



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Council Agenda City Council

Tuesday, September 17, 2013

5:30 PM

Municipal Center

PUBLIC SAFETY COMMITTEE MEETING AT 5:00 P.M.

City Council Chambers, Municipal Center

APPEAL HEARING AT 5:25 P.M.

Regarding the denial by the MAPC to approve a site plan request for 41 one-bedroom and two-bedroom units located on approximately 2.5 acres at the end of Prairie Dunes Lane as requested by The Reserve at Sage Meadows

1. CALL TO ORDER BY MAYOR PERRIN AT 5:30 P.M.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK DONNA JACKSON

4. SPECIAL PRESENTATIONS

COM-13:070 Proclamation for Pink for the Cure to Jane McDaniel

Sponsors: Mayor's Office

COM-13:071 Presentation from State Representatives Harold Copenhaver, Homer Lenderman and Butch Wilkins to the Miracle League

Sponsors: Mayor's Office

5. CONSENT AGENDA

All items listed below will be voted on in one motion unless a council member requests a separate action on one or more items.

MIN-13:080 Minutes for the City Council meeting on September 3, 2013

Attachments: [Minutes](#)

MIN-13:081 Minutes for the special called City Council meeting on September 11, 2013

Attachments: [Minutes](#)

RES-13:127 A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR HILL PARK ADDITION PHASE 1 & 2, A

COMMERICAL DEVELOPMENT

Sponsors: Engineering**Attachments:** [Maintenance Agreement.pdf](#)
[Hill Park Addition - Phase 1 2](#)**Legislative History**9/3/13 Public Works Council Recommended to Council
Committee**RES-13:130**RESOLUTION BY THE CITY COUNCIL REPEALING RESOLUTION NO. 10:161,
REINSTATING THE PROCEDURE FOR ABANDONMENT SET OUT IN STATE CODE.**Legislative History**9/3/13 Public Works Council Recommended to Council
Committee**RES-13:134**RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS
TO ACCEPT A SIDEWALK CONNECTION FROM THE JONESBORO HUMAN
DEVELOPMENT CENTER'S TRACK TO THE MIRACLE LEAGUE COMPLEX**Sponsors:** Mayor's Office**Attachments:** [Engineering letter \(HKB\) Miracle League](#)**Legislative History**9/3/13 Public Works Council Recommended to Council
Committee**RES-13:136**A RESOLUTION REQUESTING FREE UTILITIES AT 1618 STRAWFLOOR DRIVE
FOR THE CITY OF JONESBORO**Sponsors:** Engineering**Legislative History**9/3/13 Public Works Council Recommended to Council
Committee**RES-13:151**A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS, REQUESTING FREE
UTILITIES AT 207 CATE AVENUE FOR THE CITY OF JONESBORO**Sponsors:** Mayor's Office**Legislative History**9/3/13 Public Works Council Recommended to Council
Committee**6. NEW BUSINESS**

Decision by the City Council regarding the denial by the MAPC to approve a site plan request for 41 one-bedroom and two-bedroom units located on approximately 2.5 acres at the end of Prairie Dunes Lane as requested by The Reserve at Sage Meadows

ORDINANCES ON FIRST READING**ORD-13:055**AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING
ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO

C-3 LUO FOR PROPERTY LOCATED AT 5710 EAST JOHNSON AVENUE AND 2006 GREENWAY LANE AS REQUESTED BY LOWELL FRENCH AND STEVE PRESTIDGE

Attachments: [MAPC Report](#)
[Plat](#)

ORD-13:056 AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 LUO FOR PROPERTY LOCATED AT 4200 EAST JOHNSON AVENUE AS REQUESTED BY PROSPECT MISSIONARY BAPTIST CHURCH

Attachments: [MAPC Report](#)
[Plat](#)

7. UNFINISHED BUSINESS

ORDINANCES ON THIRD READING

ORD-13:049 AN ORDINANCE TO VACATE AND ABANDON A PART OF CRAIGHEAD ROAD BY THE PROPERTY OWNERS KUM & GO, L.C., TROPHY WIFE HOLDING LLC, AND FIRST PRESBYTTERIAN CHURCH OF JONESBORO, ARKANSAS, CRAIGHEAD COUNTY, JONESBORO, ARKANSAS.

Attachments: [Exhibit A](#)
[Planning & Engineering Letter](#)
[Utility Letters](#)
[Petitions](#)

Legislative History

9/3/13 City Council Waive Second Reading

ORD-13:050 AN ORDINANCE TO VACATE AND ABANDON A PART OF CRAIGHEAD ROAD BY THE PROPERTY OWNER(S) KUM & GO, L.C CRAIGHEAD COUNTY, JONESBORO, ARKANSAS.

Attachments: [Exhibit A](#)
[Planning & Engineering Letter](#)
[Utility Letters](#)
[Petitions](#)

Legislative History

9/3/13 City Council Waive Second Reading

8. MAYOR'S REPORTS

9. CITY COUNCIL REPORTS

10. PUBLIC COMMENTS

Public Comments are limited to 5 minutes per person for a total of 15 minutes.

11. ADJOURNMENT



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Legislation Details (With Text)

File #: COM-13:070 **Version:** 1 **Name:** Pink for the Cure proclamation
Type: Other Communications **Status:** To Be Introduced
File created: 9/4/2013 **In control:** City Council
On agenda: **Final action:**
Title: Proclamation for Pink for the Cure to Jane McDaniel
Sponsors: Mayor's Office
Indexes: Mayor's Commendations
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Proclamation for Pink for the Cure to Jane McDaniel



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Legislation Details (With Text)

File #: COM-13:071 **Version:** 1 **Name:** Presentation to the Miracle League
Type: Other Communications **Status:** To Be Introduced
File created: 9/4/2013 **In control:** City Council
On agenda: **Final action:**
Title: Presentation from State Representatives Harold Copenhaver, Homer Lenderman and Butch Wilkins to the Miracle League
Sponsors: Mayor's Office
Indexes: Presentations
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Presentation from State Representatives Harold Copenhaver, Homer Lenderman and Butch Wilkins to the Miracle League



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Legislation Details (With Text)

File #: MIN-13:080 **Version:** 1 **Name:**
Type: Minutes **Status:** To Be Introduced
File created: 9/9/2013 **In control:** City Council
On agenda: **Final action:**
Title: Minutes for the City Council meeting on September 3, 2013
Sponsors:
Indexes:
Code sections:
Attachments: [Minutes](#)

Date	Ver.	Action By	Action	Result
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Minutes for the City Council meeting on September 3, 2013



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, September 3, 2013

5:30 PM

Municipal Center

PUBLIC WORKS COMMITTEE MEETING AT 5:00 P.M.

PUBLIC HEARING AT 5:20 P.M.

Regarding the abandonment of a part of Craighead Road at 2515 S. Culberhouse, 700 Southwest Drive and 710 Southwest drive as requested by Kum & Go, L.C., Trophy Wife Holding LLC and First Presbyterrian Church of Jonesboro

Mr. Nathan Street, with CEI Engineering who is representing Kum & Go, stated they made a full submittal with all petitions signed. They notified all of the adjacent property owners. He asked if there were any questions.

Councilman Moore questioned if the property is the strip of land between the Kum & Go and the trophy business. Mayor Perrin answered yes. Councilman Moore asked for someone from the City to affirm that the City doesn't need that strip of land before it is given away. City Engineer Craig Light explained there are actually two sections of property, Tract A and Tract B, that are being asked to be abandoned. They don't have a problem with Tract A. It is his understanding the Tract B petition has been reduced to reflect 20 feet. They originally asked for 21 feet on one side and 24 on the other side, which would decrease the right of way below the minimum 60 feet. But, with the modification of only asking for 20 feet the right of way will still be at 60 feet. They do not have a problem with the amended ordinance.

1. CALL TO ORDER BY MAYOR PERRIN AT 5:30 P.M.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK DONNA JACKSON

Present 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

4. SPECIAL PRESENTATIONS

COM-13:068 Proclamation to Gary Hoyt, President of Jonesboro Baseball Boosters, for Cal Ripkin Series

Sponsors: Mayor's Office

Mayor Perrin presented the proclamation to Mr. Hoyt for work done by Jonesboro Baseball Boosters.

This item was Read.

COM-13:069 St. Bernard's Villa presentation by Brian Rega

Sponsors: Mayor's Office

Mr. Kevin Hodges discussed providing services to older Jonesboro citizens. He noted St. Bernard's Villa will help care for people with Alzheimer's Disease. Mr. Brian Rega further discussed St. Bernard's Villa. He explained the Villa will look similar to St. Bernard's Village and will be about 82,000 square feet with assisted living facilities. He discussed the details of the development. It was noted this will be the only Alzheimer's special care unit built as an assisted living facility in northeast Arkansas. It was also explained that residents will not need a doctor's order to live there; rather, they will be able to get the assistance based on their needs.

Mr. Roger Watkins asked what the monthly fee will be. Mr. Rega answered the monthly fee has not been exactly established, but it will be in the neighborhood of \$4,500 to \$5,000 per month for assisted living. Mr. Rega then thanked City staff for their help with the project.

This item was Read.

5. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Councilman Chris Moore, seconded by Councilman Chris Gibson, to Approve the Consent Agenda. The motioned PASSED

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

MIN-13:074 Minutes for the City Council meeting on August 20, 2013

Attachments: [Minutes](#)

This item was PASSED on the consent agenda.

RES-13:109 A RESOLUTION TO PLACE NO PARKING SIGNS IN THE CITY OF JONESBORO

Sponsors: Police Department

This item was PASSED on the consent agenda.

Enactment No: R-EN-121-2013

RES-13:125 A RESOLUTION TO INCREASE THE SPEED LIMIT ON BROWNS LANE FROM 30MPH TO 40MPH BETWEEN HIGHLAND DRIVE AND RACE/WINDOVER STREET AND TO ADD STOP SIGNS AT CERTAIN LOCATIONS IN THE CITY OF JONESBORO

Sponsors: Police Department

This item was PASSED on the consent agenda.

Enactment No: R-EN-122-2013

RES-13:129 RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE STATE OF ARKANSAS DEPARTMENT OF HUMAN SERVICES FOR THE FY 2013-14 AMERICORPS PROGRAM

Sponsors: Grants

Attachments: [30278 N00 DHS-9600](#)
[30278 N00 ATT5 - Pre-Award Costs](#)
[30278 N00 ATT4 - Lobbying Certification](#)
[30278 N00 ATT3 - Program Budget](#)
[30278 N00 ATT2 - Compliance Requirements](#)
[30278 N00 ATT1 - Application](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-123-2013

RES-13:138 A RESOLUTION APPROVING THE YEAR 17 2013 COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET AND AUTHORIZING THE SUBMISSION OF THE FY 2013 ACTION PLAN

Sponsors: Grants

Attachments: [2013 CDBG REQUEST FOR RELEASE OF FUNDS](#)
[2013 CDBG HUD AWARD LETTER](#)
[2013 CDBG Funding Approval&Agreement](#)
[2013 CDBG AUTHORITY TO USE FUNDS NOTICE](#)
[2013 CDBG PROJECT ACTIVITY-TABLE](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-124-2013

RES-13:139 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS RESOLUTION APPROVING THE IMPLEMENTATION OF 2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) HISPANIC SERVICES CENTER, INC. SUBRECIPIENT PROGRAM CONTRACT

Sponsors: Grants and Community Development

Attachments: [HISP 2013 Contract Agreement - land acq.](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-125-2013

RES-13:140 A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE PROPOSAL AND ENTER INTO A CONTRACT WITH AQUA CONSTRUCTION INT'L INC., FOR THE PARKER PARK COMMUNITY CENTER - SPLASH PAD PROJECT

Sponsors: Grants

Attachments: [Contract](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-126-2013

RES-13:141 A RESOLUTION APPROVING THE IMPLEMENTATION OF 2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC SERVICE PROGRAM CONTRACT

Sponsors: Grants and Community Development

Attachments: [CYM 2013 Contract Agreement - Mentoring](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-127-2013

RES-13:142 A RESOLUTION APPROVING THE IMPLEMENTATION OF 2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) HISPANIC SERVICES CENTER, INC. PUBLIC SERVICE PROGRAM CONTRACT

Sponsors: Grants and Community Development

Attachments: [HISP 2013 Contract Agreement - Bridge Between Two Cultures](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-128-2013

RES-13:143 A RESOLUTION APPROVING THE IMPLEMENTATION OF 2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) HABITAT FOR HUMANITY PUBLIC SERVICE PROGRAM CONTRACT

Sponsors: Grants and Community Development

Attachments: [2012 Habitat PS Contract - Basic Life Skills](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-129-2013

RES-13:144 A RESOLUTION APPROVING THE IMPLEMENTATION OF 2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) LIFE SKILLS CENTER PUBLIC SERVICE PROGRAM CONTRACT

Sponsors: Grants and Community Development

Attachments: [2013 Life Skills Contract Agreement](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-130-2013

RES-13:145 A RESOLUTION APPROVING THE IMPLEMENTATION OF 2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) OUT OF THE DARK PUBLIC SERVICE PROGRAM CONTRACT

Sponsors: Grants and Community Development

Attachments: [2013 Out of the Dark Contract Agreement](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-131-2013

RES-13:146 A RESOLUTION APPROVING THE IMPLEMENTATION OF 2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) NORTHEAST ARKANSAS REGIONAL AIDS NETWORK PUBLIC SERVICE PROGRAM CONTRACT

Sponsors: Grants and Community Development

Attachments: [2013 NARAN Contract Agreement](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-132-2013

RES-13:147 A RESOLUTION APPROVING THE IMPLEMENTATION OF 2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) WEST END NEIGHBORHOOD ASSOCIATION PUBLIC SERVICE PROGRAM CONTRACT

Sponsors: Grants and Community Development

Attachments: [2013 West End Assoc. Contract Agreement](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-133-2013

RES-13:148 A RESOLUTION APPROVING THE IMPLEMENTATION OF 2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) NORTH JONESBORO NEIGHBORHOOD INITIATIVE PUBLIC SERVICE PROGRAM CONTRACT

Sponsors: Grants and Community Development

Attachments: [2013 NJNI Contract Agreement](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-134-2013

RES-13:149 A RESOLUTION APPROVING THE IMPLEMENTATION OF 2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SECURITY AND LIGHTING PROGRAM CONTRACT WITH CITY YOUTH MINISTRIES.

Sponsors: Grants and Community Development

Attachments: [City Youth Min. 2013 Contract Agreement](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-135-2013

RES-13:150 A RESOLUTION APPROVING THE IMPLEMENTATION OF 2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOUNDATION OF THE ARTS

PROGRAM CONTRACT

Sponsors: Grants and Community Development

Attachments: [FOA 2013 Contract Agreement - public art](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-136-2013

RES-13:152

RESOLUTION AUTHORIZING THE CITY OF JONESBORO GRANTS DEPARTMENT TO APPLY FOR THE 2014 OUTDOOR RECREATION 50/50 MATCH GRANT PROGRAM FROM THE ARKANSAS DEPARTMENT OF PARKS AND TOURISM.

Sponsors: Grants

This item was PASSED on the consent agenda.

Enactment No: R-EN-137-2013

6. NEW BUSINESS

ORDINANCES ON FIRST READING

ORD-13:030

AN ORDINANCE TO AMEND ORDINANCES RELATING TO TAXI CAB SERVICES OPERATING IN THE CITY OF JONESBORO

Sponsors: Mayor's Office

Attachments: [Taxicab Operator Application](#)
[Taxicab Operating Condition Checklist](#)
[Taxicab Drivers Certificate](#)

Councilman Street offered the ordinance for first reading by title only.

Councilman Street motioned, seconded by Councilman Moore, to suspend the rules and waive the second and third readings. All voted aye.

A motion was made by Councilman John Street, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED with the following vote:

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: O-EN-039-2013

ORD-13:034

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE CITY OF JONESBORO TO CONTRACT WITH GRACE COMMUNICATIONS TO INSTALL THE RADIO COMMUNICATIONS TOWER ON STRAWFLOOR ROAD

Sponsors: E911

Attachments: [Contract.pdf](#)
[Statement of Work Jonesboro.pdf](#)

Councilman Gibson offered the ordinance for first reading by title only.

Councilman Gibson motioned, seconded by Councilwoman Williams, to suspend the rules and waive the second and third readings. All voted aye.

After adoption of the ordinance, Councilman Gibson motioned, seconded by Councilwoman Williams, to adopt the emergency clause. All voted aye.

A motion was made by Councilman Chris Gibson, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED with the following vote:

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: O-EN-040-2013

ORD-13:036

AN ORDINANCE TO AMEND CHAPTER 10 KNOWN AS THE ANIMALS ORDINANCE PROVIDING FOR CHANGES IN THE ENFORCEMENT AND RULES AND DECLARING AN EMERGENCY TO PROVIDE CLARITY IN THE EXISTING ORDINANCES

Sponsors: Planning, Police Department and Code Enforcement

Councilman Gibson offered the ordinance for first reading by title only.

Councilman Gibson motioned, seconded by Councilman Moore, to suspend the rules and waive the second and third readings. All voted aye.

Councilman Dover asked for a description as to what the changes will be. Mayor Perrin explained this ordinance will make animal owners pick up their animal's waste.

After passage of the ordinance, Councilman Gibson motioned, seconded by Councilman Coleman, to adopt the emergency clause. All voted aye.

A motion was made by Councilman Chris Moore, seconded by Councilman Chris Gibson, that this matter be Passed . The motion PASSED with the following vote:

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: O-EN-041-2013

ORD-13:049

AN ORDINANCE TO VACATE AND ABANDON A PART OF CRAIGHEAD ROAD BY THE PROPERTY OWNERS KUM & GO, L.C., TROPHY WIFE HOLDING LLC, AND FIRST PRESBYTTERIAN CHURCH OF JONESBORO, ARKANSAS, CRAIGHEAD COUNTY, JONESBORO, ARKANSAS.

Attachments: [Exhibit A](#)
[Planning & Engineering Letter](#)
[Utility Letters](#)
[Petitions](#)

Councilman Street offered the ordinance for first reading by title only.

