

**BEFORE THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS**

**PETITION TO REPEAL AND REVOKE THE APPROVAL OF A PLANNED UNIT DEVELOPMENT (FPUD 99-02), CAUSING CERTAIN PROPERTY TO REVERT BACK TO THE COMMERCIAL C-3 ZONING CLASSIFICATION UNDER TITLE 14, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS**

Comes now Kevin Kessinger, JG Properties, LLC, by and through its attorneys, Barrett & Deacon, P.A., and for its petition to the City Council of the City of Jonesboro, Arkansas, states:

1. Ordinance NO. 96:434 accepted the following property into the City of Jonesboro and assigned it a C-3 Commercial zoning classification.

Being all that property contained within a portion of the North half of Section 34, Township 15 North, Range 4 East, Craighead County, State of Arkansas being more particularly described as follows:

Commencing at a found railroad spike in Macedonia Road approximately 270' east of the intersection with State Highway 351 (Old Greensboro Road) being accepted as representing the northeast corner of the Northwest Quarter (NW 1/4) of Section 34, Township 15 North, Range 4 East, Craighead County, State of Arkansas; thence on a geodetic grid bearing of South 00 degrees 18 minutes 56 seconds East a distance of 44.40' to an angle point in the south right of way line of said Macedonia Road being the **TRUE POINT OF BEGINNING**; thence with said south right of way line, North 89 degrees 00 minutes 33 seconds East a distance of 248.47' to a found iron pipe accepted as being the northeast corner of the property herein described and the northwest corner of the Sage Meadows Phase 1-D Replat C-1 subdivision; thence departing from said south right of way line along the west line of said Sage Meadows subdivision, South 13 degrees 37 minutes 14 seconds West a distance of 1023.99' to a found iron pipe on the north right of way line of Sage Meadows Boulevard accepted as being the southeast corner of the property herein described and the southwest corner of said Sage Meadows subdivision; thence in a westerly direction along said north right of way line of Sage Meadows Boulevard the following 10 (ten) calls:

1. North 89 degrees 59 minutes 45 seconds West a distance of 89.76' to a point of curvature;

2. Thence in a northwesterly direction along the arc of a curve to the right having a radius of 183.69' (Long Chord = North 57 degrees 17 minutes 29 seconds West, 198.50') an arc length of 209.70' to a point of reverse curvature;
3. Thence in a northwesterly direction along the arc of a curve to the left having a radius of 401.88' (Long Chord = North 28 degrees 51 minutes 56 seconds West, 59.96' ) an arc length of 60.02' to a point of reverse curvature;
4. Thence in a northwesterly direction along the arc of a curve to the right having a radius of 50.00' (Long Chord = North 16 degrees 05 minutes 20 seconds West, 29.33') an arc length of 29.77' to a point of reverse curvature;
5. Thence in a northwesterly direction along the arc of a curve to the left having a radius of 95.00' (Long Chord = North 49 degrees 17 minutes 32 seconds West, 146.10') an arc length of 166.66' to a point of reverse curvature;
6. Thence in a northwesterly direction along the arc of a curve to the right having a radius of 50.00' (Long Chord = North 79 degrees 40 minutes 21 seconds West, 17.00') an arc length of 17.35' to a point of reverse curvature;
7. Thence in a northwesterly direction along the arc of a curve to the left having a radius of 401.86' (Long Chord = North 61 degrees 46 minutes 45 seconds West, 27.84') an arc length of 27.85' to a point;
8. Thence North 63 degrees 45 minutes 51 seconds West a distance of 113.64' to a point of curvature;
9. Thence in a northwesterly direction along the arc of a curve to the right having a radius of 25.00' (Long Chord = North 18 degrees 59 minutes 31 seconds West, 35.21') an arc length of 39.07' to a point on the east right of way line of said State Highway 351;
10. Thence along said east right of way line of said State Highway 351, North 25 degrees 46 minutes 49 seconds East a distance of 670.93' to the intersection of said east right of way line with the south right of way line of said Macedonia Road; thence along said south right of way line, North 89 degrees 10 minutes 31 seconds East a distance of 260.19' to the TRUE POINT OF BEGINNING.

Said described portion containing 494,991 square feet or 11.36 acres, more or less.

A true and correct copy of the said ordinance is attached hereto as "Exhibit A" and incorporated herein by reference. JG Properties, LLC, is the owner of the property described above.

2. On or about February 9, 2000, The Metropolitan Area Planning Commission ("MAPC") approved a Planned Unit Development overlay on the property (FPUD 99-02).

3. No development of the PUD has occurred, nor have there been any building permits issued, in the eight (8) years since the final plan for the PUD was approved on or about February 9, 2000, and no extensions have been granted.

4. Section 14.20.03 (d)(5)(e)(2) of the Jonesboro Municipal Code states that the MAPC may recommend revocation of PUD approval if no building permits have been issued within two (2) years of the recording date of the final development plan/plat, or initial plan of a staged final development plan/plat and no extension has been granted.

5. The MAPC has recommended that said PUD approval be revoked and the lands revert to the original C-3 commercial use classification.

6. JG Properties, LLC, joins in the recommendation of the MAPC and respectfully requests the City Council of the City of Jonesboro, Arkansas, to repeal and revoke the said approval of the PUD.

7. There is no evidence that the PUD approval was brought before the City Council and approved by resolution or ordinance.

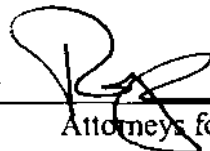
8. JG Properties, LLC, submits the Ordinance attached as "Exhibit B" hereto for approval by the City Council.

Respectfully Submitted,

JG Properties, LLC

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By



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