



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Council Agenda City Council

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Tuesday, March 7, 2023

5:30 PM

Municipal Center, 300 S. Church

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### **PUBLIC WORKS COUNCIL COMMITTEE MEETING AT 5:00 P.M.**

*Council Chambers, Municipal Center*

#### **1. CALL TO ORDER BY MAYOR HAROLD COPENHAVER AT 5:30 P.M.**

#### **2. PLEDGE OF ALLEGIANCE AND INVOCATION**

#### **3. ROLL CALL BY CITY CLERK APRIL LEGGETT**

#### **4. SPECIAL PRESENTATIONS**

**COM-23:009** STATE OF THE CITY ADDRESS BY MAYOR HAROLD COPENHAVER

**Sponsors:** Mayor's Office

#### **5. CONSENT AGENDA**

*The Consent Agenda is a meeting method to make City Council meetings more efficient and meaningful to the members of the audience. All matters listed within the Consent Agenda have been distributed to each member of the Jonesboro City Council for reading and study, are considered to be routine, and will be enacted by one motion of the City Council with no separate discussion. If a separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by request of a member of the City Council.*

**MIN-23:018** MINUTES FOR THE CITY COUNCIL MEETING ON FEBRUARY 21, 2023

**Attachments:** [CC Minutes 02212023](#)

**RES-23:036** RESOLUTION AUTHORIZING THE MAYOR AND CITY ATTORNEY TO CERTIFY FOR THE CITY OF JONESBORO FOR THE 2023 ANNUAL FEDERAL TRANSIT ADMINISTRATION (FTA) CERTIFICATIONS AND ASSURANCES FOR THE JONESBORO ECONOMICAL TRANSPORTATION SYSTEM (JET)

**Sponsors:** JETS

**Attachments:** [Jets FY2023\\_C&A](#)  
[Jets Sign Page FY2023C&A](#)

**Legislative History**

2/21/23	Public Services Council Committee	Recommended to Council
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**RES-23:040** A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH ROCK SOLID TRAIL CONTRACTING, LLC FOR THE CONSTRUCTION OF THE CRAIGHEAD FOREST MOUNTAIN BIKE TRIALS

**Sponsors:** Engineering and Parks & Recreation

**Attachments:** [RockSolid\\_Contract\\_020923](#)

**Legislative History**

2/21/23          Public Services Council          Recommended to Council  
Committee

**RES-23:041** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT TO ESTABLISH JAIL FEES BETWEEN THE CITY OF JONESBORO AND CRAIGHEAD COUNTY AND TO AMEND THE 2023 BUDGET FOR JAIL FEES

**Sponsors:** Mayor's Office and Police Department

**Attachments:** [Scan0201](#)

**Legislative History**

2/21/23          Public Safety Council          Recommended to Council  
Committee

**RES-23:042** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 416 FORREST, JONESBORO, AR 72401, PARCEL 01-144073-28700, OWNED BY LENA KERSEY IN THE AMOUNT OF \$390

**Sponsors:** Code Enforcement and Finance

**Attachments:** [416 Forrest Affidavit of Statutory Lien](#)  
[416 Forrest](#)

**Legislative History**

2/28/23          Finance & Administration          Recommended to Council  
Council Committee

**RES-23:043** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 501 E ALLEN, JONESBORO, AR 72401, PARCEL 01-144181-32700, OWNED BY BK & HP REAL ESTATE LLC IN THE AMOUNT OF \$165

**Sponsors:** Code Enforcement and Finance

**Attachments:** [501 Allen](#)  
[501 E Allen 2nd Council Letter](#)  
[501 E Allen Affidavit of Statutory Lien](#)

**Legislative History**

2/28/23          Finance & Administration          Recommended to Council  
Council Committee

**RES-23:044** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 513 MARSHALL, JONESBORO, AR 72401, PARCEL 01-144171-12100, OWNED BY PRECISION

PROPERTY HOLDINGS, LLC IN THE AMOUNT OF \$323

**Sponsors:** Code Enforcement and Finance

**Attachments:** [513 Marshall 2nd Council Letter](#)  
[513 Marshall Affidavit of Statutory Lien](#)  
[513 Marshall](#)

**Legislative History**

2/28/23 Finance & Administration Recommended to Council  
Council Committee

**RES-23:045** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 910 HOPE STREET, JONESBORO, AR 72401, PARCEL 01-144184-11700, OWNED BY LYNEAL & NELLIE MANNING IN THE AMOUNT OF \$5,297.76

**Sponsors:** Code Enforcement and Finance

**Attachments:** [910 Hope 2nd Council Letter](#)  
[910 Hope Affidavit of Statutory Lien](#)  
[910 Hope](#)

**Legislative History**

2/28/23 Finance & Administration Recommended to Council  
Council Committee

**RES-23:046** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 1403 OAKHURST, JONESBORO, AR 72401, PARCEL 01-143133-23700, OWNED BY KEVIN & TONYA LYLES IN THE AMOUNT OF \$965

**Sponsors:** Code Enforcement and Finance

**Attachments:** [1403 Oakhurst Affidavit of Statutory Lien](#)  
[1403 Oakhurst](#)

**Legislative History**

2/28/23 Finance & Administration Recommended to Council  
Council Committee

**RES-23:047** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 1654 W MATTHEWS, JONESBORO, AR 72401, PARCEL 01-143133-00900, OWNED BY LAMONT WADE THOMAS IN THE AMOUNT OF \$165

**Sponsors:** Code Enforcement and Finance

**Attachments:** [1654 W Matthews 2nd Council Letter](#)  
[1654 W Matthews Affidavit of Statutory Lien](#)  
[1654 W Matthews](#)

**Legislative History**

2/28/23 Finance & Administration Recommended to Council  
Council Committee

**RES-23:048** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS,

TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 2106 COTTON STREET, JONESBORO, AR 72401, PARCEL 01-144271-20700, OWNED BY MICHAUL ROLLAND IN THE AMOUNT OF \$265

**Sponsors:** Code Enforcement and Finance

**Attachments:** [2106 Cotton 2nd Council Letter](#)  
[2106 Cotton Street Affidavit of Statutory Lien](#)  
[2106 Cotton](#)

