDA HERGET (print name)
2705 BLOOM MEADOW (address)

By: Teri Hoover (signature)
Teresa Hoover (print name)
2512 Tumbleweed St (address)

By: Melinda Baureis (signature)
Melinda Baureis (print name)
2501 Tumbleweed St. (address)

By: Melinda McNeill (signature)
Melinda McNeill (print name)
2701 Dickswater (address)

By: Paul McNeill (signature)
Paul McNeill (print name)
2701 Dickswater (address)

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_____ (address)

By: Willadean Hogue (signature)

WILLADEAN HOGUE (print name)

2615 Duckwater (address)

By: Ron Hogue (signature)

RON HOGUE (print name)

2615 Duckwater (address)

By: _____ (signature)

_____ (print name)

_____ (address)

By: _____ (signature)

_____ (print name)

_____ (address)

By: _____ (signature)

_____ (print name)

_____ (address)

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By: Janice Porter (signature)
Janice P. Porter (print name)
2616 Ducks Water St. (address)

By: Jack Harrington (signature)
JACK HARRINGTON (print name)
2500 TUMBLEWEED (address)

By: _____ (signature)
_____ (print name)
_____ (address)

By: _____ (signature)
_____ (print name)
_____ (address)

By: _____ (signature)
_____ (print name)
_____ (address)

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_____ (address)

By: Revel Dean Porter (signature)

Revel Dean Porter (print name)

2616 Duckswater St (address)

By: _____ (signature)

_____ (print name)

_____ (address)

By: _____ (signature)

_____ (print name)

_____ (address)

By: _____ (signature)

_____ (print name)

_____ (address)

By: _____ (signature)

_____ (print name)

_____ (address)

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2608 Twin Lakes Estates (address)

By: [Signature] (signature)

_____ (print name)

_____ (address)

By: 2608 Twin Lakes Estates (signature)

Cardace Hamber (print name)

_____ (address)

By: Tom Clark (signature)

Tom Clark (print name)

1604 Hillcrest (address)

By: Nancy Clark (signature)

Nancy Clark (print name)

1604 Hillcrest (address)

By: _____ (signature)

_____ (print name)

_____ (address)

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By: [Signature] (signature)
M. E. TENDEN (print name)
2203 Hazelfire (address)

By: [Signature] (signature)
Richard Crawford (print name)
7401 Oaklawn Ave. (address)

By: [Signature] (signature)
Arnold Gillian (print name)
1400 Locust (address)
Jonestown Ark

By: [Signature] (signature)
Sheila Cole (print name)
4103 Kellers Chapel Rd (address)
Jonestown Ark 72404

By: [Signature] (signature)
Lindsay Stewart (print name)
2203 Hazelfire Jonestown (address)
Ark. 72404

By: Michelle Caldwell (signature)
Michelle Caldwell (print name)

2001 Sandstone Junction Rd 72604 (address)

By: Rob Caldwell (signature)
Rob Caldwell (print name)

2001 Sandstone Junction Rd 72604 (address)

By: Michelle Bradley (signature)
Michelle Bradley (print name)

1802 Countryview Loop (address)

By: Jonda Dorton (signature)
TOND DORTON (print name)

8308 Caraway Commons #114 (address)

By: Josia Halbrooks (signature)
Josia Halbrooks (print name)

3000 Harrisburg Rd (address)

By: Ashlee Gadyman (signature)
Ashlee Gadyman (print name)

925 Sardens (address)

By: [Signature] (signature)
Shirley Cooper (print name)
1105 Medallion Lane (address)

By: [Signature] (signature)
Shirley Cooper (print name)
1105 Medallion Lane (address)

By: [Signature] (signature)
Jonathan L. Foley (print name)
4905 Forest Rd Jonesboro GA 30401 (address)

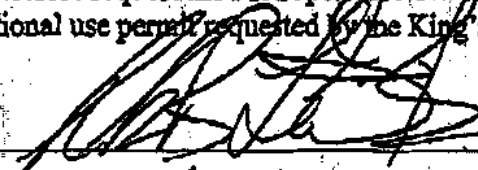
By: [Signature] (signature)
Brian Robinson (print name)
809 W. Madison Jonesboro GA 30401 (address)

