

Easement / Street/ Alley Vacation

Application & Checklist

Please fill out this form completely, supplying all necessary information and documentation to support your request. **Your application will not be placed on the City Council agenda until the application is completed and required information provided.**

Property Information	Address <input style="width: 80%;" type="text"/> <i>Attach legal description of property to this application. May be found on warranty deed or current survey of property.</i>	Project Information	Select the property type being vacated: <input type="checkbox"/> Alley <input type="checkbox"/> Utility Easement <input type="checkbox"/> Street or R.O.W. <input type="checkbox"/> Drainage Easement <input type="checkbox"/> Cross Access Easement
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Owner	Name	<input style="width: 95%;" type="text"/>	Phone	<input style="width: 95%;" type="text"/>	<input type="checkbox"/> Select if this is the primary contact
	Address	<input style="width: 95%;" type="text"/>	Fax	<input style="width: 95%;" type="text"/>	
	City, State, Zip	<input style="width: 95%;" type="text"/>	E-mail	<input style="width: 95%;" type="text"/>	

Applicant / Representative	Name	<input style="width: 95%;" type="text"/>	Phone	<input style="width: 95%;" type="text"/>	<input type="checkbox"/> Select if this is the primary contact
	Address	<input style="width: 95%;" type="text"/>	Fax	<input style="width: 95%;" type="text"/>	
	City, State, Zip	<input style="width: 95%;" type="text"/>	E-mail	<input style="width: 95%;" type="text"/>	

Applicant/Representative: I certify that the foregoing statements and answers herein made all data, information and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

√ _____ Date: _____

Property Owner/Authorized Agent: I certify that I am the owner of the property that is the subject of this application and that I have read this application and consent to its filing. (If signed by the authorized agent, a letter from the property owner must be provided indicating that the agent is authorized to act on his/her behalf).

√ _____ Date: _____

Staff Use Only	Date Application Submitted	Date Approved by City Engineer	Date Approved by City Planner
	Date Accepted as Complete	Legistar File No.:	Abandonment Type:

Easement / Alley Vacation Application Checklist

The following items must be submitted with the application form in order for the application to be complete.

- 1. Application and Fee.** Submit an accurate and complete application and the publication processing fee.
- 2. Utility Release Forms.** Submit the signed release forms from ALL outside agency utility companies.
- 3. Neighbor Notification Forms.** Submit the signed forms of all adjacent property owners (excludes general utility easements and drainage easements)
- 4. Certified List.** Submit the *certified list* of all adjacent property owners (excludes general utility easements & drainage easements).
- 5. Vicinity Map.** Submit an exhibit / vicinity map which clearly portrays the easement you are proposing to vacate.
- 6. Recorded Plat.** Submit a copy of the recorded plat or copy of the filed document that created the general utility easement, drainage easement, public access easement, street right-of-way or alley you are proposing to vacate.
- 7. Legal Description.** Submit an accurate legal description.
- 8. Petition to Vacate Form.** Submit an accurate and complete Petition to Vacate form, which is included in this application on page 4.

Easement / Alley Vacation Pre-Application Checklist

Prior to applying for an easement or alley vacation, the follow items must be complete and appropriate persons and agencies notified.

A. Notification of Utility Companies:

- 1. Create an accurate Exhibit A (plat) and vicinity map which clearly portrays what you are proposing to vacate (Professional services may be required by a licensed surveyor).
- 2. Obtain an accurate legal description of what you are proposing to vacate.
- 3. Complete the *Utility Release Form* included within this application.
- 4. Attach the Exhibit A (abandonment plat) / vicinity map and the legal description to the release form.
- 5. Send the release form with the attached Exhibit A plat / vicinity map and legal description to the following outside agency utility companies. **Must receive signed release forms before applying to the City of Jonesboro.** *Include your return address! The utility company must know where to send the signed release form.

- **City, Water & Light**

400 E. Monroe

(870) 935-5581

Grant McDaniel, P.E., Senior Engineer; Email: gmdaniel@jonesborocwl.org

Randy K. Simpkins, P.E., Engineering Services Director; Email: rsimpkins@jonesborocwl.org

- **Centerpoint Energy Arkla**

613 Southwest Drive, Jonesboro, AR

(800) 555-6322

- **AT&T/SBC**

Cindy Cole

(870) 972-7600

723 S. Church St., Rm. B27, Jonesboro, AR 72401

Email: cc3290@att.com

- **Suddenlink**

Rodney Prock

(870) 972-8141

1520 S. Caraway Rd.

Jonesboro, AR 72401

Email: Robert.prock@suddenlink.com

B. Notification of Adjacent Property Owners (excludes general utility & drainage easements)

- 1. Obtain a *certified list* of all adjacent property owners.
- 2. Complete the *Adjacent Property Owner Notification Form* included within this application and attach the legal description and an exhibit / vicinity map.
- 3. Send the *Adjacent Property Owner Notification Form* with the attached legal description and vicinity map to all adjacent property owners on the *certified list*. **Must receive signed release forms before applying to the City of Jonesboro.** *Include your return address! The adjacent property owners must know where to send the signed release form.