**Legislative History**

2/28/23 Finance & Administration Recommended to Council  
 Council Committee

**RES-23:049** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 2501 MARY JANE, JONESBORO, AR 72401, PARCEL 01-144272-24200, OWNED BY KENNETH L. AND DENA BRADWAY IN THE AMOUNT OF \$6,297.86

**Sponsors:** Code Enforcement and Finance

**Attachments:** [2501 Mary Jane 2nd Council Letter](#)  
[2501 Mary Jane](#)  
[2501 Mary Jane-Demo Affidavit of Statutory Lien](#)

**Legislative History**

2/28/23 Finance & Administration Recommended to Council  
 Council Committee

**RES-23:050** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 3406 MEADOR, JONESBORO, AR 72401, PARCEL 01-144281-35600, OWNED BY HAZEL WATSON IN THE AMOUNT OF \$8,336.48

**Sponsors:** Code Enforcement and Finance

**Attachments:** [3406 Meador- A Watson 2nd Council Letter](#)  
[3406 Meador Affidavit of Statutory Lien](#)  
[3406 Meador H Watson 2nd Council Letter](#)  
[3406 Meador](#)

**Legislative History**

2/28/23 Finance & Administration Recommended to Council  
 Council Committee

**RES-23:051** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 3500 FAIRVIEW, JONESBORO, AR 72401, PARCEL 01-144281-43900, OWNED BY JANET M BOGAN IN THE AMOUNT OF \$215

**Sponsors:** Code Enforcement and Finance

**Attachments:** [3500 Fairview 2nd Council Letter](#)  
[3500 Fairview Affidavit of Statutory Lien](#)  
[3500 Fairview](#)

**Legislative History**

2/28/23 Finance & Administration Recommended to Council  
Council Committee

**RES-23:052** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 4405&4407 JANICE, JONESBORO, AR 72401, PARCEL 01-144271-20300, OWNED BY CHARLES E NOELL JR. IN THE AMOUNT OF \$9,286.80

**Sponsors:** Code Enforcement and Finance

**Attachments:** [4405 & 4407 Janice 2nd Council Letter](#)

[4405 & 4407 Janice](#)

[4405&4407 Janice Affidavit of Statutory Lien](#)

**Legislative History**

2/28/23 Finance & Administration Recommended to Council  
Council Committee

**RES-23:053** A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR TO ENTER INTO A CHANGE ORDER WITH iWORQ SYSTEMS TO INCREASE STORAGE CAPACITY.

**Sponsors:** Planning, Information Systems and Code Enforcement

**Attachments:** [Jonesboro, AR-iWorQ Data Agreement](#)

**Legislative History**

2/28/23 Finance & Administration Recommended to Council  
Council Committee

## **6. NEW BUSINESS**

### *RESOLUTIONS TO BE INTRODUCED*

**RES-23:054** A RESOLUTION TO SET A PUBLIC HEARING REGARDING THE ABANDONMENT OF A PORTION OF RIGHT-OF-WAY ALONG JUDY STREET AS REQUESTED BY HALSEY REAL ESTATE HOLDINGS, LLC AND MCP INVESTMENTS, LLC.

**Attachments:** [Petition](#)

[Plat](#)

[Letters](#)

### *ORDINANCES ON FIRST READING*

**ORD-23:006** AN ORDINANCE TO THE CITY OF JONESBORO TO PLACE VARIOUS TRAFFIC SIGNS AT DESIGNATED LOCATIONS AS DETERMINED BY THE TRAFFIC CONTROL COMMITTEE

**Sponsors:** Engineering

**Legislative History**

2/21/23 Public Safety Council Recommended to Council  
Committee

**ORD-23:007** AN ORDINANCE TO THE CITY OF JONESBORO TO PLACE VARIOUS TRAFFIC SIGNS AT DESIGNATED LOCATIONS AS DETERMINED BY THE TRAFFIC CONTROL COMMITTEE

**Sponsors:** Engineering

**Legislative History**

2/21/23 Public Safety Council Recommended to Council  
Committee

**ORD-23:009** AN ORDINANCE TO AMEND THE JONESBORO CODE OF ORDINANCES TO UPDATE ADMINISTRATIVE FEES CHARGED BY THE CITY IN THE CORRECTION OF ENVIRONMENTAL DEFICIENCIES IN THE CITY OF JONESBORO

**Sponsors:** Code Enforcement and Finance

**Legislative History**

2/21/23 Public Safety Council Recommended to Council  
Committee

**ORD-23:012** AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 SINGLE FAMILY RESIDENTIAL AND C-3 GENERAL COMMERCIAL DISTRICT TO CR-1 COMMERCIAL RESIDENCE MIXED USE DISTRICT FOR PROPERTY LOCATED AT 4902 AND 4904 E. HIGHLAND DRIVE, JONESBORO, AR AS REQUESTED BY JEREMY BEVILL WITH FISHER ARNOLD ON BEHALF OF BRETT STROBBE

**Attachments:** [Rezoning Plat](#)  
[Staff Summary - C.C.](#)  
[Cover Letter - Rezoning](#)  
[Rezoning Application Signed](#)  
[Certified Mail Receipts](#)

## **7. UNFINISHED BUSINESS**

### *ORDINANCES ON SECOND READING*

**ORD-23:008** AN ORDINANCE REGARDING AN ABANDONMENT OF A PORTION OF RIGHT-OF-WAY ALONG UNDEVELOPED BONAPARTE COVE AS REQUESTED BY HORIZON LAND SURVEYING ON BEHALF OF CURTNER ASSET MANAGEMENT, LLC

**Attachments:** [signed petition.pdf](#)  
[Opinion Letter](#)  
[Plat & Utility Letters](#)  
[resolution](#)  
[Publishing Receipt](#)

**Legislative History**

2/21/23 City Council Held at one reading

### *ORDINANCES ON THIRD READING*

**ORD-23:003** AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES, FROM R-1 TO RM-12 FOR PROPERTY LOCATED AT 804 BELT AS REQUESTED BY WESTON WAGNER

**Attachments:** [Staff Summary Report](#)  
[Plat](#)  
[Publication Receipt](#)  
[Petition Against Rezoning ORD-23-003](#)  
[Certified Mail Receipt](#)

**Legislative History**

2/7/23	City Council	Held at one reading
2/21/23	City Council	Held at second reading