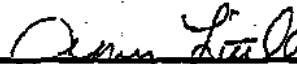
By: [Signature] (signature)
Dore Johnson (print name)
6122 715 Jonesboro Ave (address)


By: [Signature] (signature)
Crystal Mayhair (print name)
2009 Windgate 72104 (address)

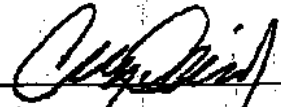
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By:  (signature)
Steve Little (print name)
3810 Pebble Beach Dr. (address)

By:  (signature)
Amy Little (print name)
3810 Pebble Beach Dr. (address)

By:  (signature)
ANDREA DAVIS (print name)
3321 Lacoste Dr (address)

By:  (signature)
Craig Davis (print name)
3321 Lacoste Dr. (address)

By:  (signature)
Eva Duckworth (print name)
3509 Friendly Hope Rd (address)

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By: Stacy Hall (signature)

Stacy Hall (print name)

3801 Lacoste Dr (address)

By: Dennis Lard (signature)

Dennis Lard (print name)

3309 Lacoste (address)

By: Eugene Hammon (signature)

Eugene Hammon (print name)

2301 Lacoste Cove (address)

By: Stephen McDaniel (signature)

STEPHEN MCDANIEL (print name)

3202 LACOSTE (address)

By: Celeste McDaniel (signature)

Celeste McDaniel (print name)

3202 LACOSTE DR (address)

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By: Donna Callison (signature)

DONNA Callison (print name)

3904 Ridgepointe Cove (address)

By: [Signature] (signature)

Brian D. [Name] (print name)

3509 Friendly Hwy Rd (address)

By: _____ (signature)

_____ (print name)

_____ (address)

By: _____ (signature)

_____ (print name)

_____ (address)

By: _____ (signature)

_____ (print name)

_____ (address)

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By: *Alan Childers* (signature)

Alan Childers (print name)

3317 LeBastie Drive (address)

By: _____ (signature)

_____ (print name)

_____ (address)

By: _____ (signature)

_____ (print name)

_____ (address)

By: _____ (signature)

_____ (print name)

_____ (address)

By: _____ (signature)

_____ (print name)

_____ (address)

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By: Pam B. Heringer (signature)

Pam B. Heringer (print name)

3606 Augusta Cove (address)

By: Barbara Broadway (signature)

Barbara Broadway (print name)

3606 Augusta Cove (address)

By: A. M. Heringer III (signature)

A. M. HERINGER III (print name)

3606 Augusta Cove (address)

By: _____ (signature)

_____ (print name)

_____ (address)

By: _____ (signature)

_____ (print name)

_____ (address)

SECTION

TWO

Re: Kings Ranch conditional use request, MAPC Meeting March 11, 2008

George Krennerich:

This has been one of the most difficult things that we have had to handle for the Planning Commission, because on the side of the Kings Ranch, I think it is something that is very good for the community and something that we should have. On the side of the local people that live there I can see why they wouldn't want this built in their neighborhood. It becomes very frustrating to sit up here as a commissioner and I wish all of you could have the opportunity. I really wish you could have the job, you can have mine I'll tell you. After 9 or 10 years of doing this you get to the point where everybody says oh I need something for my community but everybody also turns around and the next thing they say is but don't build it by me, don't build a new subdivision by my neighborhood, build it somewhere else, don't put the new manufacturing plant in my neighborhood, build it somewhere else, don't build it here, build it somewhere else. In this case I have to agree. This is not the location to put this facility in a single family residential area, and therefore, I believe if we did give a conditional use for this one house and then we would have to review and possibly give a conditional use again for another house, and another, and another. I think that we would constitute spot zoning. I don't think that is what we are charged as commissioners to do. I think we are charged to protect the rights and the properties of the citizens of Jonesboro, and therefore, because of that I move that we recommend to the City Council to deny this request

Chairman: It doesn't have to go to the City Council.

Mr. Krennerich: Then we do it.

Chairman: Second.

Chairman: We have a motion and a second. Call roll please.

Everyone: But one voted to deny the request.

Mr. Dover : Abstained.