A motion was made by Councilman John Street, seconded by Councilman Gene Vance, that this matter be Waive Second Reading . The motion PASSED with the following vote:

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

ORD-13:050 AN ORDINANCE TO VACATE AND ABANDON A PART OF CRAIGHEAD ROAD BY THE PROPERTY OWNER(S) KUM & GO, L.C CRAIGHEAD COUNTY, JONESBORO, ARKANSAS.

Attachments: [Exhibit A](#)
[Planning & Engineering Letter](#)
[Utility Letters](#)
[Petitions](#)

Councilman Street offered the ordinance for first reading by title only.

A motion was made by Councilman John Street, seconded by Councilman Chris Moore, that this matter be Waive Second Reading . The motion PASSED with the following vote:

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

7. UNFINISHED BUSINESS

ORDINANCES ON THIRD READING

ORD-13:041 AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE, WITHIN THE CODE OF ORDINANCES FOR THE CITY OF JONESBORO, ARKANSAS, MODIFYING SECTION 117-256 - MANUFACTURED HOUSING UNITS, AGE LIMITATION REQUIREMENTS AND, DECLARING AN EMERGENCY FOR THE PURPOSE OF PRESERVING THE PUBLIC PEACE, HEALTH AND SAFETY WITHIN RESIDENTIAL AREAS AND TO PROVIDE CLARITY IN THE CODE REGULATIONS

Sponsors: Planning

Attachments: [Existing Mobile Homes Code of Ordinances Chpt 117](#)
[Evaluation of Affordable Housing Accessibility Act 2](#)

After passage of the ordinance, Councilman Johnson motioned, seconded by Councilman Coleman, to adopt the emergency clause. All voted aye.

A motion was made by Councilman Mitch Johnson, seconded by Councilman John Street, that this matter be Passed . The motion PASSED with the following vote:

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

Enactment No: O-EN-042-2013

ORD-13:045 AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 LUO FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF EAST JOHNSON AVENUE AND GREENWAY LANE AS REQUESTED BY WILLIAM RUPARD, JAMES R. RUPARD AND JAMES M. RUPARD

Attachments: [Plat](#)
 [MAPC Report](#)

A motion was made by Councilman Chris Moore, seconded by Councilman John Street, that this matter be Passed . The motion PASSED with the following vote:

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: O-EN-043-2013

ORD-13:046

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C3 LUO FOR PROPERTY LOCATED AT 5508 AND 5512 EAST JOHNSON AS REQUESTED BY GLENN BRIDGER AND PHIL BRIDGER

Attachments: [Plat](#)
 [MAPC Report](#)

A motion was made by Councilman John Street, seconded by Councilman Gene Vance, that this matter be Passed . The motion PASSED with the following vote:

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: O-EN-044-2013

ORD-13:048

AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 FOR PROPERTY LOCATED AT THOMAS GREEN ROAD BETWEEN CHURCH AND DANLEE DRIVE AS REQUESTED BY CHRIS BURNETT

Attachments: [MAPC Report](#)
 [Plat](#)
 [Appeal Letter](#)

Mr. Garry Tate spoke in opposition to the rezoning. He noted that Mr. Burnett has referenced problems with keeping the grass mowed due to water that runs on the property. Mr. Tate explained the previous owner did not have a problem keeping it mowed. He asked for the Council's support to deny the rezoning.

Mr. Tom Barnes, 210 E. Thomas Green, also spoke in opposition to the rezoning. He stated that since this rezoning has come up, there has been an improvement in the property. He lives next door and has noticed old cars have been moved. He explained he does not see where the rezoning would be the best for the neighborhood. He appreciates the improvement in the property, but noted it has only happened since the rezoning was proposed.

Mr. Chris Burnett discussed the rezoning. He explained there has been a lot of complaints about grass, etc. He stated the old vehicles were his son's and they have been removed and will not return. His Peterbilt truck has also been removed and is in storage. He spent some time with Lt. Todd Nelson from Code Enforcement concerning the complaints against his property. According to Lt. Nelson, there are 10 complaints with 8 being before Mr. Burnett owned the property. The other 2

complaints were this year regarding tires, which has been taken care of.

Mr. Randy Ishmael spoke in opposition to the rezoning. He explained he hopes the City will continue orderly growth for the City. He further explained Highway 141 is an entryway into the City and it could be a nice entryway.

It was also noted by a citizen that the reason there are only two complaints against the property is because when Code Enforcement was put under the Police Department a new software package was used. Only two complaints have been logged in that new software. When he asked for a report of complaints from the old software, there were numerous complaints over the past four and half to five years.

Councilman Moore asked Mr. Tate how many citizens he is speaking for that are in opposition to the rezoning. Mr. Tate answered 30 to 40.

Councilman Dover questioned what the surrounding properties are zoned. City Planner Otis Spriggs explained most of the area is zoned residential, but there are some scattered C-3 general commercial zonings just south of this property. He noted the MAPC denied the rezoning and this was presented to the Council as an appeal.

A motion was made by Councilman Chris Moore, seconded by Councilman Mikel Fears, that this matter be Passed . The motion FAILED with the following vote:

Nay: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

Enactment No:

8. MAYOR'S REPORTS

Mayor Perrin reported on the following items:

They received the deed for the Army Reserve Center. They already have drawings for the building and will start working this week.

In the Democrat Gazette today, there is an interview with Jonesboro's traffic engineer Mark Nichols concerning trains blocking intersections. Due to the article, they received a call from the Railroad Administration. They would like to meet with the City to come up with a resolution to the problem.

Attorney General Dustin McDaniel is having a meeting concerning FOI. It will be held on September 5th at the Convocation Center. The meeting is free. You can go online to register. Attorneys will get continuing education credit for attending.

9. CITY COUNCIL REPORTS

Councilman Woods stated on Thursday he will be traveling to Washington, DC to attend training on Arkansas Out of School Alliance programs. They will be advocating for after school programs in the region.

Councilman McCall suggested that when the Railroad Administration visits the City, to take them on a tour of the City that includes the tracks near the airport.

Councilman Fears thanked Mr. Nichols for his work with the traffic on the first day of school near Nettleton.

Councilman Moore asked if it was possible for the City to provide the press with a way to plug into the system to get the audio from the meeting without having to move their equipment. Mayor Perrin stated they will look into it.

10. PUBLIC COMMENTS

Mr. Dwight Farmer, 2026 Pleasant Grove Road, referred to the property on Johnson where a rezoning was approved earlier in the meeting. He asked if there was a plan for a roadway through the property. Mr. Spriggs explained Mr. Farmer is concerned about Greenway Lane where a rezoning was approved earlier. His concern is providing connectivity to the north of the site along Johnson. He explained to Mr. Farmer that staff is working to provide an east/west connection, which will give them the opportunity to extend to the north where Mr. Farmer's property fronts Pleasant Grove. Mr. Spriggs explained Mr. Farmer had questioned whether the City will be paving Greenway Lane. Mr. Spriggs answered no, because Greenway Lane is a private drive, so the City does not have the ability to pave the road. Mr. Farmer then questioned whether there is anything that will require the developers to put in a road to the adjoining property. Councilman Vance explained that would be covered by the MAPC through site plans and development plans at an MAPC meeting.

11. ADJOURNMENT

A motion was made by Councilman Chris Moore, seconded by Councilman Mitch Johnson, that this meeting be Adjourned . The motion PASSED with the following vote:

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

_____ **Date:** _____

Harold Perrin, Mayor

Attest:

_____ **Date:** _____

Donna Jackson, City Clerk



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Legislation Details (With Text)

File #: MIN-13:081 **Version:** 1 **Name:**
Type: Minutes **Status:** To Be Introduced
File created: 9/12/2013 **In control:** City Council
On agenda: **Final action:**
Title: Minutes for the special called City Council meeting on September 11, 2013
Sponsors:
Indexes:
Code sections:
Attachments: [Minutes](#)

Date	Ver.	Action By	Action	Result
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Minutes for the special called City Council meeting on September 11, 2013



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Wednesday, September 11, 2013

5:15 PM

Municipal Center

Special Called Meeting

1. CALL TO ORDER BY MAYOR PERRIN AT 5:15 P.M.

2. ROLL CALL BY CITY CLERK DONNA JACKSON

Present 8 - Darrel Dover; Ann Williams; Charles Frierson; John Street; Tim McCall; Chris Gibson; Rennell Woods and Charles Coleman

Absent 4 - Chris Moore; Mitch Johnson; Gene Vance and Mikel Fears

3. NEW BUSINESS

RES-13:154

RESOLUTION AUTHORIZING THE JONESBORO MUNICIPAL AIRPORT TO RECEIVE FEDERAL GRANT FUNDS FROM THE FEDERAL AVIATION ADMINISTRATION TO EXECUTE AIR IMPROVEMENT GRANT PROJECT 3-05-0033-019-2013 AS OUTLINED IN THE GRANT AGREEMENT

Sponsors: Grants

Attachments: [Cover Letter](#)
[Original Contract](#)
[Sponsor Copy Contract](#)

A motion was made by Councilman John Street, seconded by Councilman Charles Coleman, that this matter be Passed . The motion PASSED with the following vote:

Aye: 8 - Darrel Dover; Ann Williams; Charles Frierson; John Street; Tim McCall; Chris Gibson; Rennell Woods and Charles Coleman

Absent: 4 - Chris Moore; Mitch Johnson; Gene Vance and Mikel Fears

Enactment No: R-EN-138-2013

4. PUBLIC COMMENTS

5. ADJOURNMENT

A motion was made by Councilman John Street, seconded by Councilman Charles Coleman, that this meeting be Adjourned . The motion PASSED with the following vote:

Aye: 8 - Darrel Dover; Ann Williams; Charles Frierson; John Street; Tim McCall; Chris Gibson; Rennell Woods and Charles Coleman

Absent: 4 - Chris Moore; Mitch Johnson; Gene Vance and Mikel Fears

_____ **Date:** _____

Harold Perrin, Mayor

Attest:

_____ **Date:** _____

Donna Jackson, City Clerk



Legislation Details (With Text)

File #: RES-13:127 **Version:** 1 **Name:** Maintenance agreement for Hill Park Addition
Type: Resolution **Status:** Recommended to Council
File created: 7/31/2013 **In control:** Public Works Council Committee
On agenda: **Final action:**
Title: A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR HILL PARK ADDITION PHASE 1 & 2, A COMMERCIAL DEVELOPMENT
Sponsors: Engineering
Indexes: Contract
Code sections:
Attachments: [Maintenance Agreement.pdf](#)
[Hill Park Addition - Phase 1 2](#)

Date	Ver.	Action By	Action	Result
9/3/2013	1	Public Works Council Committee		

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR HILL PARK ADDITION PHASE 1 & 2, A COMMERCIAL DEVELOPMENT WHEREAS, the Section 112-157 of the Jonesboro Municipal code requires a maintenance agreement assuring perpetual maintenance of Stormwater Management Improvements and drainage easements to be dedicated to the City be agreed upon by the City and the developer prior to final plat approval;

WHEREAS, Scott Hill has submitted a Maintenance Agreement for Stormwater Management Facilities for Hill Park Addition Phase 1 & 2 development;

WHEREAS, the City Engineer and City Attorney have reviewed the attached Maintenance Agreement and find it to be in compliance with the Stormwater Management Regulations.

WHEREAS, the Maintenance Agreement and the final plat are to be filed concurrently with the Craighead County Circuit Clerk, upon final approval of the plat.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

Section 1: The City of Jonesboro accepts the attached maintenance agreement with Scott Hill for Hill Park Addition Phase 1 & 2 and authorizes the Mayor and City Clerk to execute all documents necessary to effectuate the agreement.

Section 2: The executed agreement is to be retained by the City Clerk until such time as the Clerk is provided with the approved final plat of the development by the Planning Department so that both documents can be filed concurrently with the Craighead County Circuit Clerk.

**MAINTENANCE AGREEMENT
FOR STORMWATER MANAGEMENT FACILITIES**

Property Identification

Project Name: Hill Park Addition Phase 1 & 2
Project Address: 2301 Browns Lane
Owner(s): Scott Hill
Owner Address: 319 Wilkins Avenue
City: Jonesboro State: AR Zip Code: 72401

In accordance with Section 112-157 of the Jonesboro Municipal Code, this agreement is made and entered into this ___ day of _____, 20___, by and between the City of Jonesboro, an Arkansas municipal corporation, hereinafter called the "City" and Scott Hill, hereinafter called the "Developer".

WITNESSTH, that:

WHEREAS, The Developer is proceeding to build on and develop the property in accordance with the Stormwater Management Plan (the "Plan") approved by the City and the recorded plat (the "Plat") for Hill Park Addition Phase 1 & 2 as recorded in the records of Craighead County, Arkansas.

WHEREAS, the City and the Developer, its successors and assigns, including any property owners' association or homeowners' association, agree that the health, safety, and welfare of the residents of the City of Jonesboro, Arkansas require that on-site stormwater runoff management facilities be constructed and maintained on the property.

WHEREAS, the City requires that on-site stormwater runoff management facilities as shown on the plan be constructed and adequately maintained by the Developer, its successors and assigns, including any homeowner association.

WHEREAS, adequate maintenance is defined herein as the general upkeep of the facilities, specifically the mowing and trimming of grasses or other vegetative cover and the removal of litter and other minor debris that could impact the functionality of the facility or that would otherwise be considered unsightly or a nuisance.

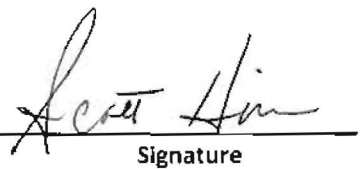
WHEREAS, the City of Jonesboro shall be responsible, after construction and final acceptance of the development, for the operation and long-term maintenance of all drainage structures and improved watercourses which are part of the City of Jonesboro Stormwater Management System, are within a dedicated public drainage easement; and, which are not constructed and maintained by or under the jurisdiction of any State or Federal agency.

WHEREAS, Long-term maintenance is defined herein as the removal of sediment deposits, re-grading or shaping of embankments, drainage channels, and detention areas, and the repair or replacement of piping networks, and other underground drainage structures.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties agree as follows:

1. The on-site stormwater runoff management facilities shall be constructed by the Developer, its successors and assigns, in accordance with the plans and specifications identified in the Plan.

2. The Developer, its successors and assigns, including any property owners' association or homeowners' association, shall adequately maintain the on-site stormwater runoff management facilities.
3. The Developer, its successors and assigns, hereby grant permission to the City, its authorized agents and employees, to enter upon the Property to inspect and perform long-term maintenance of the on-site stormwater runoff management facilities whenever the City deems necessary.
4. In the event the Developer, its successors and assigns, fails to adequately maintain the stormwater runoff management facilities, the City may enter upon the Property upon thirty (30) days written notification or earlier, if deemed an emergency, and take whatever steps necessary to correct the deficiencies and charge the costs of such corrective action to the Developer, its successors and assigns. The Developer, its successors and assigns, shall reimburse the City upon demand, within thirty (30) days of receipt thereof for all actual costs incurred by the City including all labor, equipment, supplies, materials, and the like. This provision shall not be construed to allow the City to erect any structure of permanent nature on the land of the Developer outside of the easement for the on-site stormwater runoff management facilities. It is expressly understood and agreed that the City is under no obligation to routinely maintain or repair said facilities, and in no event shall this agreement be construed to impose any such obligation on the City.
5. This agreement shall be recorded among the land records of Craighead County, Arkansas and shall constitute a covenant running with the land, and shall be binding on the Developer, its administrators, executors, assigns, heirs and any other successors in interests, including any property owners' association or homeowners' association.
6. This Agreement is binding upon and inures to the benefit of the City, and the Developer, the Developer's successors and assigns, any property owners' association or homeowners' association created which pertains to all or any part of the property and any individual lot owner who has purchased all or any part of the property referred to in this Agreement. The terms of this Agreement are enforceable on all of the above parties.
7. In the event any party to this Maintenance Agreement must employ a lawyer to enforce the terms and obligations set out in this Agreement and litigation ensue, the prevailing party, as determined under Arkansas Law, shall be entitled to recover not only court costs as defined under Arkansas Law but all costs of litigation, including a reasonable attorney's fee.
8. This Agreement is the complete agreement and understanding between the parties who have executed this Agreement. There are no other agreements, either oral or written. All prior or contemporaneous statements, representations, or guarantees are declared void. This Agreement may be amended only by a written document signed by all parties.

Owner/Agent:	<u>Scott Hill</u> Printed Name	 Signature	<u>7-31-13</u> Date
Owner/Agent:	_____ Printed Name	_____ Signature	_____ Date

STATE OF ARKANSAS
 COUNTY OF CRAIGHEAD

On this day before me, the undersigned officer, personally appeared Scott Hill, to me well known to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he had executed the same for the purposes therein stated and set forth.

WITNESS my hand and seal this 31st day of July 2013.