**ORD-23:004** AN ORDINANCE AMENDING ORDINANCE NO. 2022-15 OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS; MODIFYING THE INTEREST RATE ON THE CITY'S TAXABLE ECONOMIC DEVELOPMENT REVENUE BONDS (COLSON CASTER PROJECT), SERIES 2022B ISSUED ON APRIL 19, 2022; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

**Attachments:** [Ordinance Amending Ordinance No. 2022-15 \(Colson 2022\)](#)  
[ORD-22-015 BONDS Colson\\_Redacted](#)

**Legislative History**

2/2/23	Finance & Administration Council Committee	Recommended to Council
2/7/23	City Council	Held at one reading
2/21/23	City Council	Held at second reading

**ORD-23:005** AN ORDINANCE AMENDING ORDINANCES NO. 1657 AND 1717 OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS; CHANGING THE NAME OF THE PUBLIC FACILITIES BOARD CREATED IN SUCH ORDINANCE TO THE "CITY OF JONESBORO, ARKANSAS PUBLIC FACILITIES BOARD"; EXPANDING THE POWERS OF SAID PUBLIC FACILITIES BOARD TO INCLUDE THE ENTIRE SCOPE OF AUTHORITY AND POWERS INCLUDED IN THE PUBLIC FACILITIES BOARDS ACT; PRESCRIBING OTHER MATTERS RELATING THERETO.

**Attachments:** [Ordinance Amending Powers of Jonesboro Public Facilities Board](#)  
[Ordinance 1717](#)  
[ORD 1657](#)

**Legislative History**

2/2/23	Finance & Administration Council Committee	Recommended to Council
2/7/23	City Council	Held at one reading
2/21/23	City Council	Held at 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. This time is allotted for items that are not on the agenda.*

**11. ADJOURNMENT**



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: COM-23:009

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**Agenda Date:**

**Version:** 1

**Status:** To Be Introduced

**In Control:** City Council

**File Type:** Other  
Communications

STATE OF THE CITY ADDRESS BY MAYOR HAROLD COPENHAVER



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: MIN-23:018

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**Agenda Date:**

**Version:** 1

**Status:** To Be Introduced

**In Control:** City Council

**File Type:** Minutes

MINUTES FOR THE CITY COUNCIL MEETING ON FEBRUARY 21, 2023



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes City Council

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Tuesday, February 21, 2023

5:30 PM

Municipal Center, 300 S. Church

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### PUBLIC SERVICES COUNCIL COMMITTEE MEETING AT 4:30 P.M.

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

### PUBLIC HEARING AT 5:25 P.M.

*No one spoke for or against the public hearing regarding an abandonment of a portion of right-of-way along undeveloped Bonaparte Cove as requested by Horizon Land Surveying on behalf of Curtner Asset Management, LLC.*

### 1. CALL TO ORDER BY MAYOR HAROLD COPENHAVER AT 5:30 P.M.

### 2. PLEDGE OF ALLEGIANCE AND INVOCATION

### 3. ROLL CALL BY CITY CLERK APRIL LEGGETT

**Present** 12 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

### 4. SPECIAL PRESENTATIONS

### 5. CONSENT AGENDA

#### *Approval of the Consent Agenda*

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

**Aye:** 12 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

[MIN-23:014](#)

MINUTES FOR THE CITY COUNCIL MEETING ON FEBRUARY 7, 2023

**Attachments:** [CC Minutes 02072023](#)

**This item was passed on the Consent Agenda.**

[RES-23:015](#) A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO APPROVE SUPPLEMENTAL AGREEMENT NO. 3 WITH FISHER ARNOLD, INC. TO PROVIDE CONSTRUCTION INSPECTION AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE JONESBORO DOWNTOWN TO ASU CONNECTION PROJECT (JOB 100971)

**Attachments:** [Supplemental Agreement No. 3](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-027-2023

[RES-23:033](#) A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH ATLAS ASPHALT INC. FOR THE 2023 ASPHALT MILLING AND OVERLAYS SELECTED CITY STREETS PROJECT - JOB NO. 2023:02

**Attachments:** [Bid Tab](#)  
[2023 Asphalt](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-028-2023

[RES-23:016](#) A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH BRACKETT KENNERICH & ASSOCIATES, P.A. TO PROVIDE ARCHITECTURAL SERVICES FOR THE PARKER PARK COMMUNITY CENTER POOL AND RESTROOM FACILITY PROJECT

**Attachments:** [Parker Park Contract](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-029-2023

[RES-23:017](#) A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING A CHANGE ORDER WITH RITTER COMMUNICATIONS, INC. TO INCREASE STORAGE CAPACITY AND HOST THE CITY'S FIREWALL

**Attachments:** [Quote City of Jonesboro Increase Cloud Services Storage 02 03 23](#)  
[Quote City of Jonesboro Palo Alto Firewall Solution 02 03 23](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-030-2023

[RES-23:034](#) A RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO A TWO YEAR LEASE CONTRACT FOR THE PURCHASE OF ONE SANITATION REAR LOAD TRUCK

**Attachments:** [Arvest Proposal 2023 Freightliner 20 yd RL](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-031-2023

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA

[RES-23:004](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO CONDEMN PROPERTY LOCATED AT: 116 Chestnut St. Jonesboro, AR 72401 Parcel #: 01-143134-38700; OWNER: Miguel Oyervides

**Attachments:**

- [116 Chestnut Inspection Report](#)
- [116 Chestnut Map](#)
- [116 Chestnut Notice of Violation Affidavit](#)
- [116 Chestnut Notice of Violation Certified Letter Returned](#)
- [WIN 20221214 11 32 53 Pro](#)
- [WIN 20221214 11 33 08 Pro](#)
- [WIN 20221214 11 33 11 Pro](#)
- [WIN 20221214 11 33 13 Pro](#)
- [WIN 20221214 11 33 19 Pro](#)
- [WIN 20221214 11 33 29 Pro](#)
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- [WIN 20221214 11 33 39 Pro](#)
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- [WIN 20221214 11 33 53 Pro](#)
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- [WIN 20221214 11 35 13 Pro](#)
- [WIN 20221214 11 35 16 Pro](#)
- [WIN 20221214 11 35 18 Pro](#)
- [WIN 20221214 11 35 20 Pro](#)
- [WIN 20221214 11 35 34 Pro](#)
- [WIN 20221214 11 35 37 Pro](#)

*Code Enforcement Director Scott Roper said, I apologize, 116 Chestnut, the owner is starting repairs on that property so we anticipate that hopefully being put back together. We would ask for that to be tabled for six months. Councilmember Joe Hafner asked, do we need a motion to reconsider? Councilmember Chris Moore said, well, before we have a motion to reconsider, I mean, the reality is he can still buy a permit and he still has that amount of time. So, if we are going to reconsider our motion, I mean, what are we really gaining? Why not just move forward? If he has it*

completed or if he makes substantial improvements, we can make a motion on the back end instead of the front end. Somebody can make a motion to reconsider. Mayor Harold Copenhaver said, we do not have a second on that. (Councilmember Hafner is inaudible.) Mayor Copenhaver, said, thank you Scott.