Chairman: We have 5 votes, do we not?

Chairman: Yes.

Chairman: So that motion carried, so the Kings Ranch denied.

SECTION

THREE

House of Refuge Christian Group Home Comparison to Kings Ranch Proposal

Presented to the MAPC meeting on March 11, 2008

On Tuesday September 12, 2006, the MAPC was asked to consider a conditional use permit by House of Refuge Christian Group Home to be located at 1020 West Matthews in a large historic house with 5 bedrooms. Girls from age 12 to 18 considered "at risk" would be served with a professional staff with a licensed clinical therapist, individual family and group therapy will take place at the facility staffed by three to five individuals.

This application for a special use permit was withdrawn after significant opposition from neighborhood residents.

According to The Sun article of October 29, 2006 Carolyn Crosby received zoning approval to open a home for neglected or abused girls known as House of Refuge. The home was placed in a former residence-office behind Southlawn Nursery, 3703 South Culberhouse. This is a commercially zoned location thus MAPC approval was not required.

Crosby was quoted as saying, "I'm blessed. This was a godsend. I don't take any credit. It literally was God that ordered my steps to this place."

Similarly, Dr. Eddie Cooper has proposed converting a single-family residence into a home for neglected, abused, or abandoned children which is incorporated as King's Ranch. Like the proposed King's Ranch, the House of Refuge is in a somewhat secluded location with its own private driveway. The House of Refuge has 4800 square feet of living space; the King's Ranch has 4900.

The October 26, 2006 issue of the Jonesboro Sun quotes Ms. Crosby: "The home will cater to 'at risk,' dependent neglected' girls or girls 'in the juvenile justice system without severe charges.'" According to their application to the MAPC, the King's Ranch "will not accept children with severe behavioral problems or problems that would affect the well being of other children or the surrounding community."

Again from the October 26, 2006 Sun article: "Outside, girls will have access to a basketball court, volleyball, barbecue grill, tree house, birdhouses, and woodsy trails to a creek at the back of the home and the landscape is near-perfect. We can open the gate up and go on nature walks." From the MAPC application for King's Ranch: "The Ranch will provide a variety of recreational opportunities such as hiking, fishing, horseback riding, sports, and camping." Both Ms. Crosby and the Coopers cite a religious motivation for founding their organizations.

A copy of the Admission Decision Criteria for the House of Refuge is very similar to the Kings Ranch, Inc. criteria. A copy is available by request from counsel.

Despite such glowing optimism at the outset, the rest of the story has not matched expectations. The March 3, 2007 Sun reports that police were called to the House of Refuge at 200 Sartin Lane where the overseer was assaulted in a confrontation. Ms. Crosby said after talking with a 17 year old resident about problems she was having at school and with peers at the home, the girl tried to run away. According to a statement to police, Ms. Crosby said she tried to stop the teen from leaving and was pushed and hit by the girl. The youth then broke a closet door and bit Crosby as the overseer was trying to restrain her. Crosby reported to police that the teen also caused other damage in the home before another girl was able to get a phone to the caretaker who then called the teen's case worker and police. The girl was arrested and taken to the county's juvenile detention center.

The March 14, 2007 Sun reported a 911 call reporting the theft of \$40 at House of Refuge.

The 7/21/2007 Sun reported that Jonesboro firefighters responded to two (2) false alarms at the House of Refuge.

9/2/2007 The Jonesboro 911 report states that two 16 year olds ran away from the home.

11/11/2007 The Jonesboro 911 report stating three females ran away from the home.

11/14/2007 The Jonesboro 911 report states that two males known to the residents broke into the house.

12/23/2007 The Jonesboro 911 report states that a 16 year old female ran away from the residence. Occurred sometime overnight. (The supervisors were apparently asleep).

According to juvenile professionals, there are many additional "incidents" which occurred at the home that were not reported to police or 911 due to the age of the children and the fear of regulatory consequences. School officials report significant problems with both bus and classroom conduct with children from the Home of Refuge.

We have diligently researched to determine the facility most similar to the proposed Kings Ranch, Inc. group home and these **documented** events indicate why we are concerned for the safety and security of our neighborhood! Neither Dr. Cooper nor anyone from Kings Ranch, Inc. has given any assurances that these types of incidents are not possible if the facility is approved.

