PETITION

To: Honorable Harold Copenhaver, Mayor, and Members of the City Council of the City of Jonesboro, Arkansas

AN ORDINANCE VACATING A UTILITY EASEMENT LOCATED IN:

Dated this 10 day of hay 2021.

Expiration Date: 61- 01- 2625

A PART OF LOT 2 OF STATON MINOR PLAT DOC. NO. 2020R-000173, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, SECTION 25, TOWNSHIP 14 NORTH, RANGE 3 EAST, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 2 OF STATON MINOR PLAT, RUN N89°00'36"E ALONG SOUTH LINE OF SAID LOT 2 A DISTANCE OF 5.00 FT. TO A POINT, SAID POINT BEING THE POINT OF BEGINNING; THENCE LEAVING SAID SOUTH LOT LINE, RUN N00°21'38"E A DISTANCE OF 7.5 FT. TO A POINT; THENCE N89°00'36"E A DISTANCE OF 107.05 FT. TO A POINT; THENCE S23°48'34"W A DISTANCE OF 8.26 FT. TO A POINT ON AFORESAID SOUTH LINE OF LOT 2; THENCE S89°00'36"W ALONG SAID SOUTH LOT LINE A DISTANCE OF 103.76 FT. TO THE POINT OF BEGINNING, SAID EASEMENT ABANDONMENT RUNS OVER AND ACROSS PARCEL NO. 01-143251-01020.

We, the undersigned, being the owner(s) of property adjoining the following described property:

A PART OF LOT 2 OF STATON MINOR PLAT DOC. NO. 2020R-000173, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, SECTION 25, TOWNSHIP 14 NORTH, RANGE 3 EAST, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 2 OF STATON MINOR PLAT, RUN N89°00'36"E ALONG SOUTH LINE OF SAID LOT 2 A DISTANCE OF 5.00 FT. TO A POINT, SAID POINT BEING THE POINT OF BEGINNING; THENCE LEAVING SAID SOUTH LOT LINE, RUN N00°21'38"E A DISTANCE OF 7.5 FT. TO A POINT; THENCE N89°00'36"E A DISTANCE OF 107.05 FT. TO A POINT; THENCE S23°48'34"W A DISTANCE OF 8.26 FT. TO A POINT ON AFORESAID SOUTH LINE OF LOT 2; THENCE S89°00'36"W ALONG SAID SOUTH LOT LINE A DISTANCE OF 103.76 FT. TO THE POINT OF BEGINNING, SAID EASEMENT ABANDONMENT RUNS OVER AND ACROSS PARCEL NO. 01-143251-01020.

MICHAEL A. BOGGS
NOTARY PUBLIC-ARKANSAS
CRAIGHEAD COUNTY
MY COMMISSION EXPIRES: 01-01-25

Herewith file and present this petition to the City Council of the City of Jonesboro, Arkansas to have the easement described above closed and abandoned.

PROPERTY OWNER, NAME AND ADDRESS	2
C3, LLC. 2700 Ridgepointe Dr Jonesporo, AR 72404	
Signature Signature	05/10 / 2021 Date
Subscribed and sworn to before me this	10 day of May , 2024.
	May Alla Notary

RESOLUTION NO
WHEREAS, C3, LLC , has filed a petition with the City Clerk of the City of Jonesboro, Arkansas, requesting that the City vacate a utility easement in:
A PART OF LOT 2 OF STATON MINOR PLAT DOC. NO. 2020R-000173, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, SECTION 25, TOWNSHIP 14 NORTH, RANGE 3 EAST, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 2 OF STATON MINOR PLAT, RUN N89°00'36"E ALONG SOUTH LINE OF SAID LOT 2 A DISTANCE OF 5.00 FT. TO A POINT, SAID POINT BEING THE POINT OF BEGINNING; THENCE LEAVING SAID SOUTH LOT LINE, RUN N00°21'38"E A DISTANCE OF 7.5 FT. TO A POINT; THENCE N89°00'36"E A DISTANCE OF 107.05 FT. TO A POINT; THENCE S23°48'34"W A DISTANCE OF 8.26 FT. TO A POINT ON AFORESAID SOUTH LINE OF LOT 2; THENCE S89°00'36"W ALONG SAID SOUTH LOT LINE A DISTANCE OF 103.76 FT. TO THE POINT OF BEGINNING, SAID EASEMENT ABANDONMENT RUNS OVER AND ACROSS PARCEL NO. 01-143251-01020.
WHEREAS, the petition has been presented to the City of Jonesboro, Arkansas; and
WHEREAS, Arkansas law requires notice of such public hearing.
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Jonesboro, Arkansas, that the City Clerk is directed to publish a notice advising the public of such request to vacate a utility easement, and that this matter will be heard before the City Council on, at o'clock, p.m. at the Municipal Building, Jonesboro, Arkansas.
Dated this day of, 2021.
Harold Copenhaver, Mayor
Attest:

April Leggett, City Clerk

AN ORDINANCE VACATING A UTILITY EASEMENT LOCATED IN:
A PART OF LOT 2 OF STATON MINOR PLAT DOC. NO. 2020R-000173, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, SECTION 25, TOWNSHIP 14 NORTH, RANGE 3 EAST, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 2 OF STATON MINOR PLAT, RUN N89°00'36"E ALONG SOUTH LINE OF SAID LOT 2 A DISTANCE OF 5.00 FT. TO A POINT, SAID POINT BEING THE POINT OF BEGINNING; THENCE LEAVING SAID SOUTH LOT LINE, RUN N00°21'38"E A DISTANCE OF 7.5 FT. TO A POINT; THENCE N89°00'36"E A DISTANCE OF 107.05 FT. TO A POINT; THENCE S23°48'34"W A DISTANCE OF 8.26 FT. TO A POINT ON AFORESAID SOUTH LINE OF LOT 2; THENCE S89°00'36"W ALONG SAID SOUTH LOT LINE A DISTANCE OF 103.76 FT. TO THE POINT OF BEGINNING, SAID EASEMENT ABANDONMENT RUNS OVER AND ACROSS PARCEL NO. 01-143251-01020.
WHEREAS, the City Council at its regular meeting on, pursuant to Ark. Stats. Section 14-301-302 through 14-301-304 heard the request of <u>C3, LLC</u> to vacate a utility easement; and
WHEREAS, the City Council held a public hearing and heard all persons desiring to be heard in connection with this matter; and
WHEREAS, the respective utilities have consented to said abandonment; and
WHEREAS, the abandonment of said portion of a utility easement will not adversely affect the City of Jonesboro, and would be in the best interest of all parties concerned.
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas, that;
The City of Jonesboro, Arkansas hereby vacates and abandons all of its rights together with the right of the public generally, in and to the utility easement described above.
SECTION 2: A copy of this Ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of Craighead County of Jonesboro, Arkansas, and recorded in the Deed Records of Craighead County, Arkansas.
SECTION 3. The vacating and abandonment by the City of its rights and the rights of the public generally in the above described utility easement are in the public interest and will promote the public peace and welfare.
PASSED AND ADOPTED THISDAY OF, 2021.
Harold Copenhaver, Mayor

April Leggett, City Clerk

ORDINANCE NO. _____

UTILITY APPROVAL FORM FOR RIGHT-OF-WAY, ALLEY AND UTILITY EASEMENT VACATIONS

DATE: 05/04/2021

UTILITY COMPANY: Southwestern Bell Telephone d.b.a. AT&T Arkansas

REQUESTED VACATION:

Utility Easement

I have been notified of the petition for Easement Abandonment within the following right-of-way, where Southwestern Bell Telephone d/b/a. AT&T Arkansas has a copper cable on the electric poles in the utility easement.

