

CONDITIONAL CONCURRENCE
to
CLOSE and/or VACATE STREET, ALLEY or UTILITY EASEMENT

BE IT KNOWN BY THESE PRESENTS that Southwestern Bell Telephone Company, a Missouri Corporation, hereby concurs in the closing of the following described portion of a utility easement subject to stated conditions:

The Easterly 7.5 feet of Lot 47 and the Southerly 7 feet of the Easterly 7.5 feet of Lot 46 as originally platted in Murry Creek Subdivision, Phase III, in the City of Jonesboro, Craighead County, Arkansas subject to the payment of \$1200.00 facility relocation costs and dedication of replacement easements.

This CONCURRENCE should be considered null and void if the above described utility easement is not provided or if the relocation costs are not reimbursed.

By *Sue Pylant*
General Manager-Eng/Const

ACKNOWLEDGEMENT

STATE OF ARKANSAS

COUNTY OF SALINE

On this the 6 day of July, 1994, before me, the abovesigned manager, *Sue Pylant*, acknowledged himself LG to be authorized to execute the foregoing instrument.

In witness whereof I hereunto set my hand and official stamp.

Lewis C. Grounds

Lewis C. Grounds

Notary Public

My commission expires April 20, 2002

MULHOLLEN & ASSOCIATES INC.

CIVIL ENGINEERING SERVICES

June 17, 1994

Garry Bowman, Manager
TCI of Arkansas, Inc.
1520 South Caraway Road
Jonesboro, Arkansas 72401

RE: Request to Close Utility Easement

Dear Mr. Bowman,

The Kelso Pausch Land Company has replatted Lots 45 through 50 in Phase III of the Murray Creek Subdivision resulting in a change in the location of the back lot line on Lot 47 on which a utility easement was dedicated in the original plat. A copy of the replat is enclosed for your records. Please note that the easement to be extinguished is clearly shown on the replat and highlighted for easy reference. No utilities have been constructed in the old easement.

State law stipulates that the proper procedure for abandonment of an easement requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the Replat does not satisfy the legal requirements for closure of the easement. City officials require written evidence from all utility service providers agreeing with the closure before passing the required ordinance.

A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the utility easement shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,



Dan B. Mulhollen, PE
President

I, Garry Bowman, Manager, TCI of Arkansas, Inc., concur in the closure of the utility easement shown in the center of Lot 47 of the Replat of Lots 45 through 50, Murray Creek Subdivision, Phase III, Jonesboro, Arkansas.



Garry Bowman, Manager, TCI of Arkansas, Inc.

MULHOLLEN & ASSOCIATES INC.

CIVIL ENGINEERING SERVICES

June 17, 1994

Jim Reed, PE, Manager
City Water and Light
400 East Monroe
Jonesboro, Arkansas 72401

RE: Request to Close Utility Easement

Dear Mr. Reed,

The Kelso Pausch Land Company has replatted Lots 45 through 50 in Phase III of the Murray Creek Subdivision resulting in a change in the location of the back lot line on Lot 47 on which a utility easement was dedicated in the original plat. A copy of the replat is enclosed for your records. Please note that the easement to be extinguished is clearly shown on the replat and highlighted for easy reference. No utilities have been constructed in the old easement.

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Sincerely,

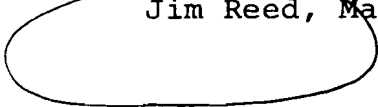


Dan B. Mulhollen, PE
President

I, Jim Reed, PE, Manager, City Water and Light, concur in the closure of the utility easement shown in the center of Lot 47 of the Replat of Lots 45 through 50, Murray Creek Subdivision, Phase III, Jonesboro, Arkansas.



Jim Reed, Manager, City Water and Light



MULHOLLEN & ASSOCIATES INC.

CIVIL ENGINEERING SERVICES

June 17, 1994

Tim Armstrong, Manager
Arkla Gas Company
Post Office Box 1765
Jonesboro, Arkansas 72403

RE: Request to Close Utility Easement

Dear Mr. Armstrong,

The Kelso Pausch Land Company has replatted Lots 45 through 50 in Phase III of the Murray Creek Subdivision resulting in a change in the location of the back lot line on Lot 47 on which a utility easement was dedicated in the original plat. A copy of the replat is enclosed for your records. Please note that the easement to be extinguished is clearly shown on the replat and highlighted for easy reference. No utilities have been constructed in the old easement.

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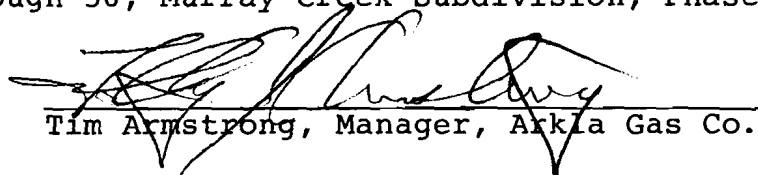
A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the utility easement shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,



Dan B. Mulhollen, PE
President

I, Tim Armstrong, Manager, Arkla Gas Company, concur in the closure of the utility easement shown in the center of Lot 47 of the Replat of Lots 45 through 50, Murray Creek Subdivision, Phase III, Jonesboro, Arkansas.



Tim Armstrong, Manager, Arkla Gas Co.