We oppose the approval of the "Special Use" permit for the Kings Ranch, Inc. We ask that this commission maintain the integrity of our R-1 zoning and please do not approve a "Spot Zoning" in our neighborhood!

We commend the Metropolitan Area Planning Commission for service to our community...

Search Results Listing

Call#	Call Type	Priority	Received	Taken By	Location	Description	Cleared
C229745	Runaway Juvenile	Medium	2007/09/02 01:08	Heitman, M	200 Sartin	2 16 YOFs one is named [REDACTED] the other [REDACTED] left about 1am unknown clothing description. Mom woke up and they were gone.	2007/09/02 01:48
C246481	Runaway Juvenile	Medium	2007/11/11 17:24	Cooper, S	200 Sartin	3 females...2 black 1 white all live in jonesboro. Imogene Justice 18 yo w/f wearing linkerbell hoodie, blk coat, blond hair (curly and short) [REDACTED] b/f 14 yoa lsw wht short jacket w/black shirt and pants... [REDACTED] 17 lsw red/white jacket, brn hair tips wearing pink shirt, and blue jeans. left approx 15 minutes ago. oic advised of call at 1730 j28 07/10775	2007/11/11 18:37
C246990	Burglary Business (In Progress)	High	2007/11/14 03:52	King, K	200 Sartin LN	2 bm's broke into the house and ran out the front door. No shirt and jeans, the other blk/wht army shirt and jeans...One back male in the back yard....compl advised she heard a noise, went to look and the boys were walking up the stairs and saw her and ran out....compl advised while doing a search another BM was found, he ran out the front door wearing a whi shirt, shorts and gry jacket. Girls living there advised the names are [REDACTED] unk last name. 10-15 x 2 0418 41 transport x 2 0452	2007/11/14 05:30
C246515	Follow Up	Low	2007/11/11 20:52	Jackson, B	200 Sartin	ref missing juves from earlior enroute to county w/juv female	2007/11/11 22:38
C257081	Runaway Juvenile	Medium	2007/12/23 11:28	Baggelt, K	200 Sartin LN	16 y/o w/f, female, [REDACTED], ran away from the residence. Occured sometime overnight.	2007/12/23 14:19

SECTION

FOUR

Type of Instrument: Warranty Deed
Grantor: The Sandra L. Modelevsky Revocable Trust
Grantee: Roy Edward Cooper, Jr. and Lee Anne Cooper

This Instrument Prepared By:

Barrett & Deacon, P.A.
P.O. Box 1700
Jonesboro, AR 72403

After recording Return to:

Barrett & Deacon, P.A.
P.O. Box 1700
Jonesboro, AR 72403 ✓

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT THE SANDRA MODELEVSKY REVOCABLE TRUST, SANDRA L. MODELEVSKY, TRUSTEE, Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations in hand paid by ROY EDWARD COOPER, JR. and LEE ANNE COOPER, husband and wife, Grantees, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the said Grantees, and unto their heirs and assigns forever, the following lands lying in Craighead County, Arkansas, to-wit:

The real estate described in Exhibit "A" attached hereto and incorporated herein by reference (the "Property").

To have and to hold the same unto the said Grantees, and unto their heirs and assigns forever, with all appurtenances thereunto belonging.

And the Grantor hereby covenants with said Grantees that Grantor will forever warrant and defend the title to said lands against all lawful claims whatever.

Restrictive Covenant: The Property is conveyed from a larger tract of lands owned and retained by the Grantor. Said lands are adjacent and contiguous to the Property. As a part of the



consideration for this conveyance, the Grantees consent to the following covenants, restrictions and limitations which shall run with the Property and which shall be binding upon the Grantees and the heirs, successors and assigns of the Grantees:

Except as provided in (C) below, Grantees agree that in the event that Grantees subsequently desire to subdivide and develop the Property, that such plans of subdivision and development will contain the following restrictions:

- A. The use of the Property shall be residential only;
- B. Only single family dwellings with a minimum square footage of at least 2,000 square feet may be constructed on the Property; and
- C. The restrictions contained herein shall not apply to the use of the Property or construction of improvements on the Property by Grantees or the family members of Grantees.

