BILL OF ASSURANCE
FOR THE CITY OF FAYETTEVILLE, ARKANSAS

In order to attempt to obtain approval of a request for a zoning reclassification, the owner, developer, or buyer of this property, (hereinafter "Petitioner") Paula Marie Marinoni; Paul A. & Suellen M. Marinoni; Rosa Linda Robinson; Marla Ann Blake; Amy Jean Woolfolk (Frank); Lara N. Henry; Mary Sue Shaw, hereby voluntarily offers this Bill of Assurance and enters into this binding agreement and contract with the City of Fayetteville, Arkansas.

The Petitioner expressly grants to the City of Fayetteville the right to enforce any and all of the terms of this Bill of Assurance in the Circuit Court of Washington County and agrees that if Petitioner or Petitioner's heirs, assigns, or successors violate any term of this Bill of Assurance, **substantial irreparable damage justifying injunctive relief** has been done to the citizens and City of Fayetteville, Arkansas. The Petitioner acknowledges that the Fayetteville Planning Commission and the Fayetteville City Council will **reasonable rely** upon all of the terms and conditions within this Bill of Assurance in considering whether to approve Petitioner's rezoning request.

Petitioner hereby voluntarily offers assurances that Petitioner and Petitioner's property shall be restricted as follows **IF** Petitioner's rezoning is approved by the Fayetteville City Council.

1. The use of Petitioner's property shall be limited to: The east 100 ft. of the property to be rezoned to CS, (Community Services) will be limited to a maximum of three stories. The east 100 ft. of the property to be rezoned to UT, (Urban Thoroughfare) south of Lancelot Ave., will be limited to a maximum of three stories and from that 100 ft. line and proceeding to the west an additional 100 ft., will be limited to a maximum of five stories. Thus, 100 ft. depth on east side is limited to a maximum of three stories and 100 ft. depth to the west of that is limited to a maximum of five stories in the UT zone.

2. Other restrictions including number and type of structures upon the property are limited to __N/A_____.

3. Specific activities will not be allowed upon petitioner's property include _____N/A_____.

4. (Any other terms or conditions) ____N/A_____.

5. Petitioner specifically agrees that all such restrictions and terms shall **run with the land** and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office after Petitioner's rezoning is effective and shall be noted on any Final Plat or Large Scale Development which includes some or all of Petitioner's property.

IN WITNESS WHEREOF and in agreement with all the terms and conditions stated above, I, Paula Marie Marinoni, as the owner, developer or buyer (Petitioner) **voluntarily offer** all such assurances and sign my name below.

January 5, 2021

Date

Paula Marie Marinoni
Part Owner, Representative

Printed Name

617 W. Lafayette St.
Fayetteville, AR 72701

Address

Signature

NOTARY OATH

STATE OF ARKANSAS}
} .ss
COUNTY OF WASHINGTON}

And now on this the 5th day of January, 2021, appeared before me, Paula Marie Marinoni, a Notary Public, and after being placed upon his/her oath swore or affirmed that he/she agreed with the terms of the above Bill of Assurance and signed his/her name above.

Mona Gay Light Being
NOTARY PUBLIC

My Commission Expires:

MONA GAY LIGHT BEING
MY COMMISSION EXPIRES
01-05-2026
NOTARY
PUBLIC
COMM. # 12696506
WASHINGTON COUNTY - ARKANSAS

5. Petitioner specifically agrees that all such restrictions and terms shall **run with the land** and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office after Petitioner's rezoning is effective and shall be noted on any Final Plat or Large Scale Development which includes some or all of Petitioner's property.

IN WITNESS WHEREOF and in agreement with all the terms and conditions stated above, I, Rosa Linda Robinson, as the owner, developer or buyer (Petitioner) **voluntarily offer** all such assurances and sign my name below.