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

**Aye:** 12 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

Enactment No: R-EN-032-2023

[RES-23:005](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO CONDEMN PROPERTY LOCATED AT: 201 W Forrest St. Jonesboro, AR 72401 Parcel #: 01-144073-2190000; OWNER: Vicki Ghant

**Attachments:**     [201 W Forrest Boarding & Securing Affidavit](#)  
                               [201 W FORREST Inspection Report](#)  
                               [201 W Forrest Map](#)  
                               [201 W Forrest Notice of Violation Affidavit](#)  
                               [201 W Forrest Notice of Violation Returned Sig Card](#)  
                               [201\\_forrest0](#)  
                               [201\\_forrest1](#)  
                               [201\\_forrest2](#)  
                               [201\\_forrest3](#)  
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                               [201\\_forrest11](#)  
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                               [201\\_forrest24](#)  
                               [201\\_forrest25](#)  
                               [201\\_forrest27](#)

Code Enforcement Director Scott Roper said, Mayor, this is another property that the homeowner has pulled permits for. I don't know if you want to leave it as, but we are working with the homeowner. Mayor Harold Copenhaver asked, you have already pulled the permits on it? Mr. Roper said, yes sir, they have. Mayor Copenhaver said, okay. It hasn't been voted on yet. Councilmember Chris Moore said, Mr. Mayor, just for some clarification, I want to make sure that everybody understands that even if we condemn this property, you still have the ability to come in, buy a permit, or continue. If they make substantial improvement, Mr. Roper has the right to extend that time period at his discretion. So, condemnation tonight is not the end all be all of the process.

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

**Aye:** 12 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

Enactment No: R-EN-033-2023

[RES-23:006](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS  
TO CONDEMN PROPERTY LOCATED AT: 904 Logan Ave. Jonesboro, AR 72401  
Parcel #: 01-144184-25000; OWNER: Barbara Butler

**Attachments:** [904 Logan Affidavit B&S Letter](#)  
[904 Logan Inspection Report](#)  
[904 Logan Map](#)  
[904 Logan Notice of Violation Affidavit](#)  
[904 Logan Returned Certified B&S Letter](#)  
[904 Logan Returned Standard B&S Letter](#)  
[WIN 20230105 09 32 08 Pro](#)  
[WIN 20230105 09 32 24 Pro](#)  
[WIN 20230105 09 32 31 Pro](#)  
[WIN 20230105 09 32 36 Pro](#)  
[WIN 20230105 09 32 38 Pro](#)  
[WIN 20230105 09 32 59 Pro](#)  
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[WIN 20230105 09 33 05 Pro](#)  
[WIN 20230105 09 33 15 Pro](#)  
[WIN 20230105 09 33 24 Pro](#)  
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*Code Enforcement Director Scott Roper said, I apologize with have a little bit of activity on all of these properties that are coming before you. We have had a lot of activity very recently. This property has been demoed by owner. Mayor Harold Copenhaver asked, it has already been demoed? Mr. Roper said, yes sir. Mayor Copenhaver said, okay, alright. City Attorney Carol Duncan said, so are you asking to pull that resolution? Mr. Roper said, yes ma'am. Ms. Duncan said, we need a motion to table indefinitely. Councilmember Chris Moore said, well, we can make a motion at any time, but I would like to ask Mr. Roper one question. So it has been cleaned up to your satisfaction? Mr. Roper said, yes sir. Councilmember Moore said, the entire lot has been leveled, ready, mow able condition? Mr. Roper said, yes sir. I have not personally been by this property, but the officer that is involved, I feel very confident in his ability to not sign off on the property if it wasn't cleaned up. Councilmember Moore said, with that I will make a motion to postpone indefinitely. Councilmember David*

McClain, seconded the motion.

**A motion was made by Councilperson Chris Moore, seconded by Councilperson David McClain, that this matter be Postponed Indefinitely. The motion PASSED with the following vote.**

**Aye:** 12 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

[RES-23:007](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO CONDEMN PROPERTY LOCATED AT: 3600 Beacon : Parcel 01-134033-03600; OWNER: Shinice Walker

- Attachments:**
- [3600 Beacon 8-12-21 Inspection Report](#)
  - [3600 Beacon 12-7-22 Inspection Report](#)
  - [3600 Beacon Map](#)
  - [3600 Beacon Notice of Violation Affidavit](#)
  - [3600 Beacon Notice of Violation Returned Cert Letter](#)
  - [WIN 20221207 10 35 29 Pro](#)
  - [WIN 20221207 10 35 31 Pro](#)
  - [WIN 20221207 10 35 33 Pro](#)
  - [WIN 20221207 10 35 47 Pro](#)
  - [WIN 20221207 10 35 49 Pro](#)
  - [WIN 20221207 10 35 51 Pro](#)
  - [WIN 20221207 10 35 58 Pro](#)
  - [WIN 20221207 10 36 21 Pro](#)
  - [WIN 20221207 10 36 29 Pro](#)
  - [WIN 20221207 10 36 45 Pro](#)
  - [WIN 20221207 10 36 48 Pro](#)
  - [WIN 20221207 10 37 03 Pro](#)
  - [WIN 20221207 10 37 08 Pro](#)
  - [WIN 20221207 10 37 24 Pro](#)
  - [WIN 20221207 10 37 27 Pro](#)
  - [WIN 20221207 10 37 30 Pro](#)
  - [WIN 20221207 10 38 00 Pro](#)
  - [WIN 20221207 10 38 02 Pro](#)
  - [WIN 20221207 10 38 05 Pro](#)
  - [WIN 20221207 10 38 13 Pro](#)
  - [WIN 20221207 10 38 24 Pro](#)
  - [WIN 20221207 10 38 26 Pro](#)
  - [WIN 20221207 10 38 29 Pro](#)
  - [WIN 20221207 10 39 00 Pro](#)
  - [WIN 20221207 10 39 03 Pro](#)
  - [WIN 20221207 10 39 40 Pro](#)
  - [WIN 20221207 10 39 43 Pro](#)