Jeanine Bare
Notary Public (Printed Name)

Jeanine Bare
Notary Public (Signature)



My Commission Expires: 11/2/14

Accepted by:

Mayor

Date

City Clerk

Date



TYLER K. WILSON - SURVEYOR
ARKANSAS - P.S. 1757



Haywood, Kenward, Bare,
and Associates, Inc.
Arkansas - 234

CLIENT:
SCOTT HILL

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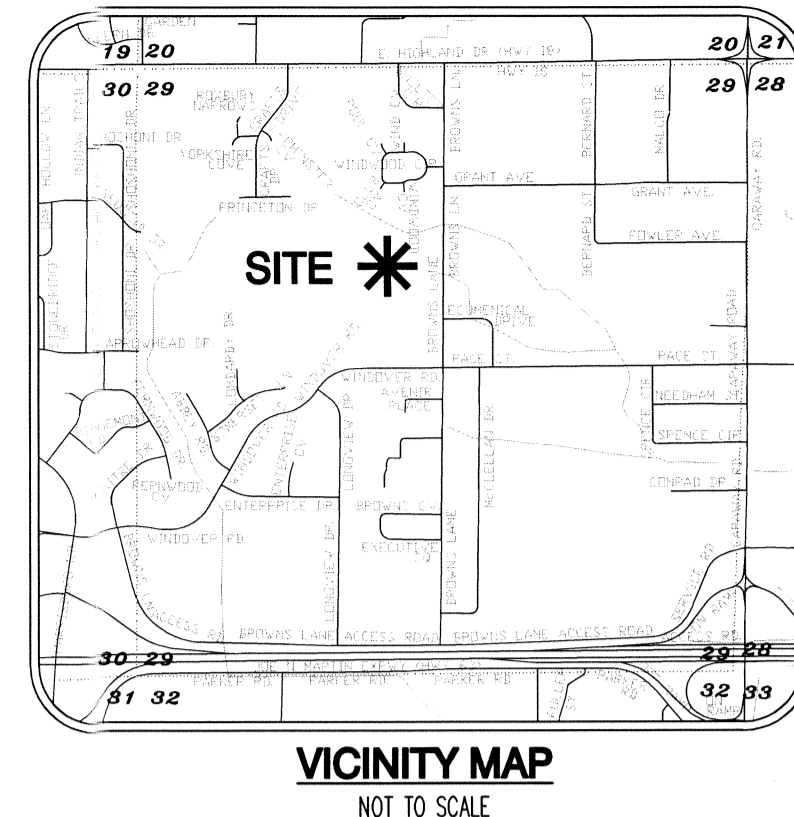
REVISIONS

DATE BY DESCRIPTION

PROJECT NO.
H027-0008-02-Phases 1 & 2

DRAWN BY: JUN
CHECKED BY: TKW

SHEET: 1 OF 1
SCALE: 1"=60'
DATE: 07/23/13
DRAWING NO.: 20-52



POINT OF BEGINNING
SE COR. NE 1/4 NW 1/4
SECTION 29, T14N, R4E
(FND PK NAIL)

CURVE TABLE:

NUMBER	DELTA ANGLE	CHORD DIRECTION	RADIUS	ARC LENGTH	CHORD LENGTH
C1	08°43'37"	N04°39'48"E	483.40'	73.63'	73.56'

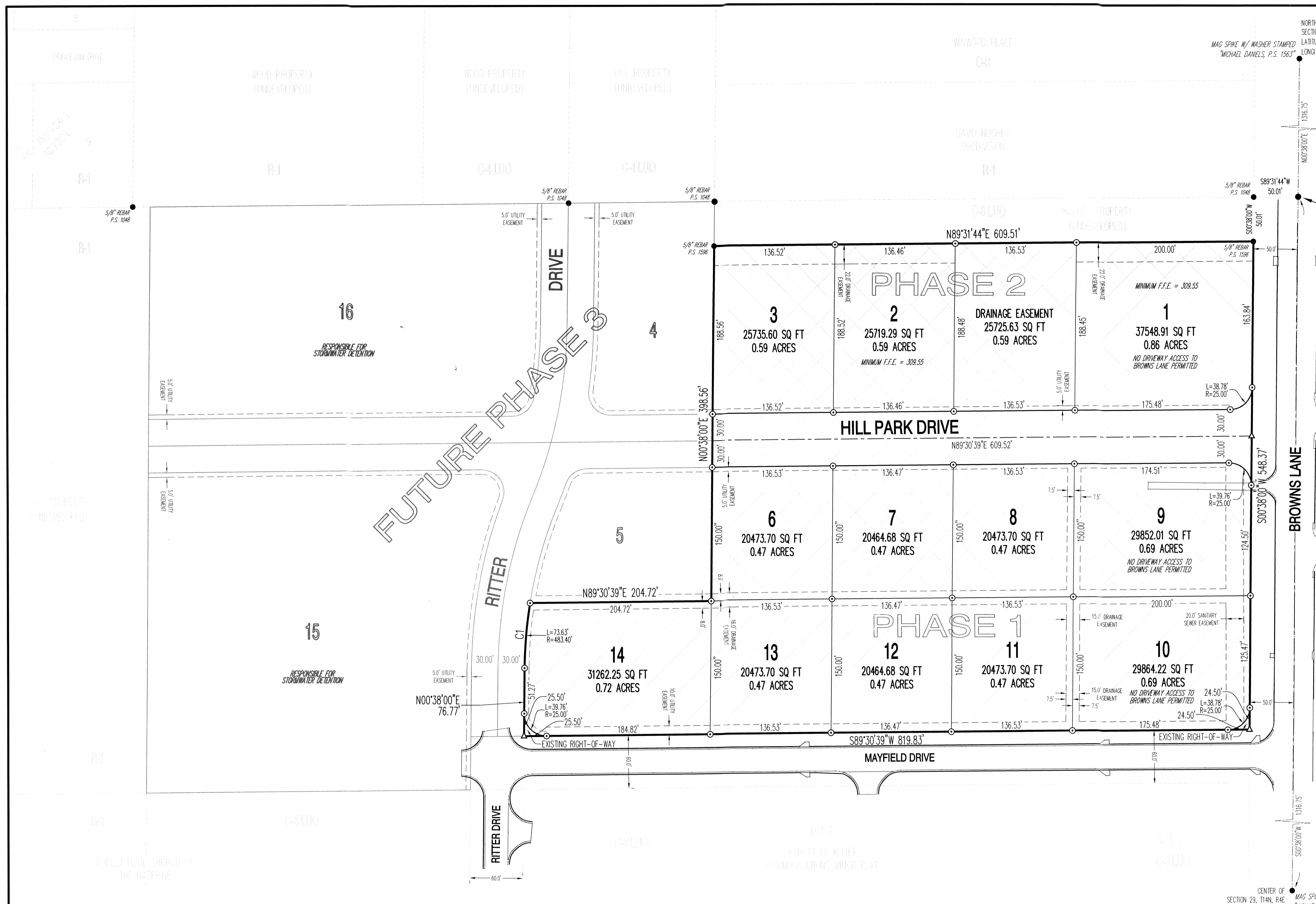
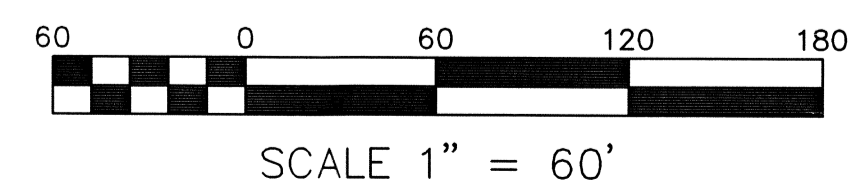
SURVEYOR'S NOTES:

- SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD OR ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.
- BASIS OF BEARING: GRID NORTH, ARKANSAS STATE PLANE COORDINATES, NORTH ZONE (0301).
- THE FOLLOWING DOCUMENTS WERE USED IN THE CONSTRUCTION OF THIS SURVEY:
 - ALTA / ACSM SURVEY BY TERRY G. BARE, P.S. 1048, DATED 6/23/03, HKB FILE 59-18.
 - REZONING PLAT, BY JASON H. BRANCH P.S. 1596, FILED IN HKB FILE B-151, DATED FEBRUARY 15, 2008.
 - REPLAT OF RITTER COMMUNICATIONS MINOR PLAT, BY DANNY BURKS, P.S. 1590, FILED IN BOOK C, PAGE 213, DATED MARCH 23, 2011.
 - RIGHT OF WAY SURVEY FOR FOREST HOME CHURCH OF THE NAZARENE, BY GEORGE HAMMAN, P.S. 1273, FILED IN BOOK C, PAGE 213, DATED MARCH 23, 2011.
 - DAVID HUGHES SUBDIVISION, RECORDED IN BOOK A, PAGE 175, DATED MARCH 19, 1985.
 - PLAT OF SURVEY, BY JASON H. BRANCH, P.S. 1596, FILED IN HKB FILE B-197, DATED FEB. 07, 2011.
- SUBJECT PROPERTY LIES OUTSIDE THE SPECIAL FLOOD ZONE A, AS SHOWN ON F.E.M.A. FLOOD INSURANCE RATE MAP 0503010130C, DATED SEPTEMBER 27, 1991, REVISED SEPTEMBER 10, 1999.
- SUBJECT PROPERTY IS ZONED C-3 LUO, (GENERAL COMMERCIAL DISTRICT, LIMITED USE OVERLAY).
- C-3 BUILDING SETBACK REQUIREMENTS:
 - STREET SETBACK 25'
 - REAR SETBACK 20'
 - SIDE SETBACK 10'
- THE RECORDING OF THIS SURVEYOR'S FINAL PLAT DOES NOT GUARANTEE COMPLIANCE TO ORDINANCE 1145. SALE OF LOTS MUST SATISFY THE REQUIREMENTS OF THE CITY OF JONESBORO ORDINANCE NO. 1145, ADOPTED AS 15.16.03, REQUIRING A CORPORATE SURETY BOND FOR IMPROVEMENTS IN SUBDIVISION DEVELOPMENTS OTHERWISE, NO BUILDING PERMIT SHALL BE ISSUED BY THE CITY OF JONESBORO ON SAID LOTS.

LEGEND:

- FOUND MONUMENT (AS NOTED)
- SET 5/8" REBAR W/ RED PLASTIC CAP STAMPED "T. WILSON P.S. 1757"
- △ COMPUTED POINT (NOT MONUMENTED)

City of Jonesboro
DATE: 07/23/13
FILE # 2013-44
PLANNING DEPT
ENGINEERING DEPT



CERTIFICATE OF SURVEY:

THIS IS TO CERTIFY THAT HAYWOOD, KENWARD, BARE AND ASSOCIATES INC., PROFESSIONAL LAND SURVEYORS HAVE SURVEYED THE FOLLOWING DESCRIBED PARCEL OF LAND:

A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 14 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 14 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS: THENCE SOUTH 89°31'44" WEST 50.01 FEET TO THE WEST RIGHT OF WAY LINE OF BROWN'S LANE; THENCE SOUTH 00°38'00" WEST, ALONG SAID RIGHT OF WAY LINE, 50.01 FEET, TO THE POINT OF BEGINNING PROPER; THENCE CONTINUE SOUTH 00°38'00" WEST, ALONG SAID RIGHT OF WAY LINE, 548.37 FEET, TO A POINT INTERSECTING THE NORTH RIGHT OF WAY LINE OF RITTER DRIVE; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING COURSES AND DISTANCES: NORTH 00°38'00" EAST, 76.77 FEET, TO A POINT ON A CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG SAID CURVE WITH A CENTRAL ANGLE OF 08°43'37", A RADIUS OF 483.40 FEET, 73.63 FEET TO A POINT THAT BEARS NORTH 04°59'48" EAST FROM THE LAST SAID POINT; THENCE NORTH 89°30'39" EAST, LEAVING SAID EAST RIGHT OF WAY LINE, 204.72 FEET; THENCE NORTH 00°38'00" EAST, 398.56 FEET; THENCE NORTH 89°31'44" EAST, 609.51 FEET THE POINT OF BEGINNING PROPER, CONTAINING 8.39 ACRES, MORE OR LESS, SUBJECT TO ALL RIGHTS OF WAY AND EASEMENTS OF RECORD.

DEDICATION OF PLAT:

WE BEING THE OWNERS/AGENTS OF THE ABOVE DESCRIBED PARCEL OF LAND, DO HEREBY PLAT AND LAYOUT SAME INTO A SUBDIVISION COMPOSED OF LOTS AND STREETS AS SHOWN ON THE PLAT HEREON.

SAID PLAT SHALL HERE-IN-AFTER BE DESIGNATED AND REFERRED TO AS:

**HILL PARK ADDITION
PHASES 1 AND 2**

TO THE CITY OF JONESBORO, CRAIGHEAD COUNTY, ARKANSAS.

AND SAID OWNERS/AGENTS DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER, ALL THE STREETS OF WIDTH, LENGTH AND LOCATION AS SHOWN ON THE PLAT HEREON, FOR THE PURPOSE OF INGRESS/EGRESS AND UTILITY CONSTRUCTION AND MAINTENANCE, AND SAID OWNERS/AGENTS DO HEREBY DEDICATE ALL EASEMENTS TO THE PUBLIC USE FOR THE EXPRESS PURPOSE AS SHOWN ON THE PLAT HEREON. SAID DRAINAGE AND UTILITY EASEMENTS SHALL NOT BE USED FOR INGRESS/EGRESS BY THE PUBLIC.

SIGNED THIS 23rd DAY OF JULY 2013

BY NAME: SCOTT HILL SIGNATURE: [Signature]
TITLE: OWNER-REPRESENTATIVE



Legislation Details (With Text)

File #: RES-13:130 **Version:** 1 **Name:** Repeal RES-10:161 and reinstatin state code procedure
Type: Resolution **Status:** Recommended to Council
File created: 8/8/2013 **In control:** Public Works Council Committee
On agenda: **Final action:**
Title: RESOLUTION BY THE CITY COUNCIL REPEALING RESOLUTION NO. 10:161, REINSTATING THE PROCEDURE FOR ABANDONMENT SET OUT IN STATE CODE.
Sponsors:
Indexes: Policy - creation/amendment
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
9/3/2013	1	Public Works Council Committee		

RESOLUTION BY THE CITY COUNCIL REPEALING RESOLUTION NO. 10:161, REINSTATING THE PROCEDURE FOR ABANDONMENT SET OUT IN STATE CODE.

WHEREAS, the City Council of the City of Jonesboro previously adopted Resolution 10:161, setting out a procedure for abandonments and;

WHEREAS, the City Council desires to repeal that Resolution and reinstate the process as governed by State law.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Jonesboro that Resolution 10:161 is hereby repealed.



Legislation Details (With Text)

File #:	RES-13:134	Version:	1	Name:	Grant funding for sidewalk connection from HDC to Miracle League Field
Type:	Resolution	Status:			Recommended to Council
File created:	8/19/2013	In control:			Public Works Council Committee
On agenda:		Final action:			
Title:	RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO ACCEPT A SIDEWALK CONNECTION FROM THE JONESBORO HUMAN DEVELOPMENT CENTER'S TRACK TO THE MIRACLE LEAGUE COMPLEX				
Sponsors:	Mayor's Office				
Indexes:	Grant				
Code sections:					
Attachments:	Engineering letter (HKB) Miracle League				

Date	Ver.	Action By	Action	Result
9/3/2013	1	Public Works Council Committee		

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO ACCEPT A SIDEWALK CONNECTION FROM THE JONESBORO HUMAN DEVELOPMENT CENTER'S TRACK TO THE MIRACLE LEAGUE COMPLEX

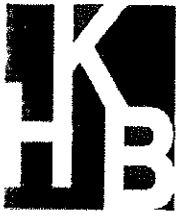
WHEREAS, the City of Jonesboro, Arkansas recognizes the need to provide public recreation facilities for its' local citizens and visitors; and

WHEREAS, the Jonesboro Human Development Center wishes to apply for Trails for Life grant funds through the Arkansas Department of Parks and Tourism to develop a Health and Fitness project at the following park or location: 4701 Colony Drive Jonesboro, Arkansas 72404; and

WHEREAS, the Mayor and the City Council understands that if granted funds for park development, they must provide land, by lease or ownership, to develop the facilities on; and

WHEREAS, the City of Jonesboro, Arkansas will sign a contract agreeing to provide the necessary resources to maintain this park and facilities for a period of 15 years;

NOW, THEREFORE, BE IT RESOLVED the City Council of Jonesboro, Arkansas hereby authorizes the Mayor to submit an application for grant funding to the Arkansas Department of Parks and Tourism.



Haywood, Kenward, Bare & Associates, Inc.
Civil Engineering | Land Surveying | Planning | GIS

June 5, 2013

Steve Farmer
Jonesboro Human Development Center
4701 Colony Drive
Jonesboro, AR 72404

RE: Sidewalk Connection - Miracle League

Mr. Farmer,

Haywood, Kenward, Bare and Associates, Inc. (**HKB**) is providing civil engineering & surveying services for the Miracle League project. A sidewalk is planned to connect the Miracle League complex to Jonesboro Human Development Center's track. The 8' wide and 487' length concrete sidewalk connection will be approximately 3,900 sq. ft.

HKB is not aware of any major obstructions that would delay the sidewalk design and installation. The sidewalk will be designed not to hinder drainage in the immediate area. Also, applicable Americans with Disabilities Act (ADA) design guidelines will be adhered to for ensuring accessibility. Please refer to the attached Preliminary Grading Plan for illustration of the existing site conditions and the sidewalk/grading along the Miracle League's north boundary.

If you have any questions about the sidewalk or would like to discuss the project, please do not hesitate to call.

Respectfully,

Jeremy Bevill, PE, CFM
Civil Engineer



Legislation Details (With Text)

File #: RES-13:136 **Version:** 1 **Name:** Free utilities at 1618 Strawfloor
Type: Resolution **Status:** Recommended to Council
File created: 8/20/2013 **In control:** Public Works Council Committee
On agenda: **Final action:**
Title: A RESOLUTION REQUESTING FREE UTILITIES AT 1618 STRAWFLOOR DRIVE FOR THE CITY OF JONESBORO
Sponsors: Engineering
Indexes: Utility service from CWL
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
9/3/2013	1	Public Works Council Committee		

A RESOLUTION REQUESTING FREE UTILITIES AT 1618 STRAWFLOOR DRIVE FOR THE CITY OF JONESBORO

WHEREAS, the City of Jonesboro is requesting the City Water and Light Plant of Jonesboro provide free utilities at the following locations:

1618 Strawfloor Drive (Strawfloor Road Tower)

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

Section 1: That City Water and Light Plant of Jonesboro be requested by this resolution to provide free utilities to the location listed above.

Section 2. To permit such services to be provided without charge. The City of Jonesboro hereby affirms to City Water and Light that the ultimate use of CWL utilities so provided is now and shall remain a use or purpose which the City is engaged in as part of its governmental or proprietary functions under authority to it by state law.



Legislation Details (With Text)

File #: RES-13:151 **Version:** 1 **Name:** Free utilities for 207 Cate Avenue
Type: Resolution **Status:** Recommended to Council
File created: 8/22/2013 **In control:** Public Works Council Committee
On agenda: **Final action:**
Title: A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS, REQUESTING FREE UTILITIES AT 207 CATE AVENUE FOR THE CITY OF JONESBORO
Sponsors: Mayor's Office
Indexes: Utility service from CWL
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
9/3/2013	1	Public Works Council Committee		

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS, REQUESTING FREE UTILITIES AT 207 CATE AVENUE FOR THE CITY OF JONESBORO

WHEREAS, the City of Jonesboro is requesting the City Water and Light Plant of Jonesboro provide free utilities to city-owned improvements at the following locations:

207 Cate Avenue

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS, THAT:

Section 1: That City Water and Light Plant of Jonesboro be requested by this resolution to provide free utilities to the location listed above.