January 5, 2021
Date

Rosa Linda Robinson
Printed Name

Rosa Linda Robinson
Signature

NOTARY OATH

STATE OF ARKANSAS }
} **.ss**
COUNTY OF WASHINGTON }

And now on this the 5th day of January, 2021, appeared before me, Rosa Linda Robinson, a Notary Public, and after being placed upon his/her oath swore or affirmed that he/she agreed with the terms of the above Bill of Assurance and signed his/her name above.

Mona Gay Light Being
NOTARY PUBLIC

My Commission Expires:

MONA GAY LIGHT BEING
MY COMMISSION EXPIRES
01-05-2026
NOTARY
PUBLIC
COMM. # 12696506
WASHINGTON COUNTY - ARKANSAS

5. Petitioner specifically agrees that all such restrictions and terms shall **run with the land** and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office after Petitioner's rezoning is effective and shall be noted on any Final Plat or Large Scale Development which includes some or all of Petitioner's property.

IN WITNESS WHEREOF and in agreement with all the terms and conditions stated above, I, Marla Ann Blake, as the owner, developer or buyer (Petitioner) **voluntarily offer** all such assurances and sign my name below.

January 5, 2021
Date

Marla Ann Blake
Printed Name

Signature

NOTARY OATH

STATE OF ARKANSAS }
} **.ss**
COUNTY OF WASHINGTON }

And now on this the 5th day of January, 2021, appeared before me, Marla Ann Blake, a Notary Public, and after being placed upon his/her oath swore or affirmed that he/she agreed with the terms of the above Bill of Assurance and signed his/her name above.

NOTARY PUBLIC

My Commission Expires:

MONA GAY LIGHT BEING
MY COMMISSION EXPIRES
01-05-2026
NOTARY
PUBLIC
COMM. # 12696506
WASHINGTON COUNTY - ARKANSAS

5. Petitioner specifically agrees that all such restrictions and terms shall **run with the land** and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office after Petitioner's rezoning is effective and shall be noted on any Final Plat or Large Scale Development which includes some or all of Petitioner's property.

IN WITNESS WHEREOF and in agreement with all the terms and conditions stated above, I, Amy Jean Woolfolk (Frank), as the owner, developer or buyer (Petitioner) **voluntarily offer** all such assurances and sign my name below.

January 5, 2021

Date

Richard W. Frank,
POA for Amy Jean Woolfolk(Aka Amy Jean Frank)
Printed Name

POA for Amy Jean Woolfolk (AKA Amy Jean Frank)

Signature

NOTARY OATH

STATE OF ARKANSAS }
} **.ss**
COUNTY OF WASHINGTON }

And now on this the 5th day of January, 2021, appeared before me, Richard W. Frank, POA for Amy Jean Woolfolk (AKA Amy Jean Frank), a Notary Public, and after being placed upon his/her oath swore or affirmed that he/she agreed with the terms of the above Bill of Assurance and signed his/her name above.

Mona Gay Light Being
NOTARY PUBLIC

My Commission Expires:

MONA GAY LIGHT BEING
MY COMMISSION EXPIRES
01-05-2026
NOTARY
PUBLIC
COMM. # 12696506
WASHINGTON COUNTY - ARKANSAS

5. Petitioner specifically agrees that all such restrictions and terms shall **run with the land** and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office after Petitioner's rezoning is effective and shall be noted on any Final Plat or Large Scale Development which includes some or all of Petitioner's property.

IN WITNESS WHEREOF and in agreement with all the terms and conditions stated above, I, Lara N. Henry, as the owner, developer or buyer (Petitioner) **voluntarily offer** all such assurances and sign my name below.

January 5, 2021

Date

Lara N. Henry
Trustee of the John P. Marinoni and Elizabeth F. Marinoni Irrevocable Trust Dated May 27, 2008
Printed Name

Lara M. Henry
Signature

NOTARY OATH

STATE OF ARKANSAS}
} .ss
COUNTY OF WASHINGTON}

And now on this the 5th day of January, 2021, appeared before me, _____, a Notary Public, and after being placed upon his/her oath swore or affirmed that he/she agreed with the terms of the above Bill of Assurance and signed his/her name above.

