



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Council Agenda City Council

Tuesday, August 16, 2011

6:30 PM

Huntington Building

PUBLIC SAFETY COMMITTEE MEETING AT 5:30 P.M.

City Council Chambers, Huntington Building

NOMINATING & RULES COMMITTEE MEETING AT 6:15 P.M.

City Council Chambers, Huntington Building

1. CALL TO ORDER BY MAYOR PERRIN AT 6:30 P.M.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK DONNA JACKSON

4. SPECIAL PRESENTATIONS

5. CONSENT AGENDA

All items listed below will be voted on in one motion unless a council member requests a separate action on one or more items.

MIN-11:067 Minutes for the City Council meeting on August 2, 2011.

Attachments: [Minutes](#)

RES-11:122 A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO TO UTILIZE FEDERAL-AID ENHANCEMENT FUNDS

Sponsors: Engineering

Legislative History

8/2/11	Public Works Council Committee	Recommended to Council
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RES-11:124 A RESOLUTION TO THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS ACCEPTING RIGHT-OF-WAY ACQUIRED FOR THE CARAWAY RD SAFETY ENHANCEMENT PROJECT - AHTD JOB NO. 100521

Sponsors: Engineering

8/9/11 Finance & Administration Recommended to Council
Council Committee

ORD-11:062 AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 FOR PROPERTY LOCATED AT 2216 SPENCE CIRCLE AS REQUESTED BY TOBY ALEXANDER

Attachments: [Plat](#)
[MAPC Report](#)

7. UNFINISHED BUSINESS

ORDINANCES ON SECOND READING

ORD-11:055 AN ORDINANCE AMENDING EXISTING AND ESTABLISHING NEW TRAFFIC REGULATIONS FOR THE CITY OF JONESBORO, ARKANSAS, AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT THEREOF

Sponsors: Police Department

Legislative History

7/19/11	Public Safety Council Committee	Recommended to Council
8/2/11	City Council	Held at one reading

8. MAYOR'S REPORTS

9. CITY COUNCIL REPORTS

10. PUBLIC COMMENTS

Public Comments are limited to 5 minutes per person for a total of 15 minutes.

11. ADJOURNMENT



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Legislation Details (With Text)

File #: MIN-11:067 **Version:** 1 **Name:**
Type: Minutes **Status:** To Be Introduced
File created: 8/5/2011 **In control:** City Council
On agenda: **Final action:**
Title: Minutes for the City Council meeting on August 2, 2011.
Sponsors:
Indexes:
Code sections:
Attachments: [Minutes](#)

Date	Ver.	Action By	Action	Result
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title
Minutes for the City Council meeting on August 2, 2011.



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, August 2, 2011

6:30 PM

Huntington Building

PUBLIC WORKS COMMITTEE MEETING AT 5:30 P.M.

1. CALL TO ORDER BY MAYOR PERRIN AT 6:30 P.M.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK DONNA JACKSON

Present 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

4. SPECIAL PRESENTATIONS

COM-11:055 Mayor's Presentation

Sponsors: Mayor's Office

Mayor Perrin presented Mr. Greg Chance with a proclamation commending him for his numerous years of service at the ASU radio station and in the Communications Department.

This item was Read.

COM-11:056 Mayor's Proclamation to the Diamond Kings USSSA Baseball Team World Series Champions

Sponsors: Mayor's Office

Mayor Perrin presented a proclamation to the Diamond Kings for their world series championship win.

This item was Read.

5. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Councilman Chris Moore, seconded by Councilman Chris Gibson, to Approve the Consent Agenda. A motion was made that these files be approved by consent voice vote

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

MIN-11:062 Minutes for the City Council meeting on July 19, 2011.

Attachments: [Minutes](#)

This item was PASSED on the consent agenda.

RES-11:123 RESOLUTION TO ADOPT A SUPPLEMENTAL SUBSTANCE ABUSE POLICY FOR EMPLOYEES REQUIRED TO POSSESS A COMMERCIAL DRIVER'S LICENSE ("CDL")

Sponsors: Human Resources and Finance

Attachments: [DOT SUBSTANCE ABUSE POLICY FOR CDL DRIVERS](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-086-2011

RES-11:133 RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF JONESBORO, ARKANSAS TO ACQUIRE THE ASSISTANCE OF THE ARKANSAS SECRETARY OF STATE IN REDRAWING THE WARD BOUNDARIES BY UTILIZING THEIR SOFTWARE PROGRAM

Sponsors: Mayor's Office

This item was PASSED on the consent agenda.

Enactment No: R-EN-087-2011

6. NEW BUSINESS

ORDINANCES ON FIRST READING

ORD-11:055 AN ORDINANCE AMENDING EXISTING AND ESTABLISHING NEW TRAFFIC REGULATIONS FOR THE CITY OF JONESBORO, ARKANSAS, AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT THEREOF

Sponsors: Police Department

Councilman Moore offered the ordinance for first reading by title only.

Councilman Johnson asked that the ordinance be read over three meetings in order to give the public enough time to read the ordinance and respond. Councilman Street agreed.

This ordinance was Held at one reading.

ORD-11:056 AN ORDINANCE TO AMEND THE 2011 ANNUAL BUDGET AND THE CITY SALARY & ADMINISTRATION PLAN FOR THE CITY OF JONESBORO TO ADD A COMMUNICATIONS OFFICER TO THE MAYORS DEPARTMENT

Sponsors: Mayor's Office and Human Resources

Attachments: [Communications Officer](#)

Councilman Moore offered the ordinance for first reading by title only.

Councilwoman Williams motioned, seconded by Councilman Moore, to suspend the rules and waive second and third readings. All voted aye.

After adoption of the ordinance, Councilman Street motioned, seconded by Councilman Moore, to adopt the emergency clause. All voted aye.

A motion was made by Councilwoman Ann Williams, seconded by Councilman Chris Moore, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

Enactment No: O-EN-041-2011

7. UNFINISHED BUSINESS

ORDINANCES ON THIRD READING

ORD-11:042 AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-4 LUO LOCATED AT 3406 SOUTH CULBERHOUSE STREET AS REQUESTED BY THE FOOD BANK OF NEA

Attachments: [Plat](#)
[MAPC Report](#)

After passage of the ordinance, Councilman Moore motioned, seconded by Councilman Gibson, to adopt the emergency clause. All voted aye.

A motion was made by Councilman Chris Moore, seconded by Councilman Mitch Johnson, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

Enactment No: O-EN-042-2011

8. MAYOR'S REPORTS

Mayor Perrin reported on the following items:

He recognized the Police Department for the award they recently received from the armed services.

He, along with City Clerk Donna Jackson and Engineering employee Rusty McAllister will be visiting with the Secretary of State's office to re-draw the ward boundaries.

They will be presenting the Council with a new ward map.

9. CITY COUNCIL REPORTS

Councilman Gibson stated he has received some complaints concerning pot holes on Broadmoor. Mayor Perrin stated that road is on the overlay list, so it should be taken care of.

Councilwoman Williams motioned, seconded by Councilman Dover, to suspend the rules and place ORD-11:057 on the agenda. All voted aye.

ORD-11:057

AN ORDINANCE TO ENTER INTO CONTRACT WITH JQUAD PLANNING GROUP, LLC TO PERFORM PROFESSIONAL SERVICES FOR THE JONESBORO COMPREHENSIVE HOUSING NEEDS STUDY AND MARKET ANALYSIS

Sponsors: Community Development, Grants and Planning

Attachments: [CONTRACT FINAL](#)
[RFQ 2011-36_PMG](#)
[RFQ 2011-36_WES](#)
[RFQ 2011-36_JQUAD](#)

Councilwoman Williams offered the ordinance for first reading by title only.

Councilwoman Williams motioned, seconded by Councilman Coleman, to suspend the rules and waive second and third readings. All voted aye.

After passage of the ordinance, Councilwoman Williams motioned, seconded by Councilman Street, to adopt the emergency clause. All voted aye.

A motion was made by Councilwoman Ann Williams, seconded by Councilman Chris Gibson, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: O-EN-043-2011

Councilman Moore motioned, seconded by Councilwoman Williams, to suspend the rules and place RES-11:135 and RES-11:137 on the agenda. All voted aye.

RES-11:135

A RESOLUTION TO NAME THE CITY PARK AT NORTH MAIN AND ALLEN STREET THE REVEREND DR. HERMAN LEWELLEN PARK

Sponsors: Mayor's Office

Attachments: [Curtis Tate Request Letter](#)
[RES 05 402 Guidelines](#)

A motion was made by Councilman Chris Moore, seconded by Councilman Charles Coleman, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

Enactment No: R-EN-088-2011

RES-11:137 RESOLUTION TO AMEND RESOLUTION NO. RES-11:113 WHICH ESTABLISHED AN INCINERATOR TIPPING FEE FOR THE CITY OF JONESBORO, ARKANSAS

Sponsors: Sanitation and Mayor's Office

Councilman Moore stated it recently was brought to the Mayor's attention that the yard service companies have yearly contracts with their customers, so their contracts have already been set for the rest of the year. This resolution will lower the incinerator rate until the new year in order for the companies to adjust next year's contracts.

A motion was made by Councilman Chris Moore, seconded by Councilman John Street, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

Enactment No: R-EN-089-2011

Councilman Vance noted there are drawings up showing the new public works facilities on Dan Avenue. All of the buildings are either currently under contract or will be soon.

10. PUBLIC COMMENTS

Ms. Sally Broadway discussed ORD-11:055 concerning new traffic regulations. She asked that the Council reconsider the portions that refer to bicycles because they are redundant since bicycles are included under state law. She explained they are excluded from riding bicycles on areas where you can't drive a car, which would include sidewalks. She expressed concern about the ordinance discouraging bicycling and she doesn't think that's the message the City wants to send to the citizens.

Dr. David Matthews also discussed ORD-11:055 and referred to Section 2. He was concerned that the ordinance would prohibit children from roller skating on sidewalks. He then questioned if small children can't roller skate on the sidewalks, then where would they skate? He stated he thinks this ordinance doesn't take children into consideration. He discussed the numbers of pedestrians using the sidewalks and added there are more people on bicycles than walking on sidewalks.

Councilman Fears explained the wording is broad, but it will be up to the police officers to decide who to ticket and who not to ticket. Dr. Matthews stated he thinks that portion of the ordinance could be re-worded so parents would not have to worry about with their children.

Police Chief Michael Yates explained bicycles, roller blades and roller skates are prohibited by state law from being on sidewalks. He noted everything in the ordinance is prohibited by state law. They haven't changed anything, but they condensed it into

a city ordinance which means it's easier to enforce and the penalties may be less. He added the ordinance allows the Police Department to designate "play streets" in which those prohibited activities will be allowed. He further explained the ordinance more narrowly defines vehicles parking on sidewalks, which may slow down emergency vehicles.

Parks Employee Larry Jackson stated Pavilion 1 at Craighead Forest is back up. He also thanked the Council for their work with the new public works facilities.

11. ADJOURNMENT

A motion was made by Councilman Chris Moore, seconded by Councilman John Street, that this meeting be Adjourned. The motion CARRIED by a Voice Vote.

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

_____ **Date:** _____
Harold Perrin, Mayor

Attest:

_____ **Date:** _____
Donna Jackson, City Clerk



Legislation Details (With Text)

File #:	RES-11:122	Version:	2	Name:	Grant funding for Phillips Drive Streetscape project
Type:	Resolution	Status:		Status:	Recommended to Council
File created:	7/11/2011	In control:		In control:	Public Works Council Committee
On agenda:		Final action:		Final action:	
Title:	A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO TO UTILIZE FEDERAL-AID ENHANCEMENT FUNDS				
Sponsors:	Engineering				
Indexes:	Grant				
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
8/2/2011	2	Public Works Council Committee		

Title

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO TO UTILIZE FEDERAL-AID ENHANCEMENT FUNDS

Body

WHEREAS, the City Council for the City of Jonesboro, Arkansas understands Federal-aid Surface Transportation Enhancement funds are available at 80% federal participation and 20% local cash match for the following project: Phillips Drive Streetscape.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

Section 1. The City of Jonesboro will participate in accordance with its designated responsibility, including maintenance of this project.

Section 2. The Mayor is authorized and directed to execute all agreements and contracts necessary, and attested by the City Clerk, to expedite the construction of the above stated improvement.

Section 3. The City Council for the City of Jonesboro, Arkansas pledges its full support and hereby authorizes the Arkansas State Highway and Transportation Department to initiate action to implement this project.



Legislation Details (With Text)

File #:	RES-11:124	Version:	1	Name:	Right-of-way acceptances for Caraway Road project
Type:	Resolution	Status:		Status:	Recommended to Council
File created:	7/15/2011	In control:		In control:	Public Works Council Committee
On agenda:		Final action:		Final action:	
Title:	A RESOLUTION TO THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS ACCEPTING RIGHT-OF-WAY ACQUIRED FOR THE CARAWAY RD SAFETY ENHANCEMENT PROJECT - AHTD JOB NO. 100521				
Sponsors:	Engineering				
Indexes:	Right-of-way				
Code sections:					
Attachments:	Tract 7 - Kitterman Realty to City.pdf Tract 8 - Jonesboro Country Club to City.pdf Tract 9 - Jonesboro Real Estate Holdings Co to City.pdf Tract 12 - Esther Lea Kitterman to City.pdf Tract 13 - Jonesboro Real Estate Holdings Co to City.pdf 100521 Right-of-Way Map.pdf				

Date	Ver.	Action By	Action	Result
8/2/2011	1	Public Works Council Committee		

Title

A RESOLUTION TO THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS ACCEPTING RIGHT-OF-WAY ACQUIRED FOR THE CARAWAY RD SAFETY ENHANCEMENT PROJECT - AHTD JOB NO. 100521

Body

WHEREAS, the City of Jonesboro, Arkansas desires to accept the properties described as follows for the purpose of the construction of the Caraway Rd Safety Enhancement Project - AHTD Job No. 100521:

1. Tract 7 - Kitterman Realty, LLC (Easement Deed attached)
2. Tract 8 - Jonesboro Country Club (Easement Deed attached)
3. Tract 9 - Jonesboro Real Estate Holdings Co., Inc. (Easement Deed attached)
4. Tract 12 - Esther Lea Kitterman (Easement Deed attached)
5. Tract 13 - Jonesboro Real Estate Holding Company, Inc. (Easement Deed attached)

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

Section 1. The Mayor and City Clerk are hereby authorized by the City Council for the City of Jonesboro, Arkansas to accept the Easement Deeds listed above for the Caraway Rd Safety Enhancement Project - AHTD Job No. 100521.

JOB 100521
TRACT 7

EASEMENT DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT **KITTERMAN REALTY, LLC** for and in consideration of **Ten Dollars, (\$ 10.00)**, and other valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, grant, bargain, sell and convey and warrant to the **CITY OF JONESBORO**, its successors and assigns forever an exclusive right of way and easement for highway purposes on **West Campus Overpass Road**, Arkansas State Highway and Transportation Department (AHTD) Job **100521**, across, through and over the following lands situated in the County of Craighead, State of Arkansas:

LEGAL DESCRIPTION

Part of the Northwest Quarter of the Northeast Quarter of Section 20, Township 14 North, Range 4 East, Craighead County, Arkansas being more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of the Northeast Quarter of said Section 20; thence North 89° 29' 58" East along the North line of said Northwest Quarter of the Northeast Quarter, a distance of 1,105.35 feet to a point on the existing Northerly right-of-way line of East Washington Avenue as established by city affidavit; thence along said right-of-way line on a curve to the left having a radius of 5,255.17 feet, an arc length of 120.59 feet and a chord which bears North 62° 27' 49" West, a distance of 120.58 feet to the **Point of Beginning**; thence North 24° 49' 14" East a distance of 34.15 feet to a point on the Northerly right-of-way of East Matthews Road as established by AHTD Job 100521; thence South 32° 11' 42" East along said right-of-way line a distance of 36.45 feet to a point; thence South 69° 03' 54" East along said right-of-way line a distance of 55.02 feet to a point; thence South 20° 57' 28" West along said right-of-way line, a distance of 12.37 feet to a point on the existing Northerly right-of-way line of East Matthews Road; thence North 68° 57' 07" West along said existing right-of-way line a distance of 86.49 feet to the **Point of Beginning** and containing 0.03 acres, more or less, or 1,393 square feet, more or less.

Together with the rights, easements and privileges in or to said lands which may be required for the full enjoyment of the right herein granted.

TO HAVE AND TO HOLD the same unto the said City of Jonesboro and to its successors and assigns forever.