Section 2: To permit such service to be provided without charge, the City of Jonesboro hereby affirms to City Water and Light that the ultimate use of CWL utilities so provided is now and shall remain a use of purpose which the City is engaged in as part of its governmental or proprietary functions under authority to it by state law.



Legislation Details (With Text)

File #: ORD-13:055 **Version:** 1 **Name:** Rezoning by Lowell French & Steve Prestidge
Type: Ordinance **Status:** First Reading
File created: 9/12/2013 **In control:** City Council
On agenda: **Final action:**
Title: AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 LUO FOR PROPERTY LOCATED AT 5710 EAST JOHNSON AVENUE AND 2006 GREENWAY LANE AS REQUESTED BY LOWELL FRENCH AND STEVE PRESTIDGE
Sponsors:
Indexes: Rezoning
Code sections:
Attachments: [MAPC Report](#)
[Plat](#)

Date	Ver.	Action By	Action	Result
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AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES;
BE IT ORDAINED BY THE CITY COUNCIL OF JONESBORO, ARKANSAS:

SECTION 1: CHAPTER 117, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS BE AMENDED AS RECOMMENDED BY THE METROPOLITAN AREA PLANNING COMMISSION BY THE CHANGES IN ZONING CLASSIFICATION AS FOLLOWS:

FROM: Residential, R-1
TO: Commercial, C-3, L.U.O.

THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION:

A part of the West 125 feet of the East 229.35 feet of the South 417.4 feet of the Southeast quarter of the Southeast quarter of Section 2, Township 14 North, Range 4 East, subject to the right of way of Arkansas State Highway 49 off the South side thereof, Craighead County, Arkansas, being more particularly described as follows:

Commencing at the Northeast corner of the Southeast quarter of the Southeast quarter of Section 2 as aforesaid: Thence South 00°37'22" West, along the East line of Section 2, 899.72 feet: Thence South 89°27'22" West, 105.00 feet: Thence North 00°37'04" East, 21.75 feet to the POINT OF BEGINNING: Thence North 87°07'39" West 125.04 feet: Thence South 00°37'04" West, 363.87 feet, to the Northerly right of way of Arkansas State Highway 49: Thence North 89°09'04" East, along said right of way, 125.00 feet: Thence North 68°49'18" West, 53.09 feet: Thence South 62°40'20" West, 55.88 feet: Thence North 00°37'04" East, 355.72 feet to the POINT OF BEGINNING.

Containing in all 44,967 Sq. Ft. or 1.03 Acres +/-, subject to easements, restrictions, reservations and rights-of-way of record.

SECTION 2: THE REZONING OF THIS PROPERTY SHALL ADHERE TO THE FOLLOWING STIPULATIONS:

1. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC prior to any development of the property.
3. Coordination is required of all egress/ingress with the State Highway Dept., City Engineering Dept. and the Planning Dept.
4. The setback, building height, screening, and site design standards are required per “Sec. 117-328. - Residential Compatibility Standards”.
5. Prohibited uses shall include: Adult Entertainment and Off-Premises Advertisement.



City of Jonesboro City Council
Staff Report – RZ 13-16: Rezoning – 5710 E. Johnson Ave. & Greenway Lane
Municipal Center – 300 S. Church
For Consideration by the Commission on September 17, 2013

- REQUEST:** MAPC rezoning approval for a parcel of land currently zoned R-1 Single Family Medium Density to a proposed C-3 General Commercial District, L.U.O.
- LOCATION:** 5710 East Johnson Ave. and 2006 Greenway Lane at northeast corner of the East Johnson Ave. and Greenway Lane intersection.
- APPLICANT:** Haag Brown Commercial Real Estate, 2915 Browns Ln., Jonesboro, AR
- OWNER:** Lowell French and Steve Prestidge, 2006 Greenway Lane, Jonesboro, AR
- PURPOSE:** Applicant states that “The property is adjoining a large future commercial development and has commercial zoning on both sides”.
- HISTORY:** The property is two parcels that have been used for two residences.
- SITE DESCRIPTION:** **Tract Size:** Approximately 1.03 acres/44,967 sq. ft.
Frontage: Approximately 125 ft. along East Johnson Ave. and 363.87 ft. along Greenway Lane.

SURROUNDING ZONING, PRESENT LAND USE, & FUTURE LAND USE:

	<u>ZONING & PRESENT LAND USE</u>	<u>FUTURE LAND USE</u>
Subject Property:	R-1 Single Family Medium Density Two Residences	Single Family Low Density
North of Property:	R-1 Single Family Medium Density Residence	Single Family Low Density
East of Property:	C-3 Limited Use Overlay District Two Residences	Single Family Low Density
West of Property:	C-3 Limited Use Overlay District Undeveloped Field	Planned Mixed Use Area
Southeast of Property:	R-1 Single Family Medium Density Residence/	Planned Mixed Use Area
Southwest of Property:	C-3 Limited Use Overlay District Undeveloped Field	Planned Mixed Use Area



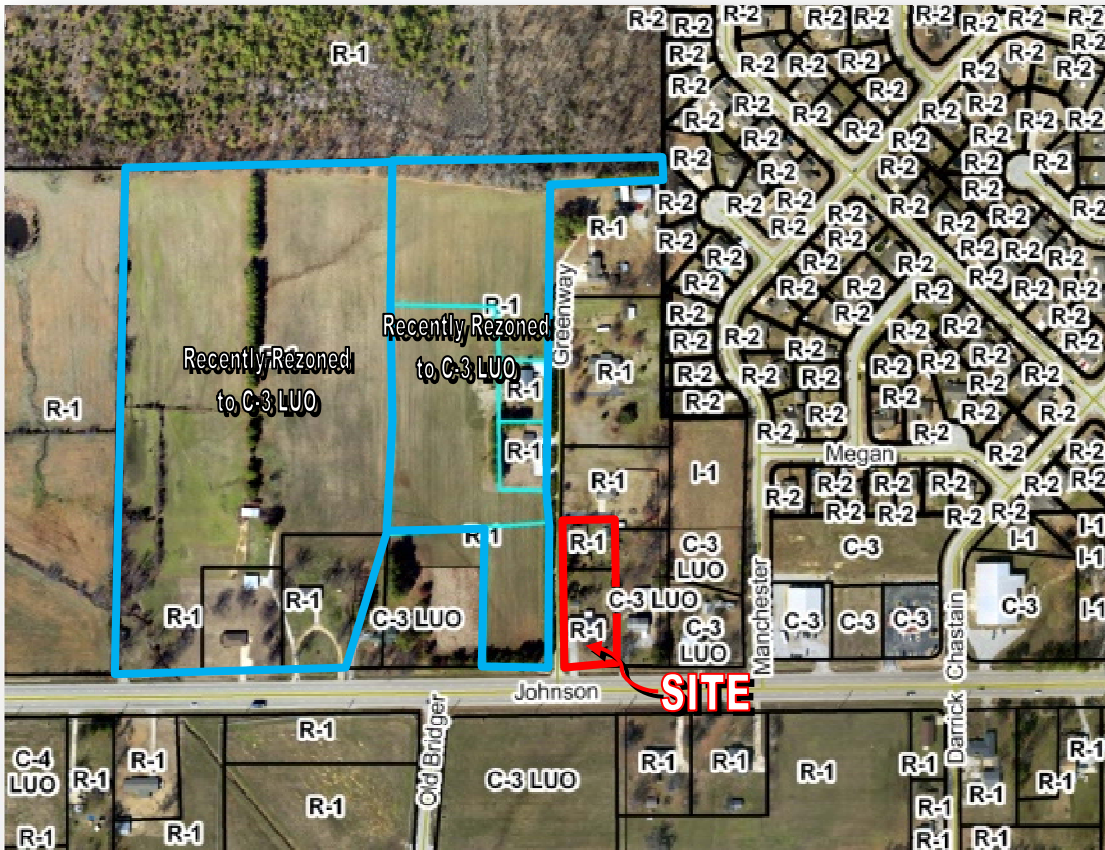
Adopted Future Land Use Plan

Approval Criteria Checklist- Section 117-34- Amendments:

The criteria for approval of a rezoning are set out below. Not all of the criteria must be given equal consideration by the Planning Commission or City Council in reaching a decision. The criteria to be considered shall include, but not be limited to the following list. Staff has reviewed the proposal and offers the following explanations and findings related to the approval criteria.

Criteria	Explanations and Findings
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map	The proposed C-3 General Commercial rezoning is inconsistent with the Future Land Use Plan. The site is planned as Single Family Low Density.
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal is consistent with the purpose.
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	The proposal is substantially compatible. Although the majority of the surrounding property is zoned R-1 or has a current residential use, a transition of the zoning and land use is occurring toward commercial uses along the East Johnson Ave. corridor.
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Poor suitability due to commercial development restrictions associated with the current R-1 zoning. Land is not suitable for Residential living.

(e) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual, odor, noise, light, vibration, hours of use/operation and any restriction to the normal and customary use of the affected property;	The nearby properties are zoned C-3 L.U.O. and R-1. Any potential detrimental effects to nearby property that are not addressed by “Residential Compatibility Standards” or other ordinance could be reduced with additional restrictions and conditions imposed through a L.U.O.
(f) Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant; and	Property has not remained vacant with the current R-1 zoning.
(g) Impact of the proposed development on community facilities and services, including those related to utilities, streets, drainage, parks, open space, fire, police, and emergency medical services	Minimal impact.



Vicinity Zoning Map

Master Street Plan/Transportation

The subject property is served by East Johnson Ave. and Greenway Lane. East Johnson Ave. is classified on the master street plan as a principal arterial which requires a minimum 120 ft. right-of-way (60 ft. to road centerline). The right-of-way dedication shown on the rezoning plat is the required 60 ft. from the road centerline. Greenway Lane is a private drive located within a 29.65 ft. ingress/egress easement.

Other Departmental/Agency Reviews:

Department/Agency	Reports/ Comments	Status
Engineering	Received	Noted no objection. Commented on easements and right of ways.
Streets/Sanitation	Received	Noted no objection
Police	Pending	No comments to date
Fire Department	Received	Noted no objection
MPO	Received	Noted no objection
Jets	Received	Noted no objection
Utility Companies	Received	Noted no objection. Sewer Utilities are pending review.

The applicant has proposed a C-3 General Commercial District rezoning. With the limited information there are a number of uses allowed by C-3 that would bring concern of compatibility such as:

- Adult Entertainment
- Off-Premises Advertisement

The open-ended possible uses may result in community or neighborhood resistance due to the unknown of impacts for property that could remain residential for some time. The only means of addressing these uses, if contingent upon the applicant’s desire to modify the request as a Limited Use Overlay, and by discouraging undesirable uses while giving attention to compatibility on others. Consideration for revising the application to a Limited Use Overlay is advised. Access management and coordination should be a priority during the site plan review stage which should be approved by the MAPC.

MAPC RECORD OF PROCEEDINGS- PUBLIC HEARING HELD SEPT. 10, 2013

Applicant: Mr. Josh Brown of Haag/Brown appeared before the Commission for the rezoning request, to change the property from R-1 to C-3 General Commercial. Mr. Brown made observation of the previous case: The movie theater that adjoins the property, and stated that the success of the cinema project will be contingent upon them gaining sewer access. Mr. Spriggs explained that the sewer line connection would have to be coordinated with CWL, and it is not under any City controls. Mr. Brown explained that there are two homes adjacent to Greenway Lane. He noted that his client/owner of the subject rezoning would like to remain in their home until such time the property is sold and ready for redevelopment.

Mr. Spriggs stated that the Commission may stipulate a sunset clause *that the residents could continue dwelling in the residence for a period of 3 years or until such time the property is sold for redevelopment*. If an extension is needed, the owners may appear before the Commission to request an extension of time. The Commission agreed.

Staff: Mr. Spriggs gave Staff comments noting the surrounding conditions and the adjacency of the two (2) recent rezonings to C-3 L.U.O. that occurred last month to the West and Northwest of the subject site. Mr. Spriggs noted that the Current Land Use Map recommends Single Family for the subject site; however Staff supports a recommendation to Council for consideration of a map revision to address this gap in the plan, as some form of commercial along a major highway/arterial. The Master Street Plan will have to be complied with (E. Johnson is a major arterial). No further comments were made by the Engineering Staff. And no objections were received from the agencies nor departments during the Pre-Development meeting held previously.

Public: No public input or opposition appeared.

Commission Action:

Mr. Scurlock made a motion to place Case: RZ-13-16 on the floor for recommendation by MAPC to the City Council with the noted stipulations and that changing the zoning of this property from R-1 Single Family Medium Density to the proposed C-3, L.U.O., General Commercial District is compatible and suitable with the zoning, uses, and character of the surrounding area. Motion was seconded by Mr. Tomlinson.

Roll Call Vote: 5-0 unanimously.

Ms. Shrantz- Aye; Mr. Dover- Aye, Mr. Tomlinson-Aye, Mr. Scurlock- Aye; Ms. Nix- Aye.
Absent were: Mr. Kelton, Mr. Reece, Mr. Hoelscher (Ms. Nix arrived later). Mr. Lonnie Roberts, Jr., Chair.

Conclusion:

The MAPC and the Planning Department Staff find that the request to rezone the property from “R-1 Single Family Medium Density to a proposed C-3 General Commercial District (LUO- General Commercial)” submitted for Case RZ 13-16 should be evaluated and approved based on the above observations and criteria. The following are included in the requirements that will apply:

1. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC prior to any development of the property.
3. Coordination is required of all egress/ingress with the State Highway Dept., City Engineering Dept. and the Planning Dept.
4. The setback, building height, screening, and site design standards are required per “Sec. 117-328. - Residential Compatibility Standards”.
5. Prohibited uses shall include: Adult Entertainment and Off-Premises Advertisement.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



Residence located on southern portion of site at 5710 East Johnson Ave.



Residence located on northern portion of site at 2006 Greenway Lane.



View of adjacent property located to the west of site. Zoned C-3 LUO.



Residence located north of site at 2010 Greenway Lane. Zoned R-1.



Undeveloped property located southwest of site. Zoned C-3 LUO.



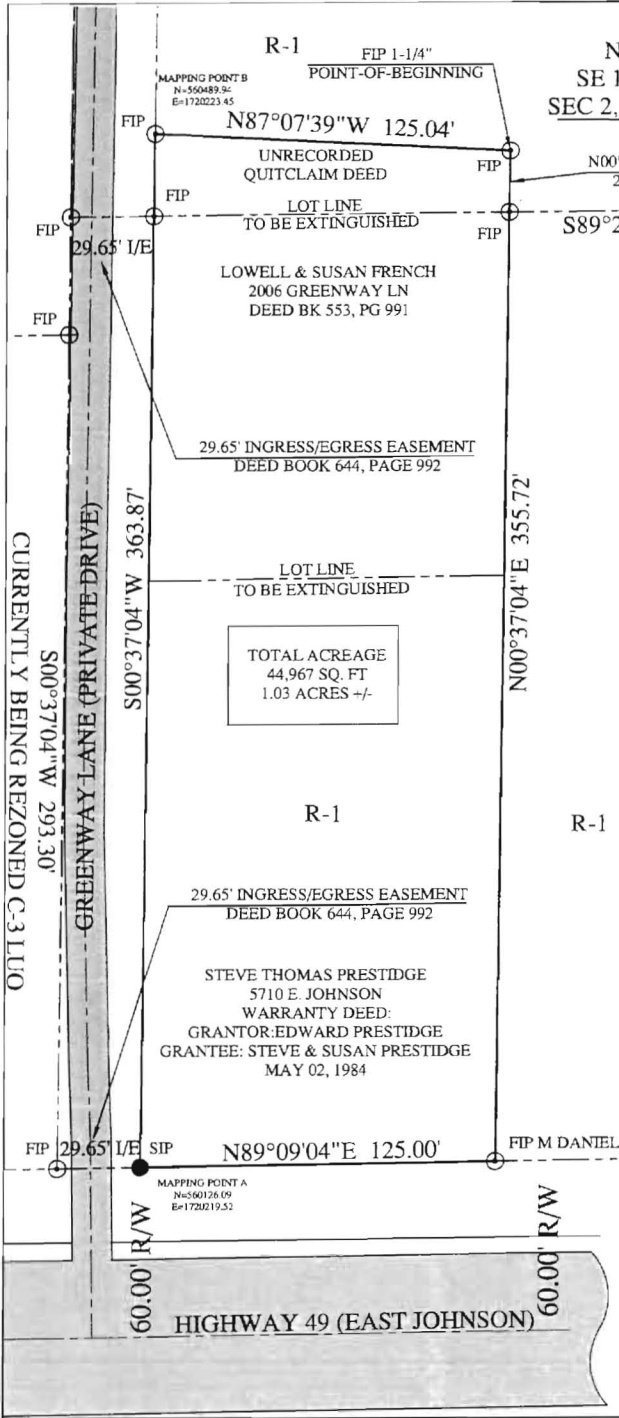
Residence located southeast of site. Zoned R-1.