Described as follows:

LEGAL DESCRIPTION: (EASEMENT ABANDONMENT)

A PART OF LOT 2 OF STATON MINOR PLAT DOC. NO. 2020R-000173, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, SECTION 25, TOWNSHIP 14 NORTH, RANGE 3 EAST, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 2 OF STATON MINOR PLAT, RUN N89°00'36"E ALONG SOUTH LINE OF SAID LOT 2 A DISTANCE OF 5.00 FT. TO A POINT, SAID POINT BEING THE POINT OF BEGINNING; THENCE LEAVING SAID SOUTH LOT LINE, RUN N00°21'38"E A DISTANCE OF 7.5 FT. TO A POINT; THENCE N89°00'36"E A DISTANCE OF 107.05 FT. TO A POINT; THENCE S23°48'34"W A DISTANCE OF 8.26 FT. TO A POINT ON AFORESAID SOUTH LINE OF LOT 2; THENCE S89°00'36"W ALONG SAID SOUTH LOT LINE A DISTANCE OF 103.76 FT. TO THE POINT OF BEGINNING, SAID EASEMENT ABANDONMENT RUNS OVER AND ACROSS PARCEL NO. 01-143251-01020.

UTILITY COMPANY COMMENTS:

No objections to the vacation described above as long, as the cable can be transferred in whole with no extra work involved for just a simple transfer. If cable will be to short, or not enough slack to pull over to the new poles AT&T will not burden the cost for that to be moved. This will need to be in agreement with C3 L.L.C. 2700 Ridge Pointe Dr. Jonesboro, AR 72404.

Signature of AT&T Company Representative:

Signature of C3 LLC Representative

Stun Station

<u>Todd R. Gregory</u>

Todd R.Gregory - Mgr. Engr. (ROW)

Michael Boggs

From:

Renee Eubanks <renee@horizonlandsurveying.com>

Sent:

Thursday, May 13, 2021 8:52 AM

To:

Michael Boggs

Subject:

FW: Proposed 7.5' Utility Easement Abandonment

Attachments:

H21-049 Staton easement abandonment.pdf; Abandonment Easement 2311 Wood

st.doc

Renee Eubanks

Cad Operator

Horizon Land Surveying, LLC 2918 Wood Street Jonesboro, AR 72404 Phone: (870) 243-0092 Cell: (870) 972-6220

Web: horizonlandsurveying.com

Email: renee@horizonlandsurveying.com



From: Alice Martin < Alice. Martin@RitterCommunications.com>

Sent: Monday, April 12, 2021 7:12 AM

To: Renee Eubanks < renee@horizonlandsurveying.com > **Subject:** FW: Proposed 7.5' Utility Easement Abandonment

Please see the attached form for the requested document.

Alice Martin

Engineering Supervisor Ritter Communications Inc 2109 Fowler Ave Jonesboro, AR 72401

O: 870-336-3476 M: 870-243-5681

alice.martin@rittercommunications.com

Ritter Communications Inc 2400 Ritter Dr Jonesboro, AR 72401

UTILITY RELEASE FORM

I have been notified of the petition to vacate the following described as follows:

A PART OF LOT 2 OF STATON MINOR PLAT DOC .NO .2020R-00017 J3O,NESBOR OC,RAIGHEAD

COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE NORTHWE SCTORNE ROF THE SOUTHWES QTUARTE ROF THE NORTHEAS QTUARTER,

SECTION 25, TOWNSH I1P4 NORTH R, ANG E3 EAST ,SAID CORNE RALSO BEING THE SOUTHWEST

CORNE ROF SAID LOT 2 OF STATON MINOR PLAT ,RUN N89°00'36 "AELONG SOUTH LINE OF SAID

LOT 2 A DISTANC EOF 5.00 FT. TO A POINT ,SAID POINT BEING THE POINT OF BEGINNING;

THENC ELEAVIN GSAID SOUTH LOT LINE ,RUN N00°21'38 "AE DISTANC EOF 7.5 FT. TO A POINT;

THENC EN89°00'36 " AE DISTANC OEF 107.05 FT. TO A POINT T; HENC ES23°48'34" WA DISTANCE

OF 8.26 FT. TO A POINT ON AFORESAI SDOUTH LINE OF LOT 2; THENC ES89°00'36" WALONG SAID

SOUTH LOT LINE A DISTANC EOF 103.7 6FT. TO THE POINT OF BEGINNIN GS,AID EASEMENT

ABANDONMENT RUNS OVER AND ACROSS PARCEL NO. 01-

UTILITY COMPANY COMMENTS:

Х	No objections to the vacation(s) described above.
	No objections to the vacation(s) described above, provided the following described easements are retained.
	Objects to the vacation(s) described above, reason described below:

Alice Martin Engineering Supervisor Ritter Communications Inc <u>alice.martin@rittercommunications.com</u> 870-243-5681 Cell

Michael Boggs

From:

Renee Eubanks < renee@horizonlandsurveying.com>

Sent:

Thursday, May 13, 2021 8:51 AM

To:

Michael Boggs

Subject:

FW: 2311 Wood St. Utility Easement Abandonment 2311 Wood St Utility Easement Abandonment.pdf

Attachments:

Renee Eubanks

Cad Operator

Horizon Land Surveying, LLC 2918 Wood Street Jonesboro, AR 72404 Phone: (870) 243-0092

Cell: (870) 972-6220

Web: horizonlandsurveying.com

Email: renee@horizonlandsurveying.com



From: Hope, James W <james.hope@centerpointenergy.com>

Sent: Tuesday, April 20, 2021 1:43 PM

To: Renee Eubanks <renee@horizonlandsurveying.com>

Cc: Grubb, Grace C <grace.grubb@centerpointenergy.com>; Tillie, Wayne <wayne.tillie@centerpointenergy.com>

Subject: 2311 Wood St. Utility Easement Abandonment

Renee,

Please see the attached Utility Easement Abandonment for 2311 Wood St.

If you have any questions, please let me know.

Thank you,



James W. Hope Associate Engineer | AR/OK Region 501.377.4751 w. | 501.553.7732 c. CenterPointEnergy.com







UTILITY RELEASE FORM

General Utility Easement, Public Access Easement, Alley, Street, R.O.W.

04/20/2021

Date:

Utility Company:

Signature of Utility Company Representative

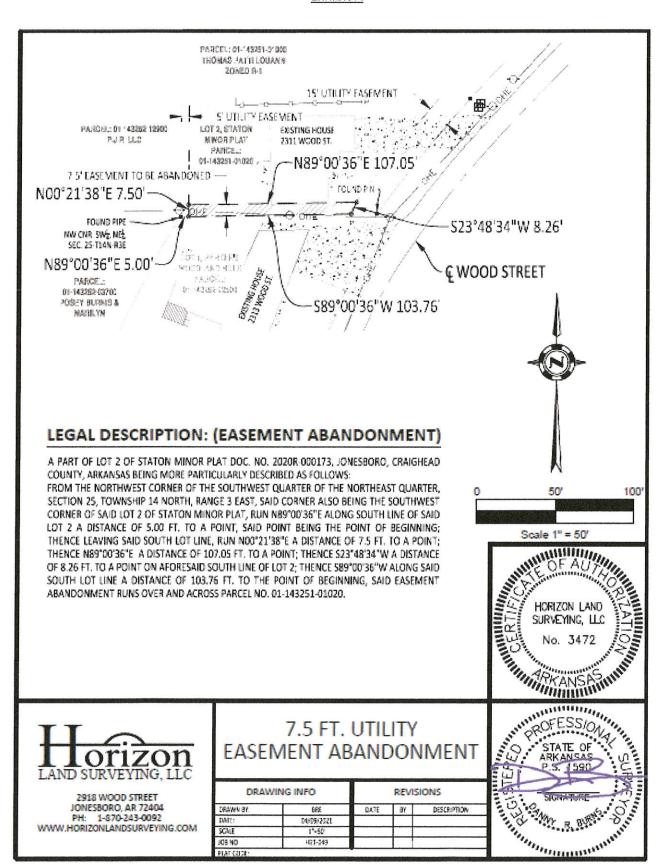
CenterPoint Energy

Requested Abandonment:	Abandon the 7.5' utility easement shown in Exhibit A	
Legal Description:		
A PART OF LOT 2 OF STATON MINOR PLAT DOC. NO. 2020R-00017, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, SECTION 25, TOWNSHIP 14 NORTH, RANGE 3 EAST, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 2 OF STATON MINOR PLAT, RUN N89°00'36 "E ALONG SOUTH LINE OF SAID LOT 2 A DISTANCE OF 5.00 FT. TO A POINT, SAID POINT BEING THE POINT OF BEGINNING; THENCE LEAVING SAID SOUTH LOT LINE, RUN N00°21'38"E A DISTANCE OF 7.5 FT. TO A POINT; THENCE N89°00'36"E A DISTANCE OF 107.05 FT. TO A POINT; THENCE S23°48'34"W A DISTANCE OF 8.26 FT. TO A POINT ON AFORESAID SOUTH LINE OF LOT 2; THENCE S89°00'36"W ALONG SAID SOUTH LOT LINE A DISTANCE OF 103.7 6FT. TO THE POINT OF BEGINNING, SAID EASEMENT ABANDONMENT RUNS OVER AND ACROSS PARCEL NO. 01-143251-01020.		
No objections to the aband retained (Exhibit A).	donment(s) described above and illustrated in Exhibit A. donment (s) described above, provided the following easements are ent(s) described above, reason described below.	

Associate Engineer

Title

Exhibit A



OFFICIAL RECEIPT

Receipt Date 05/11/2021 10:11 AM
Receipt Print Date 05/11/2021

Receipt # 00204904 Batch # 00011.05.2021

CITY OF JONESBORO 300 S. Church St. Ste 106 PO Box 1845 JONESBORO, AR 72403-1845 870-932-3042

For Permit Inspections call 870-933-4602

Account/License/Permit/Category: CR 611.65

Detail: 01-000-0150-00 Proof of Publi cation-Wood St Utility Easem

ent Abandonmen

Total 611.65

611.65

Payment Information:

Check 1361 611.65 Change 0.00

Tralan Engineering Inc Customer #: 000000

Cashier: arscott

Station: COLLECTIONWINDO

A PART OF LOT 2 OF STATON MINOR PLAT DOC. NO. 2020R-000173, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, SECTION 25, TOWNSHIP 14 NORTH, RANGE 3 EAST, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 2 OF STATON MINOR PLAT, RUN N89°00'36"E ALONG SOUTH LINE OF SAID LOT 2 A DISTANCE OF 5.00 FT. TO A POINT, SAID POINT BEING THE POINT OI BEGINNING; THENCE LEAVING SAID SOUTH LOT LINE, RUN N00°21'38"E A DISTANCE OF 7.5 FT. TO A POINT; THENCE N89°00'36"E A DISTANCE OF 107.05 FT. TO A POINT; THENCE S23°48'34"W A DISTANCE OF 8.26 FT. TO A POINT ON AFORESAID SOUTH LINE OF LOT 2; THENCE S89°00'36"W ALONG SAID SOUTH LOT LINE A DISTANCE OF 103.76 FT. TO THE POINT OF BEGINNING, SAID EASEMENT ABANDONMENT RUNS OVER AND ACROSS PARCEL NO. 01-143251-01020. WHEREAS, the City Council at its regular meeting on
WHEREAS, the City Council held a public hearing and heard all persons desiring to be heard in connection with this matter; and WHEREAS, the respective utilities have consented to said abandonment; and WHEREAS, the abandonment of said portion of a utility easement will not adversely affect the City of Jonesboro, and would be in the best interest of all parties concerned. NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas, that;
WHEREAS, the respective utilities have consented to said abandonment; and WHEREAS, the abandonment of said portion of a utility easement will not adversely affect the City of Jonesboro, and would be in the best interest of all parties concerned. NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas, that;
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be in the best interest of all parties concerned. NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas, that;
SECTION 1: The City of Ioneshare Arkanese hereby vecetes and abandone all of its violety to make the violety of
the public generally, in and to the utility easement described above.
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SECTION 3. The vacating and abandonment by the City of its rights and the rights of the public generally in the above described utility easement are in the public interest and will promote the public peace and welfare.
PASSED AND ADOPTED THISDAY OF, 2021.
Harold Copenhaver, Mayor

April Leggett, City Clerk

ORDINANCE NO.