Retention of Easement. Grantor, for the benefit of Grantor and the successors and assigns of Grantor, Grantor hereby retains an easement across the Property as more particularly described in Exhibit "B" attached hereto and incorporated herein by reference for purposes of affording Grantor and Grantor's successors and assigns a means of ingress and egress to the property retained by Grantor. The property retained by Grantor is described in Exhibit "C" attached hereto and incorporated by reference. Grantor and Grantees shall share equally in the maintenance and repair of the roadway but any damage to the roadway caused by a party or its permittee shall be the sole responsibility of such party to pair.

WITNESS my hand and seal on this 17th day of May, 2004.

Sandra L. Modelevsky

Sandra L. Modelevsky, Trustee of The Sandra L. Modelevsky Revocable Trust

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this day, before me personally appeared Sandra Modelevsky as Trustee of The Sandra L. Modelevsky Revocable Trust, to me well known, who acknowledged that she was the Trustee of The Sandra L. Modelevsky Revocable Trust, and that she as such Trustee, being authorized so to do, had executed the foregoing instrument for the purposes therein contained, by signing as such Trustee and executing on behalf of the Trust as such Trustee.

WITNESS my hand and seal as such Notary Public this 17th day of May, 2004.

J.W. Waddell
Notary Public

My Commission Expires:
4-15-2006

AMOUNT OF TAX \$3,758.70
I 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.

[Signature]
Grantor or Agent

Grantor's Address: 2607 Duckswater, Jonesboro, AR 72404

EXHIBIT "A"

Legal Description of Property

A PART OF SECTION 27, TOWNSHIP 14 NORTH, RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SECTION 27, TOWNSHIP 14 NORTH - RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS; THENCE N00°13'25"E, ALONG THE QUARTER SECTION LINE, 662.90' (RECORD N00°15'00"E 662.90'); THENCE N88°30'31"E 400.01', TO THE POINT OF BEGINNING PROPER (1); THENCE CONTINUE N88°30'31"E 218.82'; THENCE S06°57'30"E 121.44'; THENCE S00°13'31"W 413.18' (RECORD S02°04'31"W 413.52'); THENCE S00°40'45"W 200.51' (RECORD S02°31'29"W 200.39'); THENCE S00°40'05"W 104.68' (RECORD S02°31'29"W 104.47'); THENCE S00°57'36"W 91.11' (RECORD S02°54'51"W 91.25'); THENCE S01°03'43"W 119.65' (RECORD S02°54'51"W 120.00'); THENCE S01°18'14"W 187.52' (RECORD S03°14'44"W 186.95'); THENCE S76°10'11"E 36.37' (RECORD S74°22'15"E 36.26'); THENCE S00°11'19"W 740.02' (RECORD S00°07'00"W 740.09'); THENCE S88°18'21"W 661.64' (RECORD S88°17'00"W 660.90'); THENCE S88°05'14"W 1323.43' (RECORD S88°06'00"W 1323.30'), TO THE FORTY-ACRE LINE; THENCE N00°06'36"E, ALONG SAID FORTY-ACRE LINE, 1333.52', TO THE QUARTER SECTION LINE; THENCE S88°24'02"E, ALONG SAID QUARTER SECTION LINE, 1326.44'; THENCE S00°13'25"W 197.36'; THENCE S23°17'33"E 362.07'; THENCE S65°05'36"E 102.16', TO THE APPROXIMATE CENTERLINE OF A DITCH; THENCE WITH THE MEANDERINGS OF SAID APPROXIMATE CENTERLINE OF DITCH AS FOLLOWS; N06°00'24"E 196.58'; N22°23'08"E 286.49'; N36°34'15"E 244.71'; N05°17'59"E 198.29'; THENCE N23°18'40"W 320.36'; THENCE N00°13'25"E 97.67', TO THE POINT OF BEGINNING PROPER (1); CONTAINING 59.17 ACRES, MORE OR LESS; SUBJECT TO A 20' INGRESS/EGRESS EASEMENT (EASEMENT 1), LYING 10' EITHER SIDE OF THE CENTERLINE OF SAID EASEMENT; SUBJECT TO ALL RIGHTS OF WAYS AND EASEMENTS OF RECORD.