Mayor Harold Copenhaver asked, Scott, do you have the same thing on RES-23:007 as well? Code Enforcement Director Scott Roper said, yes sir. This property, again, the owner has hired a contractor and has pulled permits. Mayor Copenhaver asked, so, he has already pulled the permits? Mr. Roper said, yes sir. City Attorney Carol Duncan

asked, that is not demolished? Mr. Roper said, that is correct.

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

**Aye:** 12 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

Enactment No: R-EN-034-2023

[RES-23:008](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO CONDEMN PROPERTY LOCATED AT: 4205 E. Nettleton Ave. Jonesboro, AR 72401 Parcel #: 01-144223-10800; OWNER: ARLANDS, LLC

**Attachments:** [4205 E Nettleton Map](#)  
[4205 E Nettleton Notice of Violation Affidavit](#)  
[4205 E. Nettleton Inspection Report](#)  
[Notice of Violation Letter](#)  
[Notice of Violation Returned Sig Card](#)  
[4B55DE37-DCAB-4EB1-A6A0-37C8B97D4395](#)  
[6D25D814-140D-4CBD-8123-715E4683753C](#)  
[8CB2AF2E-B6DC-4D8A-B4BF-DB0A1018F3D5](#)  
[8E282C52-07B9-4263-BC40-EBE2C7FAAB6C](#)  
[8980E310-7D7C-43EC-BB69-5FC943A2999C](#)  
[3594257C-17A4-47BD-9397-E59295A443CE](#)  
[09078443-7E63-4D4D-8735-63C40A041836](#)  
[A98D9485-791A-4A49-BE5A-7B39CA3629A3](#)  
[B519DFBC-6FA3-4CD7-8866-57DDDACBD1EB](#)  
[D904DDED-61C9-4343-8A86-CF09DBF4EB1D](#)  
[D639177B-1E35-4724-9D4B-36AE93C58DD5](#)  
[ECE9E44B-7A92-4BA6-8E5A-0F2D56B173D8](#)

Mayor Harold Copenhaver said, Mr. Roper if you please make a comment. Code Enforcement Director Scott Roper said, yes sir. We would like to recommend that this be tabled indefinitely. This property just sold. So, we do believe the new owner will be pulling permits, but since it is sold, we would actually have to restart this process over. Councilmember Chris Moore said, I hate to sound like a broken record, but just as a point of order, Carol needs to read it and then we can make that motion. I mean you are having discussion before anything is on the floor. (Resolution read by City Attorney Carol Duncan) Ms. Duncan said, I do believe a motion to table can be done before that happens. Councilmember Moore said, well, what we will need is a motion and a second to adopt and then if somebody wants to make a motion to table it will have precedence on the order of motion. So, I'll make a motion to adopt. Councilmember Dr. Charles Coleman said, second. Councilmember Moore said, now, before we vote, if Mr. Roper is asking for it to be tabled, he can explain why and then if somebody wants to make a motion. Mr. Roper said, we would request that this be tabled. The property has sold which we would be required to restart our process over. We do feel pretty confident the new owner is going to renovate this property. But, regardless, we would have to start the process over again because it was sold. Councilmember John Street motioned to table indefinitely, seconded by Councilmember Moore. Councilmember David McClain asked for a point of clarity. I want to check, I want to make sure, was that voting on the original or is that voting on the postponement? Because, I want to

make sure. Ms. Duncan said, you are voting on the postponement. Once it is postponed indefinitely, it kills it. It won't be coming back. Councilmember McClain said, okay. I just want to make sure as far as when we press the button is that voting on the first one or the second one? Councilmember Joe Hafner said, the second. City Clerk April Leggett said, the second. Councilmember Moore said, just as a semi-parliamentarian, it is a general motion to adopt, but a motion to postpone indefinitely has a higher precedence and we vote on them in order of their precedence. So, there may be multiple motions on the floor, but the one that has the highest precedence will be postpone indefinitely. Councilmember McClain said, okay, got it.

**A motion was made by Councilperson John Street, seconded by Councilperson Chris Moore, that this matter be Postponed Indefinitely. The motion PASSED with the following vote.**

**Aye:** 12 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

[RES-23:035](#)

RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO TO SUBMIT AN APPLICATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE FY2023 RAISE GRANT FOR THE NORTH SECTION OF THE ONE JONESBORO QUALITY OF LIFE AND CONNECTIVITY MASTER PLAN

**Attachments:** [new mou.docxFINAL](#)

Mayor Harold Copenhaver said, this is a grant that the city has applied for the last two years. I want to say that we were at a very high level of succeeding with this application. But, in order to get this application over the top, we also have a fellow community in Paragould that applied last year as well. In doing so, I thought that it was a good effort that the City of Paragould Mayor Josh Agee and both county judges and the Mayor of Brookland, we all visited about coming together to bridge our communities. In doing so, we pulled our portion of the flyover of the grant in order for others to participate. As you can see in the numbers that pretty much fills in the holes. We did have a public meeting this afternoon from 3-4 at the Chamber. It will be the first of many public meetings to inform the public. Again, this is just an ask for the opportunity for the grant. A lot of hard work has gone into this from each of the communities. We will be having a meeting in Paragould as well, Brookland. And, the nature of this is to collaborate support from all of our communities together, individuals, businesses and the Arkansas State ARDOT along with the Parks & Tourism. And, by collectively incorporating our parks north of our community and west of Paragould and then allowing a public transit system from Paragould down to Brookland down to Jonesboro and back and forth. For paratransit, our hospitals are all in favor of this as well. We hope that you are pleased with this application. We are as well. We are needing your support by letters. Regina, will you come forward and add any further information or answer any comments from Council? I will open it up for Council at this point in time.