AND hereby covenant with the said City of Jonesboro that we will forever warrant and defend the title to said lands and property against the lawful claims of any and all persons whomsoever.

AND WE, Kitterman Realty, LLC, do hereby release and relinquish unto the said grantee all my right of dower or curtesy and homestead in and to said lands.

Witness our signature on this 16 day of December, 2009.

Esther Lea Kitterman (SIGNATURE)

_____ (SIGNATURE)

ACKNOWLEDGMENT

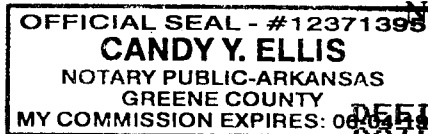
STATE OF ARKANSAS)
) SS
COUNTY OF CRAIGHEAD)

BE IT REMEMBERED, that on this day came before the undersigned, a Notary Public, acting within and for the aforesaid County, on this day personally appeared Ester Lea Kitterman well known to me to be the person(s) whose name(s) is subscribed to the foregoing instrument and stated to me that she executed the same for consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public this 16 day of December, 2009

6-4-2019
MY COMMISSION EXPIRES:

Candy Y. Ellis
NOTARY PUBLIC



DEED BK 814 PG 558 - 559
DATE 02/09/2010
TIME 04:22:48 PM
RECORDED IN
OFFICIAL RECORDS OF
CRAIGHEAD COUNTY
ANN HUDSON
CIRCUIT CLERK

RECEIPT# 198850

, D.C.

JOB 100521
TRACT 8

EASEMENT DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT **JONESBORO COUNTRY CLUB** for and in consideration of **Twenty Four Thousand Four Hundred Dollars, (\$ 24,400.00)**, and other valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, grant, bargain, sell and convey and warrant to the **CITY OF JONESBORO**, its successors and assigns forever an exclusive right of way and easement for highway purposes on **West Campus Overpass Road**, Arkansas State Highway and Transportation Department (AHTD) Job **100521**, across, through and over the following lands situated in the County of Craighead, State of Arkansas:

LEGAL DESCRIPTION

Part of the Northwest Quarter of the Northeast Quarter of Section 20, Township 14 North, Range 4 East, Craighead County, Arkansas being more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of the Northeast Quarter of said Section 20; thence South $00^{\circ} 45' 27''$ West along the West line thereof a distance of 40.00 feet to a point on the existing Southerly right-of-way line of East Matthews Road as established by city affidavit; thence North $89^{\circ} 31' 51''$ East along said right-of-way line a distance of 840.19 feet to a point; thence continue along said existing Southerly right-of-way line on a curve to the right having a radius of 836.23 feet, an arc length of 104.75 feet and a chord which bears South $86^{\circ} 26' 32''$ East a distance of 104.68 feet to a point on the Southerly right-of-way line of East Matthews Road, as established by AHTD Job 100521 for the **Point of Beginning**; thence continue along the existing Southerly right-of-way line of East Matthews Road on a curve to the right having a radius of 836.23 feet, an arc length of 225.84 feet and a chord which bears South $76^{\circ} 07' 00''$ East, a distance of 225.16 feet; thence South $69^{\circ} 13' 29''$ East along said existing right-of-way line a distance of 116.31 feet to a point on the Southerly right-of-way line of East Matthews Road, as established by AHTD Job 100521; thence South $20^{\circ} 57' 28''$ West along said right-of-way line a distance of 27.75 feet to a point; thence North $73^{\circ} 49' 47''$ West along said right-of-way line a distance of 120.39 feet to a point; thence North $66^{\circ} 30' 54''$ West along said right-of-way line a distance of 219.99 feet to the **Point of Beginning** and containing 0.21 acres, more or less, or 9,115 square feet, more or less.

Together with the rights, easements and privileges in or to said lands which may be required for the full enjoyment of the right herein granted.

TO HAVE AND TO HOLD the same unto the said City of Jonesboro and to its successors and assigns forever.

AND hereby covenant with the said City of Jonesboro that we will forever warrant and defend the title to said lands and property against the lawful claims of any and all persons whomsoever.

AND WE, Jonesboro Country Club, do hereby release and relinquish unto the said grantee all my right of dower or curtesy and homestead in and to said lands.

Witness our signature on this 19 day of November, 2009.

[Signature] (SIGNATURE)

[Signature] (SIGNATURE)

ACKNOWLEDGMENT

STATE OF ARKANSAS)
) SS
COUNTY OF CRAIGHEAD)

DEED BK 814 PG 556 - 557
DATE 02/09/2010
TIME 04:22:47 PM
RECORDED IN
OFFICIAL RECORDS OF
CRAIGHEAD COUNTY
ANN HUDSON
CIRCUIT CLERK
RECEIPT# 198850 D.C.

BE IT REMEMBERED, that on this day came before the undersigned, a Notary Public, acting within and for the aforesaid County, on this day personally appeared Steuaricaico and Shel White well known to me to be the person(s) whose name(s) is subscribed to the foregoing instrument and stated to me that they executed the same for consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public this 19 day of November, 2009

3/27/2011
MY COMMISSION EXPIRES:

[Signature]
NOTARY PUBLIC

OFFICIAL SEAL
RITA G. REED
NOTARY PUBLIC - ARKANSAS
CRAIGHEAD COUNTY
MY COMMISSION EXPIRES: 03-27-2011

JOB 100521
TRACT 9

EASEMENT DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT JONESBORO REAL ESTATE HOLDINGS CO., INC, for and in consideration of **Ten Dollars, (\$ 10.00)**, and other valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, grant, bargain, sell and convey and warrant to the **CITY OF JONESBORO**, its successors and assigns forever an exclusive right of way and easement for highway purposes on **West Campus Overpass Road**, Arkansas State Highway and Transportation Department (AHTD) **Job 100521**, cross, through and over the following lands situated in the County of Craighead, State of Arkansas:

LEGAL DESCRIPTION

Part of Lot 1 of Tate's Washington Avenue Addition to the City of Jonesboro lying in the Southeast Quarter of the Southwest Quarter of Section 17, Township 14 North, Range 4 East, Craighead County, Arkansas being more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of said Section 17; thence North 00° 44' 42" East along the East line thereof a distance of 521.69 feet to a point on the Southerly right of way of East Washington Avenue as established by AHTD Job 100521 for the **Point of Beginning**; thence North 49° 51' 09" West along said right-of-way line, a distance of 230.87 feet to a point on the existing Southerly right-of-way line of East Washington Avenue as established by city affidavit; thence South 59° 12' 50" East along said right-of-way line a distance of 206.08 feet to a point on the East line of the Southeast Quarter of the Southwest Quarter of Section 17; thence South 00° 44' 42" West along said East line a distance of 43.38 feet to the **Point of Beginning** and containing 0.09 acres, more or less, or 3,869 square feet, more or less.

Together with the rights, easements and privileges in or to said lands which may be required for the full enjoyment of the right herein granted.

TO HAVE AND TO HOLD the same unto the said City of Jonesboro and to its successors and assigns forever.

JOB 100521
TRACT 12

EASEMENT DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT **ESTHER LEA KITTERMAN** for and in consideration of **Ten Dollars, (\$ 10.00)**, and other valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, grant, bargain, sell and convey and warrant to the **CITY OF JONESBORO**, its successors and assigns forever an exclusive right of way and easement for highway purposes on **West Campus Overpass Road**, Arkansas State Highway and Transportation Department (AHTD) Job 100521, across, through and over the following lands situated in the County of Craighead, State of Arkansas:

LEGAL DESCRIPTION

Part of the Northwest Quarter of the Northeast Quarter of Section 20, Township 14 North, Range 4 East, Craighead County, Arkansas being more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of the Northeast Quarter of said Section 20; thence North 89° 29' 56" East along the North line thereof a distance of 1,105.35 feet to the existing Northerly right-of-way line of East Washington Avenue as established by city affidavit for the **Point of Beginning** ; thence North 89° 29' 58" East, along said North line a distance of 26.97 feet to a point on the Northerly right-of-way line of West Campus Overpass Road, as established by AHTD Job 100521; thence South 81° 10' 16" East along said right-of-way line a distance of 88.12 feet to a point; thence South 32° 11' 42" East along said right-of-way line a distance of 13.55 feet to a point; thence South 24° 49' 14" West a distance of 34.15 feet to a point on the existing Northerly right-of-way line of East Matthews Road as established by city affidavit; thence Northwesterly along said right-of-way line on a curve to the right having a radius of 5,255.17 feet, an arc length of 120.59 feet and a chord which bears North 62° 27' 49" West a distance of 120.58 feet to the **Point of Beginning** and containing 0.07 acres, more or less, or 2,883 square feet, more or less.

Together with the rights, easements and privileges in or to said lands which may be required for the full enjoyment of the right herein granted.

TO HAVE AND TO HOLD the same unto the said City of Jonesboro and to its successors and assigns forever.

AND hereby covenant with the said City of Jonesboro that we will forever warrant and defend the title to said lands and property against the lawful claims of any and all persons whomsoever.

AND WE, Ester Lea Kitterman, do hereby release and relinquish unto the said grantee all my right of dower or curtesy and homestead in and to said lands.

Witness our signature on this 16 day of December, 2009.

Ester Lea Kitterman (SIGNATURE)

_____ (SIGNATURE)

ACKNOWLEDGMENT

STATE OF ARKANSAS)
) SS
COUNTY OF CRAIGHEAD)

DEED BK 814 PG 570 - 571
DATE 02/09/2010
TIME 04:22:54 PM
RECORDED IN,
OFFICIAL RECORDS OF
CRAIGHEAD COUNTY
ANN HUDSON
CIRCUIT CLERK

[Handwritten signature]

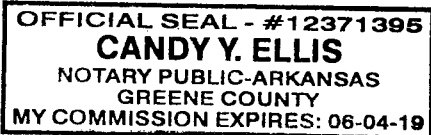
BE IT REMEMBERED, that on this day came before the undersigned, a Notary Public, acting within and for the aforesaid County, on this day personally appeared Ester Lea Kitterman well known to me to be the person(s) whose name(s) is subscribed to the foregoing instrument and stated to me that she executed the same for consideration and purposes therein mentioned and set forth.

RECEIVED # 37854
ESTER LEA, D.C.

WITNESS my hand and seal as such Notary Public this 16 day of December, 2009

6-4-2019
MY COMMISSION EXPIRES:

Candy Y. Ellis
NOTARY PUBLIC



JOB 100521
TRACT 13**EASEMENT DEED**

KNOW ALL MEN BY THESE PRESENTS:

THAT We **JONESBORO REAL ESTATE HOLDING COMPANY, INC** for and in consideration of **Ten Dollars, (\$ 10.00)**, and other valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, grant, bargain, sell and convey and warrant to the **CITY OF JONESBORO**, its successors and assigns forever an exclusive right of way and easement for highway purposes on **West Campus Overpass Road**, Arkansas State Highway and Transportation Department (AHTD) Job 100521, across, through and over the following lands situated in the County of Craighead, State of Arkansas:

LEGAL DESCRIPTION

Part of Lot 1, Block 1 of Patrick's Second Addition to the City of Jonesboro lying in the Southeast Quarter of the Southwest Quarter of Section 17, Township 14 North, Range 4 East, Craighead County, Arkansas being more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of said Section 17; thence North 00° 44' 42" East along the East line thereof a distance of 33.43 feet to a point on the existing Northerly right-of-way line of East Matthews Road as established by city affidavit, said point also being on the East line of Lot 1, Block 1 of Patrick's Second Addition to the City of Jonesboro for the **Point of Beginning**; thence North 89° 55' 12" West along said existing right-of-way line a distance of 67.67 feet to a point; thence North 00° 44' 42" East a distance of 6.85 feet to a point on the Northerly right-of-way line of East Matthews Road as established by AHTD Job 100521; thence North 88° 28' 57" East along said right-of-way line a distance of 67.72 feet to a point on the East line of the Southeast Quarter of the Southwest Quarter of said Section 17 and also being on the East line of Lot 1, Block 1 of Patrick's Second Addition to the City of Jonesboro; thence South 00° 44' 42" West along said East line a distance of 8.74 feet to the **Point of Beginning** and containing 0.01 Acres or 528 square feet, more or less

WH 4/7/09

STANDARD RIGHT OF WAY SIGNS AND SYMBOLS

- | | | | |
|--|---|--|-------------------------------------|
| | SECTION CORNER | | RESIDENTIAL AND COMMERCIAL BUILDING |
| | QUARTER CORNER | | HEDGE ROW |
| | QUARTER QUARTER CORNER | | SMALL STREAM |
| | SECTION CENTER | | LARGE STREAM |
| | STATE LINE OR CITY LIMITS | | POND OR LAKE |
| | COUNTY LINE | | TELEPHONE POLES |
| | TOWNSHIP LINE | | POWER POLES |
| | SECTION, 1/4, OR 1/8 LINE | | TRANSMISSION LINES |
| | PROPERTY LINE | | TREES |
| | EXISTING R/W LINE | | DECIDUOUS WOODS |
| | PROPOSED R/W LINE | | EVERGREEN WOODS |
| | EXISTING CONTROL OF ACCESS | | SET AND R/W MONUMENT |
| | PROPOSED CONTROL OF ACCESS | | TEMPORARY EASEMENT POINT |
| | PROPOSED R/W AND CONTROL OF ACCESS | | PERMANENT EASEMENT POINT |
| | EXISTING R/W DIMENSION (FINE LINES) | | EXISTING R/W POINT |
| | PROPOSED R/W DIMENSION (HEAVY LINES) | | PROPERTY LINE POINT |
| | TEMPORARY & PERMANENT EASEMENT LINE | | FOUND MONUMENT |
| | EXISTING BRIDGE OR SEPARATION STRUCTURE | | SURVEY CALCULATED POINT |
| | PROPOSED BRIDGE OR SEPARATION STRUCTURE | | |
| | EXISTING CULVERT | | |
| | RAILROAD | | |
| | PAVED ROADS | | |
| | GRAVEL ROAD | | |
| | DRIVEWAY | | |
| | FENCE | | |
| | CONSTRUCTION LIMITS-BASED ON DESIGN CROSS SECTION | | |
| | LEVEE | | |
| | TRAIL | | |

STATE OF ARKANSAS
STATE HIGHWAY COMMISSION



RIGHT OF WAY MAP
CARAWAY RD. SAFETY
ENHANCEMENT
(JONESBORO)
CRAIGHEAD COUNTY
F.A.P: SB-SE-AR00(1) & TCSP-TCSP(1)
JOB 100521