Exhibit "B"

EASEMENT 1

THE CENTERLINE OF SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE CENTER OF SECTION 27, TOWNSHIP 14 NORTH - RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS; THENCE N00°13'25"E, ALONG THE QUARTER SECTION LINE, 662.90' (RECORD N00°15'00"E 662.90'); THENCE N88°30'31"E 618.83'; THENCE S06°57'30"E 121.44'; THENCE S00°13'31"W 413.18' (RECORD S02°04'31"W 413.52'); THENCE S00°40'45"W 200.51' (RECORD S02°31'29"W 200.39'); THENCE S00°40'05"W 104.68' (RECORD S02°31'29"W 104.47'); THENCE S00°57'36"W 91.11' (RECORD S02°54'51"W 91.25'); THENCE S01°03'43"W 119.65' (RECORD S02°54'51"W 120.00'); THENCE S01°18'14"W 187.52' (RECORD S03°14'44"W 186.95'); THENCE S76°10'11"E 36.37' (RECORD S74°22'15"E 36.26'); THENCE S00°11'19"W 740.02' (RECORD S00°07'00"W 740.09'); THENCE S88°18'21"W 276.31', TO THE CENTERLINE OF A 20' INGRESS/ EGRESS EASEMENT, THE POINT OF BEGINNING PROPER (2); THENCE ALONG SAID CENTERLINE AS FOLLOWS: N89°35'52"W 288.42', TO A POINT ON A CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG SAID CURVE (R=31.14') A DISTANCE OF 54.48'; THENCE N10°38'34"E 169.81'; THENCE N22°59'08"E 183.15'; THENCE N16°53'44"E 360.57', TO A POINT ON A CURVE TO THE LEFT; THENCE NORTHWESTERLY ALONG SAID CURVE (R=27.77') A DISTANCE OF 37.58'; THENCE N68°16'41"W 16.23', THE POINT OF TERMINATION. SUBJECT TO ALL RIGHTS OF WAYS AND EASEMENTS OF RECORD.

Exhibit C"

Beginning at the center of Section 27, Township 14 North, Range 3 East, Craighead County, Arkansas, thence N00°13'25"E, along the Quarter Section Line, 662.90' (Record N00°15'00"E 662.90); thence N88°30'31"E 400.01'; thence S00°13'25"W 97.67'; thence S23°18'40"E 320.36', to the approximate centerline of a ditch; thence with the meanderings of said approximate centerline of ditch as follows: S05°17'59"E 198.29'; S36°34'15"W 244.71'; S22°23'08"W 286.49'; S06°00'24"W 196.58'; thence N65°05'36"W 102.16'; thence N23°17'33"W 362.07'; thence N00°13'25"E 197.36', to the point of beginning, containing 10.57 acres, more or less; together with a 20' Ingress/Egress easement (Easement 1), lying 10' either side of the centerline of said easement; subject to all rights of ways and easements of record.

DEED BOOK 671 PAGE 366 - 371
DATE 05/17/2004
TIME 04:40:13 PM
RECORDED IN,
OFFICIAL RECORDS OF
CRAIGHEAD COUNTY
ANN HUDSON
CIRCUIT CLERK
Ann Hudson D.C.
RECEIPT# ~~XXXXXXXXXX~~

#120300

August 6, 2007

Metropolitan Area Planning Commission
Jonesboro, AR

Dear Member:

Please accept this as a letter of opposition to the request by Dr. Eddie and Lee Copper for a Conditional Use Application that would allow them to develop children youth homes and auxiliary compound in the center of our residential area. My primary opposition is for the following two reasons:

1. It is an inappropriate development in a residential neighborhood.
2. It violates the restrictive covenant set forth in the deed between me and the Coopers.

My home and property is engulfed on the south, east, and west by the Cooper's property. If they are allowed to use the property in this manner, my family would be completely enclosed by the youth facilities. I have only one way in and out to my home which is protected by the agreement in the deed with the Coopers.

