



IN REPLY REFER TO.

# United States Department of the I

## FISH AND WILDLIFE SERVICE

110 S. Amity Road, Suite 300  
Conway, Arkansas 72032  
Tel.: 501/513-4470 Fax: 501/513-4480

Chris	
Tommy	
Melissa	
Mitch	
Lindsey	



February 16, 2016

Marvin Sutterfield  
Stone Bank  
P.O. Box 2750  
Mountain View, AR 72560

Dear Mr. Sutterfield:

The U.S. Fish and Wildlife Service (Service) has reviewed the information supplied in your letter dated February 5, 2016, regarding the proposed construction of eight poultry houses for James Rodgers near the city of Pocahontas, Randolph County, Arkansas. Our comments are submitted in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended 16 U.S.C. 1531 et seq.) and Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d).

The Service concurs with your determination that the proposed project may affect, but is not likely to adversely affect the Pink Mucket (*Lampsilis abrupta*), Indiana Bat (*Myotis sodalis*), Pondberry (*Lindera melissifolia*), Scaleshell (*Leptodea leptodon*), Rabbitsfoot (*Quadrula cylindrica cylindrica*), Snuffbox (*Epioblasma triquetra*), Curtis Pearlymussel (*Epioblasma florentina curtisi*), Ozark Hellbender (*Cryptobranchus alleganiensis bishopi*), and the Northern Long-eared Bat (*Myotis septentrionalis*).

Please be aware Bald Eagle is not protected under the ESA. Bald Eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.).

We appreciate your interest in the conservation of endangered species. If you have any questions, please contact the Arkansas Ecological Services Staff at (501) 513-4487.

Sincerely,

Melvin Tobin  
Project Leader



36.231064  
-91.070921

**REAL ESTATE CONTRACT (Offer and Acceptance)**

Date: 2-3-16

1. **BUYER:** James S. Rogers offers to buy, subject to the terms set forth herein, the following property:

2. **PROPERTY DESCRIPTION AND ADDRESS:**

The S ½ of the S ½ of the NW ¼ AND that part of the N ½ of the NW ¼ of the SW ¼ that lies East of the Birdell Noland County Road all in Section 3, Township 18 North, Range 1 West.

AND

The NW ¼ of the SE ¼ AND the NE ¼ of the SW ¼ all in Section 3, Township 18 North, Range 1 West.

AND

Commence at the Northeast corner of the SE ¼ of the SW ¼ of Section 34, Township 19 North, Range 1 West; thence South 0° 31' West 178.38 feet to the point of beginning; thence South 86° 25' West along the South Right of Way line of State Hwy # 62, 636.0 feet; thence South 0° 31' West 300.0 feet; thence North 86° 25' East 636.0 feet; thence North 0° 31' East 300.0 feet to the point of beginning, containing 4.38 acres, more or less. And a permanent easement for road purposes on the following described lands. Commence at the Northeast corner of the SE ¼ SW ¼ of Section 34, Township 19 North, Range 1 West; thence South 0° 31' West 178.38 feet to the South Right of Way line of State Hwy # 62; thence South 86° 25' West along said Right of Way line, 636.0 feet to the point of beginning; thence continue South 86° 25' West 24.06 feet; thence South 0° 31' West 118.28 feet; thence South 89° 29' East 24.0 feet; thence North 0° 31' East 120.0 feet to the point of beginning, containing. 0.07 acre, more or less. It is the intent of the Grantor of the easement that the property involved by used by the Grantee for driveway purposes only.

3. **PURCHASE PRICE:** The Buyer will pay \$180,000.00 for the property at closing. This includes a closing cost credit of \$ 0.

4. **EARNEST MONEY:** The Buyer herewith tenders a check for \$ 0 as earnest money, which shall apply on purchase price or closing costs.