LAYOUT NOT TO SCALE

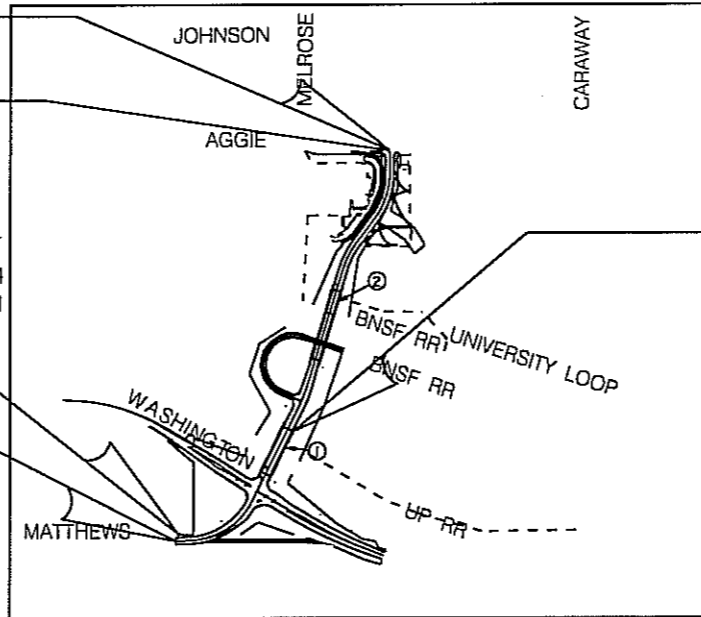
R 4 E

STA. 41+75.00
END CONST. JOB 100661

STA. 41+76.42 - END
R/W ACQ. JOB 100521

STA. 10+43.00 BEGIN
R/W ACQ. JOB 100521
STA. 10+19.00
BEGIN CONST. JOB 100662

STA. 21+85.33
BEGIN CONST. JOB 100661
END CONST. JOB 100662



TOWNSHIP 14 NORTH, RANGE 4 EAST

100521

JOB NUMBER	FEDERAL AID PROJECT NUMBER	SHT. NO.	TOTAL SHTS.
100521	RIGHT OF WAY	3	17
	CONSTRUCTION		

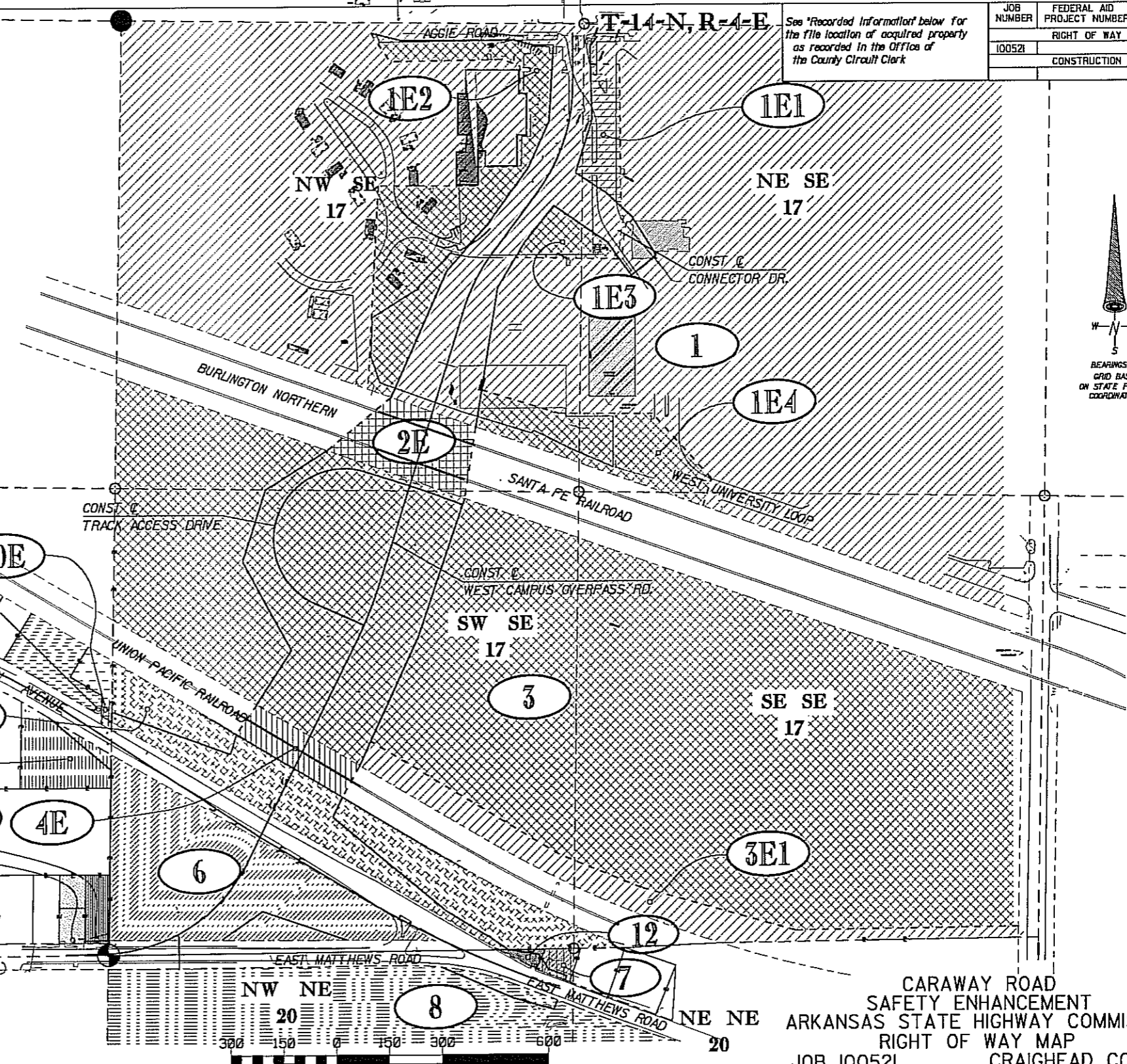
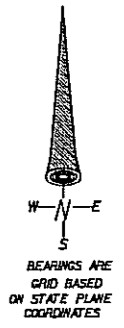
See "Recorded Information" below for the file location of acquired property as recorded in the Office of the County Circuit Clerk

T-14-N, R-4-E

NE SW
17

NW SE
17

NE SE
17



SE SW
17
TATE'S WASHINGTON AVE.
Add's

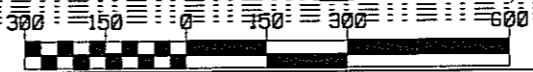
PATRICK SECOND.
Add Blk. I

NE NW
20

NW NE
20

NE NE
20

CARAWAY ROAD
SAFETY ENHANCEMENT
ARKANSAS STATE HIGHWAY COMMISSION
RIGHT OF WAY MAP
JOB 100521 CRAIGHEAD COUNTY



*FILE#
 *FILE#
 *DATE#

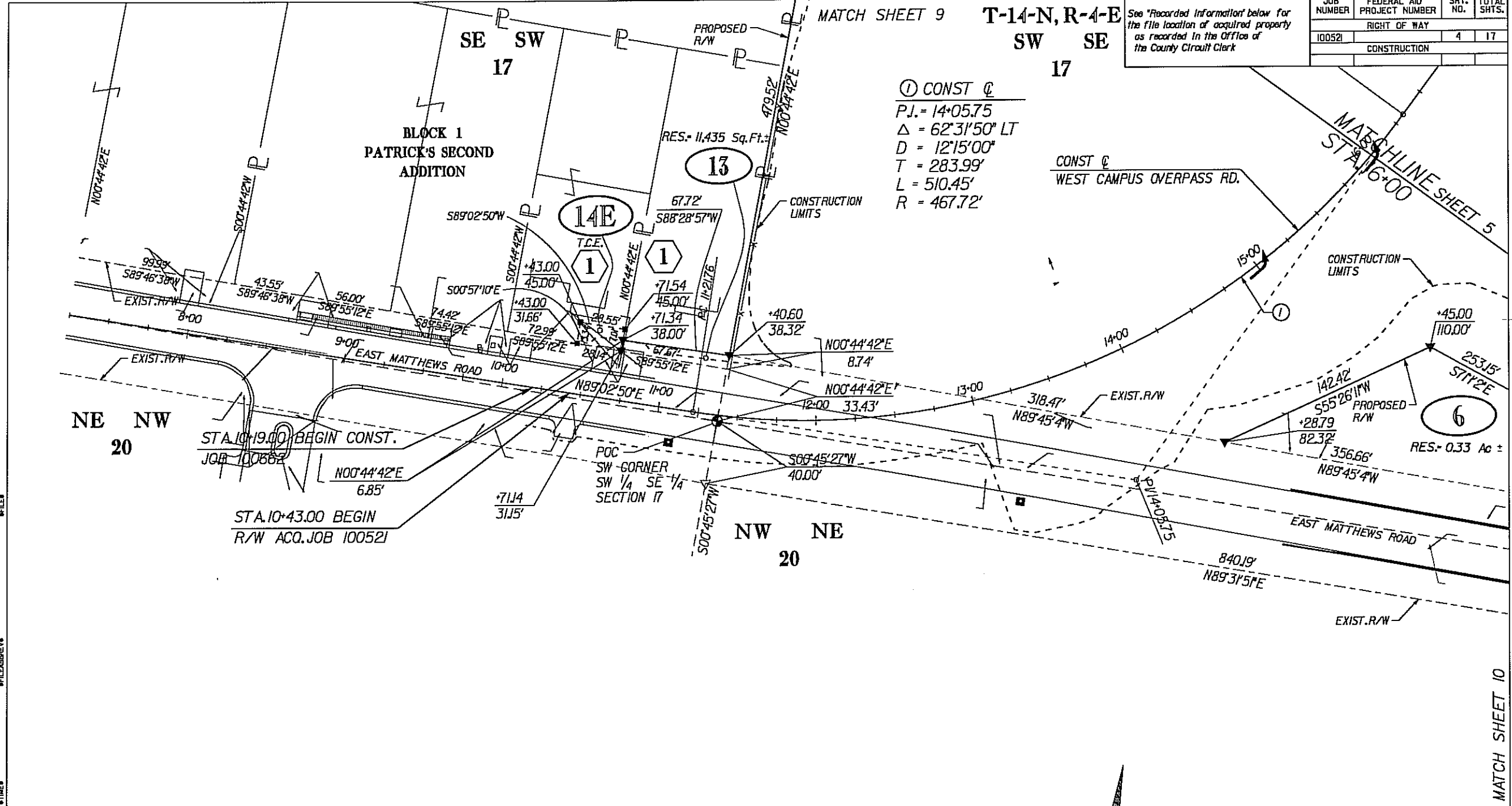
NO.	DATE	DESCRIPTION	BY	CHK'D
1		ADDED TRS 4-14	MAA	
REVISIONS				
DATE DESIGNED		REVIEWED BY		MICROFILM REVISIONS
DESIGNED BY: MJJ		REVIEWED BY: MAA		

See "Recorded Information" below for the file location of acquired property as recorded in the Office of the County Circuit Clerk

JOB NUMBER	FEDERAL AID PROJECT NUMBER	SHT. NO.	TOTAL SHOTS.
100521		4	17
RIGHT OF WAY			
CONSTRUCTION			

① CONST @
 P.I. = 14+05.75
 $\Delta = 62^{\circ}31'50''$ LT
 D = 1215'00"
 T = 283.99'
 L = 510.45'
 R = 467.72'

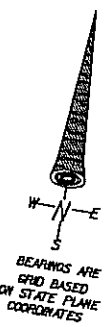
CONST @
 WEST CAMPUS OVERPASS RD.



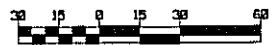
EXISTING RIGHT OF WAY AUTHORITY

THE EXISTING R/W SHOWN IS WITHIN THE LIMITS OF THE R/W COVERED BY THE FOLLOWING

JOB NO.	HWY. / RD.	AUTHORITY	BOOK	PAGE	DATE
	WASHINGTON	CITY AFFADVIT			5-16-07
	MATTHEWS	CITY AFFADVIT			5-16-07
	AGGIE	CITY AFFADVIT			5-16-07



CARAWAY ROAD
 SAFETY ENHANCEMENT
 ARKANSAS STATE HIGHWAY COMMISSION
 RIGHT OF WAY MAP
 JOB 100521
 CRAIGHEAD COUNTY



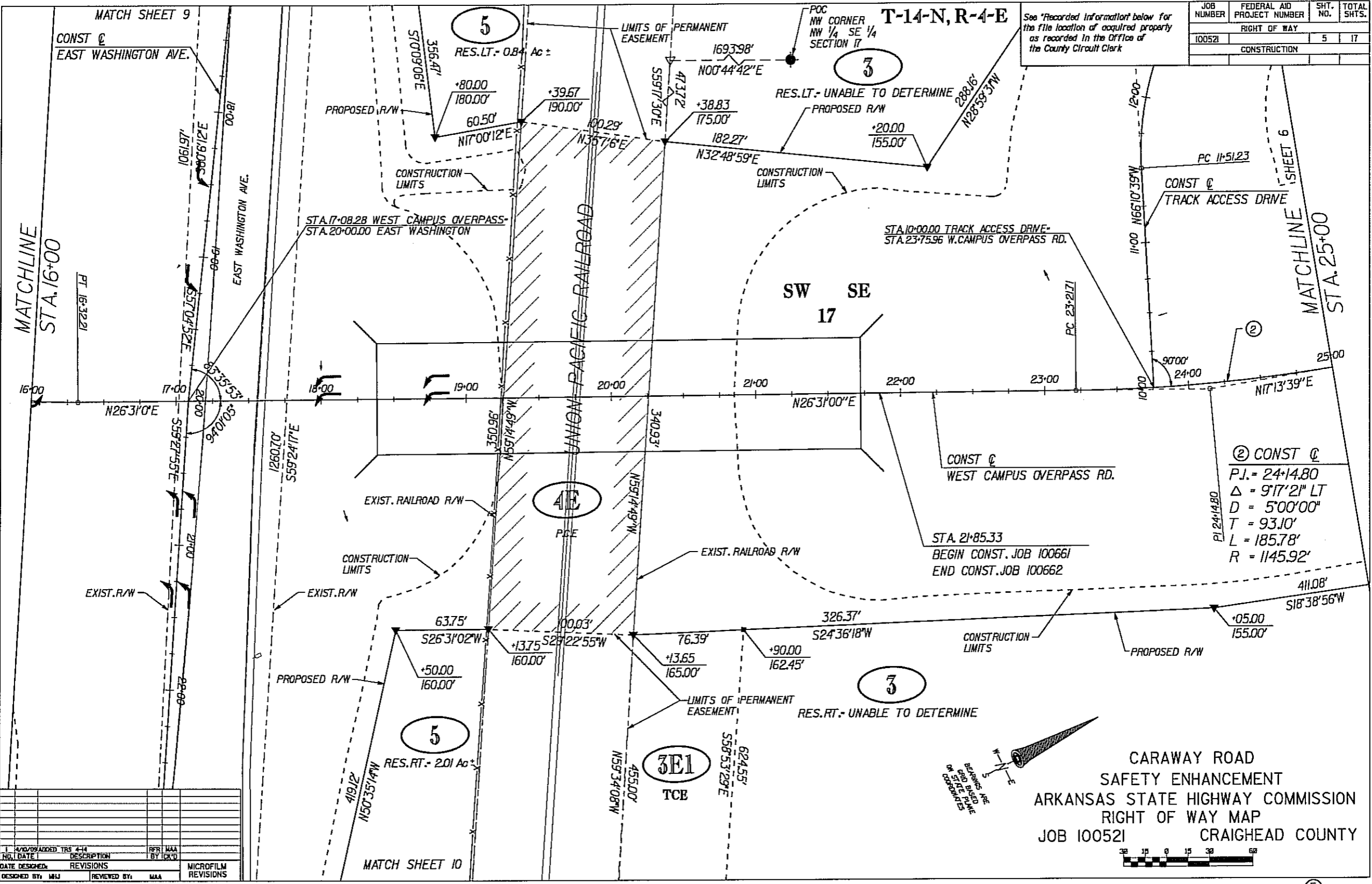
NO.	DATE	DESCRIPTION	BY	CHK'D

DESIGNED BY: MJJ	REVIEWED BY: MAA	MICROFILM REVISIONS
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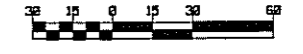
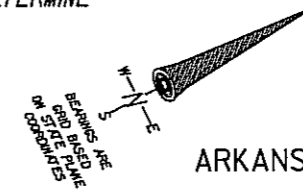
JOB NUMBER	FEDERAL AID PROJECT NUMBER	SHT. NO.	TOTAL SHTS.
100521		5	17
RIGHT OF WAY			
CONSTRUCTION			

See "Recorded Information" below for the file location of acquired property as recorded in the Office of the County Circuit Clerk

T-14-N, R-4-E



CARAWAY ROAD
SAFETY ENHANCEMENT
ARKANSAS STATE HIGHWAY COMMISSION
RIGHT OF WAY MAP
JOB 100521 CRAIGHEAD COUNTY



NO.	DATE	DESCRIPTION	BY	CHK'D
1	10/10/09	ADDED TRS 4-14	MAA	
REVISIONS				
DESIGNED BY: MJJ			REVIEWED BY: MAA	

MATCH SHEET 10

JOB NUMBER	FEDERAL AID PROJECT NUMBER	SHT. NO.	TOTAL SHOTS.
100521		6	17
RIGHT OF WAY			
CONSTRUCTION			

See "Recorded Information" below for the file location of acquired property as recorded in the Office of the County Clerk