One of two residences located east of site. Zoned C-3 LUO



One of two residences located east of site. Zoned C-3 LUO



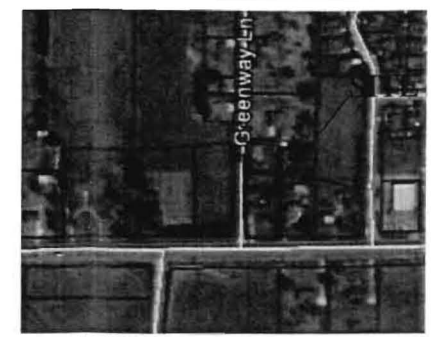
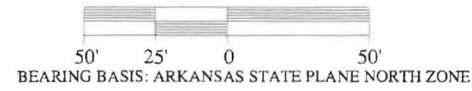
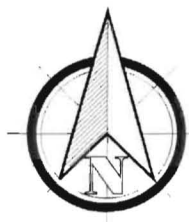
NE CNR,
SE 1/4, SE 1/4,
SEC 2, T-14N, R4-E

POINT-OF-BEGINNING
FIP 1-1/4"
N87°07'39"W 125.04'

POINT-OF-COMMENCEMENT
FIP 1-1/4"
N00°37'04"E 21.75'

S00°37'22"W 899.72'
RECORD (898.90')

S89°27'22"W 105.00'



LEGEND

- = BOUNDARY LINE
- - - - - = ADJACENT LOT LINE
- ⊙ F.I.P. = FOUND MONUMENT AS NOTED
- S.J.P. = SET 1/2" REBAR W/P.S. #1709 CAP
- I/E = 29.65' INGRESS/EGRESS EASEMENT (DB"644", PG"992")

PRESTIDGE'S GREENWAY LANE ADDITION

A PART OF THE WEST 125 FEET OF THE EAST 229.35 FEET OF THE SOUTH 417.4 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 14 NORTH, RANGE 4 EAST, SUBJECT TO THE RIGHT OF WAY OF ARKANSAS STATE HIGHWAY 49 OFF THE SOUTH SIDE THEREOF, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2 AFORESAID: THENCE SOUTH 00°37'22" WEST, ALONG THE EAST LINE OF SECTION 2, 899.72 FEET: THENCE SOUTH 89°27'22" WEST, 105.00 FEET: THENCE NORTH 00°37'04" EAST, 21.75 FEET TO THE POINT OF BEGINNING: THENCE NORTH 87°07'39" WEST 125.04 FEET: THENCE SOUTH 00°37'04" WEST, 363.87 FEET, TO THE NORTHERLY RIGHT OF WAY OF ARKANSAS STATE HIGHWAY 49: THENCE NORTH 89°09'04" EAST, ALONG SAID RIGHT OF WAY, 125.00 FEET: THENCE NORTH 68°49'18" WEST, 53.09 FEET: THENCE SOUTH 62°40'20" WEST, 55.88 FEET: THENCE NORTH 00°37'04" EAST, 355.72 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL 44,967 SQ. FT. OR 1.03 ACRES +/-, SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

OWNERS CERTIFICATION

I HERBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON AND THAT I REQUEST A REZONING FROM:

R-1 TO C-3 LUO

SIGNED THIS _____ DAY OF _____ 2013

NAME: _____ SIGNATURE: _____

TITLE: _____

NAME: _____ SIGNATURE: _____

TITLE: _____

SURVEYOR'S NOTES

- NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS SURVEYOR FOR EASEMENTS, RESTRICTIONS, RESERVATIONS OR RIGHTS-OF-WAY AFFECTING THIS PROPERTY WHICH A FULL TITLE SEARCH MAY DISCLOSE
- THERE IS A 29.65' INGRESS/EGRESS EASEMENT ALONG THE WESTERLY SIDE OF THIS PARCEL. A FULL TITLE SEARCH MAY BE NEEDED TO DETERMINE WHO HOLDS TITLE TO THIS EASEMENT. MY CLIENT'S DEEDS STOP ALONG THE EASTERLY SIDE OF GREENWAY LANE.

SURVEYOR'S CERTIFICATION

I HERBY CERTIFY THAT MCNEESE LAND SURVEYING HAS THIS DATE MADE A SURVEY OF THE ABOVE DESCRIBED PROPERTY AS SHOWN HEREON AND THAT SAID SURVEY IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE OF SURVEY: AUGUST 29, 2013.

ARKANSAS PLAT CODE: 500-14N-04E-0-02-220-16-1709 NOT VALID WITHOUT ORIGINAL SIGNATURE



MCNEESE LAND SURVEYING
3008 NEWCASTLE DRIVE
PARAGOULD, AR 72450
mike@mcneesurveying.com
CELL: (870) 565-6522



REVISIONS		
DATE	BY	DESCRIPTION

DRAWING INFO	
DRAWN BY	MPN
DATE	06-01-2011
SCALE	1"=50'
JOB NUMBER	1314
CAD NUMBER	1314-002
CLIENT	PRESTIDGE

REZONING PLAT



Legislation Details (With Text)

File #: ORD-13:056 **Version:** 1 **Name:** Rezoning for Prospect Missionary Baptist Church
Type: Ordinance **Status:** First Reading
File created: 9/12/2013 **In control:** City Council
On agenda: **Final action:**
Title: AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 LUO FOR PROPERTY LOCATED AT 4200 EAST JOHNSON AVENUE AS REQUESTED BY PROSPECT MISSIONARY BAPTIST CHURCH
Sponsors:
Indexes: Rezoning
Code sections:
Attachments: [MAPC Report](#)
[Plat](#)

Date	Ver.	Action By	Action	Result
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AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES
BE IT ORDAINED BY THE CITY COUNCIL OF JONESBORO, ARKANSAS:

SECTION 1: CHAPTER 117, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS BE AMENDED AS RECOMMENDED BY THE METROPOLITAN AREA PLANNING COMMISSION BY THE CHANGES IN ZONING CLASSIFICATION AS FOLLOWS:

FROM: Residential, R-1
TO: Commercial, C-3, L.U.O.

THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION:

That part of the Northwest Quarter of the Northeast Quarter of Section10, Township 14 North, Range 4 East, described as follows:

Beginning at the Northwest corner of said NW1/4 NE1/4, run thence S0°13'E 763.36 feet, run thence N57°41'47"E 47.12 feet to the true POINT OF BEGINNING, run thence N57°41'47"E 483.54 feet, run thence S32°23'43"E 410.0 feet, run thence S57°41'47"W 327.18 feet, run thence N32°23'43"W 375.0 feet, run thence S57°41'47"W 178.36 feet, run thence N0°13'00"W 41.31 feet to the true POINT OF BEGINNING, containing 3.21 acres, more or less, being a part of Lot 1 of Rubens Northeast Subdivision as shown in Plat Cabinet "B" at page 162 at Jonesboro, Arkansas, subject to easements on recorded plat.

SECTION 2: THE REZONING OF THIS PROPERTY SHALL ADHERE TO THE FOLLOWING

STIPULATIONS:

1. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved prior to any development of the property.
3. Coordination required of all egress/ingress with the State Highway Dept., City Engineering Dept. and the Planning Dept.
4. The setback, building height, screening, and site design standards are required per “Sec. 117-328. - Residential Compatibility Standards”.
5. Prohibited uses shall include: Adult Entertainment and Off-Premises Advertisement.
6. The applicant agrees to satisfy the minimum required right-of-way dedication for East Johnson Ave.

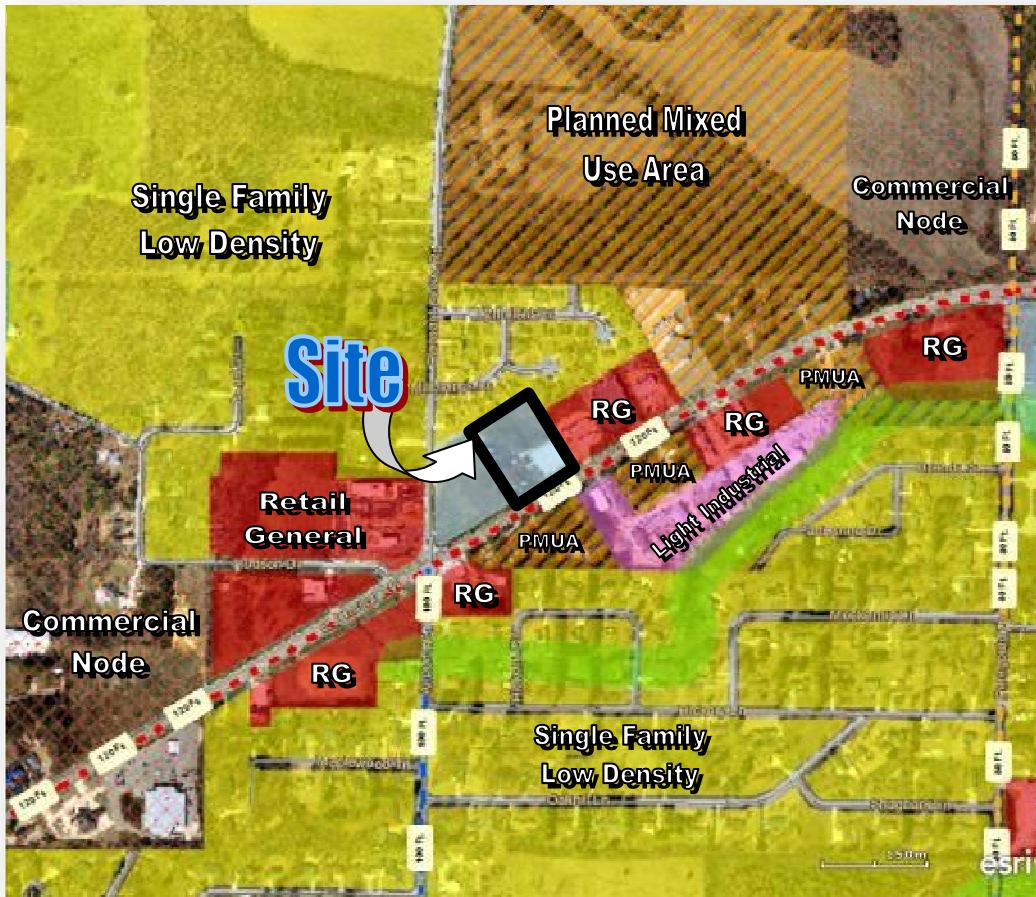


City of Jonesboro City Council
Staff Report – RZ 13-17: Rezoning – 4200 East Johnson Ave.
Huntington Building - 900 W. Monroe
For Consideration by the Council on September 17, 2013

- REQUEST:** MAPC rezoning approval for a parcel of land currently zoned R-1 Single Family Medium Density to a proposed C-3 General Commercial District, L.U.O.
- LOCATION:** 4200 East Johnson Ave. between Airport Rd. and Paragould Dr.
- APPLICANT:** Haag Brown Commercial
- OWNER:** Prospect Missionary Baptist Church
- PURPOSE:** Applicant states that “The property is currently under contract with a local business. This contract is contingent upon rezoning of the subject property”.
- HISTORY:** The church purchased the property in 2001. A rezoning for a change to C-3, was heard by the MAPC on November 17, 2009, but was later withdrawn.
- SITE DESCRIPTION:** **Tract Size:** Approximately 3.08 acres/134,143.6 sq. ft.
Frontage: Approximately 327 ft. along East Johnson Ave.

SURROUNDING ZONING, PRESENT LAND USE, & FUTURE LAND USE:

	<u>ZONING & PRESENT LAND USE</u>	<u>FUTURE LAND USE</u>
Subject Property:	R-1 Single Family Medium Density Church	Public-Semipublic and Institutional
North of Property:	R-1 Single Family Medium Density Residential Neighborhood	Single Family Low Density
East of Property:	C-3 General Commercial District Car Wash	Retail-General
West of Property:	C-3 General Commercial District Fast Food Restaurant	Public-Semipublic and Institutional
South of Property:	R-1 Single Family Medium Density Residence	Planned Mixed Use Area
Southeast of Property:	I-1 Limited Industrial District Electrical and Mechanical Contractor	Industry-Light
Southwest of Property:	C-3 Limited Use Overlay District Restaurant	Planned Mixed Use Area



Adopted Future Land Use Plan

Approval Criteria Checklist- Section 117-34- Amendments:

The criteria for approval of a rezoning are set out below. Not all of the criteria must be given equal consideration by the Planning Commission or City Council in reaching a decision. The criteria to be considered shall include, but not be limited to the following list. Staff has reviewed the proposal and offers the following explanations and findings related to the approval criteria.

Criteria	Explanations and Findings
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map	The proposed C-3 General Commercial rezoning is inconsistent with the Future Land Use Plan. The site is planned as Public-Semipublic and Institutional.
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal is consistent with the purpose.
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	The proposal is substantially compatible. A transition of the zoning and land use is occurring toward commercial uses along the East Johnson Ave. corridor.
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Poor suitability due to commercial development restrictions associated with the current R-1 zoning.

(e) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual, odor, noise, light, vibration, hours of use/operation and any restriction to the normal and customary use of the affected property;	The properties to the east and west are zoned C-3. Any potential detrimental effects to the R-1 properties located to the north that are not addressed by “Residential Compatibility Standards” or other ordinance could be reduced with additional restrictions and conditions imposed through a L.U.O.
(f) Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant; and	Property has not remained vacant.
(g) Impact of the proposed development on community facilities and services, including those related to utilities, streets, drainage, parks, open space, fire, police, and emergency medical services	Minimal impact.



Vicinity Zoning Map

Master Street Plan/Transportation

The subject property is served by East Johnson Ave. which is classified on the master street plan as a principal arterial which requires a minimum 120 ft. right-of-way (60 ft. to road centerline). The amount of right-of-way dedication is not shown on the rezoning plat.

Other Departmental/Agency Reviews:

Department/Agency	Reports/ Comments	Status
Engineering	Received	Noted no objection
Streets/Sanitation	Received	Noted no objection
Police	Pending	No comments to date
Fire Department	Received	Noted no objection
MPO	Received	Noted no objection
Jets	Received	Noted no objection
Utility Companies	Received	Noted no objection.

Staff Findings

The subject site is located on Johnson Ave. just northeast of Airport Rd. and south of residences on Millbranch Lane. The area is predominately commercial with residential abutting in the rear. The applicant has requested a C-3 Rezoning for the said property; this would allow any use listed within the permissible uses of general commercial such as: bank, carwash, convenience store, adult entertainment as a conditional use, hospital, hotel/motel, medical and general office, pawn shop, retail service, gas station, off premise advertisement as a conditional use, general and limited vehicle repair, etc.

The minimal size of the subject parcel will limit the location and type of commercial use. A privacy fence/buffer and lighting plan should be required to demonstrate compliance with the zoning ordinance as it relates to compatibility standards. This will allow for controls and assurance that the abutting residential will be properly screened. This parcel is the last designated R-1 property along Johnson Ave. in this immediate area and the C-3 zoning would be consistent with surrounding properties. Please note that any stipulations would necessitate a Limited Use Overlay.

MAPC RECORD OF PROCEEDINGS- PUBLIC HEARING HELD SEPT. 10, 2013

Applicant: Mr. Josh Brown of Haag/Brown appeared before the Commission for the rezoning request, to change the property from R-1 to C-3 General Commercial. Mr. Brown noted that the location is west of the last case, proceeding west on Johnson towards the University. He noted that Prospect Missionary Baptist Church had appeared previously and attempted to rezone the property, but later made other plans.

Staff: Mr. Spriggs gave Staff comments noting the surrounding conditions Mr. Spriggs noted that the Current Land Use Map recommends *Public/Semi-Public Institutional* because of the Church use; however Staff supports a recommendation to Council for consideration of a map revision to address to demand for commercial along the major highway/arterial. The Master Street Plan will have to be complied with (E. Johnson is a major arterial). Staff feels that the site plan to come later, will address good access management as it relates to Pleasant Grove Rd.

Mr. Spriggs noted to the Commission and the applicant that in order to limit the permitted use lists and avoid undesirable uses, a Limited Use Overlay revision is highly recommended. The applicant agreed.

No further comments were made by the Engineering Staff. And no objections were received from the agencies nor departments during the Pre-Development meeting held previously.

Public: No public input or opposition appeared.

Commission Action:

Mr. Scurlock made a motion to place Case: RZ-13-17 on the floor for recommendation by MAPC to the City Council with the noted stipulations and that changing the zoning of this property from R-1 Single Family Medium Density to the proposed C-3, L.U.O., General Commercial District is compatible and

suitable with the zoning, uses, and character of the surrounding area. Motion was seconded by Mr. Tomlinson.

Roll Call Vote: 5-0 unanimously.

Ms. Shrantz- Aye; Mr. Dover- Aye, Mr. Tomlinson-Aye, Mr. Scurlock- Aye; Ms. Nix- Aye.
Absent were: Mr. Kelton, Mr. Reece, Mr. Hoelscher (Ms. Nix arrived later). Mr. Lonnie Roberts, Jr., Chair.

Conclusion:

The MAPC and the Planning Department Staff find that the request to rezone the property from “R-1 Single Family Medium Density to a proposed C-3, L.U.O. General Commercial District” submitted for Case RZ 13-17 should be evaluated and approved based on the above observations and criteria. The following are included in the requirements that will apply:

1. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved prior to any development of the property.
3. Coordination required of all egress/ingress with the State Highway Dept., City Engineering Dept. and the Planning Dept.
4. The setback, building height, screening, and site design standards are required per “Sec. 117-328. - Residential Compatibility Standards”.
5. Prohibited uses shall include: Adult Entertainment and Off-Premises Advertisement.
6. The applicant agrees to satisfy the minimum required right-of-way dedication for East Johnson Ave.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



Subject site located at 4200 East Johnson Ave.



Residential neighborhood located north of site. Zoned R-1.



Property located east of site. Zoned C-3.



Property located southeast of site. Zoned I-1



Residences located south of site. Zoned R-1.