WHEREAS, <u>C3, LLC</u> , has filed a petition with the City Clerk of the City of Jonesboro, Arkansas, requesting that the City vacate a utility easement in:
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Dated this day of, 2021.
Harold Copenhaver, Mayor
Attest:
April Leggett, City Clerk

RESOLUTION NO. _____

PETITION

To:

Honorable Harold Copenhaver, Mayor, and Members of the City Council of the City of Jonesboro, Arkansas

AN ORDINANCE VACATING A UTILITY EASEMENT LOCATED IN:

A PART OF LOT 2 OF STATON MINOR PLAT DOC. NO. 2020R-000173, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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We, the undersigned, being the owner(s) of property adjoining the following described property:

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Herewith file and present this petition to the City Council of the City of Jonesboro, Arkansas to have the easement described above closed and abandoned.

Dated this day of, 20_	<u>_</u> ·		
PROPERTY OWNER, NAME AND ADDRESS			
C3, LLC. 2700 Ridgepointe Dr Jonesboro, AR 72404			
Signature	Date		
Subscribed and sworn to before me this	day of	, 20	
	Nota	ry	
Expiration Date:			

AGREEMENT

THIS AGREEMENT made and entered into on May 11th, 2021, between CITY

WATER & LIGHT PLANT OF THE CITY OF JONESBORO, ARKANSAS ("CWL") and

C3, LLC, an Arkansas limited liability company ("Owner").

WHEREAS, Owner is the owner of certain real estate located at 2311 Wood Street, Jonesboro, Arkansas which is more particularly described in **Exhibit A** attached hereto and incorporated herein by reference (the "Owner's Property");

WHEREAS, the Owner's Property is subject to a "7.5" utility easement reflected on Exhibit B ("7.5' Utility Easement");

WHEREAS, Owner constructed a house and related improvements which encroach on the 7.5' Utility Easement (the "Encroachment");

WHEREAS, Owner and CWL entered into an Encroachment Agreement dated May 22, 2020 which was recorded July 30, 2020 as Instrument # 2020R-017028 (the "Encroachment Agreement") which granted Owner the right maintain the Encroachment on the 7.5' Utility Easement in accordance with the Encroachment Agreement; and

WHEREAS, Owner has now requested CWL relinquish its interest in the 7.5' Utility Easement in consideration for Owner granting CWL a new utility easement in the form attached hereto as Exhibit C and depicted on Exhibit D ("New Utility Easement").

THEREFORE, IN CONSIDERATION OF THE PREMISES AND OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT AND SUFFICIENCY OF WHICH ARE HEREBY ACKNOWLEDGED, CWL AND OWNER AGREE AS FOLLOWS:

- 1. <u>RELINQUISHMENT OF 7.5' UTILITY EASEMENT.</u> In consideration of the grant of the New Utility Easement, CWL hereby releases, disclaims and quitclaims to Owner any and all interest CWL may now have in the 7.5' Utility Easement.
- 2. <u>GRANT OF 10' EASEMENT.</u> In consideration of CWL's relinquishment, disclaimer and quitclaim of the 7.5' Utility Easement to Owner, Owner shall execute and deliver the New Utility Easement to CWL.
- 3. <u>SUCCESSOR, HEIRS AND ASSIGNS.</u> This Agreement shall inure to the benefit of and bind the respective parties hereto and their successors and assigns.
- 4. <u>RUNNING OF BENEFITS AND BURDENS</u>. This Agreement and the terms, restrictions and limitations contained herein shall run with the land and shall be binding upon and inure to the benefit of CWL and the Owner, any person (s) or entities acquiring, holding, or owning an interest in or to the Owner's Property or the New Utility Easement, and their heirs, successors and assigns.
- 5. <u>GOVERNING LAW.</u> This Agreement shall be interpreted, construed and enforced pursuant to and in accordance with the laws of Arkansas.
- 6. <u>ENTIRE AGREEMENT</u>. This Agreement constitutes the entire agreement of the parties, as a complete and final integration thereof. All understandings and agreements heretofore had between the parties are merged into this Agreement, which alone fully and completely expresses their understandings.
- 7. <u>RECORDATION.</u> This Agreement shall be recorded at Owner's expense in the real estate records of Craighead County, Arkansas, Jonesboro District.