T-14-N, R-4-E

NW SE
17
1

RES.LT. - UNABLE TO DETERMINE

2E
PCE

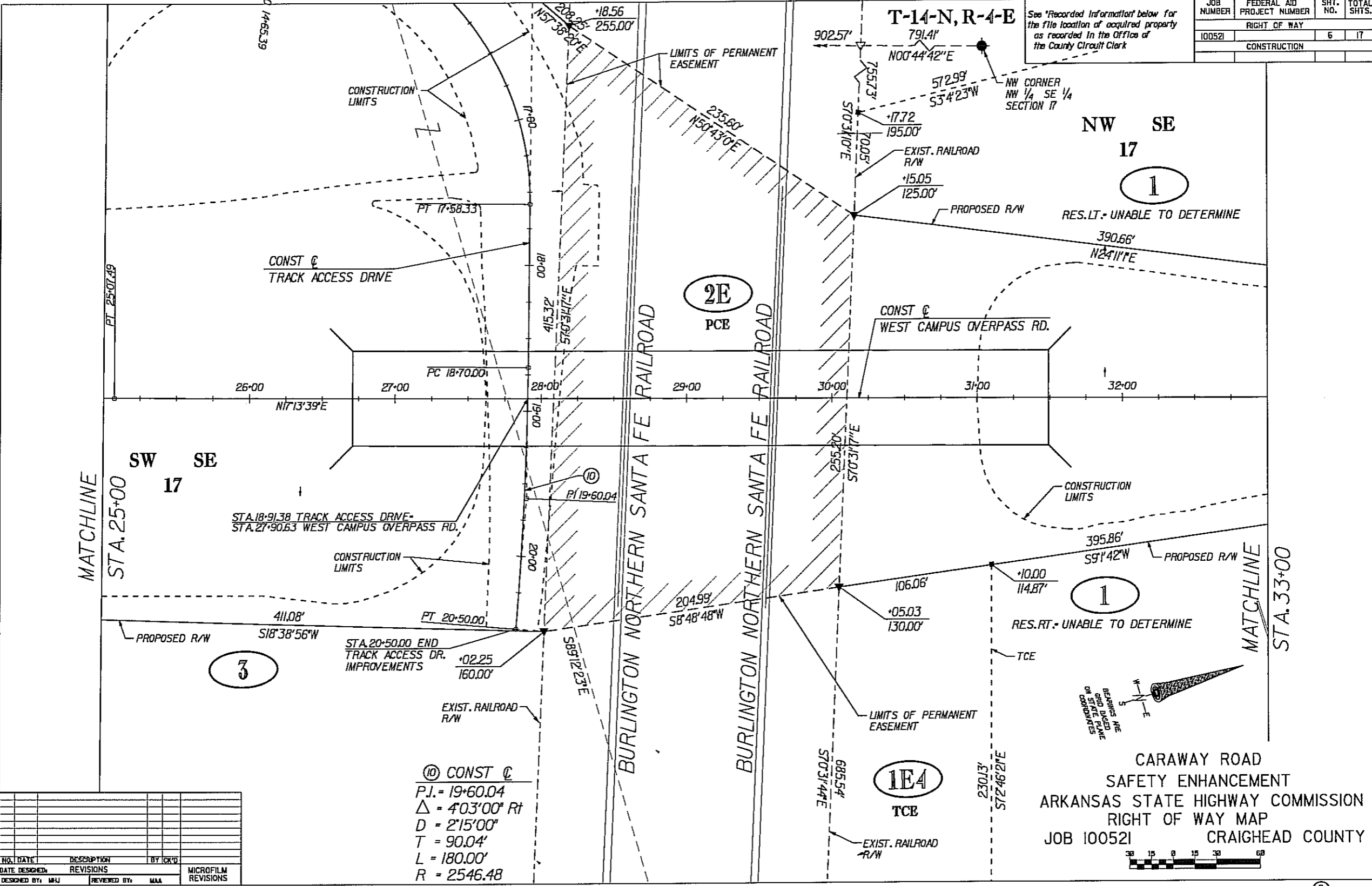
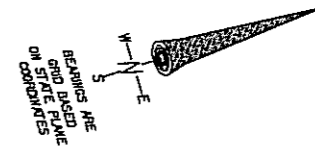
CONST @
WEST CAMPUS OVERPASS RD.

1

RES.RT. - UNABLE TO DETERMINE

1E4
TCE

CARAWAY ROAD
SAFETY ENHANCEMENT
ARKANSAS STATE HIGHWAY COMMISSION
RIGHT OF WAY MAP
JOB 100521 CRAIGHEAD COUNTY



⑩ CONST @
P.I. = 19+60.04
Δ = 4°03'00" Rt
D = 2'15"00"
T = 90.04'
L = 180.00'
R = 2546.48

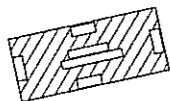
NO.	DATE	DESCRIPTION	BY	CHK'D	MICROFILM REVISIONS

T-14-N, R-4-E

See "Recorded Information" below for the file location of acquired property as recorded in the Office of the County Circuit Clerk

JOB NUMBER	FEDERAL AID PROJECT NUMBER	SHT. NO.	TOTAL SHTS.
100521	RIGHT OF WAY	8	17
	CONSTRUCTION		

SE SW
17



EAST WASHINGTON AVE.

EXIST. R/W

EXIST. RAILROAD R/W

CONSTRUCTION LIMITS

CONST @

EAST WASHINGTON AVE.

11+00

EXIST. R/W

CONSTRUCTION LIMITS

STA. 11+54.75 BEGIN
EAST WASHINGTON AVE.
IMPROVEMENTS

Ⓞ CONST @

P.J. = 11+71.58

$\Delta = 10^{\circ}29'24''$ RT

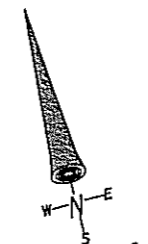
D = 04'30"00"

T = 116.88'

L = 233.11'

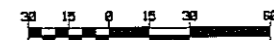
R = 1273.24'

MATCHLINE SHEET 9
STA. 12+00



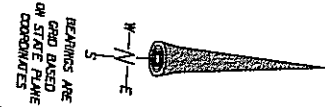
BEARINGS ARE
GRID BASED
ON STATE PLANE
COORDINATES

CARAWAY ROAD
SAFETY ENHANCEMENT
ARKANSAS STATE HIGHWAY COMMISSION
RIGHT OF WAY MAP
JOB 100521 CRAIGHEAD COUNTY



NO.	DATE	DESCRIPTION	BY	CHK'D

DESIGNED BY: MJJ	REVIEWED BY: MAA	MICROFILM REVISIONS
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ⓐ CONST C
 P.I. = 13+51.23
 $\Delta = 90^{\circ}00'00''$ Rt
 $D = 28^{\circ}38'52''$
 $T = 200.00'$
 $L = 314.16'$
 $R = 200.00$

STA. 10+00.00 TRACK ACCESS DRIVE -
 STA. 23+75.96 W. CAMPUS OVERPASS RD.

ⓑ CONST C
 P.I. = 24+14.80
 $\Delta = 9^{\circ}17'21''$ Lt
 $D = 5^{\circ}00'00''$
 $T = 93.10'$
 $L = 185.78'$
 $R = 1145.92'$

Ⓒ CONST C
 P.I. = 19+60.04
 $\Delta = 4^{\circ}03'00''$ Rt
 $D = 2^{\circ}15'00''$
 $T = 90.04'$
 $L = 180.00'$
 $R = 2546.48$

T-14-N, R-4-E

See "Recorded Information" below for
 the file location of acquired property
 as recorded in the Office of
 the County Circuit Clerk

JOB NUMBER	FEDERAL AID PROJECT NUMBER	SHT. NO.	TOTAL SHTS.
100521		11	17
CONSTRUCTION			

ⓓ CONST C
 P.I. = 16+45.22
 $\Delta = 83^{\circ}55'18''$ Rt
 $D = 28^{\circ}38'52''$
 $T = 179.83'$
 $L = 292.94'$
 $R = 200.00$

2E
 PCE

1E2
 TCE

CARAWAY ROAD
 SAFETY ENHANCEMENT
 ARKANSAS STATE HIGHWAY COMMISSION
 RIGHT OF WAY MAP
 JOB 100521
 CRAIGHEAD COUNTY



NO.	DATE	DESCRIPTION	BY	CHK'D

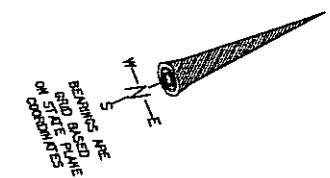
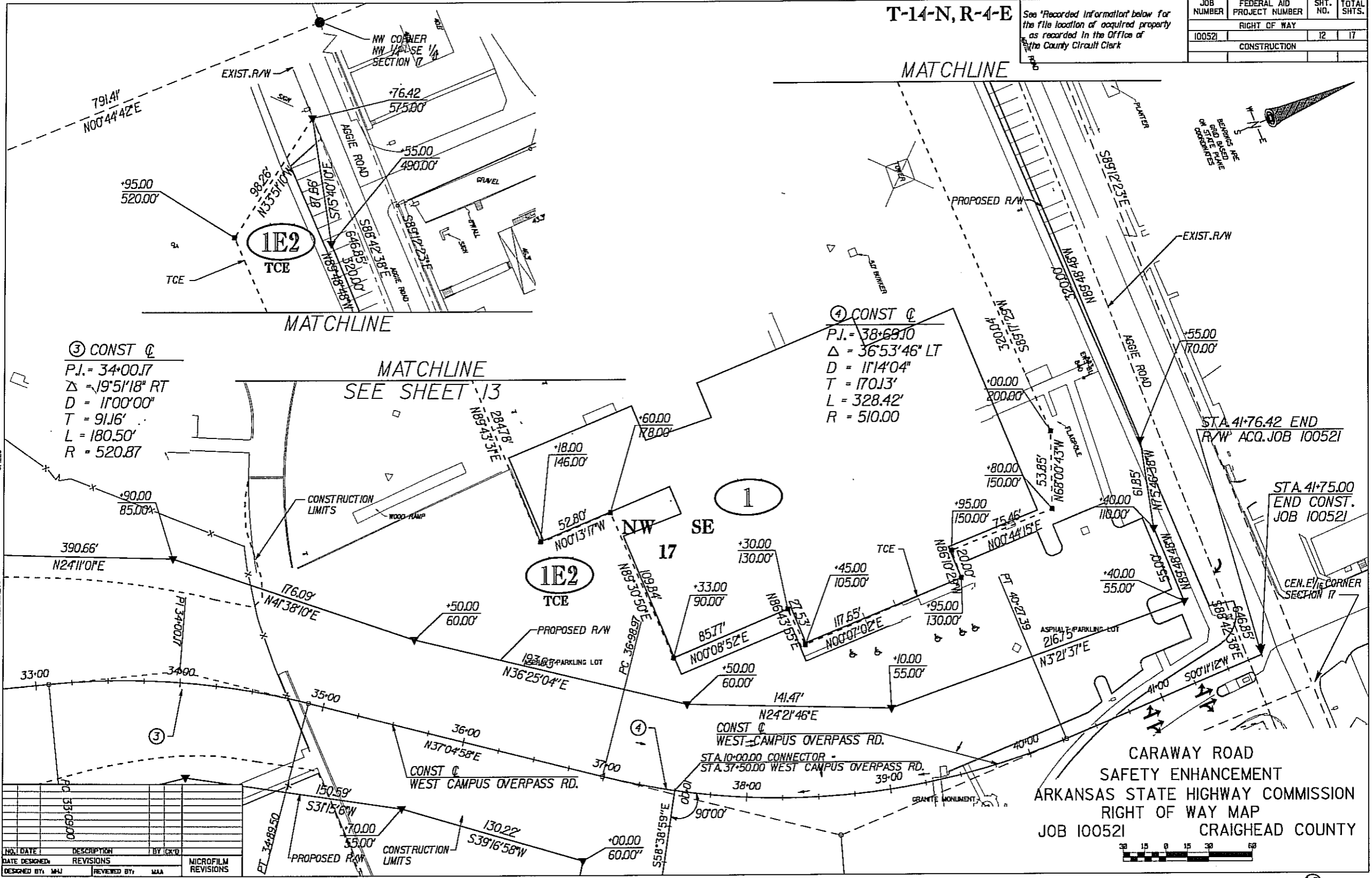
DATE DESIGNED	REVISIONS	BY	CHK'D

DESIGNED BY	REVIEWED BY	MICROFILM REVISIONS

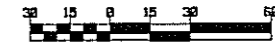
T-14-N, R-4-E

See "Recorded Information" below for the file location of acquired property as recorded in the Office of the County Circuit Clerk

JOB NUMBER	FEDERAL AID PROJECT NUMBER	SHT. NO.	TOTAL SHTS.
100521		12	17
RIGHT OF WAY			
CONSTRUCTION			



CARAWAY ROAD
SAFETY ENHANCEMENT
ARKANSAS STATE HIGHWAY COMMISSION
RIGHT OF WAY MAP
JOB 100521
CRAIGHEAD COUNTY



NO.	DATE	DESCRIPTION	BY	CHK'D

DESIGNED BY: MWJ REVIEWED BY: MAA



Legislation Details (With Text)

File #:	RES-11:125	Version:	1	Name:	Industrial Park easement and right-of-way acceptance from CWL
Type:	Resolution	Status:		Status:	Recommended to Council
File created:	7/15/2011	In control:		In control:	Public Works Council Committee
On agenda:		Final action:		Final action:	
Title:	A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO ACCEPT THIS EASEMENT AND RIGHT-OF-WAY FOR THE PURPOSE OF CONSTRUCTION OF A RAILROAD IN THE INDUSTRIAL PARK				
Sponsors:	Engineering				
Indexes:	Easement, Right-of-way				
Code sections:					
Attachments:	Easement and Right of Way.pdf				

Date	Ver.	Action By	Action	Result
8/2/2011	1	Public Works Council Committee		

Title

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO ACCEPT THIS EASEMENT AND RIGHT-OF-WAY FOR THE PURPOSE OF CONSTRUCTION OF A RAILROAD IN THE INDUSTRIAL PARK

Body

WHEREAS, the City of Jonesboro, Arkansas desires to accept the property described as follows for the purpose of construction of a railroad in the Industrial Park:

Part of the South Half (S½) of Section 28 and Part of the West Half (W½) of Section 33, Township 14 North (T-14-N), Range 5 East (R-5-E) Jonesboro, Craighead County, Arkansas, more particularly described as:

Commencing at the Northeast Corner of said Section 33; thence S 88°17'12" W along the North Line of said Section 33 82.32 feet; thence N 01°42'48" W 159.36 feet to the Point of Beginning; thence N 01°14'29" W 257.55 feet; thence N 06°26'47" W 148.61 feet to the point of curvature; thence in a Northwesterly direction along a 754.69 foot radius curve to the left 1,121.17 feet to the point of tangency, said curve having a Chord Bearing & Distance of N 49°00'21" W 1,020.88 feet; thence S 88°26'04" W 500.56 feet to the point of curvature; thence in a Westerly direction along a curve to the right 105.04 feet to the point of tangency, said curve having a radius of 1,156.28 feet and a Chord Bearing & Distance of N 88°57'47" W 105.01 feet; thence N 86°21'38" W 112.79 feet; thence S 88°26'04" W 161.59 feet; thence S 83°13'46" W 147.51 feet to the point of curvature; thence in a Southwesterly direction along a 754.49 foot radius curve to the left 1,104.48 feet to the point of tangency, said curve having a Chord Bearing & Distance of S 41°17'34" W 1,008.47 feet; thence S 00°38'39" E 524.31 feet to the North Line of Section 33, T-14-N, R-5-E; thence continue S 00°38'39" E 750.46 feet; thence S 89°21'21" W 55.24 feet to point on the West line of said section 33, said point being N 01°08'45" W 1,885.36' feet from an Alum. Disc found at the Center of said Section 33; thence N 01°08'45" W along said West line of said Section 33, 620.02 feet; thence N 89°21'21" E 40.67 feet; thence N 00°38'39" W 654.77 feet to the point of curvature; thence in a Northeasterly direction along a 774.49 foot radius curve to the right 1109.48 feet, said curve having a Chord Bearing & Distance of N 40°23'41" E 1,017.02 feet; thence in a Northwesterly direction along a 774.49 foot radius curve to the right 175.10 feet to the point of tangency, said

curve having a Chord Bearing & Distance of N 79°17'47" W 174.73 feet; thence N 72°49'11" W 315.91 feet to the point of curvature; thence in a Northwesterly direction along a 754.49 foot radius curve to the left 181.11 feet to the point of tangency, said curve having a Chord Bearing & Distance of N 79°41'47" W 180.67 feet; thence N 86°34'23" W 98.26 feet; thence S 88°13'19" W 40.80 feet; thence N 01°46'41" W 20.00 feet; thence N 88°13'19" E 41.70 feet; thence S 86°34'23" E 99.17 feet to the point of curvature; thence in a Southeasterly direction along a 774.49 foot radius curve to the right 185.91 feet to the point of tangency, said curve having a Chord Bearing & Distance of S 79°41'47" E 185.46 feet; thence S 72°49'11" E 315.91 feet to the point of curvature; thence in a Easterly direction along a 754.49 foot radius curve to the left 246.85 feet to the point of tangency, said curve having a Chord Bearing & Distance of S 82°11'33" E 245.75 feet; thence N 88°26'04" E 984.72 feet to the point of curvature; thence in a Southeasterly direction along a 774.59 foot radius curve to the right 1,220.95 feet to the point of tangency, said curve having a Chord Bearing & Distance of S 46°24'12" E 1,098.39 feet; thence S 01°14'29" E 352.35 feet; thence S 88°45'31" W 20.00 feet to the Point of Beginning, containing 3.91 Acres, more or less, subject to any existing rights-of-way or easements of record.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

Section 1. The Mayor and City Clerk are hereby authorized by the City Council for the City of Jonesboro, Arkansas to accept the easement and right-of-way described above.