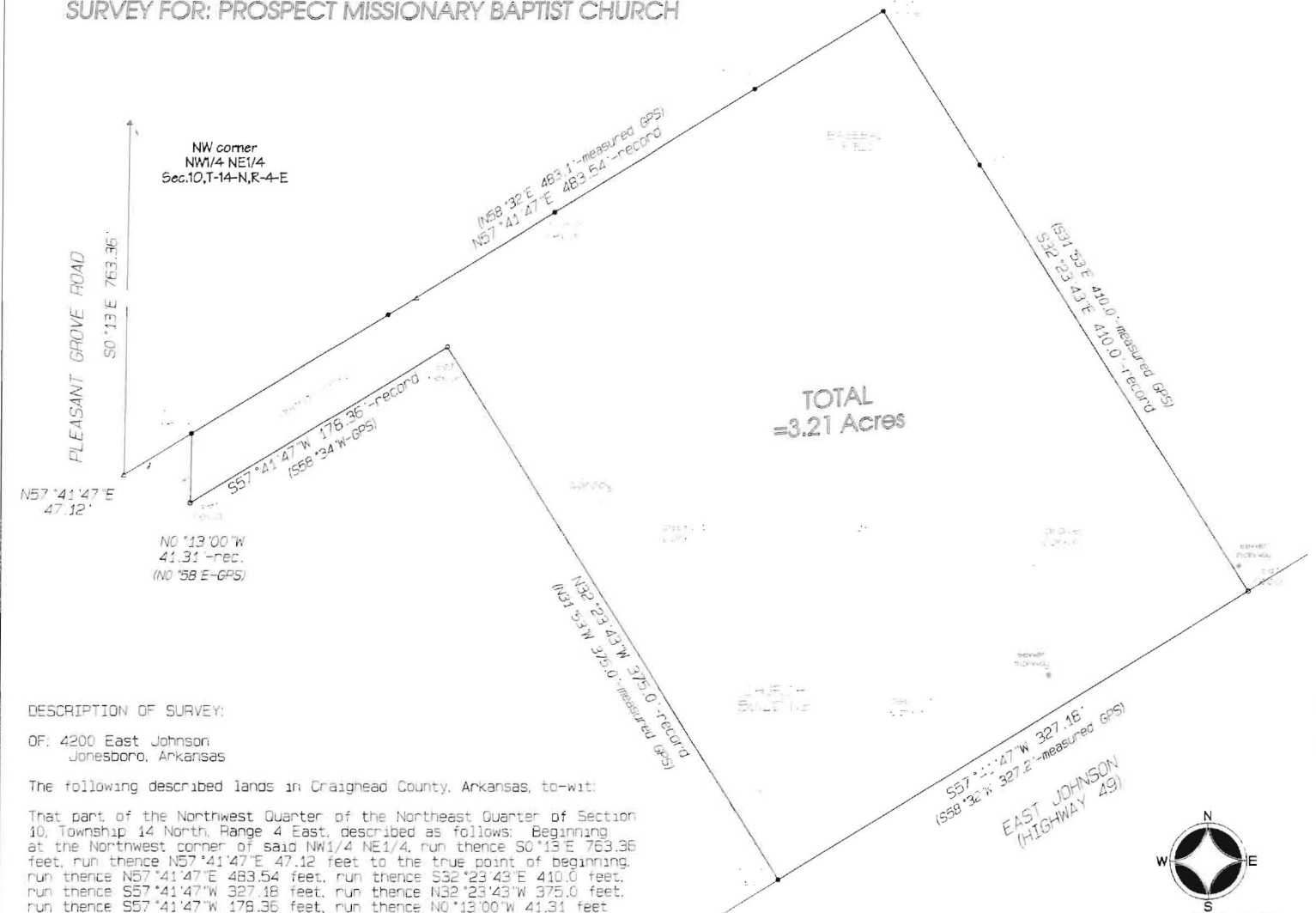


Property located west of site. Zoned C-3.



Property located southwest of site. Zoned C-3 LUO.

SURVEY FOR: PROSPECT MISSIONARY BAPTIST CHURCH



**TOTAL
=3.21 Acres**

DESCRIPTION OF SURVEY:

OF: 4200 East Johnson
Jonesboro, Arkansas

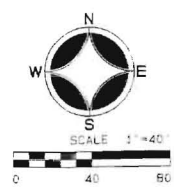
The following described lands in Craighead County, Arkansas, to-wit:

That part of the Northwest Quarter of the Northeast Quarter of Section 10, Township 14 North, Range 4 East, described as follows: Beginning at the Northwest corner of said NW 1/4 NE 1/4, run thence SO°13' 763.36 feet, run thence N57°41'47"E 47.12 feet to the true point of beginning, run thence N57°41'47"E 483.54 feet, run thence S32°23'43"E 410.0 feet, run thence S57°41'47"W 327.18 feet, run thence N32°23'43"W 375.0 feet, run thence S57°41'47"W 176.36 feet, run thence N0°13'00"W 41.31 feet to the true point of beginning, containing 3.21 acres, more or less, being a part of Lot 1 of Rubens Northeast Subdivision as shown in Plat Cabinet "B" at page 162 at Jonesboro, Arkansas, subject to easements on recorded plat.

- Notes:
 1.) Bearings shown from record and measured from GPS observation.
 2.) Improvements are as shown.

Dated: August 7, 2013

EAST JOHNSON
(HIGHWAY 49)



SURVEY FOR:
PROSPECT MISSIONARY
BAPTIST CHURCH

Bradley P. Hancock
Surveying & Mapping
120 North Second Street
Paragoua, Arkansas



Legislation Details (With Text)

File #:	ORD-13:049	Version:	1	Name:	Abandonment of a part of Craighead Road (Tract A)
Type:	Ordinance	Status:		Status:	Third Reading
File created:	8/22/2013	In control:		In control:	City Council
On agenda:		Final action:		Final action:	
Title:	AN ORDINANCE TO VACATE AND ABANDON A PART OF CRAIGHEAD ROAD BY THE PROPERTY OWNERS KUM & GO, L.C., TROPHY WIFE HOLDING LLC, AND FIRST PRESBYTTERIAN CHURCH OF JONESBORO, ARKANSAS, CRAIGHEAD COUNTY, JONESBORO, ARKANSAS.				
Sponsors:					
Indexes:	Abandonment				
Code sections:					
Attachments:	Exhibit A Planning & Engineering Letter Utility Letters Petitions				

Date	Ver.	Action By	Action	Result
9/3/2013	1	City Council		

AN ORDINANCE TO VACATE AND ABANDON A PART OF CRAIGHEAD ROAD BY THE PROPERTY OWNERS KUM & GO, L.C., TROPHY WIFE HOLDING LLC, AND FIRST PRESBYTTERIAN CHURCH OF JONESBORO, ARKANSAS, CRAIGHEAD COUNTY, JONESBORO, ARKANSAS.

BE IT ORDAINED by the City Council of Jonesboro, Arkansas, that:

SECTION ONE: The City of Jonesboro, Arkansas, hereby releases, vacates and abandons all of its rights, together with the rights of the public generally, in and to Craighead Road designated as follows:

DESCRIPTION:

LEGAL DESCRIPTION - R/W ABANDONMENT (TRACT A)

PART OF CRAIGHEAD ROAD LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 14 NORTH, RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS AS SHOWN ON REVISED PLAT OF WESTERN HEIGHTS SUBDIVISION RECORDED IN BOOK 123 AT PAGE 50, DEED RECORDS OF CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF BLOCK F OF SAID REVISED PLAT OF WESTERN HEIGHTS SUBDIVISION, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY OF SOUTH CULBERHOUSE STREET; THENCE SOUTH 01°09'59" WEST, ALONG THE SAID WESTERLY RIGHT-OF-WAY, 60.04 FEET TO THE SOUTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4, SAID SOUTH LINE ALSO BEING THE NORTH LINE OF MELTON MANOR ADDITION TO THE CITY OF JONESBORO, ARKANSAS; THENCE SOUTH 89°03'41" WEST, ALONG SAID SOUTH LINE, 523.04 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY OF CRAIGHEAD ROAD (PLATTED 80' R/W);

THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 625.67 FEET, THROUGH A CENTRAL ANGLE OF 25°17'49" AND HAVING A CHORD WHICH BEARS NORTH 76°24'45" EAST, 274.01 FEET FROM LAST SAID POINT; THENCE NORTH 89°03'41" EAST, ALONG THE SOUTH LINE OF AFORESAID BLOCK F, 257.89 FEET TO THE POINT OF BEGINNING, CONTAINING 0.474 ACRES OR 20647 SQUARE FEET MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS -OF-WAY OF RECORD.

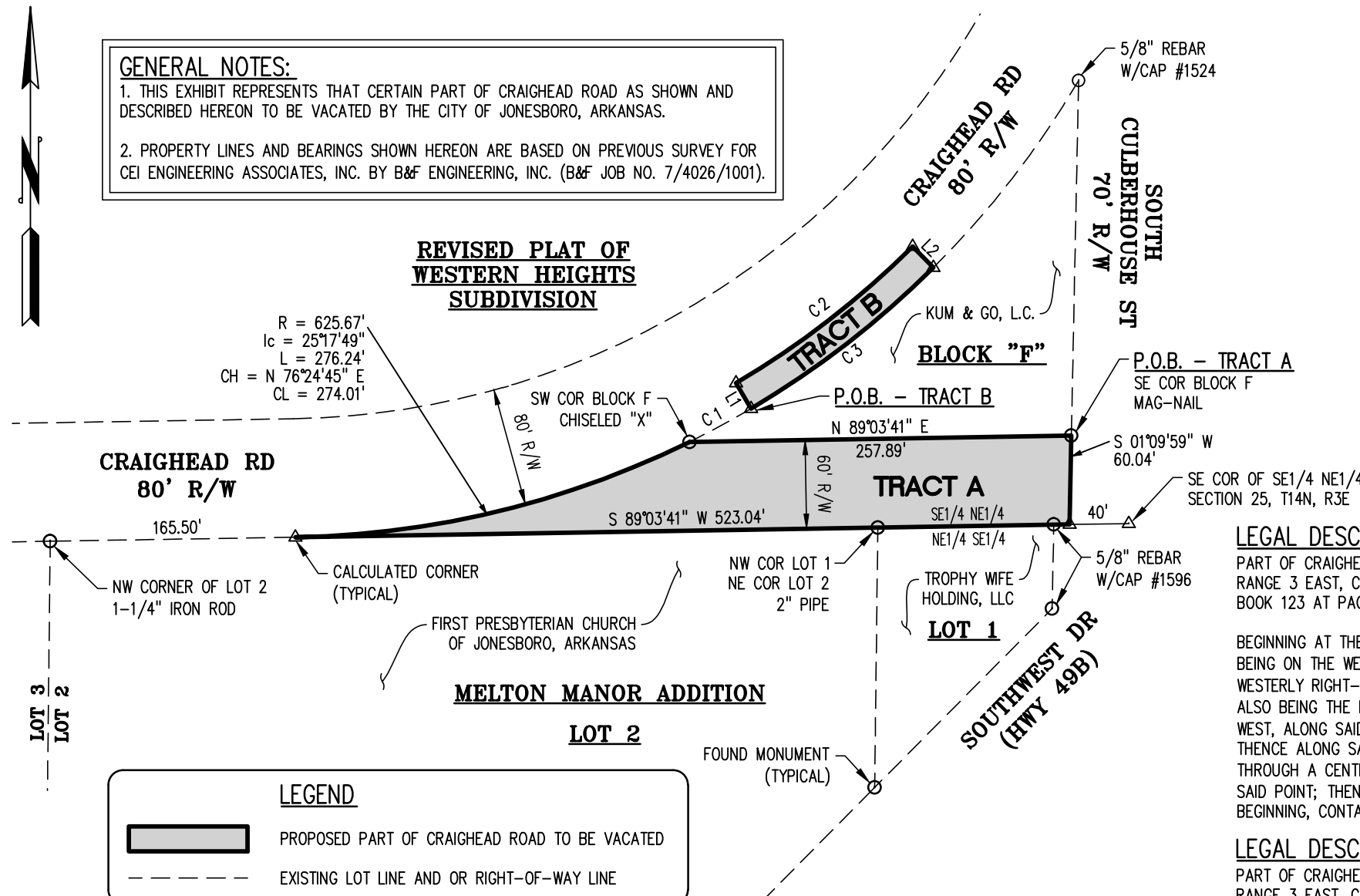
SECTION TWO: A copy of the ordinance duly certified by the City Clerk shall be filed in the office of the recorder of Craighead county, Arkansas and shall be filed in the Deed Records of such office.

GENERAL NOTES:

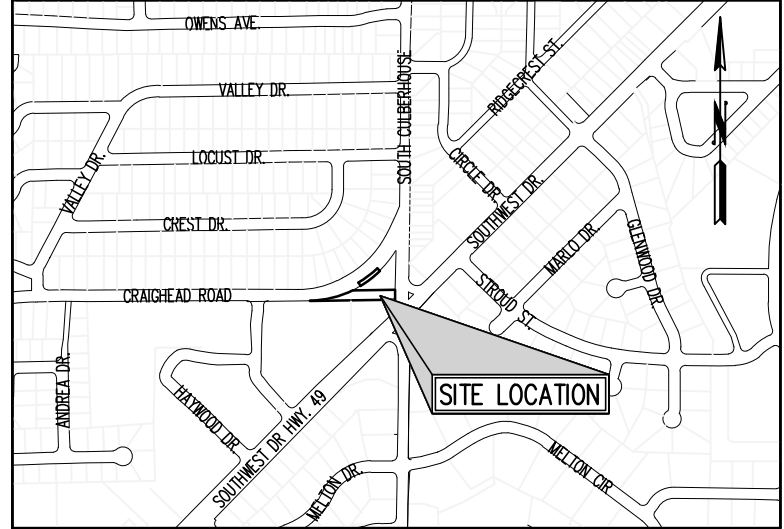
1. THIS EXHIBIT REPRESENTS THAT CERTAIN PART OF CRAIGHEAD ROAD AS SHOWN AND DESCRIBED HEREON TO BE VACATED BY THE CITY OF JONESBORO, ARKANSAS.
2. PROPERTY LINES AND BEARINGS SHOWN HEREON ARE BASED ON PREVIOUS SURVEY FOR CEI ENGINEERING ASSOCIATES, INC. BY B&F ENGINEERING, INC. (B&F JOB NO. 7/4026/1001).



REVISED PLAT OF WESTERN HEIGHTS SUBDIVISION



R = 625.67'
 Ic = 25°17'49"
 L = 276.24'
 CH = N 76°24'45" E
 CL = 274.01'



VICINITY MAP
N.T.S.

LEGAL DESCRIPTION - R/W ABANDONMENT (TRACT A)

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LEGAL DESCRIPTION - R/W ABANDONMENT (TRACT B)

PART OF CRAIGHEAD ROAD LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 14 NORTH, RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS AS SHOWN ON REVISED PLAT OF WESTERN HEIGHTS SUBDIVISION RECORDED IN BOOK 123 AT PAGE 50, DEED RECORDS OF CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF BLOCK F OF SAID REVISED PLAT OF WESTERN HEIGHTS SUBDIVISION, SAID POINT BEING ON THE EXISTING SOUTHEASTERLY RIGHT-OF-WAY OF CRAIGHEAD ROAD (PLATTED 80' R/W); THENCE 47.29 FEET ALONG A CURVE TO THE LEFT ALONG SAID EXISTING SOUTHEASTERLY RIGHT-OF-WAY, HAVING A RADIUS OF 625.67 FEET, THROUGH A DELTA ANGLE OF 04°19'50", AND HAVING A CHORD WHICH BEARS NORTH 61°35'56" EAST, 47.28 FEET FROM LAST SAID POINT TO THE POINT OF BEGINNING; THENCE ALONG PROPOSED NEW SOUTHEASTERLY RIGHT-OF-WAY THE FOLLOWING THREE (3) CALLS: 1) NORTH 30°33'59" WEST, 20.00 FEET; 2) 150.09 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 605.72 FEET, THROUGH A CENTRAL ANGLE OF 14°17'30" AND HAVING A CHORD WHICH BEARS NORTH 52°17'14" EAST, 150.70 FEET FROM LAST SAID POINT; AND 3) SOUTH 44°51'33" EAST, 20.00 FEET TO AFORESAID EXISTING SOUTHEASTERLY RIGHT-OF-WAY OF CRAIGHEAD ROAD; THENCE 156.08 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 625.67 FEET, THROUGH A CENTRAL ANGLE OF 14°17'33", AND HAVING A CHORD WHICH BEARS SOUTH 52°17'14" WEST, 155.67 FEET FROM LAST SAID POINT TO THE POINT OF BEGINNING, CONTAINING 0.071 ACRES OR 3072 SQUARE FEET MORE OR LESS.

LEGEND

PROPOSED PART OF CRAIGHEAD ROAD TO BE VACATED

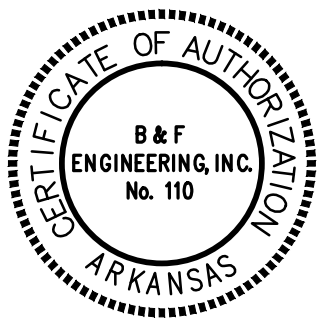
EXISTING LOT LINE AND OR RIGHT-OF-WAY LINE

LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	N 30°33'59" W	20.00'
L2	S 44°51'33" E	20.00'

CURVE TABLE

NUMBER	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	625.67	04°19'50"	47.29	N 61°35'56" E	47.28
C2	605.72	14°17'30"	151.09	N 52°17'14" E	150.70
C3	625.67	14°17'33"	156.08	S 52°17'14" W	155.67



	BY	DATE
Design		
Drawn	BJH/CJM	8/13
Checked		
Survey	TAW	4/13
Flid.Bk.No.	2091	

B&F ENGINEERING, INC.

928 AIRPORT ROAD, HOT SPRINGS, ARKANSAS 71913
 (PH) 501-767-2366 (FAX) 501-767-6859

EXHIBIT A
CRAIGHEAD ROAD ABANDONMENT
CEI ENGINEERING ASSOCIATES, INC.
JONESBORO ARKANSAS

08/28/13

JOB NO.: 7-4026-1002
 ACAD NO.: 004
 SCALE: 1" = 100'
 DATE: AUGUST, 2013



August 14, 2013

Nathan Streett, RLA
Project Manager
CEI
3108 S.W. Regency Parkway, Suite 2
Bentonville, AR 72712

RE: Right-of-way Abandonment
Craighead Road

Dear Mr. Streett,

The City of Jonesboro Engineering\Planning Department concurs with the abandonment of the portion of Craighead Rd as described as "Tract A" on "Exhibit A" Craighead Road Abandonment" Job No. 7-4026-1002 dated June 12, 2013. However the Engineering\Planning Department does not concur with the abandonment of the portion of Craighead Rd as described as "Tract B" for the following reasons:

1. According to the City of Jonesboro Master Street Plan, Craighead Road is functionally classified as a local street. Per City code, local streets are to have a minimum right-of-way of 60 feet. This abandonment will reduce the right-of-way below this lower limit;
2. Alternatives to this abandonment are available , such as:
 - a. Obtain variances for a reduction in building setback requirements.
 - b. Enter an agreement to improve the public right-of-way on Craighead Road for their use to offload fuel; and
3. Per zoning code resolution, the abandonment petition requires a variance approval by the board of adjustment.

If you have any questions or comments please, feel free to contact me at the above reference number.