Easement / Alley Vacation Process

Applicant Responsibility:

1. **Notify Utility Companies.** Applicant notifies outside agency utility companies and receives signed release forms from outside agency utility companies.
2. **Notify Adjacent Property Owners.** Applicant notifies adjacent property owners by sending the adjacent property owner notification form and receives signed notification forms from adjacent property owners (Excludes general utility easement vacations).
3. **Receipt of Signed Notifications.** The applicant will receive all signed notification forms before applying.
4. **Application.** Applicant applies to the City of Jonesboro per the checklist on page 2.

APPLICANT RESPONSIBILITY IS COMPLETE UNLESS NOTIFIED BY THE CITY

City Responsibility:

1. **Petition/Application Processed.** Petition application shall be submitted to the Planning Department. The City Planner shall be responsible for circulating the petition to the City Departments to collect report letters.

The City planner shall be responsible for delivering the petition, exhibits, and all consent letters and all documentation to the City Clerk.
Once all requirements are verified, the City Clerk's office shall create the legislative file for approvals into the Legistar System. All street and alley vacation request shall be sent to the Public Work's Committee for approval, and all public utility and drainage easement requests shall be entered for immediate City Council action.
2. **Resolution.** Once all signed release forms are obtained the proposed vacation is placed on the City Council agenda as a Resolution. If a utility department denies the proposed vacation, the applicant will be notified by mail. Otherwise, the Resolution goes to City Council.
3. **Public Notification.** The City Clerk advertises the proposed vacation in the newspaper two times.
4. **Ordinance.**
 - a. The Ordinance is placed on the City Council agenda and a public hearing takes place.
 - b. The Ordinance for the vacation is voted on by City Council and either approved or denied.
5. **Approval.** If approved, the City of Jonesboro Clerk certifies and files the Ordinance.
6. **Denial.** If denied, the City of Jonesboro will notify the applicant by mail. The applicant may then contact the City Clerk for the appeals process.

PETITION TO VACATE

PETITION TO VACATE AN

LOCATED AT

CITY OF JONESBORO, ARKANSAS.

TO: The Honorable Harold Perrin, Mayor, and members of the Jonesboro City Council

We, the undersigned, being all the owners of the real estate of or adjacent (to) the

to be vacated hereinafter sought to be abandoned and vacated, lying in

Jonesboro, Arkansas, a municipal corporation, petition to vacate an

which is described as follows:

Legal
Description

That the real estate affected by said abandonment of the

Location

to the City of Jonesboro, Arkansas, a certified copy of the original plat located in the Circuit Clerk's Office for the County of Craighead, State of Arkansas, is attached hereto, and made a part hereof as though set out herein word for word.

Petitioners state that the above described real estate will not adversely affect the public interest and welfare and would also not be adversely affected by the abandonment of the above described

The petitioners recommend that the City of Jonesboro, Arkansas, abandon and vacate the above described real estate, subject, however, to the existing utility easements as required, and that the above described real estate be used for their respective benefit and purpose as now approved by law.

WHEREFORE, the undersigned petitioners respectfully recommend that the governing body of the City of Jonesboro, Arkansas, abandon and vacate the above described real estate, subject to said utility easements and as to that particular land the owner be free from the easements of the public for the use of said real

Dated this

day of

, 2010.

Printed Name

Signature

Printed Name

Signature

UTILITY RELEASE FORM

General Utility Easement, Drainage Easement, Public Access Easement, Alley, Street, R.O.W.

Utility Company

Date

Requested Vacation

I have been notified of the petition to vacate the following
described as follows:

Legal
Description

UTILITY COMPANY COMMENTS (Send release form to the applicant's provided address).

- No objections to the vacation(s) described above.
- No objections to the vacation(s) described above, provided the following described easements are retained.
- Objects to the vacation(s) described above, reason described below.

Describe
reasons for
objection or
easements to be
retained

Signature of Utility Company Representative

Title

ADJACENT PROPERTY OWNER NOTIFICATION FORM

General Utility Easement, Drainage Easement, Public Access Easement, Alley, Street, R.O.W.

Date

Address of Vacation

Adjacent Property Address

Lot

Block

Subdivision

Requested Vacation:

I have been notified of the petition to vacate the following:
described as follows:

Legal
Description:

***Attach exhibit and/or vicinity map of what is being vacated.**

ADJACENT PROPERTY OWNERS COMMENTS:

- I do not object to the requested vacation(s) described above.
- I do object to the requested vacation(s) described above because:

Signature of Property Owner