Type of Instrument: Easement and Right-of-Way
Grantor(s): City Water and Light Plant of the City of Jonesboro, Arkansas
Grantee(s): City of Jonesboro, Arkansas

This Instrument Prepared By:
City of Jonesboro
307 Vine Street
Jonesboro, AR 72403

After Recording, Return To:
City of Jonesboro
PO Box 1845
Jonesboro, AR 72403

EASEMENT AND RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS:

That **City Water and Light Plant of the City of Jonesboro, Arkansas**, ("Grantors"), for good and valuable consideration, the receipt of which is acknowledged by Grantor, does hereby grant, sell and convey, unto **City of Jonesboro, Arkansas**, ("Grantee") and their successors and assigns, an easement, right-of-way, and right of entry over and across the following described lands:

Part of the South Half (S½) of Section 28 and Part of the West Half (W½) of Section 33, Township 14 North (T-14-N), Range 5 East (R-5-E) Jonesboro, Craighead County, Arkansas, more particularly described as:

Commencing at the Northeast Corner of said Section 33; thence S 88°17'12" W along the North Line of said Section 33 82.32 feet; thence N 01°42'48" W 159.36 feet to the Point of Beginning; thence N 01°14'29" W 257.55 feet; thence N 06°26'47" W 148.61 feet to the point of curvature; thence in a Northwesterly direction along a 754.69 foot radius curve to the left 1,121.17 feet to the point of tangency, said curve having a Chord Bearing & Distance of N 49°00'21" W 1,020.88 feet; thence S 88°26'04" W 500.56 feet to the point of curvature; thence in a Westerly direction along a curve to the right 105.04 feet to the point of tangency, said curve having a radius of 1,156.28 feet and a Chord Bearing & Distance of N 88°57'47" W 105.01 feet; thence N 86°21'38" W 112.79 feet; thence S 88°26'04" W 161.59 feet; thence S 83°13'46" W 147.51 feet to the point of curvature; thence in a Southwesterly direction along a 754.49 foot radius curve to the left 1,104.48 feet to the point of tangency, said curve having a Chord Bearing & Distance of S 41°17'34" W 1,008.47 feet; thence S 00°38'39" E 524.31 feet to the North Line of Section 33, T-14-N, R-5-E; thence continue S 00°38'39" E 750.46 feet; thence S 89°21'21" W 55.24 feet to point on the West line of said section 33, said point being N 01°08'45" W 1,885.36' feet from

an Alum. Disc found at the Center of said Section 33; thence N 01°08'45" W along said West line of said Section 33, 620.02 feet; thence N 89°21'21" E 40.67 feet; thence N 00°38'39" W 654.77 feet to the point of curvature; thence in a Northeasterly direction along a 774.49 foot radius curve to the right 1109.48 feet, said curve having a Chord Bearing & Distance of N 40°23'41" E 1,017.02 feet; thence in a Northwesterly direction along a 774.49 foot radius curve to the right 175.10 feet to the point of tangency, said curve having a Chord Bearing & Distance of N 79°17'47" W 174.73 feet; thence N 72°49'11" W 315.91 feet to the point of curvature; thence in a Northwesterly direction along a 754.49 foot radius curve to the left 181.11 feet to the point of tangency, said curve having a Chord Bearing & Distance of N 79°41'47" W 180.67 feet; thence N 86°34'23" W 98.26 feet; thence S 88°13'19" W 40.80 feet; thence N 01°46'41" W 20.00 feet; thence N 88°13'19" E 41.70 feet; thence S 86°34'23" E 99.17 feet to the point of curvature; thence in a Southeasterly direction along a 774.49 foot radius curve to the right 185.91 feet to the point of tangency, said curve having a Chord Bearing & Distance of S 79°41'47" E 185.46 feet; thence S 72°49'11" E 315.91 feet to the point of curvature; thence in a Easterly direction along a 754.49 foot radius curve to the left 246.85 feet to the point of tangency, said curve having a Chord Bearing & Distance of S 82°11'33" E 245.75 feet; thence N 88°26'04" E 984.72 feet to the point of curvature; thence in a Southeasterly direction along a 774.59 foot radius curve to the right 1,220.95 feet to the point of tangency, said curve having a Chord Bearing & Distance of S 46°24'12" E 1,098.39 feet; thence S 01°14'29" E 352.35 feet; thence S 88°45'31" W 20.00 feet to the Point of Beginning, containing 3.91 Acres, more or less, subject to any existing rights-of-way or easements of record.

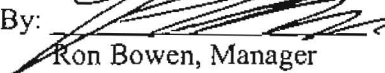
This easement granted hereby is for the placement, location, construction, operation, maintenance, alteration and replacement of a railroad and appurtenances thereto; together with the right to trim, cut, fell and remove all trees, underbrush, obstructions, and other vegetation, structures, or obstacles within the limits of the right-of-way.

Grantor further states that they are lawfully seized of indefeasible fee title in the lands on which the easement is granted, and that they have good and lawful title and right to convey the easement to the Grantee as provided herein.

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.

IN WITNESS WHEREOF, the Grantor has set hand this 12TH day of July, 2011.

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

By: 
Ron Bowen, Manager

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

BE IT REMEMBERED, that on this day personally appeared before me the undersigned, a Notary Public, within and for the County and State aforesaid, duly qualified, commissioned and acting, **Ron Bowen**, to me well known, and who subscribed to the foregoing instrument and stated and acknowledged that he had signed, executed, and delivered the foregoing instrument for the consideration, uses, and purposes therein mentioned and set forth and relinquished their respective rights of dower, courtesy, and homestead, if any, in the subject property set forth in the foregoing instrument.

WITNESS my hand and seal on this 12TH day of July, 2011.

My Commission Expires: 4-7-2015


Notary Public





Legislation Details (With Text)

File #:	RES-11:126	Version:	1	Name:	Maintenance agreement with Kensington Development for Barrington Park
Type:	Resolution	Status:		Status:	Recommended to Council
File created:	7/20/2011	In control:		In control:	Public Works Council Committee
On agenda:		Final action:			
Title:	A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR BARRINGTON PARK, PHASE 5, A RESIDENTIAL SUBDIVISION				
Sponsors:	Engineering				
Indexes:	Contract				
Code sections:					
Attachments:	Maintenance Agreement.pdf				

Date	Ver.	Action By	Action	Result
8/2/2011	1	Public Works Council Committee		

Title

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR BARRINGTON PARK, PHASE 5, A RESIDENTIAL SUBDIVISION

Body

WHEREAS, the Section 112-157 of the Jonesboro Municipal Code requires that a Maintenance Agreement be executed between the Developer and the City prior to recording the final plat;

WHEREAS, Kensington Development Corp. has submitted a Maintenance Agreement for Stormwater Management Facilities for Barrington Park, Phase 5 development;

WHEREAS, the City Engineer and City Attorney have reviewed the attached Maintenance Agreement and find it to be in compliance with the Stormwater Management Regulations.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

Section 1. That the City of Jonesboro accepts a Maintenance Agreement for Stormwater Management Facilities with Kensington Development Corp. and authorizes the filing of a record plat for Barrington Park, Phase 5 development.

Section 2. The Mayor and the City Clerk are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate this agreement.

**MAINTENANCE AGREEMENT
FOR STORMWATER MANAGEMENT FACILITIES**

Property Identification

Project Name: Barrington Park Ph. 5
Project Address: Barrington Park Ph. 5
Owner(s): Kensington Development Corp
Owner Address: 2112 Pebble Creek Place
City: Jonesboro State: AR Zip Code: 72404

In accordance with Section 112-157 of the Jonesboro Municipal Code, this agreement is made and entered into this ___ day of _____, 20___, by and between the City of Jonesboro, an Arkansas municipal corporation, hereinafter called the "City" and KENSINGTON DEVELOPMENT CORP., hereinafter called the "Developer".

WITNESSTH, that:

WHEREAS, The Developer is proceeding to build on and develop the property in accordance with the Stormwater Management Plan (the "Plan") approved by the City and the recorded plat (the "Plat") for BARRINGTON PARK PHASE II as recorded in the records of Craighead County, Arkansas.

WHEREAS, the City and the Developer, its successors and assigns, including any homeowner association, agree that the health, safety, and welfare of the residents of the City of Jonesboro, Arkansas require that on-site stormwater runoff management facilities be constructed and maintained on the property.

WHEREAS, the City requires that on-site stormwater runoff management facilities as shown on the plan be constructed and adequately maintained by the Developer, its successors and assigns, including any homeowner association.



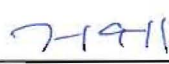
WHEREAS, adequate maintenance is defined herein as the general upkeep of the facilities, specifically the mowing and trimming of grasses or other vegetative cover and the removal of litter and other minor debris that could impact the functionality of the facility or that would otherwise be considered unsightly or a nuisance.

WHEREAS, the City of Jonesboro shall be responsible, after construction and final acceptance of the development, for the operation and long-term maintenance of all drainage structures and improved watercourses which are part of the City of Jonesboro Stormwater Management System and which are not constructed and maintained by or under the jurisdiction of any State or Federal agency.

WHEREAS, Long-term maintenance is defined herein as the removal of sediment deposits, re-grading or shaping of embankments, drainage channels, and detention areas, and the repair or replacement of piping networks, and other underground drainage structures.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties agree as follows:

1. The on-site stormwater runoff management facilities shall be constructed by the Developer, its successors and assigns, in accordance with the plans and specifications identified in the Plan.
2. The Developer, its successors and assigns, including any homeowner association, shall adequately maintain the on-site stormwater runoff management facilities.
3. The Developer, its successors and assigns, hereby grant permission to the City, its authorized agents and employees, to enter upon the Property to inspect and perform long-term maintenance of the on-site stormwater runoff management facilities whenever the City deems necessary.
4. In the event the Developer, its successors and assigns, fails to adequately maintain the stormwater runoff management facilities, the City may enter upon the Property upon thirty (30) days written notification or earlier, if deemed an emergency, and take whatever steps necessary to correct the deficiencies and charge the costs of such corrective action to the Developer, its successors and assigns. The Developer, its successors and assigns, shall reimburse the City upon demand, within thirty (30) days of receipt thereof for all actual costs incurred by the City including all labor, equipment, supplies, materials, and the like. This provision shall not be construed to allow the City to erect any structure of permanent nature on the land of the Developer outside of the easement for the on-site stormwater runoff management facilities. It is expressly understood and agreed that the City is under no obligation to routinely maintain or repair said facilities, and in no event shall this agreement be construed to impose any such obligation on the City.
5. This agreement shall be recorded among the land records of Craighead County, Arkansas and shall constitute a covenant running with the land, and shall be binding on the Developer, its administrators, executors, assigns, heirs and any other successors in interests, including any homeowner association.
6. This Agreement is binding upon and inures to the benefit of the City, and the Developer, the Developer's successors and assigns, any property owners' association or homeowners' association created which pertains to all or any part of the property and any individual lot owner who has purchased all or any part of the property referred to in this Agreement. The terms of this Agreement are enforceable on all of the above parties.
7. In the event any party to this Maintenance Agreement must employ a lawyer to enforce the terms and obligations set out in this Agreement and litigation ensue, the prevailing party, as determined under Arkansas Law, shall be entitled to recover not only court costs as defined under Arkansas Law but all costs of litigation, including a reasonable attorney's fee.
8. This Agreement is the complete agreement and understanding between the parties who have executed this Agreement. There are no other agreements, either oral or written. All prior or contemporaneous statements, representations, or guarantees are declared void. This Agreement may be amended only by a written document signed by all parties.

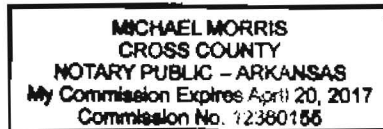
Owner/Agent:	 <hr/> Printed Name	 <hr/> Signature	 <hr/> Date
Owner/Agent:	<hr/> Printed Name	<hr/> Signature	<hr/> Date

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this day before me, the undersigned officer, personally appeared JIM ABLE, to me well known to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he had executed the same for the purposes therein stated and set forth.

WITNESS my hand and seal this 19 day of July, 2011.

MICHAEL E MORRIS
Notary Public (Printed Name)



Michael E Morris
Notary Public (Signature)

My Commission Expires: APRIL 20, 2017

Accepted by:

Mayor

Date

City Clerk

Date



Legislation Details (With Text)

File #: RES-11:129 **Version:** 1 **Name:** Free utility service from CWL for various locations
Type: Resolution **Status:** Recommended to Council
File created: 7/22/2011 **In control:** Public Works Council Committee
On agenda: **Final action:**
Title: RESOLUTION TO REQUEST FREE UTILITY SERVICE FROM CITY WATER AND LIGHT FOR TRAFFIC SIGNALS
Sponsors:
Indexes: Utility service from CWL
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
8/2/2011	1	Public Works Council Committee		

title

RESOLUTION TO REQUEST FREE UTILITY SERVICE FROM CITY WATER AND LIGHT FOR TRAFFIC SIGNALS

body

BE IT RESOLVED, by the City Council for the City of Jonesboro, Arkansas, that City Water and Light be requested by this resolution to provide free utility service for traffic signals at the following locations:

BROWNS LANE & RACE/WINDOVER
CARAWAY & RACE
CARAWAY & WILKINS/FORREST HOME
CARAWAY RD & PHILLIPS DRIVE
CARAWAY RD/ 63 OFF RAMP/PARKER RD
CULBERHOUSE & PARKER
DAN & GEE
DAN AVE & HASBROOK ROAD
DAN AVE & HWY 63B OFF RAMPS
FAIR PARK & RACE
HARRISBURG (1B) & WINDOVER
HARRISBURG RD (1B) & PARKER RD
HIGHLAND & BITTLE/FAIR PARK
HIGHLAND & BRAZOS
HIGHLAND & BROWN'S LANE
HIGHLAND & CARAWAY
HIGHLAND & COMMERCE DRIVE
HIGHLAND & MAIN/SOUTHWEST DR
HIGHLAND & MALL DRIVE D
HIGHLAND & RAINS
HIGHLAND & ROGERS CHAPLE/NESTLE RD
HIGHLAND (1B) & HARRISBURG RD (1B)

HIGHLAND (1B) & IND/KATHLEEN
HIGHLAND (1B) & NETTLETON RR
HIGHLAND DR & STADIUM BLVD
JOHNSON & BRIDGE
JOHNSON & CARAWAY
JOHNSON & CENTRAL FIRE STATION
JOHNSON & CULBERHOUSE
JOHNSON & FISHER
JOHNSON & PATRICK
JOHNSON & STADIUM
JOHNSON & UNIVERSITY WEST LOOP
JOHNSON (49) & AIRPORT ROAD
JOHNSON (49B) & GREENSBORO (351)
JOHNSON (63B) & MAIN (141)
MAIN & BURKE/CATE
MAIN & CHERRY
MAIN & COLLEGE
MAIN & HUNTINGTON
MAIN & OAK
MATTHEWS & CARAWAY
MATTHEWS & CHURCH
MATTHEWS & FLINT
MATTHEWS & GEE
MATTHEWS & KITCHEN
MATTHEWS & MAIN
MATTHEWS & STALLINGS
MATTHEWS & UNION
MATTHEWS & WASHINGTON
NETTLETON & AIRPORT ROAD
NETTLETON & CARAWAY
NETTLETON & CHURCH
NETTLETON & FLINT
NETTLETON & MAIN
NETTLETON & MATTHEWS
NETTLETON & NETTLETON CIR/FRIERSON
NETTLETON & RAINS
NETTLETON & STADIUM
SOUTHWEST DR & ALEXANDER
SOUTHWEST DR & CULBERHOUSE
SOUTHWEST DR (49) & PARKER RD
STADIUM & AGGIE
STADIUM & HARRISBURG RD
STADIUM & LAWSON
STADIUM & NEW MALL ENTRANCE
STADIUM & PHILLIPS/APACHE
STADIUM & RACE
STADIUM & STALLINGS
STADIUM (1) & HWY 63 OFF RAMP
UNION & HUNTINGTON

WASHINGTON & BRIDGE
WASHINGTON & CHURCH
WASHINGTON & FLINT
WASHINGTON & GEE
WASHINGTON & MAIN
WASHINGTON & UNION

FLASHER LOCATIONS

AGGIE & BOWLING LANE AT SCHOOL
BRIDGE & CATE
CARAWAY & HWY 1B
CARAWAY & UNIVERSITY LOOP
CHURCH & HUNTINGTON
HARRISBURG RD & WINDOVER
MATTHEWS AT HOSPITAL
SOUTH MAIN AT HIGH SCHOOL
WASHINGTON & FLOYD - 2 AT SCHOOL
WASHINGTON & PATRICK

To permit such service to be provided without charge, the City of Jonesboro hereby affirms to City Water and Light that the ultimate use of CW&L utilities so provided is now and shall remain a use or purpose which the City is engaged in as part of its governmental or proprietary functions under authority granted to it by state law.