Sincerely,

Craig Light, PE CFM
City Engineer

Otis Spriggs, AICP
Planning Director



Cindy Cole
AT&T Arkansas
Mgr.-OSP Ping & Engr Design
Engineering

723 South Church Street
Jonesboro, AR 72401
Phone: (870) 972-7600 Ph
Fax: (870) 972-7558 Fax
cc3290@att.com

July 1, 2013

City of Jonesboro
Attn: Engineering Department
307 Vine Street
Jonesboro, AR 72401

Gentlemen:

Kum & Go has asked AT&T to concur in the relinquishment of our interest in the right-of-way of a part of Craighead Road so that they may tear down their present structure and build a much larger building at this location. Please see the attached plat that shows Tracts A and B.

AT&T has working cables within this right-of-way; however, we will concur with Kum & Go's request SUBJECT TO AND CONDITIONED UPON the dedication of a temporary easement five feet (5') on either side of our existing facilities, as currently placed. Also subject to this concurrence is the dedication by Kum & Go of a permanent easement for our facilities, which must be in place and shown on a recorded plat, at the time our facilities are to be relocated.

Questions regarding these facilities should be referred to me. Questions concerning this concurrence and the dedication of a permanent easement can be referred to our right-of-way manager, Lynda Palmer at 501-373-5255 (lynda.palmer@att.com).

Sincerely,

A handwritten signature in cursive script that reads "Cindy Cole".

Attachment:



CenterPoint Energy
401 W. Capitol Avenue, Suite 600
Little Rock, AR 72201
CenterPointEnergy.com

July 29, 2013

Ms. Siobhan Harman
Site Development Manager
Kum & Go
6400 Westown Parkway
West Des Moines, IA 50266

RE: Kum & Go #390

Dear Ms. Harman:

CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Gas ("CenterPoint") was recently contacted by you regarding the relocation of CenterPoint's natural gas distribution facilities located at Old Craighead Road and Culberhouse Street (the "Subject Property"). CenterPoint has also been asked to indicate its lack of objection to the City of Jonesboro's vacation of the public right of way currently located on the same property.

CenterPoint has estimated the cost of relocating the facilities on the Subject Property to be approximately \$23,677. CenterPoint is willing to relocate said facilities subject to the agreement of Kum & Go to fully reimburse CenterPoint for any and all actual costs associated with the relocation. The estimated cost of relocation would be due prior to the start of construction, and any actual costs above and beyond the estimated cost would be invoiced to Kum & Go following completion of the project.

Once CenterPoint's facilities are relocated outside the public utility easement, CenterPoint has no objection to the vacation of such public utility easement.

Sincerely,

A handwritten signature in black ink, appearing to read "Walter L. Bryant".

Walter L. Bryant
Division VP – Regional Operations
CenterPoint Energy



Owned by the Citizens of Jonesboro

August 5, 2013

City of Jonesboro
Attn: Engineering Department
307 Vine St.
Jonesboro, AR 72401

Re: Kum & Go – Culberhouse/Southwest Dr.
R-O-W Abandonment

Gentlemen:

Kum & Go has requested CWL to relinquish our interest in the right-of-way for the above mentioned project due to proposed demolition/new construction. Please see attached plat showing Tracts A & B.

CWL has existing overhead power lines, poles and anchors in this right-of-way which CWL has been requested to abandon. CWL will agree to abandonment of the existing right-of-way, **SUBJECT TO AND CONDITIONED UPON SATISFACTION OF THE FOLLOWING CONDITIONS:** (1) simultaneous abandonment by the City of Jonesboro of the street right-of-way; (2) grant from all necessary property owners of record to CWL of a temporary easement ten feet (10') on each side of the present location of CWL's utilities in order to allow CWL to continue to provide services to its customers. Please note the timing of the abandonment and relocation of the easements and utilities by CWL is crucial and dependent on customer load. CWL must therefore approve the timing of the relocation; (3) payment by Kum & Go of all fees, costs and expenses associated with the relocation of CWL utilities, including relocation of overhead lines, poles and anchors; and (4) grant of permanent easements to CWL from Kum & Go and all other owners of record of the Kum & Go and First Presbyterian Church properties as is necessary for the relocation of the above described CWL utilities, all as reflected on a recorded plat.

Questions regarding these facilities should be referred to Karen Mangum, Engineering Services Supervisor (870-930-3326) or Susan Merideth, Acting Engineering Services Director (870-930-3321).

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald L. Bowen", written over a white background.

Ronald L. Bowen
Manager, City Water & Light

Attachments

Cc: Nathan Streett
CEI

Ronald L. Bowen, MANAGER
CITY WATER AND LIGHT • 400 East Monroe • P.O. Box 1289 • Jonesboro, Arkansas 72403-1289 • 870/935-5581

UTILITY RELEASE FORM

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

Utility Company

Suddenlink

Date

6/13/13

Requested Vacation

Street

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

Craighead Rd Right of Way

Legal Description

See Attached

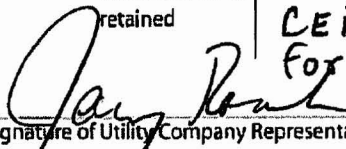
UTILITY COMPANY COMMENTS (Send release form to the applicant's provided address on Company Letterhead).

- 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

We have Fiber Optics, Trunk & Feeder ON these Poles (CWL) & if we have to recreate ANY of our lines CEI or customer will be responsible for 100% of cost.

Signature of Utility Company Representative



Title

Construction Planner

Note: This sample is provided only to assist proponents in preparing the required documents. Proponents should satisfy themselves as to the legal sufficiency for their specific use in accordance with Arkansas State Code, Section 14-301 which regulates the abandonment of public easements and rights of ways.

UTILITY RELEASE FORM

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

Utility Company

Ritter Communications

Date

6/13/13

Requested Vacation

Street

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

Craighead Rd right-of-way

Legal Description

See attached

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

- 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

Alice Martin
Signature of Utility Company Representative

Project Engr II
Title

Note: This sample is provided only to assist proponents in preparing the required documents. Proponents should satisfy themselves as to the legal sufficiency for their specific use in accordance with Arkansas State Code, Section 14-301 which regulates the abandonment of public easements and rights of ways.

PETITION TO VACATE

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

PETITION TO VACATE STREET RIGHT-OF-WAY

We, the undersigned, being all the owners of the real estate adjacent to the right-of-way to be vacated hereinafter sought to be abandoned and vacated, lying in Craighead Road, Jonesboro, Arkansas, a municipal corporation, petition to vacate a right-of-way which is described as follows:

Legal Description – Right-of-Way Abandonment – Tract A

PART OF CRAIGHEAD ROAD LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 14 NORTH, RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS AS SHOWN ON REVISED PLAT OF WESTERN HEIGHTS SUBDIVISION RECORDED IN BOOK 123 AT PAGE 50, DEED RECORDS OF CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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Legal Description – Right-of-Way Abandonment – Tract B

PART OF CRAIGHEAD ROAD LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 14 NORTH, RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS AS SHOWN ON REVISED PLAT OF WESTERN HEIGHTS SUBDIVISION RECORDED IN BOOK 123 AT PAGE 50, DEED RECORDS OF CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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BEARS NORTH 53°14'04" EAST, 150.03 FEET FROM LAST SAID POINT; AND 3) SOUTH 44°51'33" EAST, 21.50 FEET TO AFORESAID EXISTING SOUTHEASTERLY RIGH-OF-WAY OF CRAIGHEAD ROAD; THENCE 156.08 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 625.67 FEET, THROUGH A CENTRAL ANGLE OF 14°17'33", AND HAVING A CHORD WHICH BEARS SOUTH 52°17'14" WEST, 155.67 FEET FROM LAST SAID POINT TO THE POINT OF BEGINNING, CONTAINING 0.081 ACRES OR 3520 SQUARE FEET MORE OR LESS.

Herewith file and present this petition to the City Council of the City of Jonesboro, Arkansas to have the right-of-way described above closed and abandoned.

Dated this 6th day of August, 2013.

PROPERTY OWNER, NAME AND ADDRESS

Kum & Go, L.C.
6400 Westown Parkway
West Des Moines, IA 50266

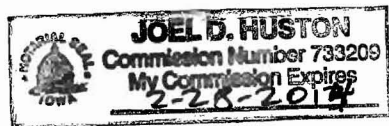
Siobhan Harman
Printed Name

Siobhan Harman
Signature

Printed Name

Signature

Subscribed and sworn to before me this 6th day of August, 2013.



[Signature]
Notary

Expiration Date: _____

PETITION TO VACATE

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

PETITION TO VACATE STREET RIGHT-OF-WAY

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Herewith file and present this petition to the City Council of the City of Jonesboro, Arkansas to have the right-of-way described above closed and abandoned.

Dated this 14 day of August, 2013.

PROPERTY OWNER, NAME AND ADDRESS

First Presbyterian Church of Jonesboro, Arkansas
710 Southwest Dr.
Jonesboro, AR 72401

by 
Chris Jones, Moderator of Session

by 
Sandra Puryear, Clerk of Session

ACKNOWLEDGMENT

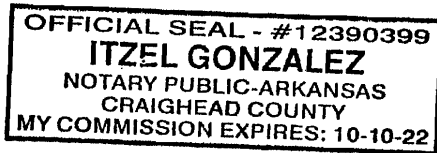
STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this day came before me, the undersigned, a notary public for the state and county aforesaid, duly commissioned and acting, Chris Jones & Sandra Poyant to me well known as the grantor in the foregoing deed and stated that he had executed the same for the consideration and purposes therein contained.

WITNESS my hand and official seal this August 14th, 2013.

Itzel Gonzalez
Notary Public

My commission expires: 10-10-22



PETITION TO VACATE

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

PETITION TO VACATE STREET RIGHT-OF-WAY

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Legal Description – Right-of-Way Abandonment – Tract A

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BEGINNING AT THE SOUTHEAST CORNER OF BLOCK F OF SAID REVISED PLAT OF WESTERN HEIGHTS SUBDIVISION, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY OF SOUTH CULBERHOUSE STREET; THENCE SOUTH 01°09'59" WEST, ALONG THE SAID WESTERLY RIGHT-OF-WAY, 60.04 FEET TO THE SOUTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4, SAID SOUTH LINE ALSO BEING THE NORTH LINE OF MELTON MANOR ADDITION TO THE CITY OF JONESBORO, ARKANSAS; THENCE SOUTH 89°03'41" WEST, ALONG SAID SOUTH LINE, 523.04 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY OF CRAIGHEAD ROAD (PLATTED 80' R/W); THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 625.67 FEET, THROUGH A CENTRAL ANGLE OF 25°17'49" AND HAVING A CHORD WHICH BEARS NORTH 76°24'45" EAST, 274.01 FEET FROM LAST SAID POINT; THENCE NORTH 89°03'41" EAST, ALONG THE SOUTH LINE OF AFORESAID BLOCK F, 257.89 FEET TO THE POINT OF BEGINNING, CONTAINING 0.474 ACRES OR 20647 SQUARE FEET MORE OR LESS.

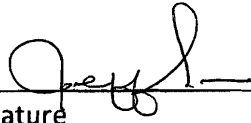
Herewith file and present this petition to the City Council of the City of Jonesboro, Arkansas to have the right-of-way described above closed and abandoned.

Dated this 12th day of August, 2013.

PROPERTY OWNER, NAME AND ADDRESS

Trophy Wife Holding, LLC
700 Southwest Dr.
Jonesboro, AR 72401

Jeff Simman
Printed Name


Signature

Printed Name

Signature

Subscribed and sworn to before me this 12th day of August, 2013.


Notary

Expiration Date: 2-25-19

MELANIE BUTLER
Craighead County
Commission Number 12374951
Notary Public - Arkansas
My Commission Expires Feb. 25, 2019



Legislation Details (With Text)

File #: ORD-13:050 **Version:** 1 **Name:** Abandonment on Craighead Road (Tract B)
Type: Ordinance **Status:** Third Reading
File created: 8/22/2013 **In control:** City Council
On agenda: **Final action:**

Title: AN ORDINANCE TO VACATE AND ABANDON A PART OF CRAIGHEAD ROAD BY THE PROPERTY OWNER(S) KUM & GO, L.C CRAIGHEAD COUNTY, JONESBORO, ARKANSAS.

Sponsors:

Indexes: Abandonment

Code sections:

Attachments: [Exhibit A](#)
[Planning & Engineering Letter](#)
[Utility Letters](#)
[Petitions](#)

Date	Ver.	Action By	Action	Result
9/3/2013	1	City Council		

AN ORDINANCE TO VACATE AND ABANDON A PART OF CRAIGHEAD ROAD BY THE PROPERTY OWNER(S) KUM & GO, L.C CRAIGHEAD COUNTY, JONESBORO, ARKANSAS. BE IT ORDAINED by the City Council of Jonesboro, Arkansas, that:

SECTION ONE: The City of Jonesboro, Arkansas, hereby releases, vacates and abandons all of its rights, together with the rights of the public generally, in and to Craighead Road designated as follows:

DESCRIPTION:

LEGAL DESCRIPTION - R/W ABANDONMENT (TRACT B)
PART OF CRAIGHEAD ROAD LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 14 NORTH, RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS AS SHOWN ON REVISED PLAT OF WESTERN HEIGHTS SUBDIVISION RECORDED IN BOOK 123 AT PAGE 50, DEED RECORDS OF CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF BLOCK F OF SAID REVISED PLAT OF WESTERN HEIGHTS SUBDIVISION, SAID POINT BEING ON THE EXISTING SOUTHEASTERLY RIGHT-OF-WAY OF CRAIGHEAD ROAD (PLATTED 80' R/W); THENCE 47.29 FEET ALONG A CURVE TO THE LEFT ALONG SAID EXISTING SOUTHEASTERLY RIGHT-OF-WAY, HAVING A RADIUS OF 625.67 FEET, THROUGH A DELTA ANGLE OF 04°19'50", AND HAVING A CHORD WHICH BEARS NORTH 61°35'56" EAST, 47.28 FEET FROM LAST SAID POINT TO THE POINT OF BEGINNING; THENCE ALONG PROPOSED NEW SOUTHEASTERLY RIGHT-OF-WAY THE FOLLOWING THREE (3) CALLS: 1) NORTH 30°33'59" WEST, 20.00 FEET; 2) 150.09 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 605.72 FEET, THROUGH A CENTRAL ANGLE OF 14° 17'30" AND HAVING A CHORD WHICH BEARS NORTH 52°17'14" EAST, 150.70 FEET FROM LAST SAID POINT; AND 3) SOUTH 44°51'33" EAST, 20.00 FEET TO AFORESAID EXISTING

SOUTHEASTERLY RIGTH-OF-WAY OF CRAIGHEAD ROAD; THENCE 156.08 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 625.67 FEET, THROUGH A CENTRAL ANGLE OF 14° 17'33", AND HAVING A CHORD WHICH BEARS SOUTH 52°17'14" WEST, 155.67 FEET FROM LAST SAID POINT TO THE POINT OF BEGINNING, CONTAINING 0.071 ACRES OR 3072 SQUARE FEET MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

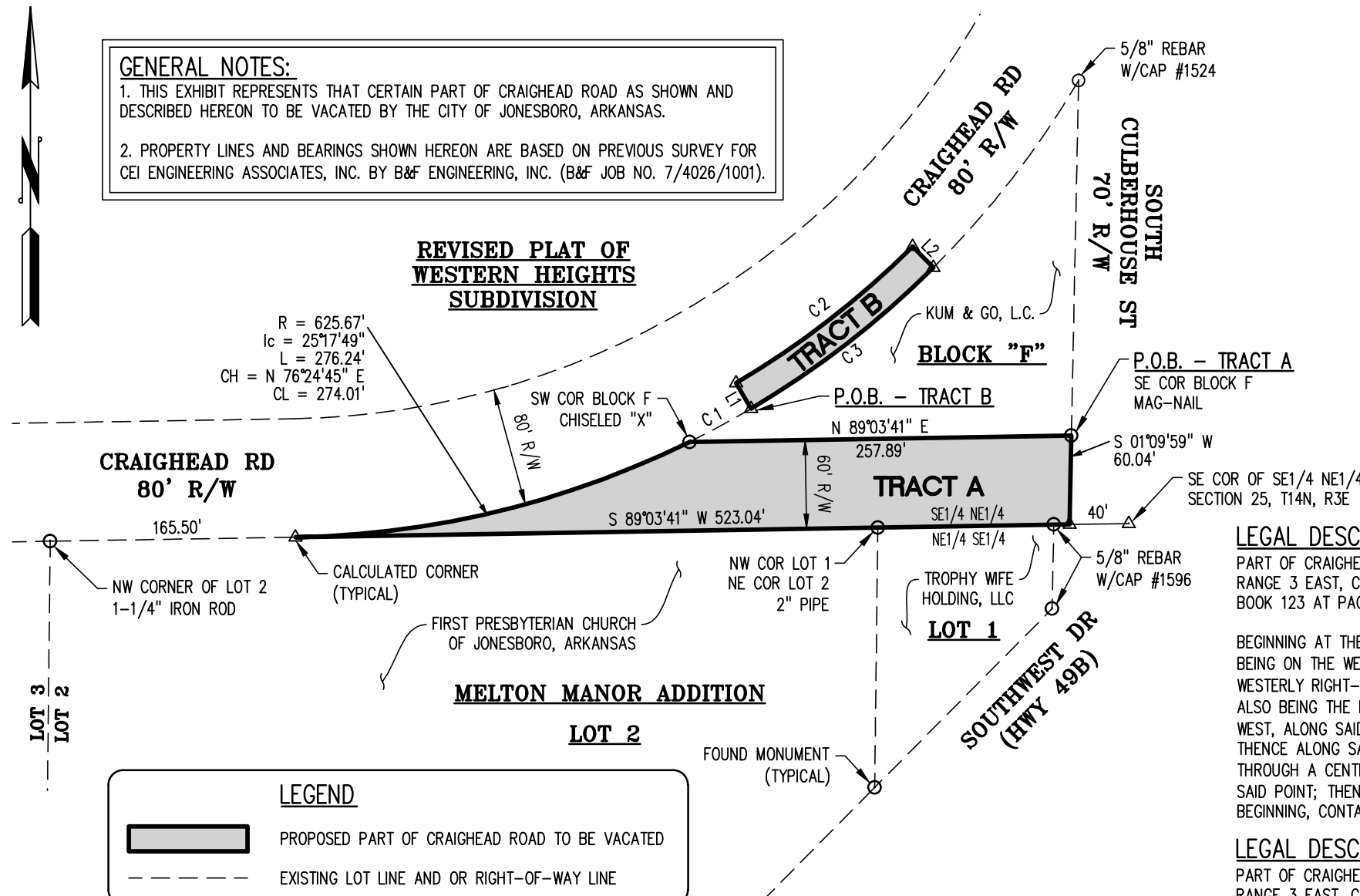
SECTION TWO: A copy of the ordinance duly certified by the City Clerk shall be filed in the office of the recorder of Craighead county, Arkansas and shall be filed in the Deed Records of such office.