Councilmember David McClain said, a couple of questions real quick. We talked about it a little bit at Finance, but I just want to get clarity on the Bridge NEA. Who makes that up, but then, also, what they will decide or determine or is it just a group to make the application? How does that work? Mayor Copenhaver said, Bridge NEA consists of Paragould, Jonesboro, and Jonesboro is the lead on the application, obviously because the size, we are asking for higher funding than anyone else, Brookland, and the two counties. Also, in that process, there will be a committee representing each of those communities in this process. Number one, that committee will be announced. They will be challenged to go out and ascertain support from each

*of their communities. And, then once and hopefully, if we receive that funding, then that committee will stay intact to represent and on getting public opinion and where we are going to actually provide that once it's in its place. Now, Regina, if you would, also, may Council aware that in this grant request, what goes into that grant request as far as the funding portion of that.*

*Community Development and Grants Director Regina Burkett said, so, the funding portion will be just like any other federal grant that we received. Each partner will have their own responsibility and we will have an agreement if awarded. And, each partner will be responsible for that section of their agreement is what will happen with that. So, the City of Jonesboro will probably go ahead and do the financials because we are the lead in that. It is a reimbursement and each community will have to have their own reimbursement. It will not be from us. Once we receive the guidelines, we all have to follow the same federal guidelines. And, therefore, that will cover all of the communities. I spoke at Public Safety today and I was asked to send out support letters and I will be happy to send those out. If you wish to send one, I will send that information out tomorrow. Mayor Copenhaver said, and it is very competitive. The City of Helena received one two years ago and then, Conway received one last year. What we see is the involvement of the communities effort together and we thought outside of the box this time with this application and involving other communities.*

*Councilmember McClain said, I think that is a great idea to connect all the communities. I think that is smart for us to work together. I just wanted, again, clarity on who, what, when. If we are going to have two representatives from each community or be if it's going to be we are going to have more because we are the larger city or what. And, then, again, will they have any kind of authority to apply for more grants or apply for grants in the future from maybe the state or private foundations or anything like that. Mayor Copenhaver said, once again, we are adding that into the application that that committee will be formed and then if and when we hopefully would be able to receive that funding, then more of that role will come into play with that committee. But, yes, we will have the larger number because we are the larger city and then Paragould obviously following along with Brookland and the two county judges. Councilmember McClain asked, any timeline as far as when that committee may be formed? Mayor Copenhaver said, that committee will be formed within the week. Councilmember McClain said, okay. Ms. Burkett said, it is a requirement that we have to be the lead applicant in the grant because we are asking for the larger sum and with the largest population. We have the larger of the all of the other partner's populations so it is a requirement that we have to be the lead. Councilmember McClain said, thank you.*

*Councilmember LJ Bryant said, I think my only comment would be that it is smart to partner with others. That was very smart and it's exciting. I think just as you consider appointments, and hopefully as the other communities consider appointments, they will consider the folks that are going to use the trail. It will be important to have elected leaders and civic leaders and all of those things as well, but it will be important to have the folks that are actually going to ride the bikes and run the trails. Mayor Copenhaver said, I would say at our public comment today, we did have three, at least three City Councilmembers, there might have been more, along with about 50 people present and that was very promising. Ms. Burkett said, it was a large turnout today and a good response back from the community. And, we hope for that to continue with the other public comment hearings that we have. Councilmember McClain said, so we will construct if we get the grant, we construct our portion, the county constructs their portion, are they responsible for their portion? Mayor Copenhaver and Ms. Burkett said, yes. Councilmember McClain said, okay, thank you.*

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

**Aye:** 12 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

Enactment No: R-EN-035-2023

## 6. NEW BUSINESS

### ORDINANCES ON FIRST READING

#### [ORD-23:008](#)

AN ORDINANCE REGARDING AN ABANDONMENT OF A PORTION OF RIGHT-OF-WAY ALONG UNDEVELOPED BONAPARTE COVE AS REQUESTED BY HORIZON LAND SURVEYING ON BEHALF OF CURTNER ASSET MANAGEMENT, LLC

**Attachments:** [signed petition.pdf](#)  
[Opinion Letter](#)  
[Plat & Utility Letters](#)  
[resolution](#)  
[Publishing Receipt](#)

*Councilmember John Street motioned, seconded by Councilmember Chris Moore, to suspend the rules and offer ORD-23:008 by title only. All voted aye.*

**Held at one reading**

## 7. UNFINISHED BUSINESS

### ORDINANCES ON SECOND READING

#### [ORD-23:003](#)

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES, FROM R-1 TO RM-12 FOR PROPERTY LOCATED AT 804 BELT AS REQUESTED BY WESTON WAGNER

**Attachments:** [Staff Summary Report](#)  
[Plat](#)  
[Publication Receipt](#)  
[Petition Against Rezoning ORD-23-003](#)  
[Certified Mail Receipt](#)

*Billy Brown, 814 Mays Road, said, I am here to speak on behalf of the neighborhood that is going to be directly affected by this ordinance. More specifically and I think I heard you say R-1, more specifically we want to deal with that because we want to watch out as a neighborhood for and protect those R-1 zonings so that don't face the possibility of high density housing in there. We represent the Northside Coalition for the Betterment of Jonesboro and as information for us, we went around and directly interviewed the neighbors that are immediately adjoining these properties and ask if they would be in support of or opposed to rezoning that were multiple housing could be*

built in that area, and we overwhelming got a no. So, I do have a petition signed for this. This is the original copy that I will make available to you. The reason we dealt more specifically with the traffic in that area and I know that you are aware of where that property is located and it has one entrance in and out. It will have to come across that Belt address and wind up on Belt Street and come out on Belt Street. That property has not been cleaned up in a number of months. It seems that it has been a dump site for construction material. What I noticed most apparent is that Belt Street when it comes down and turns down Fisher Street is right there at that school and there is a lot of traffic. That's a really tight street in there anyway without bringing traffic off of two lots and additional traffic from high density housing. So, we have a petition against that ordinance based on the effect that it will have on the neighborhood. And, we actually ask if anyone would be willing to come that is directly affected, that is across the street from this and support us and they did. Just raise your hand if you are here based on this. These are the families that will be directly affected and they are opposing it based on traffic. I wonder if any consideration has been given to the school. That traffic two times a day is only one way and so it is going to have a traffic backup there. I also noticed in I think the last meeting that there was that registered notification was sent to those that are directly affected by this rezoning and when I did this survey, no one received those letters. And, there is a property that is R-1. They are a homeowner and it butts up immediately to this R-1 and they did not receive a notification. So, we are concerned that also the postal receipts that we can see online, none of them had names on them. We are concerned did anyone contact the school district about what that's going to do in that area and so we ask that you not approve this rezoning. Thank you very much. Any questions?