Legislation Details (With Text)

File #: RES-11:130 **Version:** 1 **Name:** Contract with Sudden Link for baseball field sponsorship
Type: Resolution **Status:** Recommended to Council
File created: 7/25/2011 **In control:** Public Services Council Committee
On agenda: **Final action:**
Title: A RESOLUTION TO CONTRACT WITH SUDDEN LINK COMMUNICATIONS FOR SPONSORSHIP OF BASEBALL FIELDS AT JOE MACK CAMPBELL PARK
Sponsors: Parks & Recreation
Indexes: Contract
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
8/8/2011	1	Public Services Council Committee		

title
A RESOLUTION TO CONTRACT WITH SUDDEN LINK COMMUNICATIONS FOR SPONSORSHIP OF BASEBALL FIELDS AT JOE MACK CAMPBELL PARK

body
WHEREAS, the City of Jonesboro owns and maintains Joe Mack Campbell Park located at 3021 Dan Avenue;

WHEREAS, Sudden Link Communications is seeking sponsorship recognition on a soccer field at Joe Mack Campbell Park;

WHEREAS, Sudden Link Communications is sponsoring the field for the sum of \$7,500 for a period of 5 years;

NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS

SECTION 1: That the City of Jonesboro, Arkansas shall contract with Sudden Link Communications for the sponsorship of a field at Joe Mack Campbell Park. A copy of said contract is attached as "Exhibit A."

SECTION 2: The Mayor, Harold Perrin and City Clerk, Donna Jackson are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate the agreement.



Legislation Details (With Text)

File #: RES-11:132 **Version:** 1 **Name:** Accepting easement with Jonesboro Real Estate Holdings
Type: Resolution **Status:** Recommended to Council
File created: 7/26/2011 **In control:** Public Works Council Committee
On agenda: **Final action:**
Title: A RESOLUTION TO THE CITY COUNCIL FOR THE CITY OF JONESBORO ACCEPTING A PERMANENT DRAINAGE EASEMENT AND AN AGREEMENT GRANTING AN EASEMENT.
Sponsors: Mayor's Office
Indexes: Contract, Easement
Code sections:
Attachments: [Exhibit A Easement Agreement Acknowledgement](#)

Date	Ver.	Action By	Action	Result
8/2/2011	1	Public Works Council Committee		

Title

A RESOLUTION TO THE CITY COUNCIL FOR THE CITY OF JONESBORO ACCEPTING A PERMANENT DRAINAGE EASEMENT AND AN AGREEMENT GRANTING AN EASEMENT.

Body

WHEREAS, the City of Jonesboro is in need of a permanent drainage easement across the property belonging to Jonesboro Real Estate Holding; and

WHEREAS, in addition the City of Jonesboro desires to enter into an easement agreement.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

Section 1: The permanent drainage easement granted by Jonesboro Real Estate Holdings, Inc. granted on said property is hereby accepted by the City of Jonesboro. Copies of said documents together with property description thereon attached as Exhibit "A".

Section 2: Further, Mayor Harold Perrin and City Clerk, Donna Jackson are hereby authorized to execute the easement and agreement.

JOB NAME: Caraway Rd. Safety Enhancement
(Jonesboro)

JOB 100521
TRACT 13ES

**AGREEMENT FOR DONATION OF EASEMENT
FOR DRAINAGE PURPOSES**

Grantor: JONESBORO REAL ESTATE HOLDINGS COMPANY, INC.

Grantee: CITY OF JONESBORO

IN CONSIDERATION of the benefits that will inure to the Grantor and the public, the undersigned does hereby agree to donate to the City of Jonesboro, upon the terms and conditions hereinafter stated, an easement and right of entry over and across the following described real estate situated in the County of Craighead, State of Arkansas, to wit (the "Property"):

LEGAL DESCRIPTION

Part of Lots 1, 2, 3, 4 and 5 of Block 1, Patrick's Second Addition to the City of Jonesboro more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of Section 17, Township 14 North, Range 4 East; thence North 00° 44' 42" East along the East line thereof a distance of 42.17 feet to a point on the Northerly right-of-way line of East Matthews Road as established by AHTD Job 100521 and designated as Tract 13, said point also being on the East line of Lot 1, Block 1 of Patrick's Second Addition to the City of Jonesboro for the **Point of Beginning**; thence South 88° 28' 57" West along said right-of-way line a distance of 67.72 feet to a point; thence South 00° 44' 42" West along said right of way line a distance of 6.85 feet to a point on the Northerly right-of-way line of East Matthews Road as established by city affidavit; thence South 89° 46' 31" West along said right-of-way line and South line of said Lot 1 a distance of 73.03 feet to a point; thence South 89° 57' 11" West along said right-of-way line of East Matthews Road and the South line of said Lots 1, 2, 3, 4 and 5 a distance of 492.21 feet to a point on the East right-of-way line of Roland Street, said point also being the Southwest corner of said Lot 5; thence North 00° 53' 49" East along the East right-of-way line of Roland Street as established by city affidavit a distance of 20.00 feet to a point; thence North 89° 57' 11" East passing through said Lots 5, 4, 3, 2 and 1 a distance of 632.89 feet to a point on the East line of said Southeast Quarter of the Southwest Quarter of Section 17 said point also being on the East line of said Lot 1; thence South 00° 44' 42" West along said East line a distance 11.19 feet to the **Point of Beginning** and containing 0.28 acres, more or less, or 12,112 square feet, more or less.

The easement and right of entry granted hereby shall be for the sole purpose of construction, maintenance, operation and utilization of underground structures on the Property for the drainage of storm and surface water and related roadway improvements. This easement shall run with the ownership of the Property and shall bind the Grantors, its successors and assigns.

IN ACCORDANCE with Public Law 91-646, Uniform Relocation Assistance and Real Property Acquisition Policies Act, the Grantor has the right to receive just compensation for the Property. Also, the Grantor is entitled to an appraisal of the Property. Execution of this agreement will release City of Jonesboro from the obligation of providing just compensation and an appraisal.

Grantee shall pay any closing costs associated with the grant of this easement. Grantee shall also pay the cost of recording this easement.

Dated this _____ day of _____, 2011.

JONESBORO REAL ESTATE
HOLDINGS COMPANY, INC.

CITY OF JONESBORO

By: _____

Name: Matt Parker

Title: Vice President

By: _____

Name: Harold Perrin

Title: Mayor

ATTEST:

By: _____

Name: Donna Jackson

Title: City Clerk

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this day before me, the undersigned, a Notary Public, within and for the County and State aforesaid, duly qualified, commissioned and acting, personally appeared J. Matt Parker, to me well known, and who subscribed to the foregoing instrument and stated and acknowledged that he was the Vice President of Jonesboro Real Estate Holdings Company, Inc., an Arkansas corporation, and that he as such corporate officer, being authorized so to do, had signed, executed, and delivered the foregoing instrument for the consideration, uses, and purposes therein contained, by signing himself as such officer and executing on behalf of the corporation as such officer.

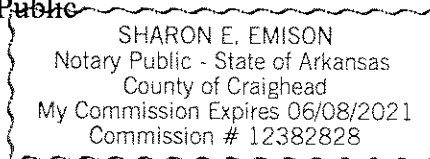
WITNESS my hand and seal on this 2nd day of July, 2011.

Sharon E. Emison

Notary Public

My Commission Expires:

June 8, 2021



ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this day before me, the undersigned, a Notary Public, within and for the County and State aforesaid, duly qualified, commissioned and acting, personally appeared Harold Perrin and Donna Jackson, to me well known, and who subscribed to the foregoing instrument and stated and acknowledged that they were the Mayor of City of Jonesboro and the City Clerk of Jonesboro, respectively, and and that they as such Mayor and City Clerk, being authorized so to do, had signed, executed, and delivered the foregoing instrument for the consideration, uses, and purposes therein contained, by signing themselves as such Mayor and City Clerk and executing on behalf of the City of Jonesboro as such Mayor and City Clerk.

WITNESS my hand and seal on this ___ day of _____, 2011.

Notary Public

My Commission Expires:

_____.



Legislation Details (With Text)

File #:	ORD-11:058	Version:	1	Name:	Creation of Adopt a Stream Program
Type:	Ordinance	Status:		Status:	First Reading
File created:	7/26/2011	In control:		In control:	Public Works Council Committee
On agenda:		Final action:		Final action:	
Title:	AN ORDINANCE ESTABLISHING AN ADOPT A STREAM PROGRAM AND ADOPTING GUIDELINES AND POLICES FOR PUBLIC PARTICIPATION IN LITTER REMOVAL FROM PUBLIC DRAINAGEWAYS IN THE CITY OF JONESBORO				
Sponsors:	Engineering				
Indexes:					
Code sections:					
Attachments:	Adopt a Stream - Agreement.pdf Adopt a Stream - Guidelines.pdf Adopt a Stream - Policy Statement.pdf				

Date	Ver.	Action By	Action	Result
8/2/2011	1	Public Works Council Committee		

Title

AN ORDINANCE ESTABLISHING AN ADOPT A STREAM PROGRAM AND ADOPTING GUIDELINES AND POLICES FOR PUBLIC PARTICIPATION IN LITTER REMOVAL FROM PUBLIC DRAINAGEWAYS IN THE CITY OF JONESBORO

Body

WHEREAS, the City of Jonesboro recognizes the need to keep public drainageways free from litter and debris;

WHEREAS, citizens, business organizations, and citizen groups are encouraged to assist the City of Jonesboro in removing litter and debris from public drainageways;

WHEREAS, an Adopt a Stream Program would benefit both the City of Jonesboro and the participating volunteers;

WHEREAS, the Stormwater Management Board recommends to establish an Adopt a Stream Program in the City of Jonesboro and adopt the guidelines and polices (attached) for public participation in the program.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION 1: The City of Jonesboro Adopt a Stream Program is hereby established and guidelines and policies for the Adopt a Stream Program are adopted as attached.

SECTION 2: All ordinances or part of ordinances in conflict herewith are repealed to the extent of the conflict.

SECTION 3: The provisions of this ordinance are hereby declared to be severable. In the event any portion or portions may be declared unconstitutional does not render the remaining provisions invalid. Further, all ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of said conflict.

**CITY OF JONESBORO
ADOPT-A-STREAM PROGRAM
AGREEMENT**

WHEREAS, the City of Jonesboro and _____ recognize the need and desirability of litter-free drainageways; and

WHEREAS, the _____ is aware of the hazardous nature of the work which is to be performed and agrees to conduct its litter control activities in accordance with the City's guidelines for the program.

NOW THEREFORE, the City of Jonesboro recognizes _____ as the adopting organization for:

Drainageway _____
From _____ to _____
Description _____

FURTHERMORE, _____ accepts the responsibility of picking up litter on this section of drainageway at least *four times annually* and agrees to promote a litter-free environment in the community for a _____ year period beginning _____ and ending _____.

Adopting Organization

Contact/Safety Representative

Mayor Date

Mailing Address

City Clerk Date

City State Zip Code

Phone Number

CITY OF JONESBORO
GUIDELINES FOR CONDUCTING ADOPT A STREAM PROGRAM

_____, an organization/individual(s) requesting to adopt a section of Drainageway for litter control, agrees to comply with the following guidelines governing the Adopt A Stream Program:

- No litter pickup will be performed unless the adopting organization has turned in a Release and Waiver Agreement signed by each volunteer or their parent/guardian, if applicable, who will be participating in the pickup.
- All litter pickup activities will be restricted to the areas within City easements.
- No person under the age of 11 years will be permitted to pick up litter within the drainageway. All persons between the ages of 11 and 18 must be accompanied by at least one adult per 5 persons under age 18.
- Each organization shall designate a Contact/Safety Representative who will arrange to meet with the Street Superintendent prior to the first scheduled litter pickup and at least annually thereafter.
- A safety meeting will be conducted immediately prior to each scheduled litter pickup. The City will assist the adopting organization in planning the meeting. In this meeting, the workers should be apprised of the hazardous nature of the work which they will be performing.
- No litter pickup will be performed unless the adopting organization has displayed the appropriate advance warning signs. (City will furnish the appropriate signs.)
- All persons engaged in litter pickup on the right of way will wear an appropriate safety vest. (City will furnish the appropriate safety vest.)
- The group shall obtain required vests and bags from the Street Department between the hours of 1 to 4 at least 2 days prior to pickup event.
- All persons engaged in letter pickup will wear gloves. (Adopting organization or volunteer will furnish gloves)
- Vests and unused bags furnished by the Street Department shall be returned to the Department within one week following a cleanup.
- Place all bagged litter along the edge of the shoulder. (City will pick up and dispose of bagged litter.)
- Support activities which will influence and encourage the public to improve drainageway and roadside appearance.
- Promote the activities of the organization through media attention.

It is further understood by _____ that the City will:

- Erect an identification sign on each road crossing of the adopted drainageway section to recognize the adopting organization's activities and efforts.
- Furnish a set of appropriate advance warning signs (to be set upon road crossings and maintained in place during litter pickup activities by the adopting organization).
- Furnish appropriate safety vests for all persons involved in litter pickup for the adopting organization.
- Furnish all litter bags needed by the adopting organization.
- Collect and dispose of all litter which is picked up and bagged by the adopting organization.
- Assist the adopting organization with litter pickup, promotional and media activities, to the extent practical. A two-week notice should be given to the Street Department.
- Issue the adopting organization a "Certificate of Recognition" upon completion of each year's successful participation in the Adopt A Stream Program.
- Meet with Contact/Safety Representatives prior to first scheduled pickup and at least one time annually thereafter.
- As long as four pickup events are conducted per year, the agreement will remain in effect with no annual renewal agreement necessary. If less than four are completed, the group will be asked whether or not it wishes to continue participating in the program.

Adopting Organization

Authorized Signature

Title

Date

CITY OF JONESBORO
ADOPT A STREAM PROGRAM
POLICY STATEMENT

PROGRAM PURPOSE - The Adopt A Stream Program provides for public involvement in controlling litter along selected sections of City Drainageways.

Businesses, individuals, and other groups are permitted to adopt a section of Drainageway for the purpose of litter control and to receive City recognition for their participation in the program.

PROGRAM GUIDELINES - The following guidelines will apply to any organization's or individual's participation in the Adopt A Stream Program:

The section of a Drainageway to be adopted will generally be from one to three miles in length, but can be of any length subject to City approval. Eligible sections will be selected by the adopting group, in cooperation with the Street Superintendent or his designated representative.

Litter pick up will be done at least four times a year. The recommended adoption period will be for one year, renewable at the request of the organization.

The City reserves the right to deny adoption or renewal requests by any group, individual or business based on any one of the following criteria:

- A. Safety of the participants, passing motorists or City employees
- B. Effectiveness of the litter control by the participants
- C. Harm to the public image of the Adopt A Stream program or City of Jonesboro

The program is not intended as a means of providing a public forum for groups, individuals, or businesses to use in promoting name recognition or political causes. Therefore, the City reserves the right to deny adoption of more than one section of highway to any group, individual or business.

Consideration will be given to water volume, velocities and to the geometrics of the drainageway in selecting appropriate program sites. Those sections determined unsafe or inappropriate by the Street Superintendent will not be eligible for adoption.

The Street Superintendent will coordinate the litter cleanup activities with adopting organization and monitor the organization's activities relative to safety.

The City will furnish the adopting organization with safety vests, advance warning signs and litter bags.

The City will dispose of the bagged litter.

The City will erect an appropriate sized sign along all roadway crossings of the adopted drainageway section to provide public recognition to the adopting organization for their participation in the program. The sign will have a maximum of 34 spaces available for the name of the adopting organization, limited to two lines with 17 characters per line. Spaces and dashes are considered characters. Political or business slogans and logos are prohibited, as well as names of candidates for political office. Phone numbers and addresses of adopting groups or businesses are also prohibited.