CITY WATER & LIGHT PLANT OF THE CITY OF JONESBORO, ARKANSAS

C3, LLC

By:
Name: DAZE RICE DI
Title: GENERAL MANAGER

Name: STAN STATES

By:

Title: OWNER

ACKNOWLEDGMENT

STATE OF ARKANSAS COUNTY OF <u>Crackend</u>		
On this day before me, the under State aforesaid, duly qualified, commiss to me well known, and who subscribed that he/she was the Authorized Represed Jonesboro, Arkansas, and that he/she do, had signed, executed, and delivered purposes therein contained, by signing executing on behalf of the company as	ssioned and acting, persel to the foregoing instruentative of City Water as such Authorized Relate foregoing instrumhimself/herself as such	when t and stated and acknowledged & Light Plant of the City of presentative, being authorized so to ent for the consideration, uses, and Authorized Representative and
WITNESS my hand and seal on	this 11 day of Ma	, 2021.
My Commission Expires:	Michael Time. Notary Public	MICHAEL TIMMS MY COMMISSION # 127083 EXPIRES: APRIL 01, 2029 Craighead County
AC	KNOWLEDGMENT	
STATE OF Arkasas COUNTY OF <u>Craighear</u>		
On this day before me, the under State aforesaid, duly qualified, commiss to me well known, and who subscribed that he/she was themenber_ of that he/she as suchmenber_ of the delivered the foregoing instrument for the by signing himself/herself as suchmenber_ on the company as suchmenber_ or the company as suchmen	sioned and acting, perso to the foregoing instruct C3, LLC, a being authorized so to the consideration, uses,	ment and stated and acknowledgedlimited liability company, and do, had signed, executed, and and purposes therein contained,
WITNESS my hand and seal on	this 7 day of Ma	, 2021.
My Commission Expires: 0 -0 -2025.	-4-	MICHAEL A. BOGGS NOTARY PUBLIC-ARKANSAS CRAIGHEAD COUNTY MY COMMISSION EXPIRES: 01-01-25

EXHIBIT A

Legal Description of Owner's Property

Lot 2 of "Staton Minor Plat" as recorded in Craighead County, Arkansas as Document Number (2020R-000173).

EXHIBIT B

7.5' Utility Easement

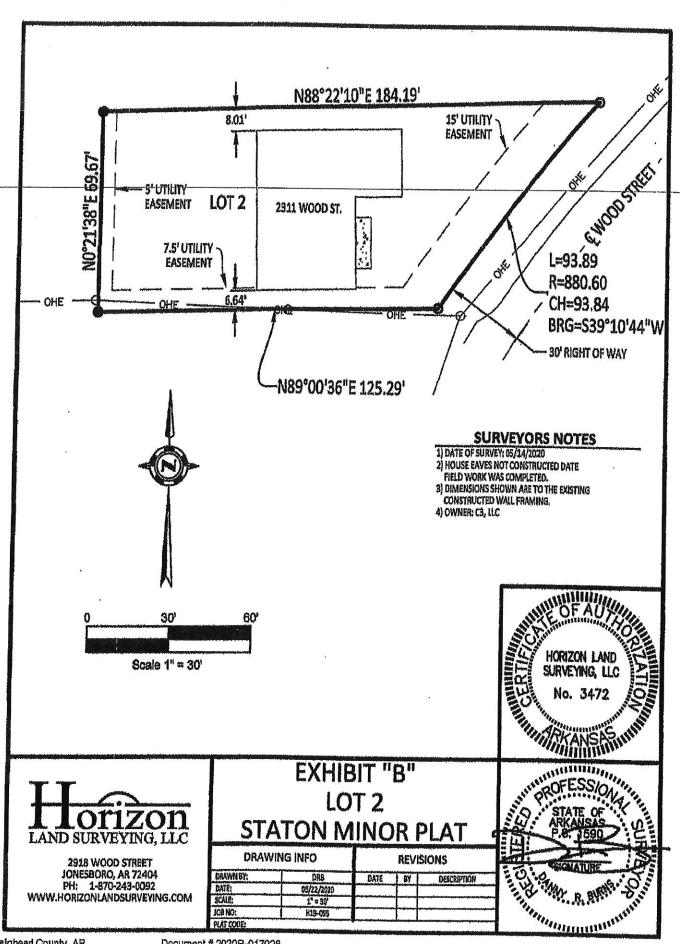


EXHIBIT C

Form of New Utility Easement

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS: For a consideration deemed and here stated to be of value, the receipt of which is acknowledged by Grantors, the undersigned Grantors who hereby covenant that they will defend the Grantees rights hereunder against all claims or objections, do hereby Grant, Sell and Convey unto the City Water and Light Plant of Jonesboro, Arkansas, and its successors and assigns, an easement and right of entry over and across the following described land, to wit:

A PART OF LOT 2 OF STATON MINOR PLAT DOC. NO. 2020R-000173, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS AND A PART OF LOT 1 OF PARKER'S WOODLAND HILLS SUBDIVISION IN PLAT BOOK 155, PAGE 365, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, SECTION 25, TOWNSHIP 14 NORTH, RANGE 3 EAST, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 2 OF STATON MINOR PLAT, RUN N00°21'38"E A DISTANCE OF 3.48 FT. TO A POINT; THENCE N89°00'36"E A DISTANCE OF 127.85 FT. TO A POINT ON A CURVE; THENCE RUN ALONG A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC OF 4.37 FT., A RADIUS OF 880.63 FT., A CHORD OF 4.37 FT. AND A CHORD BEARING OF S36°16'01"W TO A POINT; THENCE S23°48'34"W A DISTANCE OF 7.18 FT. TO A POINT; THENCE N89°00'36"E A DISTANCE OF 126.49 FT. TO A POINT; THENCE N31°54'30"E A DISTANCE OF 6.69 FT. TO A POINT, SAID POINT BEING THE POINT OF BEGINNING,

SAID EASEMENT RUNS OVER AND ACROSS PARCEL NO. 01-143252-02500 AND 01-143251-01020.

This easement is for the purpose of permitting the construction, erection, replacement, relocation, substitution, repair, preservation, or abandonment of a line or lines for the transmission or distribution of electricity or for communication, together with all wires, poles, transformers, guys, supports and appurtenances and together with all wires, pad mounted transformers, pad mounted equipment and appurtenances and to covey a right of ingress and egress for the purpose aforesaid.

This easement and covenant shall run with the ownership of the land described and shall bind not only the parties hereto, but their heirs, successors, and assigns.

And, we the Grantors, <u>C3, LLC</u>, for a consideration deemed and here stated to be of value, do hereby release and relinquish unto the Grantee, all our rights of dower, curtesy and homestead in and to said lands.

Each person who executes this Easement Agreement on behalf of a corporation, partnership, limited liability company, joint venture, unincorporated association, or any other entity represents and warrants to the other party to this Easement Agreement that he has the authority of the partner(s) (general and limited) or shareholder(s) or member(s) of said entity to do so, and agrees to indemnify and hold harmless the other party to this Easement Agreement from any claim that such authority did not exist.

It is mutually agreed and understood that this agreement, as written, covers all the agreements and stipulations between GRANTOR and GRANTEE, and no representations or statement, oral or written, have been made modifying, adding to, or changing the terms hereof.

> C3, LLC CORPORATE NAME

Stan Staton, Member

STATE OF ARKANSAS)	
)	ACKNOWLEDGEMENT
COUNTY OF CRAIGHEAD)	

BE IT REMEMBERED, That on this day, before me, a Notary Public, within and for the county aforesaid, duly commissioned, qualified and acting within and for said county and state, appeared in person the within named Stan Staton, to me personally well known, who stated that he is an Authorized Member of C3, LLC, a limited liability company, and was duly authorized in his respective capacity to execute the foregoing instrument for and in the name and behalf of said corporation, and further stated and acknowledged that he had signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

of May , 20 24.

NOTARY PUBLIC

My Commission Expires: 01 - 01 - 2025

OFFICIAL SEAL - #12402310
MICHAEL A. BOGGS

NOTARY PUBLIC-ARKANSAS
CRAIGHEAD COUNTY
MY COMMISSION EXPIRES: 01-01-25

EXHIBIT D

Plat of New Easement