Mayor Harold Copenhaver said, Mr. Brown, if you would, I would like to ask you a question. Mr. Brown said, yes sir. Mayor Copenhaver asked, did you, were you able to attend the MAPC meeting when this first came up? Mr. Brown said, no, I did not. I missed the MAPC meetings. Mayor Copenhaver said, I noticed they voted seven in favor and zero against on that. Mr. Brown said, right. So, yeah, I missed it. I only caught it on the last chamber meeting that you had, this past chamber meeting, that is when I caught that this was happening. That blue sign for rezoning has been up there for quite a long time. So, we were kind of watching what is going to happen there and I missed it on MAPC. I apologize. Mayor Copenhaver said, thank you for your comments Mr. Brown.

Patti Lack, 4108 Forest Hill Road, said, last night when I was putting this and writing this up for my Facebook page, I thought, I didn't see this at the last MAPC meeting and I thought, when was it up. Well, it came up on June 14, 2022 so it came up eight months ago. So, that sign has been up there, the rezoning sign has been up there for eight months. And, normally is that after the MAPC meeting is that it usually directly comes to you guys. So, I am not understanding why the delay for all of that time. And, I think also too is that when you see that rezoning sign for that long of time, I think that people just get numb to seeing that sign up there and they don't know what is going on. So, it has been eight months since it has been up there. All of you have the responsibility to just decide whether to make this an RM-12. There are two lots there and I did watch the MAPC meeting. I did not attend it, but I watched it today. And, what happened is that I heard Derrel Smith say is that sometimes when we request an RM-16 is that the City Council usually denies it. So, they put it to an RM-12. So, this is going to allow the builder to put, he could put 24 of them, but he is going to put 18. So, when I looked at the approval criteria is that one of the marks that they did not get is that it said that it was not consistent with the future land use plan. So, my thing is that you know what on the form it said, yeah, there's other apartment units on there, but it doesn't mean that we have to continue to build apartment units. When I looked at and

*listened to the MAPC meeting is that they asked the gentleman to go ahead and replat. And, like, my copier is not well. On his first replat at the MAPC, he got the seal of approval down here at the bottom. When I looked up the replat that is shown on the attachments here, there is no seal of approval. Does that make a difference? I don't know, but one has it and one doesn't. So, I don't know why that is done. Mr. Brown had said something about the notifications that went out. Again, my computer is not very good, but if you look on and you can go to your computer is that there is no addresses. So, who did these go out to? You know, it is just a question about what is going on here. So, I guess what I am saying is that if you look at, there is a time and a point I guess we all have to decide how many apartments do we need in this community. And, I think if you look at all of the shootings that we have had lately is that there was this address here is 809 Belt. There was a shooting just a couple of days ago at 900 Belt Street and it was in the apartment building. And, they said that there were children there. So, I hope you guys consider that just because someone wants to change it and build some more apartments, they could build some nice houses. And, I think we need to get to a point that enough apartments is enough. Let's start really focusing and making this a nice town, especially on that. And, one last point is that with the school is that there was no, I understand you don't have to get approval from the school, but it is nice to have a letter sent to them to notify and that letter is not attached to anything on this ordinance here. So, I ask you guys to go ahead and deny this when it comes up for vote next week. Thank you.*

*Councilmember Dr. Charles Coleman said, I met with the Northside Coalition, but I also live right down the street and that problem, that whole area is a problem area between Belt and Patrick and that little area right there is a problem. But, I remember taking you Mayor up there to look at that place where they were dumping all of those items there that was supposed to have been looked into. I never heard anything else about it. But, at the same time, even though the MAPC may vote 7, you know a lot of these people don't live in these areas and a lot of these people don't go into these areas to look at what is happening in that neighborhood. That whole corner is a problem, period, and it is right next to that school. That is just an issue that needs to be looked at a little bit further, okay.*

*Councilmember Chris Moore said, I have a question for Carol. Carol, I know we have a time limit when a rezoning comes to the City Council, it has to be settled in a certain amount of time. Is there a time limit from the time that the MAPC approves an item until it appears on the Council agenda because it does seem kind of strange that you might get approval at the MAPC and then have an eight month delay where everybody kind of forgets about it. City Attorney Carol Duncan said, I was just trying to quickly research that because I had the same question, but Derrel is shaking his head no over there that there's not a timeline. Mayor Copenhaver asked, Derrel, would you like to comment and also a little background on that lot as well because I know we did go out there and look at it and discuss that.*

*Planning Director Derrel Smith said, this did come up and we did look. I can find nothing in there where there is a time limit set that once it is approved by MAPC, it has to go to City Council. Now, there is a time limit, you know, that after City Council, but nothing before. So, I looked and I couldn't find anything that said six months, a year, whatever, just wasn't anything written in the ordinances. Councilmember Moore said, I don't want to get off in the weeds tonight, but we ought to consider once something is approved at the MAPC, it should appear on the next regular Council agenda and that away all of the people who are involved in that. Mr. Smith said, we have had a lot of them not go to the next Council meeting. I mean, there has been a lot that take a month or two even to get to the council, but I haven't had one that has lasted since*

June though, no. Councilmember Moore said, that was the only question I had for counsel. Ms. Duncan said, and we will look more closely before the next meeting to make sure, but I don't remember anything, but I was trying to look. Mayor Copenhaver said, Derrel, I think we also went out. I know Craig and I went out and looked. Mr. Smith said, I think that was you and Craig. I didn't get out there on that. Mayor Copenhaver asked, is Craig here? I don't think he is. Mr. Smith said, no, he is off this week. Mayor Copenhaver said, okay, well, we will have to follow up comments on that for Council as well on that on that lot, Councilmember Coleman. Councilmember Dr. Charles Coleman said, but I hope we do more than just talk about it. We have talked about this once before, that same area. I guess specifically when I asked for people to look at that corner and look at that area, it's not so much that I am against apartments, but what I am against is putting them in certain areas and that area is just a bad area. Mayor Copenhaver said, okay.