After each pickup, participants must file reports detailing the number of people involved, number of bags collected, and number of hours spent. Pickup report forms will be furnished by City. This record-keeping function is crucial to track the program's success and provide statistics to interested groups and the media.

Participants will be encouraged to schedule at least one of their required four pickups to coincide with the Great American Trash-Off in the spring, or the Great Arkansas Clean-Up the first weekend after Labor Day. Participants will be notified in advance of these events.

News media coverage will be encouraged to promote the Adopt A Stream Program and to recognize participating organizations.

Upon successful completion of participation in the program, the adopting organization will be presented a certificate of recognition on their anniversary date by the City.

For an applicant to qualify for admission into the Adopt A Stream Program the said applicant must adhere to the restrictions of all State or Federal non-discrimination laws. Specifically, the said applicant must not discriminate on the basis of race, religion, color or national origin. Such discrimination disqualifies the said applicant from admission into the Adopt A Stream Program.

An application for admission into the Adopt A Stream Program shall contain the following:

The complete name and complete mailing address of the applying group;

The current charter or current articles of incorporation of the applying group or organization;

The name and complete mailing address of the president, chairperson or authorized representative of the applying group or organization;

The name and complete mailing address of all members of the applying group or organization who will actually participate in the collecting of trash in the Adopt A Stream Program.



Legislation Details (With Text)

File #:	ORD-11:059	Version:	1	Name:	Amend Stormwater Drainage Design Manual regarding nonresidential structures
Type:	Ordinance	Status:		Status:	First Reading
File created:	7/20/2011	In control:		In control:	Public Works Council Committee
On agenda:		Final action:			
Title:	AN ORDINANCE TO AMEND SECTION 9.2 OF THE STORMWATER DRAINAGE DESIGN MANUAL WITH REGARDS TO NONRESIDENTIAL STRUCTURES IN ZONES AE, AH, AO, AND A				
Sponsors:	Engineering				
Indexes:	Code of Ordinances amendment, Technical Code				
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
8/2/2011	1	Public Works Council Committee		

Title

AN ORDINANCE TO AMEND SECTION 9.2 OF THE STORMWATER DRAINAGE DESIGN MANUAL WITH REGARDS TO NONRESIDENTIAL STRUCTURES IN ZONES AE, AH, AO, AND A

Body

WHEREAS, the City Council adopted a certain Technical Code entitled the Stormwater Drainage Design Manual on December 18, 2008 (ORD-08:099);

WHEREAS, it has been found that there is an error in the Stormwater Drainage Design Manual in reference to floodproofing elevation requirements for nonresidential structures in Zone AE, AH, AO, AND A;

WHEREAS, the Stormwater Management Board recommends to amend Section 9.2 of Stormwater Drainage Design Manual to lower the elevation for floodproofing nonresidential structures in Zones AE, AH, AO, and A from 3 feet above the base flood level to 2 feet above the base flood level.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION 1: That Section 9.2 of the Stormwater Drainage Design Manual be amended to the following:

(1)(b)1.b. be floodproofed such that, together with attendant utility and sanitary facilities, be designed so that below (an elevation of 2 feet above) the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

(3)(b)1.b. be floodproofed such that the structure, together with attendant utility and sanitary facilities be designed so that below (2 feet or more) above the published BFE in Zone AH, or (2 feet or more) above the base specified flood depth in an AO Zone, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

(4)(c)1.b. be floodproofed such that, together with attendant utility and sanitary facilities, be designed so that below (an elevation of 2 feet above)the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

SECTION 2. That the provisions of this Ordinance are declared to be severable. In the event any portion or portions may be declared unconstitutional does not render the remaining provisions invalid. Further, all Ordinances and parts of Ordinances in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 3. That the Mayor and the City Clerk are hereby authorized by the City Council for the City of Jonesboro to adopt the above referenced amendment to the Stormwater Drainage Design Manual.



Legislation Details (With Text)

File #:	ORD-11:060	Version:	1	Name:	Authorizing Delta Dental to submit bids to the City
Type:	Ordinance	Status:		Status:	First Reading
File created:	8/2/2011	In control:		In control:	Finance & Administration Council Committee
On agenda:		Final action:		Final action:	
Title:	ORDINANCE AUTHORIZING A MEMBER OF THE JONESBORO CITY COUNCIL TO DO BUSINESS WITH THE CITY OF JONESBORO, ARKANSAS AND DECLARING AN EMERGENCY				
Sponsors:	Finance, Mayor's Office				
Indexes:	Other				
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
8/9/2011	1	Finance & Administration Council Committee		

title

ORDINANCE AUTHORIZING A MEMBER OF THE JONESBORO CITY COUNCIL TO DO BUSINESS WITH THE CITY OF JONESBORO, ARKANSAS AND DECLARING AN EMERGENCY

body

WHEREAS, Arkansas Code Annotated §14-42-107 provides that interest in office or contracts is prohibited by any alderman, council member, official or municipal employee, and

WHEREAS, Harold Perrin serves on the Board of Directors of Delta Dental which provides a service to the City of Jonesboro; and

WHEREAS, special permission must be granted by the Jonesboro City Council of Jonesboro, Arkansas for Mayor Perrin to continue to serve in this capacity and to be able to seek bids and services from Delta Dental.

NOW, THEREFORE, BE IT ORDAINED by the City Council for the City of Jonesboro, Arkansas, that:

Section 1: The City Council for the City of Jonesboro, Arkansas has been aware of the service provided by Mayor Harold Perrin and gives special permission for Delta Dental to continue to participate in competitive bidding and provide services to the City of Jonesboro, Arkansas.

Section 2: Due to the need to meet Legislative Audit mandates as required by Arkansas Code Annotated §14-42-107 an emergency is declared to exist and this ordinance shall take effect with its passage and approval.



Legislation Details (With Text)

File #: ORD-11:061 **Version:** 2 **Name:** Waive bidding to purchase fiber optic lines from Ritter for the Fire Department

Type: Ordinance **Status:** First Reading

File created: 8/3/2011 **In control:** Finance & Administration Council Committee

On agenda: **Final action:**

Title: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF FIBER OPTIC LINES TO CITY TOWER FOR THE FIRE DEPARTMENT.

Sponsors: Finance, E911, Fire Department, Information Systems

Indexes: Purchases - general, Waive competitive bidding

Code sections:

Attachments: [Fiber quote Tall Birch](#)
[Ritter Tall Birch T1 charges 07-25-2011](#)

Date	Ver.	Action By	Action	Result
8/9/2011	2	Finance & Administration Council Committee		

title

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF FIBER OPTIC LINES TO CITY TOWER FOR THE FIRE DEPARTMENT.

body

BE IT ORDAINED by the City Council for the City of Jonesboro, Arkansas that:

SECTION ONE: That the Fire Department of the City of Jonesboro, Arkansas needs to purchase fiber optic lines to the City Tower for paging equipment.

SECTION TWO: That said equipment may be purchased from Ritter Communications, the City's fiber provider, for the sum of \$31,789.00, to be paid from the General Fund - Fire Department budget.

SECTION THREE: That an emergency exists in regards to a timely solution to remedy the ability to page the fire stations

SECTION FOUR: That the City Council in accord with the terms of A.C.A. Section 14-58-302 hereby waives the requirement of competitive bidding and directs the Purchasing Agent to purchase the above described for the price set forth in Section 2 above.

SECTION FIVE: It is further found that due to immediate need to acquire this equipment an emergency is declared to exist and this ordinance being necessary for the preservation of the public peace, health and safety, it shall take effect from and after its passage and approval.



Services Quote

2109 Fowler Avenue

Jonesboro, AR 72401

Phone: 870-336-3429 Fax: 870-336-9429

City of Jonesboro

Customer: Erick Woodruff
Billing Address: 515 W Washington Av
City: Jonesboro
State/Zip: AR 72401
Phone: 870 933-4611
Fax:
Service Address: 1704 Tall Birch Dr
City: Jonesboro

Account Executive: Debra Breedon
Technical Consultant: Tim McEuen
Quote Date: 8/1/2011
Customer Service Advocate (CSA): Amy Veteto

Qty.	Description	Term	Non-Recurring Charges (Installation - Deposit)	Usage or per Unit Charges	Monthly Recurring	Totals	
						NRC	MRC
Data Services (Internet)							
5mg	Metro Ethernet Connection to 1704 Tall Birch Dr	60 Mos		50.00 per mg	50.00		\$ 250.00
1	VLAN Charge	60 Mos		100.00	100.00		\$ 100.00
Construction Charges							
1	Fiber Build Out to 1704 Tall Birch Dr					\$ 31,789.00	
Local/Federal Taxes & Fees not included							

Notes:

		TOTAL
		MRC
NRC	\$31,789.00	\$350.00

Ritter Management _____ Date
Debra Breedon 8/1/11
 Ritter Representative _____ Customer _____ Date

NOTES:

1. Sales Quote is valid for 30 days from issuance.
2. All line charges are estimates, actual line charges will be used for invoicing.
3. This Sales Quote is subject to Ritter Communications Master Services Agreement and Product Specific Attachment(s).
4. Charges do not include all applicable local, state, and federal taxes.
5. If charges for additional white page listing are incurred, charges will appear on monthly billing.

Call Transfer Disconnect 0.00
 Subscriber Line Charge 5.67
 Local Service - Line Access 13.33
 Caller ID Service 0.00
 Call Forwarding 0.00

Taxes, Fees, and Surcharges

Arkansas High Cost Fund - Local Service 0.27
 Arkansas State Sales Tax 1.24
 Craighead County e911 Surcharge 0.67
 Craighead County Tax 0.21
 Federal Excise Tax 0.60
 Federal Universal Service Fund 0.82
 Jonesboro City Tax 0.31
 Telephone Franchise Fee - Jonesboro 0.57
 Arkansas Relay & Equipment Surcharge 0.04

Total for 870-932-7520

Dani
\$ 23.73 ✓

Telephone Service (870-933-4646)

Recurring Charges (Aug 01 - Aug 31)

Call Transfer Disconnect 0.00
 Subscriber Line Charge 5.67
 Local Service - Line Access 13.33
 Caller ID Service 0.00
 Call Forwarding 0.00

Taxes, Fees, and Surcharges

Arkansas High Cost Fund - Local Service 0.27
 Arkansas State Sales Tax 1.24
 Craighead County e911 Surcharge 0.67
 Craighead County Tax 0.21
 Federal Excise Tax 0.60
 Federal Universal Service Fund 0.82
 Jonesboro City Tax 0.31
 Telephone Franchise Fee - Jonesboro 0.57
 Arkansas Relay & Equipment Surcharge 0.04

Total for 870-933-4646

Dani
\$ 23.73 ✓

Telephone Service (870-933-4661)

Recurring Charges (Aug 01 - Aug 31)

Subscriber Line Charge 5.67
 Call Forwarding No Answer 0.00
 Local Service - Line Access 13.33
 Call Forwarding 0.00

Taxes, Fees, and Surcharges

Arkansas High Cost Fund - Local Service 0.27
 Arkansas State Sales Tax 1.24
 Craighead County e911 Surcharge 0.67
 Craighead County Tax 0.21
 Federal Excise Tax 0.60
 Federal Universal Service Fund 0.82
 Jonesboro City Tax 0.31
 Telephone Franchise Fee - Jonesboro 0.57
 Arkansas Relay & Equipment Surcharge 0.04

Total for 870-933-4661

Street
\$ 23.73 ✓

Telephone Service (870-933-4688)

Recurring Charges (Aug 01 - Aug 31)

Hunting Line Charge 0.00
 Subscriber Line Charge 5.67
 Local Service - Line Access 13.33

Taxes, Fees, and Surcharges

Arkansas High Cost Fund - Local Service 0.27
 Arkansas State Sales Tax 1.24
 Craighead County e911 Surcharge 0.67
 Craighead County Tax 0.21
 Federal Excise Tax 0.60
 Federal Universal Service Fund 0.82
 Jonesboro City Tax 0.31
 Telephone Franchise Fee - Jonesboro 0.57
 Arkansas Relay & Equipment Surcharge 0.04

Total for 870-933-4688

Dani
\$ 23.73 ✓

Total for Streets/Sanitation-1624 Strawfloor

\$ 416.28

Tall Birch 3-Ptps

Internet - Business

Recurring Charges (Aug 01 - Aug 31)

Point to Point T-1 (qty 3) 612.00

Total for Internet - Business

\$ 612.00

Total for Tall Birch 3-Ptps

\$ 612.00

911



Legislation Details (With Text)

File #:	ORD-11:062	Version:	1	Name:	Rezoning by Susan Carter and Toby Alexander
Type:	Ordinance	Status:		Status:	First Reading
File created:	8/10/2011	In control:		In control:	City Council
On agenda:		Final action:		Final action:	
Title:	AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 FOR PROPERTY LOCATED AT 2216 SPENCE CIRCLE AS REQUESTED BY TOBY ALEXANDER				
Sponsors:					
Indexes:	Rezoning				
Code sections:					
Attachments:	Plat MAPC Report				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

title
AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES;
body
BE IT ORDAINED BY THE CITY COUNCIL OF JONESBORO, ARKANSAS:

SECTION 1: CHAPTER 117, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS BE AMENDED AS RECOMMENDED BY THE METROPOLITAN AREA PLANNING COMMISSION BY THE CHANGES IN ZONING CLASSIFICATION AS FOLLOWS:

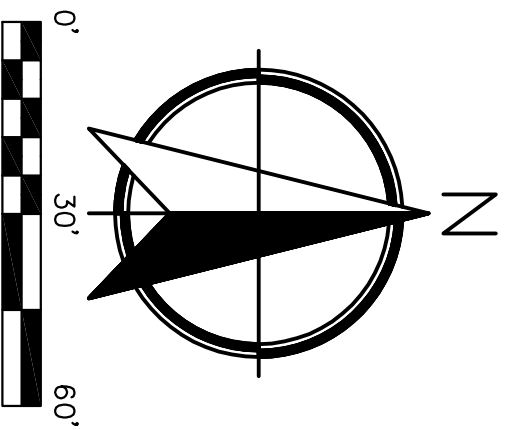
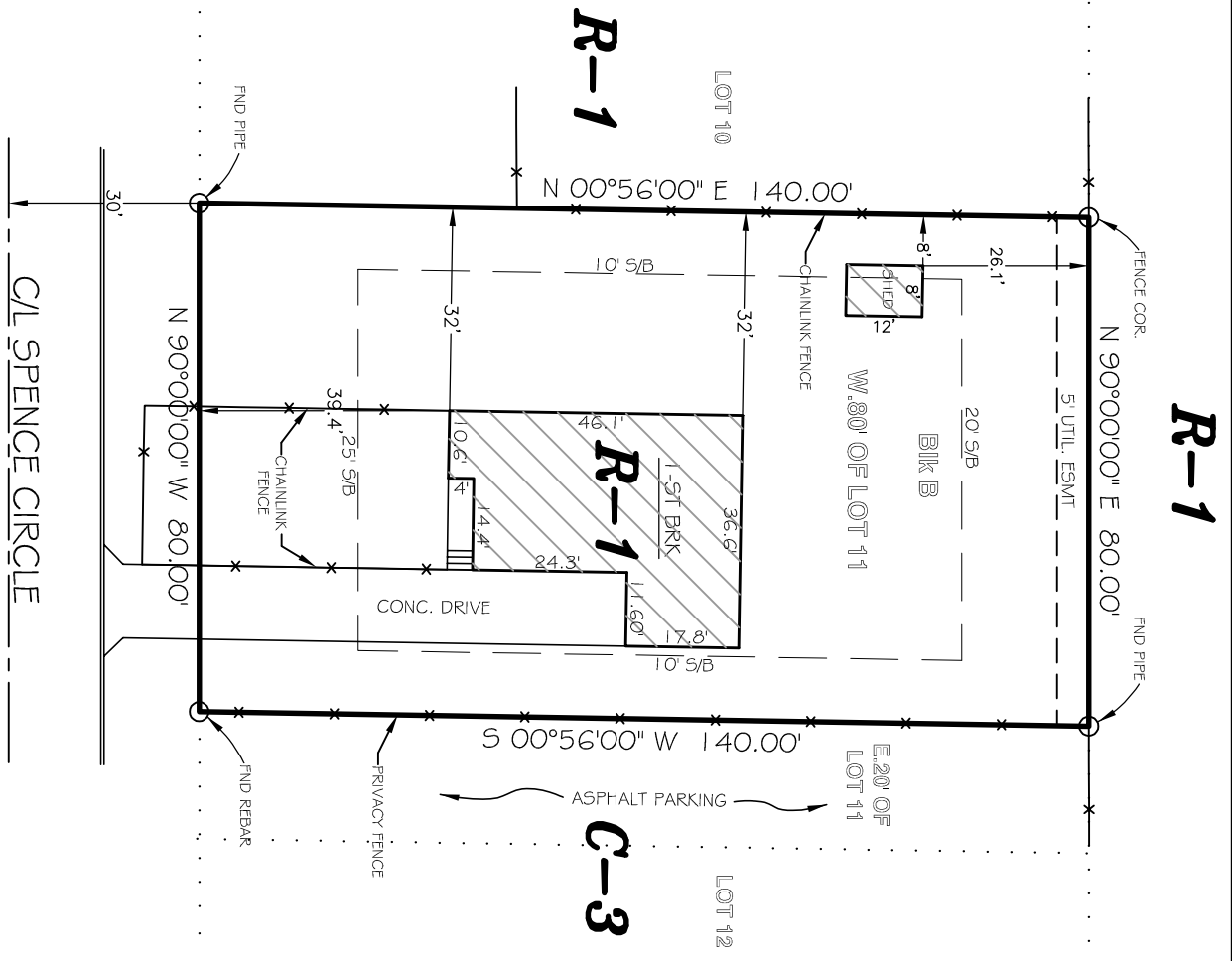
FROM Residential, R-1 TO C-3, General Commercial, THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION:

The west 80' of Lot 11, Block "B" of Spence Subdivision of a part of the Northeast Quarter of the Southeast Quarter of Section 29, Township 14 North, Range 4 East, Craighead County, Arkansas, as shown by Plat in Deed Record 123, Page 232 at Jonesboro, Arkansas.

