

October 2, 1995

Claude Martin, PE, City Engineer
City of Jonesboro
Post Office Box 1845
Jonesboro, Arkansas 72403

RE: Request to Close Drainage Easement

Dear Mr. Martin,

Phillips Investments, Inc. platted the Calvary Chapel Addition and subsequently replatted Lot 3 into four lots named the Replat of Lot 3, Calvary Chapel Addition, Jonesboro, Arkansas on which a drainage easement was dedicated between Lots 1 and 2. A copy of the plat is enclosed for your convenience. This plat was recorded in Plat Cabinet B at Page 113 in the office of the Circuit Clerk for the Western District of Craighead County in Jonesboro.

A replat of Lots 1 and 2 has been presented to the Metropolitan Area Planning Commission for review at their November meeting. A print of that plat is also enclosed. You will note that we have moved the drainage easement some one hundred sixty seven feet (167') to the east in the Replat but all easements required for proper development have been provided. Site work after filing the original plat removed a small drainage ditch and surface drainage has been rerouted along a different lot line.

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 easement closure. The City will need written evidence from parties having an interest in drainage easements agreeing with the closure before passing the ordinance.

A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the drainage easement shown on the original plat of this subdivision. Please sign and return one copy of this letter to me so I will be able to provide that assurance to the staff at MAPC.

Sincerely,

Dan B. Mulhollen, PE
President

DBM/kjm

Enclosures: stated