



February 03, 1997

Kent Gibson  
Post Office Box 2923  
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To: Honorable Hubert Brodell, Mayor and City Council of the City of Jonesboro, Arkansas

Re: Ten Foot Utility Easement at 304 Windover Road

I own the property at 2803 Lands End Cove that lies to the north of Mr. James Darnell who resides at 304 Windover Road. Mr. Darnell is petitioning the City Council to vacate five feet of a ten foot utility easement that runs along the northern border of his lot. There are presently two utility companies using the easement.

Mr. Darnell's property lies within the Windover Heights Subdivision which has a five foot set-back requirement for utility buildings and ten foot utility easement around its perimeter. My property lies within the Lands End Estates Subdivision which does not have a utility easement as part of the legal description. Several years ago, Mr. Darnell built a permanent storage building on his northern property line and last summer added to this structure. The entire building is set on the easement and does not meet the five foot set-back. A portion of the building's concrete slab is actually over the property line. I find Mr. Darnell's actions unfortunate but fail to see how the city can abandon a utility easement which is all ready in use.

From my perspective, there seems to be only two alternatives for the resolution of this problem. Either allow Mr. Darnell to keep his building in violation of the easement, or to order Mr. Darnell to remove his building. I will not relinquish a utility easement off the south side of my property when an easement is all ready in existence.

Respectfully,

Kent Gibson

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