SECTION 2: THE REZONING OF THIS PROPERTY SHALL ADHERE TO THE FOLLOWING STIPULATIONS:

1. Site details shall be submitted for approval of the Final Site Development Plan to the MAPC.
2. A final development plan shall be required to be reviewed and approved by the MAPC and shall include final details on drainage, grading, access management, signage, lighting photometrics, landscaping/buffer screening considered in this petition.



LEGAL DESCRIPTION:

The West 80 feet of Lot 11 in Block "B" of Spence Subdivision of a part of the Northeast Quarter of the Southeast Quarter of Section 29, Township 14 North, Range 4 East, Craighead County, Arkansas, as shown by Plat in Deed Record 123 page 232 at Jonesboro, Arkansas.

CERTIFICATE OF SURVEY:

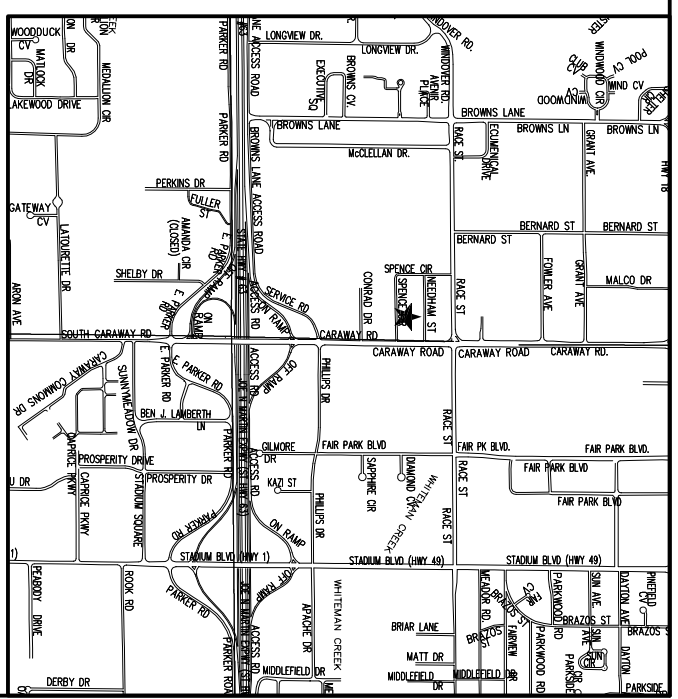
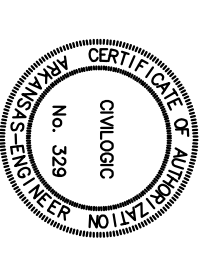
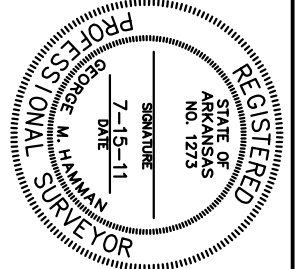
To all parties interested in Title to these premises: I hereby certify that I have prior to this day made a survey of the above described property as shown on the Plat of Survey hereon. The property lines and corner monuments, to the best of my knowledge and ability, are correctly established: the improvements are as shown on the Plat of Survey. Encroachments, if any, as disclosed by Survey, are shown hereon.

NOTES:

- 1) THIS SURVEY AND PLAT ARE THE PROPERTY OF THE SURVEYOR AND ARE INTENDED FOR THE SOLE USE AND BENEFIT OF THE SURVEYOR & CLIENT.
- 2) BEARINGS BASED ON GPS OBSERVATION.
- 3) THE CLOSURE PRECISION OF THE PLAT IS IN EXCESS OF 1" IN 500,000'.
- 4) THE RESEARCH COMPLETED FOR THIS SURVEY INCLUDES LEGAL DESCRIPTION PROVIDED AND PREVIOUS SURVEYS.
- 5) ALL PINS SET ARE 1/2" REBAR, UNLESS NOTED OTHERWISE.
- 6) FLOOD PLAIN: THIS TRACT DOES NOT LIE WITHIN THE 100-YR FLOOD PLAN PER FLOOD INSURANCE RATE MAP OF CRAIGHEAD CO., ARK. AND INCORPORATED AREAS, COMMUNITY PANEL NO. 050310132 C, DATED 09/27/91. THIS TRACT DOES LIE WITHIN A ZONE "X" FLOOD PLAN, PER THE MAP REFERENCED ABOVE.

**EXISTING R-1 ZONING
REQUESTED C-3 ZONING**

ENGINEERS		PLANNERS		SURVEYORS	
203 Southwest Dr. - Jonesboro, AR - (870)932-7880 - www.civilogic.net					
REZONING PLAT PT. LOT 11, BLK B, SPENCE SUBD. FOR SUSAN CARTER JONESBORO, ARKANSAS					
Date	Scale	Job No.	Sheet		
07-15-11	1" = 30'	111088	1 of 1		
Section	Township	Range	County		
29	14N	4E	CRAIGHEAD		
ONLY COPIES WITH VIOLET COLORED SIGNATURE ARE VALID CIVILOGIC COPIES					
© 2011, Civilogic			Drawn By: RE	Checked by: GH	





City of Jonesboro City Council
Staff Report – RZ 11-15: Toby Alexander 2216 Spence Circle
Huntington Building - 900 W. Monroe
For Consideration by the Council on August 16, 2011

REQUEST: To consider a rezoning of a parcel of land containing 0.25 acres more or less

PURPOSE: A request/ recommendation to Council for a rezoning from R-1 Single Family Residential to C-3 General Commercial

APPLICANT OWNER: Home Health Professionals 2222 Spence Circle Jonesboro AR 72401
Toby Alexander, 601 Tannehill Dr. Jonesboro AR 72404

LOCATION: 2216 Spence Circle, Jonesboro, AR 72401

SITE DESCRIPTION: Tract Size: Approx. +/- .25 Acres (11,200 sq. ft.)
Frontage: Approx. 80' +/- Spence Circle
Topography: Flat
Existing Dvlpmt: Existing Residence

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1	Residence
South:	R-2	Apartments
East:	C-3	General Office
West:	R-1	Residence

HISTORY: None.

ZONING ANALYSIS: City Planning Staff has reviewed the proposed Zone Change and offers the following findings.

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The proposed site falls within a recommended Residence Transitional Area on the future land use map. Consistency is not achieved with the submitted petition. However, adjacency to a service oriented office use will not cause any adverse impact on the surrounding neighborhood, but will allow for additional parking for the healthcare facility.

Approval Criteria- Section 14.44.05, (5a-g) - Amendments:

The criteria for approval of a rezoning are set out below. Not all of the criteria must be given equal consideration by the planning commission or city council in reaching a decision. The criteria to be considered shall include but not be limited to the following:

- (a) Consistency of the proposal with the Comprehensive Plan
- (b) Consistency of the proposal with the purpose of the zoning ordinance.

- (c) Compatibility of the proposal with the zoning, uses and character of the surrounding area;
- (d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;
- (e) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual, odor, noise, light, vibration, hours of use/operation and any restriction to the normal and customary use of the affected property;
- (f) Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant; and
- (g) Impact of the proposed development on community facilities and services, including those related to utilities, streets, drainage, parks, open space, fire, police, and emergency medical services.



Zoning/Vicinity Map

MAPC RECORD OF PROCEEDINGS: Public Hearing Held August 9, 2011

Applicant: Murl Smith: I am representing the seller of this property, and we are asking for a rezoning to C-3.

Public Input: None.

Staff: Mr. Spriggs gave staff comments. The property is listed on the Land Use Plan as Residence Transitional, in which the request is inconsistent. However due to proximity to Caraway Road, a major commercial corridor, we feel this type of transition to the adjacent

residential will not be of any adverse impact. This will allow for some flexible parking for the abutting agency as mentioned in the staff report. We are asking for a final site plan to be submitted by the applicant to include a buffer/barrier with a 6 ft. privacy fencing; lighting photometrics should be submitted as well. Staff is confident that if this plan is submitted, we can administratively approve the final review on behalf of the Commission.

No additional input/questions from the Commission.

Commission Action:

Mr. White made a motion to affirm to the Council that we approve this request subject to the conditions requested by the Planning Department Staff; Motion 2nd by Mr. Tomlinson.

Roll Call Vote: Mr. White- Aye; Mr. Tomlinson- Aye; Ms. Norris-Aye; Mr. Dover-Aye; Mr. Roberts- Aye; Mr. Kelton- Aye; Mr. Scurlock-Aye; Mr. Hoelscher- Absent; Mr. Halsey-Chair. Case Approved: 7-0.

Findings:

Master Street Plan/Transportation

The subject site is located on a local street Spence Street which is a local road. The rezoning plat shows Spence Street at 30 ft. Driveway access drives shall be submitted and coordinated with the appropriate reviewing agency for approval.

Zoning compliance:

The applicant is requesting a change to a General Commercial (C-3) which will allow the development to be consistent with the adjacent commercial use.

Landscaping/Lighting/Dumpster Location/Screening/ Signage:

A final site plan should be submitted illustrating the location and details of Landscaping, Lighting, Dumpster Location and Screening for MAPC to assure buffering of the single family lot to remain west of the subject parcel.

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zone Change submitted by Toby Alexander, should be evaluated based on the above observations and criteria (Case RZ 11-15, a request to rezone property from R-1 to C-3), and is hereby recommended for approval to the Jonesboro City Council. It is important to staff that all the issues cited above be addressed by the applicant, so that a number of stipulations can added to address those issues.

The conditions for recommendation of approval shall include the following:

1. Site details shall be submitted for approval of the Final Site Development Plan to the MAPC.
2. A final development plan shall be required to be reviewed and approved by the MAPC and shall include final details on drainage, grading, access management, signage, lighting photometrics, landscaping/buffer screening considered in this petition.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking East along Spence Circle.



View looking North towards site.



View looking East of subject property frontage.



View looking South from site of multi-family dwellings.



View looking South from subject site rearyard..



View looking North of abutting residential property.



View looking North of abutting commercial property (Home Health Professionals).



Legislation Details (With Text)

File #:	ORD-11:055	Version:	1	Name:	Amend Code of Ordinances regarding traffic regulations
Type:	Ordinance	Status:		Status:	Second Reading
File created:	7/12/2011	In control:		In control:	Public Safety Council Committee
On agenda:		Final action:			
Title:	AN ORDINANCE AMENDING EXISTING AND ESTABLISHING NEW TRAFFIC REGULATIONS FOR THE CITY OF JONESBORO, ARKANSAS, AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT THEREOF				
Sponsors:	Police Department				
Indexes:	Code of Ordinances amendment				
Code sections:	Chapter 66 - Traffic & Vehicles				
Attachments:					

Date	Ver.	Action By	Action	Result
8/2/2011	1	City Council		
7/19/2011	1	Public Safety Council Committee		

title
AN ORDINANCE AMENDING EXISTING AND ESTABLISHING NEW TRAFFIC REGULATIONS FOR THE CITY OF JONESBORO, ARKANSAS, AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT THEREOF

body
BE IT ORDAINED AND ENACTED by the City Council of the City of Jonesboro, State of Arkansas, as follows:

ARTICLE I: GENERAL PROVISIONS.

SECTION 1: **PURPOSE:** This ordinance is designed to enact certain traffic and other regulations that will address issues of public safety not currently addressed under state law or city ordinance; allow for the appropriate routing of traffic in emergency and temporary congestion circumstances, and to address issues of pedestrian safety and vehicular safety and congestion caused by the improper parking of vehicles or other roadway and sidewalk obstructions.

ARTICLE 2: REGULATIONS TO BE NEWLY ENACTED

SECTION 1: **Temporary Restrictions:** The Director of the Street Department, Fire Chief or Police Chief are authorized to temporarily prohibit parking, stopping, or standing on driveways, streets, alleys, and parking lots and may cause traffic to be restricted or rerouted as necessitated by construction, emergency situations, or special events on public streets. When time permits notice of such restrictions shall be given by the posting of temporary signs or barriers by any designated City official. It shall be prohibited to violate such regulations.

SECTION 2: **Roller-Skates (or Roller Blades), Skateboards, and Scooters:** Unless otherwise designated for such, it is prohibited to operate roller-skates, skateboard, or scooter on any public property not designated for such purpose. This includes, but is not limited to: streets, alleys, drives, sidewalks, walkways, patios, plazas,

parking lots and garages, steps of buildings, and rock walls. This shall also include operation of such conveyances on private property without the consent of the property owner or proprietor.

SECTION 3: Utilizing City Street for a Play Area: Unless previously authorized by special permit or with special permission as part of a block party or similar event, no city street shall be utilized as a play area. Additionally, residents shall not place basketball goals or other game and play equipment within 15 feet of the travelled portion of the roadway.

ARTICLE 3: ADDENDUM TO EXISTING REGULATIONS

SECTION 1: That city regulation, Section 66-188, 'Parking not to obstruct traffic', which currently reads "No vehicle shall be stopped as to obstruct a crossing and shall not be stopped or allowed to stand within the intersection of any street or alley." Shall be removed from the code in its entirety and replaced with the following:

Obstructing Traffic - It shall be prohibited for any person to park or bring to a halt on any city street, paved sidewalk (unless part of a private or public driveway) or designated bike path any vehicle, trailer or other obstruction in such a manner as to interfere with normal vehicular or pedestrian traffic. When a sidewalk is available, pedestrians shall not leave the sidewalk, curb or other places of safety and walk or run in the path of vehicular traffic. Additionally, pedestrians shall not utilize the roadway in a manner making it impossible for drivers utilizing the roadway to yield.

"Interference with normal vehicular traffic" shall be defined as obstructing the street to reduce the available width of the roadway to less than 20 feet or, in the case of a cul de sac or turnaround, reduce the free flow of traffic by reducing the turning radius to less than 60 feet as such dimensions of available roadway are necessary for the safe operations of fire trucks or other emergency vehicles.

SECTION 2: That city regulation, Section 66-150, 'Driving on sidewalk', which currently reads "No person shall drive any vehicle on any paved sidewalk or curb unless going into or coming out of premises into which a driveway has been constructed connecting with the street.", should be amended to include definition of a vehicle and read as follows: "No person shall drive any vehicle, including motorized conveyances such as scooters and mopeds (but not motorized wheelchairs), on any paved sidewalk or curb unless going into or coming out of premises into which a driveway has been constructed connecting with the street."

SECTION 3: That city regulation, Section 66-154, 'Alighting from moving vehicle', which currently reads "No person riding in any vehicle operated over the streets and alleys of the city shall alight there from while the same is in motion, but shall wait until said vehicle comes to a full stop.", should be amended to include positioning of said vehicle in relation to the side of the road and read "No person riding in any vehicle operated over the streets and alleys of the city shall alight there from while the same is in motion, but shall wait until said vehicle comes to a full stop within eighteen inches of the right-hand curb or side of the roadway."