I sold the property to them with the understanding that it would be open to residential development only. I was so concerned about the property being used for anything that would take away from our neighborhood that I would not consider selling unless I was assured in the agreement and the deed that the property would be restrictive as the deed states. I believe that the proposal is in violation of our agreement and our deed.

The youth houses would be nearer my house and several other neighbor's homes than it would be to the Cooper's home. The youth houses and support buildings including learning centers, recreational center, playground and offices are to be developed on Day Drive between Duckswater and Ridgepoint in the middle of existing residential neighborhoods. There are several homes within a few hundred yards of the site.

In conclusion, as a Licensed Master Social Worker, I support helping needy children and admire the Coopers for there work in this field. I ask that we look for the appropriate location that would serve all party's interest and not violate our agreement.

Sincerely,

Sandy Modelevsky
870-219-9229 cell
870-972-5544 home

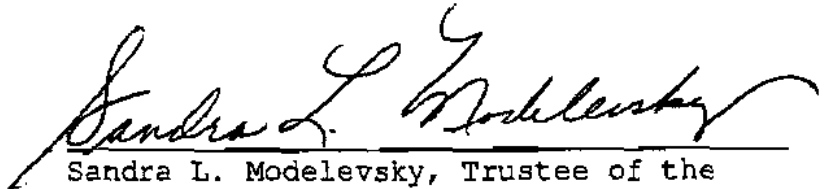
NIX

DEED BK 766 PG 947

REVOCATION OF RESTRICTIVE COVENANTS

SANDRA L. MODELEVSKY, TRUSTEE OF THE SANDRA L. MODELEVSKY REVOCABLE TRUST, acknowledging the restrictive covenants contained in the Warranty Deed ("Deed") to ROY EDWARD COOPER, JR. and LEE ANNE COOPER, husband and wife, dated May 17, 2004, and recorded May 17, 2004, in Deed Book 671 at page 366 in the office of the Circuit Clerk and Ex-Officio Recorder of the Jonesboro District of Craighead County, Arkansas, and acting as grantor in said Deed, does herewith revoke, renounce, cancel and disclaim such restrictive covenants, it being the undersigned's expressed intention and purpose by this revocation that such covenants, restrictions and limitations as contained in said Deed shall not run with the property and shall not be binding upon the said grantees or their heirs, successors and assigns, the same being revoked, canceled and released for all purposes.

EXECUTED this 4th day of February, 2008.


Sandra L. Modelevsky, Trustee of the
Sandra L. Modelevsky Revocable Trust

This Instrument Prepared By
WOMACK, LANDIS, PHELPS & McNEILL
A Professional Association
Attorneys at Law
Jonesboro, Arkansas

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

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

WITNESS my hand and seal as such Notary Public this 4th day of February, 2008.

Sandra Greene
Notary Public

My Commission Expires:

8-20-2010



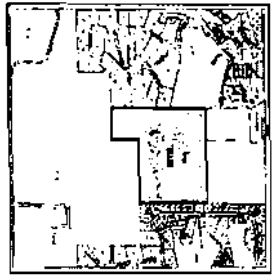
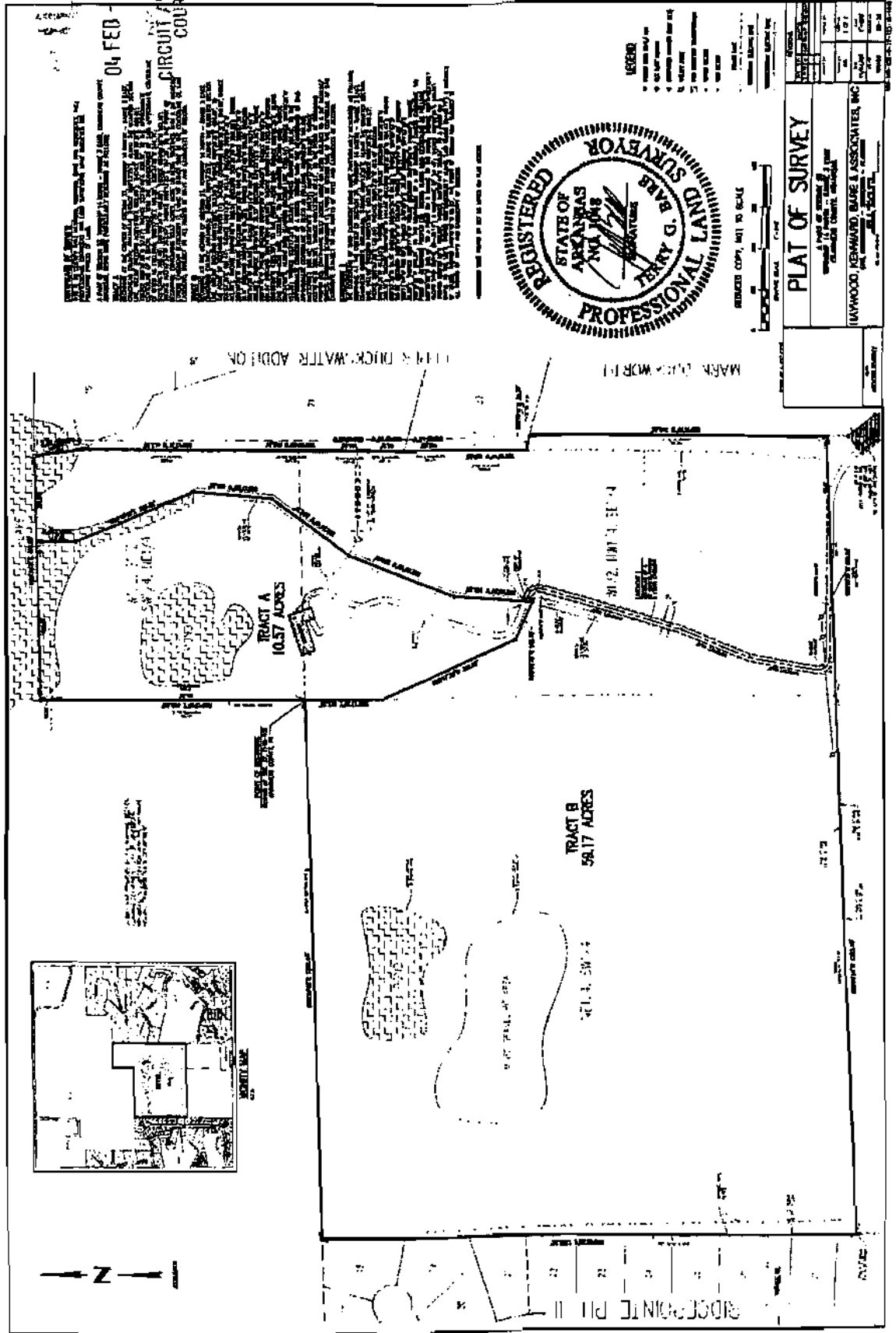
DEED BK 766 PG 947 - 948
DATE 02/05/2008
TIME 02:38:12 PM
RECORDED IN,
OFFICIAL RECORDS OF
CRAIGHEAD COUNTY
ANN HUDSON
CIRCUIT CLERK
M. J. [Signature], D.C.
RECEIPT # 171948

FILED

04 FEB - 3 PM 2:31

COURT AND CHANCERY
CIRCUIT CLERK

BOOK I RECORDED PAGE 151
DATE 2-3-04 BY CRAGG ANN HUBBON SPK
CRISP, DUTZ P.C.



RECORD	
BOOK	PAGE
I	151
DATE 2-3-04	
BY CRAGG ANN HUBBON SPK	
CRISP, DUTZ P.C.	

PLAT OF SURVEY	
LAWWOOD, KEMNARD, BARE & ASSOCIATES, INC.	

February 4, 2008

Dear Metropolitan Area Planning Commission,

In my letter dated August 6, 2007, which was addressed to you, I made reference to certain conditions and restrictions placed on property that was owned by Eddie and Lee Cooper and adjacent to my property. The referenced conditions and restrictions have now been specifically relinquished and revoked by me, according to a written agreement. I have withdrawn and rescinded my August 6, 2007 letter, concerning the previous application for a conditional use permit. You may disregard the correspondence because my concerns do not apply to the conditional permit application currently submitted by King's Ranch.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sandy Modelevsky". The signature is written in black ink and is positioned above the printed name.

Sandy Modelevsky