Pamela R. Raben
NOTARY PUBLIC

My Commission Expires:

8.18.2021

OFFICIAL SEAL - #12383707
PAMELA R. RABEN
NOTARY PUBLIC-ARKANSAS
BENTON COUNTY
MY COMMISSION EXPIRES: 08-18-21

5. Petitioner specifically agrees that all such restrictions and terms shall **run with the land** and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office after Petitioner's rezoning is effective and shall be noted on any Final Plat or Large Scale Development which includes some or all of Petitioner's property.

IN WITNESS WHEREOF and in agreement with all the terms and conditions stated above, I, Paul A. Marinoni, Jr., as the owner, developer or buyer (Petitioner) **voluntarily offer** all such assurances and sign my name below.

January 5, 2021
Date

Paul A. Marinoni, Jr.
Printed Name

Paul A. Marinoni, Jr. and Suellen M. Marinoni, Co-Trustees of the Paul A. Marinoni 2007 Revocable Trust Agreement u/a/d November 13, 2007

Signature

NOTARY OATH

STATE OF ARKANSAS }
} **.ss**
COUNTY OF WASHINGTON }

And now on this the 5th day of January, 2021, appeared before me, Paul A. Marinoi, Jr., a Notary Public, and after being placed upon his/her oath swore or affirmed that he/she agreed with the terms of the above Bill of Assurance and signed his/her name above.

Mona Gay Light Being
NOTARY PUBLIC

My Commission Expires:

MONA GAY LIGHT BEING
MY COMMISSION EXPIRES
01-05-2026
NOTARY
PUBLIC
COMM. # 12696506
WASHINGTON COUNTY - ARKANSAS

5. Petitioner specifically agrees that all such restrictions and terms shall **run with the land** and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office after Petitioner's rezoning is effective and shall be noted on any Final Plat or Large Scale Development which includes some or all of Petitioner's property.

IN WITNESS WHEREOF and in agreement with all the terms and conditions stated above, I, Mary Sue Shaw, as the owner, developer or buyer (Petitioner) **voluntarily offer** all such assurances and sign my name below.

January 5, 2021 — Mary Sue Shaw

Date — Printed Name

Mary Sue Shaw
Signature

NOTARY OATH

STATE OF PENNSYLVANIA}
} .ss
COUNTY OF YORK}

And now on this the 5th day of January, 2021, appeared before me, Mary Sue Shaw, a Notary Public, and after being placed upon his/her oath swore or affirmed that he/she agreed with the terms of the above Bill of Assurance and signed his/her name above.

NOTARY PUBLIC

My Commission Expires:
08/26/2023.

Commonwealth Of Pennsylvania - Notary Seal
Julia DeVoe, Notary Public
York County
My Commission Expires Aug 26, 2023
Commission # 1260567

5. Petitioner specifically agrees that all such restrictions and terms shall **run with the land** and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office after Petitioner's rezoning is effective and shall be noted on any Final Plat or Large Scale Development which includes some or all of Petitioner's property.

IN WITNESS WHEREOF and in agreement with all the terms and conditions stated above, I, Mary Sue Shaw, as the owner, developer or buyer (Petitioner) **voluntarily offer** all such assurances and sign my name below.

January 5, 2021

Date

Mary Sue Shaw
President of Marinoni, Inc. – General Partner
Printed Name

Mary Sue Shaw
Signature

NOTARY OATH

STATE OF PENNSYLVANIA}
} .ss
COUNTY OF YORK}

And now on this the 5th day of January, 2021, appeared before me, Mary Sue Shaw, a Notary Public, and after being placed upon his/her oath swore or affirmed that he/she agreed with the terms of the above Bill of Assurance and signed his/her name above.

NOTARY PUBLIC

My Commission Expires:
08/26/2023

Commonwealth Of Pennsylvania - Notary Seal
Julia DeVoe, Notary Public
York County
My Commission Expires Aug 26, 2023
Commission # 1260567