GENERAL NOTES:

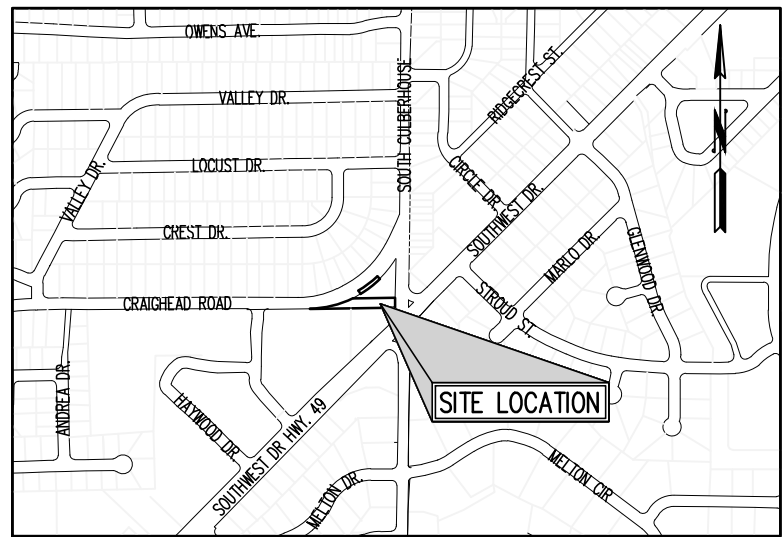
1. THIS EXHIBIT REPRESENTS THAT CERTAIN PART OF CRAIGHEAD ROAD AS SHOWN AND DESCRIBED HEREON TO BE VACATED BY THE CITY OF JONESBORO, ARKANSAS.
2. PROPERTY LINES AND BEARINGS SHOWN HEREON ARE BASED ON PREVIOUS SURVEY FOR CEI ENGINEERING ASSOCIATES, INC. BY B&F ENGINEERING, INC. (B&F JOB NO. 7/4026/1001).



REVISED PLAT OF WESTERN HEIGHTS SUBDIVISION



R = 625.67'
 Ic = 2517'49"
 L = 276.24'
 CH = N 76°24'45" E
 CL = 274.01'



VICINITY MAP
N.T.S.

LEGAL DESCRIPTION - R/W ABANDONMENT (TRACT A)

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LEGEND

PROPOSED PART OF CRAIGHEAD ROAD TO BE VACATED

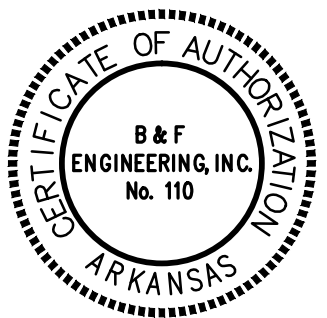
EXISTING LOT LINE AND OR RIGHT-OF-WAY LINE

LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	N 30°33'59" W	20.00'
L2	S 44°51'33" E	20.00'

CURVE TABLE

NUMBER	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	625.67	04°19'50"	47.29	N 61°35'56" E	47.28
C2	605.72	14°17'30"	151.09	N 52°17'14" E	150.70
C3	625.67	14°17'33"	156.08	S 52°17'14" W	155.67



	BY	DATE
Design		
Drawn	BJH/CJM	8/13
Checked		
Survey	TAW	4/13
Flid.Bk.No.	2091	

B&F ENGINEERING, INC.

928 AIRPORT ROAD, HOT SPRINGS, ARKANSAS 71913
 (PH) 501-767-2366 (FAX) 501-767-6859

EXHIBIT A
CRAIGHEAD ROAD ABANDONMENT
CEI ENGINEERING ASSOCIATES, INC.
JONESBORO ARKANSAS

08/28/13

JOB NO.: 7-4026-1002
 ACAD NO.: 004
 SCALE: 1" = 100'
 DATE: AUGUST, 2013



August 14, 2013

Nathan Streett, RLA
Project Manager
CEI
3108 S.W. Regency Parkway, Suite 2
Bentonville, AR 72712

RE: Right-of-way Abandonment
Craighead Road

Dear Mr. Streett,

The City of Jonesboro Engineering\Planning Department concurs with the abandonment of the portion of Craighead Rd as described as "Tract A" on "Exhibit A" Craighead Road Abandonment" Job No. 7-4026-1002 dated June 12, 2013. However the Engineering\Planning Department does not concur with the abandonment of the portion of Craighead Rd as described as "Tract B" for the following reasons:

1. According to the City of Jonesboro Master Street Plan, Craighead Road is functionally classified as a local street. Per City code, local streets are to have a minimum right-of-way of 60 feet. This abandonment will reduce the right-of-way below this lower limit;
2. Alternatives to this abandonment are available , such as:
 - a. Obtain variances for a reduction in building setback requirements.
 - b. Enter an agreement to improve the public right-of-way on Craighead Road for their use to offload fuel; and
3. Per zoning code resolution, the abandonment petition requires a variance approval by the board of adjustment.

If you have any questions or comments please, feel free to contact me at the above reference number.

Sincerely,

Craig Light, PE CFM
City Engineer

Otis Spriggs, AICP
Planning Director



Cindy Cole
AT&T Arkansas
Mgr.-OSP Ping & Engr Design
Engineering

723 South Church Street
Jonesboro, AR 72401
Phone: (870) 972-7600 Ph
Fax: (870) 972-7558 Fax
cc3290@att.com

July 1, 2013

City of Jonesboro
Attn: Engineering Department
307 Vine Street
Jonesboro, AR 72401

Gentlemen:

Kum & Go has asked AT&T to concur in the relinquishment of our interest in the right-of-way of a part of Craighead Road so that they may tear down their present structure and build a much larger building at this location. Please see the attached plat that shows Tracts A and B.

AT&T has working cables within this right-of-way; however, we will concur with Kum & Go's request SUBJECT TO AND CONDITIONED UPON the dedication of a temporary easement five feet (5') on either side of our existing facilities, as currently placed. Also subject to this concurrence is the dedication by Kum & Go of a permanent easement for our facilities, which must be in place and shown on a recorded plat, at the time our facilities are to be relocated.

Questions regarding these facilities should be referred to me. Questions concerning this concurrence and the dedication of a permanent easement can be referred to our right-of-way manager, Lynda Palmer at 501-373-5255 (lynda.palmer@att.com).

Sincerely,

A handwritten signature in cursive script that reads "Cindy Cole".

Attachment:



CenterPoint Energy
401 W. Capitol Avenue, Suite 600
Little Rock, AR 72201
CenterPointEnergy.com

July 29, 2013

Ms. Siobhan Harman
Site Development Manager
Kum & Go
6400 Westown Parkway
West Des Moines, IA 50266

RE: Kum & Go #390

Dear Ms. Harman:

CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Gas ("CenterPoint") was recently contacted by you regarding the relocation of CenterPoint's natural gas distribution facilities located at Old Craighead Road and Culberhouse Street (the "Subject Property"). CenterPoint has also been asked to indicate its lack of objection to the City of Jonesboro's vacation of the public right of way currently located on the same property.

CenterPoint has estimated the cost of relocating the facilities on the Subject Property to be approximately \$23,677. CenterPoint is willing to relocate said facilities subject to the agreement of Kum & Go to fully reimburse CenterPoint for any and all actual costs associated with the relocation. The estimated cost of relocation would be due prior to the start of construction, and any actual costs above and beyond the estimated cost would be invoiced to Kum & Go following completion of the project.

Once CenterPoint's facilities are relocated outside the public utility easement, CenterPoint has no objection to the vacation of such public utility easement.

Sincerely,

A handwritten signature in black ink, appearing to read "Walter L. Bryant".

Walter L. Bryant
Division VP – Regional Operations
CenterPoint Energy



Owned by the Citizens of Jonesboro

August 5, 2013

City of Jonesboro
Attn: Engineering Department
307 Vine St.
Jonesboro, AR 72401

Re: Kum & Go – Culberhouse/Southwest Dr.
R-O-W Abandonment

Gentlemen:

Kum & Go has requested CWL to relinquish our interest in the right-of-way for the above mentioned project due to proposed demolition/new construction. Please see attached plat showing Tracts A & B.

CWL has existing overhead power lines, poles and anchors in this right-of-way which CWL has been requested to abandon. CWL will agree to abandonment of the existing right-of-way, **SUBJECT TO AND CONDITIONED UPON SATISFACTION OF THE FOLLOWING CONDITIONS:** (1) simultaneous abandonment by the City of Jonesboro of the street right-of-way; (2) grant from all necessary property owners of record to CWL of a temporary easement ten feet (10') on each side of the present location of CWL's utilities in order to allow CWL to continue to provide services to its customers. Please note the timing of the abandonment and relocation of the easements and utilities by CWL is crucial and dependent on customer load. CWL must therefore approve the timing of the relocation; (3) payment by Kum & Go of all fees, costs and expenses associated with the relocation of CWL utilities, including relocation of overhead lines, poles and anchors; and (4) grant of permanent easements to CWL from Kum & Go and all other owners of record of the Kum & Go and First Presbyterian Church properties as is necessary for the relocation of the above described CWL utilities, all as reflected on a recorded plat.

Questions regarding these facilities should be referred to Karen Mangum, Engineering Services Supervisor (870-930-3326) or Susan Merideth, Acting Engineering Services Director (870-930-3321).

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald L. Bowen", is written over a light-colored background.

Ronald L. Bowen
Manager, City Water & Light

Attachments

Cc: Nathan Streett
CEI

Ronald L. Bowen, MANAGER
CITY WATER AND LIGHT • 400 East Monroe • P.O. Box 1289 • Jonesboro, Arkansas 72403-1289 • 870/935-5581

UTILITY RELEASE FORM

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

Utility Company

Suddenlink

Date

6/13/13

Requested Vacation

Street

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

Craighead Rd Right of Way

Legal Description

See Attached

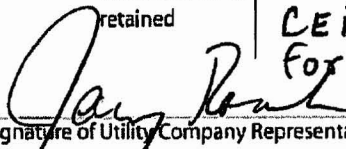
UTILITY COMPANY COMMENTS (Send release form to the applicant's provided address on Company Letterhead).

- 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

We have Fiber OPTics, Trunk & feeder ON these Poles (CWL) & if we have to recreate ANY of our lines CEI or customer will be responsible for 100% of cost.

Signature of Utility Company Representative



Title

Construction Planner

Note: This sample is provided only to assist proponents in preparing the required documents. Proponents should satisfy themselves as to the legal sufficiency for their specific use in accordance with Arkansas State Code, Section 14-301 which regulates the abandonment of public easements and rights of ways.

UTILITY RELEASE FORM

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

Utility Company Ritter Communications Date 6/13/13

Requested Vacation Street

I have been notified of the petition to vacate the following Craighead Rd right-of-way described as follows:

Legal Description See attached

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

- 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

Alice Martin
Signature of Utility Company Representative

Project Engr II
Title

Note: This sample is provided only to assist proponents in preparing the required documents. Proponents should satisfy themselves as to the legal sufficiency for their specific use in accordance with Arkansas State Code, Section 14-301 which regulates the abandonment of public easements and rights of ways.

PETITION TO VACATE

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

PETITION TO VACATE STREET RIGHT-OF-WAY

We, the undersigned, being all the owners of the real estate adjacent to the right-of-way to be vacated hereinafter sought to be abandoned and vacated, lying in Craighead Road, Jonesboro, Arkansas, a municipal corporation, petition to vacate a right-of-way which is described as follows:

Legal Description – Right-of-Way Abandonment – Tract A

PART OF CRAIGHEAD ROAD LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 14 NORTH, RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS AS SHOWN ON REVISED PLAT OF WESTERN HEIGHTS SUBDIVISION RECORDED IN BOOK 123 AT PAGE 50, DEED RECORDS OF CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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Herewith file and present this petition to the City Council of the City of Jonesboro, Arkansas to have the right-of-way described above closed and abandoned.

Dated this 6th day of August, 2013.

PROPERTY OWNER, NAME AND ADDRESS

Kum & Go, L.C.
6400 Westown Parkway
West Des Moines, IA 50266

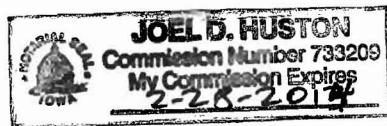
Siobhan Harman
Printed Name

Siobhan Harman
Signature

Printed Name

Signature

Subscribed and sworn to before me this 6th day of August, 2013.



[Signature]
Notary

Expiration Date: _____

PETITION TO VACATE

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

PETITION TO VACATE STREET RIGHT-OF-WAY

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Legal Description – Right-of-Way Abandonment – Tract A

PART OF CRAIGHEAD ROAD LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 14 NORTH, RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS AS SHOWN ON REVISED PLAT OF WESTERN HEIGHTS SUBDIVISION RECORDED IN BOOK 123 AT PAGE 50, DEED RECORDS OF CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


BEGINNING AT THE SOUTHEAST CORNER OF BLOCK F OF SAID REVISED PLAT OF WESTERN HEIGHTS SUBDIVISION, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY OF SOUTH CULBERHOUSE STREET; THENCE SOUTH 01°09'59" WEST, ALONG THE SAID WESTERLY RIGHT-OF-WAY, 60.04 FEET TO THE SOUTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4, SAID SOUTH LINE ALSO BEING THE NORTH LINE OF MELTON MANOR ADDITION TO THE CITY OF JONESBORO, ARKANSAS; THENCE SOUTH 89°03'41" WEST, ALONG SAID SOUTH LINE, 523.04 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY OF CRAIGHEAD ROAD (PLATTED 80' R/W); THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 625.67 FEET, THROUGH A CENTRAL ANGLE OF 25°17'49" AND HAVING A CHORD WHICH BEARS NORTH 76°24'45" EAST, 274.01 FEET FROM LAST SAID POINT; THENCE NORTH 89°03'41" EAST, ALONG THE SOUTH LINE OF AFORESAID BLOCK F, 257.89 FEET TO THE POINT OF BEGINNING, CONTAINING 0.474 ACRES OR 20647 SQUARE FEET MORE OR LESS.

Herewith file and present this petition to the City Council of the City of Jonesboro, Arkansas to have the right-of-way described above closed and abandoned.

Dated this 14 day of August, 2013.

PROPERTY OWNER, NAME AND ADDRESS

First Presbyterian Church of Jonesboro, Arkansas
710 Southwest Dr.
Jonesboro, AR 72401

by 
Chris Jones, Moderator of Session

by 
Sandra Puryear, Clerk of Session

ACKNOWLEDGMENT

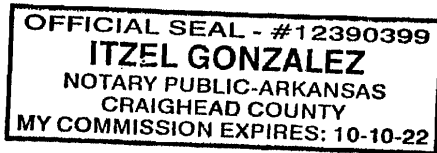
STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this day came before me, the undersigned, a notary public for the state and county aforesaid, duly commissioned and acting, Chris Jones & Sandra Poyant to me well known as the grantor in the foregoing deed and stated that he had executed the same for the consideration and purposes therein contained.

WITNESS my hand and official seal this August 14th, 2013.

Itzel Gonzalez
Notary Public

My commission expires: 10-10-22



PETITION TO VACATE

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

PETITION TO VACATE STREET RIGHT-OF-WAY

We, the undersigned, being all the owners of the real estate adjacent to the right-of-way to be vacated hereinafter sought to be abandoned and vacated, lying in Craighead Road, Jonesboro, Arkansas, a municipal corporation, petition to vacate a right-of-way which is described as follows:

Legal Description – Right-of-Way Abandonment – Tract A

PART OF CRAIGHEAD ROAD LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 14 NORTH, RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS AS SHOWN ON REVISED PLAT OF WESTERN HEIGHTS SUBDIVISION RECORDED IN BOOK 123 AT PAGE 50, DEED RECORDS OF CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF BLOCK F OF SAID REVISED PLAT OF WESTERN HEIGHTS SUBDIVISION, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY OF SOUTH CULBERHOUSE STREET; THENCE SOUTH 01°09'59" WEST, ALONG THE SAID WESTERLY RIGHT-OF-WAY, 60.04 FEET TO THE SOUTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4, SAID SOUTH LINE ALSO BEING THE NORTH LINE OF MELTON MANOR ADDITION TO THE CITY OF JONESBORO, ARKANSAS; THENCE SOUTH 89°03'41" WEST, ALONG SAID SOUTH LINE, 523.04 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY OF CRAIGHEAD ROAD (PLATTED 80' R/W); THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 625.67 FEET, THROUGH A CENTRAL ANGLE OF 25°17'49" AND HAVING A CHORD WHICH BEARS NORTH 76°24'45" EAST, 274.01 FEET FROM LAST SAID POINT; THENCE NORTH 89°03'41" EAST, ALONG THE SOUTH LINE OF AFORESAID BLOCK F, 257.89 FEET TO THE POINT OF BEGINNING, CONTAINING 0.474 ACRES OR 20647 SQUARE FEET MORE OR LESS.

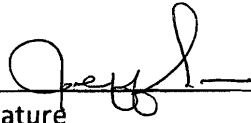
Herewith file and present this petition to the City Council of the City of Jonesboro, Arkansas to have the right-of-way described above closed and abandoned.

Dated this 12th day of August, 2013.

PROPERTY OWNER, NAME AND ADDRESS

Trophy Wife Holding, LLC
700 Southwest Dr.
Jonesboro, AR 72401

Jeff Simman
Printed Name


Signature

Printed Name

Signature

Subscribed and sworn to before me this 12th day of August, 2013.


Notary

Expiration Date: 2-25-19

