



IN REPLY REFER TO.

United States Department of the In

FISH AND WILDLIFE SERVICE

110 S. Amity Road, Suite 300

Conway, Arkansas 72032

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Jason	
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June 18, 2015

Marvin Sutterfield
Ozark Heritage 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 June 11, 2015, regarding the proposed construction of two breeder hen houses for James Mize near the city of Cave City, Sharp County, Arkansas. Our comments are submitted in accordance with the Endangered Species Act (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 construction may affect, but is not likely to adversely affect the Gray Bat (*Myotis grisescens*), Indiana Bat (*Myotis sodalis*), Missouri Bladderpod (*Physaria filiformis*), Rabbitsfoot (*Quadrula cylindrica cylindrica*), Scaleshell (*Leptodea leptodon*), Pink Mucket (*Lampsilis abrupta*), Ozark Hellbender (*Cryptobranchus alleganiensis bishopi*), Snuffbox (*Epioblasma triquetra*), Curtis Pearlymussel (*Epioblasma florentina curtisi*), or 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
Acting Project Leader



Getting around
 Show: Traffic - Bicycling
 Directions

Imagery ©2015 Google, Map data ©2015 Google 200 ft

36.003257
 -91.366282

All that certain lot or parcel of land situated in the County of Sharp, State of Arkansas, and being more particularly described as follows:

Tract I:

The Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 23; the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 24;

A part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 26, Township 16 North, Range 4 West described as follows: Beginning at the Quarter Section Corner on the East side of Section 26; thence due North 29.45 chains to the point of beginning; thence West 14.65 chains; thence North 29.45 chains to the North boundary of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$); thence East along the North boundary to the Northeast corner of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$); thence South along the East boundary of Section 26 to the point of beginning.

A part of the Northeast Quarter (NE $\frac{1}{4}$) of Section 26, described as follows: Beginning at the Quarter Section corner on the East side of Section 26; thence due North 29.45 chains; thence West 14.65 chains; thence North 29.45 chains to the North boundary of said Section 26; thence West on said Section line 14.74 chains; thence South 12.50 degrees East 3.32 chains; thence South 70 degrees West 4.50 chains; thence South 58 $\frac{1}{2}$ degrees West 3.55 chains; thence South 49 $\frac{1}{2}$ degrees West 2.77 chains; thence South 40 $\frac{1}{2}$ degrees West .82 chains; thence South 68 degrees West 2.01 chains to the West boundary line of the Northeast Quarter (NE $\frac{1}{4}$) of said Section; thence due South 13.50 chains; thence South 85.50 degrees East 4.30 chains; thence South 4.50 degrees East 3.60 chains; thence North 84.50 degrees East 22.50 chains; thence South 2 degrees East 13 chains; thence due East 12.60 chains to the beginning corner. All in Township 16 North, Range 4 West.

LESS AND EXCEPT:

A part of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 23 and a part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 26, Township 16 North, Range 4 West, more particularly described as follows: Beginning at the Southwest corner of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 23, Township 16 North, Range 4 West; thence North 70 yards; thence East 210 yards; thence South 140 yards; thence West 210 yards; thence North 70 yards to point of beginning. Containing 6 acres, more or less.

ALSO LESS AND EXCEPT:

A part of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) in Section 26, Township 16 North, Range 4 West, described as follows: Commence at the Northwest corner of said Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) and run South along the West line thereof to a point on the South right of way of a road intersecting said West line for the point of beginning of the Tract herein conveyed; thence continue South along said West line a distance of 989.31 feet; thence East 440 feet; thence North to the South right of way of said road; thence running Southwesterly along said right of way of said road to the point of beginning.

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MARM

ALSO LESS AND EXCEPT:

A parcel of land lying in the of the Northeast Quarter (NE ¼) of Section 26, Township 16 North, Range 4 West, being described as follows: Commencing at the Southeast (SE) corner of the Northeast Quarter (NE ¼) of Section 26, thence North on Section line 20.45 chains; thence West 14.65 chains to point of beginning; thence North 20.45 chains to North line of said Section; thence West on Section line 14.74 chains; thence South 12.5 degrees East 3.12 chains; thence South 70 degrees West 4.5 chains; thence South 56.5 degrees West 3.55 chains; thence South 49.5 degrees West 2.77 chains; thence South 40.5 degrees West 0.82 chains; thence South 68 degrees West 2.0 chains to West boundary line of the Northeast Quarter of said Section; thence due South 13.5 chains; thence South 85.5 degrees East 4.3 chains; thence South 4.5 degrees East 3.6 chains; thence North 84.5 degrees East 21.5 chains; thence North 4.85 chains to the point of beginning. Less and Except: All that part of the above described legal that lies North of the centerline of Mize Campbell Road as now located. Also Less and Except: A part of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼) in Section Twenty-Six (26), Township Sixteen (16), Range Four (4) West, described as follows: Commence at the Northwest corner of said Northwest Quarter Northeast Quarter (NW ¼ NE ¼) and run South along the West line thereof to a point on the South right of way of a road intersecting said West line for the point of beginning of the tract herein conveyed; thence continue South along said West line a distance of 989.91 feet; thence East 440 feet; thence North to the South right of way of Mize Campbell Road; thence running Southwesterly along said right of way of said road to the point of beginning.

ALSO LESS AND EXCEPT:

Also a part of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of Section Twenty-Six (26), Township Sixteen (16) North, Range Four (4) West, described as follows: Commence at the Southeast (SE) corner of the Northeast Quarter (NE ¼) of Section 26, thence North on Section line 20.45 chains; thence West 14.65 chains; thence North 595.22 feet to the centerline of a private drive and the point of beginning; thence continue North 474.44 feet to the centerline of the Mize Campbell Road; thence meandering with said road in a southeasterly direction approximately 481 feet to the center line of a private drive; thence meandering with said private drive in a southwesterly direction back to the point of beginning.

TRACT II:

The West 275.98 feet of the following described property: A part of the Southeast Quarter of the Southeast Quarter (SE ¼ SE ¼) of Section 23 and a part of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of Section 26, Township 16 North, Range 4 West, more particularly described as follows: Beginning at the Southwest corner of the Southeast Quarter of the Southeast Quarter (SE ¼ SE ¼) of Section 23, Township 16 North, Range 4 West; thence North 70 yards; thence East 210 yards; thence South 140 yards; thence West 210 yards; thence North 70 yards to point of beginning.

END OF LEGAL.....

JRM
MAR 11