Councilmember Dr. Anthony Coleman said, I have a question, both of them. I think Mr. Brown and then Ms. Lack mentioned something about mailings and something about no address and so on and so forth and they asked the question, but we, I know this is a reading, but I think at some point, it's at least between now and the third reading, we need to answer that what exactly is that you know. Just answer that question when it comes to that. Ms. Duncan said, the general rule is that they are required to notify all property owners within 200 feet by certified mail. Councilmember Coleman said, okay. Ms. Duncan said, they are also required to notify the school district, just to answer that question. Mayor Copenhaver said, the school doesn't have to reply. Ms. Duncan said, they don't have to reply. Mayor Copenhaver said, good discussion Councilmember.

Weston Wagner, 336 Natchez, said, good evening. I'm actually the owner and going to be the builder of that property. The reason, as far as why it took so long, took the eight months is because once I got approved at MAPC, I had to go through and get a replat and turn two lots into one. That took a little bit of time. I build several properties here in Jonesboro, houses, duplexes, different stuff like that. I got busy doing that. This got kind of put on the backburner. So, to answer your question, this took me a little bit longer than I had originally anticipated on getting that done. What I am trying to do is my first section is zoned R-3. An R-3 can do 18 units per acre. So, the first section, if it didn't pass, the first section is R-3, you could build still several apartments there on it, go high on it. The second section is the R-1 lot, so what I would do, there has been pictures and documents and everything of a site plan layout similar to what I am going to do or plan on doing 18 units which would be nine different duplexes. There would be a road right through the middle. The land makes an L shape. There would be a road through the middle. L shaped down with duplexes as laid out for variance purposes. Mayor Copenhaver said, thank you for your comments sir. Ms. Duncan said, I see no timeline as far as our ordinance. Councilmember Moore said, I didn't think there was a timeline, but what my point would be the same timeline that applies to the Council once it appears here should apply to the MAPC to get it here I would think. Mr. Wagner said, like I said, I do build several properties here in Jonesboro. I would be happy to share any addresses with the stuff I build. I build higher end properties. Everything has soffit lights on there. I started putting in photo eyes. Everything is very well lit with security lights. With 18 units here, I plan on putting a security system on site. One of the buildings will actually have a garage you would say for storage and office so I could have security systems there as well as anybody that is not familiar with it, soffit lights go in the eaves of the building all away around and come on every single night. It's not only the whole area to be parked be lit up, but I would also have security lights as well. Mayor Copenhaver said, thank you sir.

**Held at second reading**

[ORD-23:004](#)

AN ORDINANCE AMENDING ORDINANCE NO. 2022-15 OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS; MODIFYING THE INTEREST RATE ON THE CITY'S TAXABLE ECONOMIC DEVELOPMENT REVENUE BONDS (COLSON CASTER PROJECT), SERIES 2022B ISSUED ON APRIL 19, 2022; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

**Attachments:** [Ordinance Amending Ordinance No. 2022-15 \(Colson 2022\)](#)  
[ORD-22-015 BONDS\\_Colson\\_Redacted](#)

**Held at second reading**

[ORD-23:005](#)

AN ORDINANCE AMENDING ORDINANCES NO. 1657 AND 1717 OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS; CHANGING THE NAME OF THE PUBLIC FACILITIES BOARD CREATED IN SUCH ORDINANCE TO THE "CITY OF JONESBORO, ARKANSAS PUBLIC FACILITIES BOARD"; EXPANDING THE POWERS OF SAID PUBLIC FACILITIES BOARD TO INCLUDE THE ENTIRE SCOPE OF AUTHORITY AND POWERS INCLUDED IN THE PUBLIC FACILITIES BOARDS ACT; PRESCRIBING OTHER MATTERS RELATING THERETO.

**Attachments:** [Ordinance Amending Powers of Jonesboro Public Facilities Board](#)  
[Ordinance 1717](#)  
[ORD 1657](#)

**Held at second reading**

#### ORDINANCES ON THIRD READING

[ORD-23:001](#)

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 5618 SOUTH CARAWAY ROAD AS REQUESTED BY WESCOTT ENTERPRISES, LLC

**Attachments:** [Staff Summary - City Council](#)  
[Plat](#)

**A motion was made by Councilperson LJ Bryant, seconded by Councilperson Chris Moore, that this matter be Passed. The motion PASSED with the following vote.**

**Aye:** 12 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

Enactment No: O-EN-004-2023

[ORD-23:002](#)

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 SINGLE FAMILY RESIDENTIAL TO C-4 LUO NEIGHBORHOOD COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 1916 DISCIPLE DRIVE, JONESBORO, AR AS REQUESTED BY CORNERSTONE UNITED METHODIST CHURCH

**Attachments:** [Staff Summary - City Council](#)  
[Plat](#)

*Jim Gramling, Gramling Law Firm, said, I represent the Church Cornerstone United Methodist Church. I have here with me Jonathan Griesse, the pastor and Shannon Davis from the Board of Trustees. We did have a neighborhood meeting. I expanded the radius to 400 feet and we had a grand total of two people show up. None of whom objected. The other important thing is because the church is still going to be there, this is an extremely limited use overlay. If you will look, you basically limited everything that would be fast food. What you are looking at there is essentially nine to five businesses that won't be a hindrance to the neighborhood. We have had no objection. Mayor Harold Copenhaver said, thank you for your comments.*

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

**Aye:** 12 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

Enactment No: O-EN-005-2023

## **8. MAYOR'S REPORTS**

*Mayor Harold Copenhaver reported on the following:*

*I would like to update you on the progress on the Johnson Avenue Safety Initiative. We have been doing saturation patrols and writing a lot of citations and warnings. Chief and I have agreed that the fatality and other incidents on this stretch have been unacceptable. I want to invite him to briefly speak about JPD's approach and results over the past month or so.*

*Police Chief Rick Elliott said, good evening Council and thank you Mayor for this opportunity. Just briefly, since January 10, 2023, we have been trying to do saturations on this stretch of Johnson to well call it our driver reeducation program. We try to get drivers to pay attention to the posted speed limit that is now 35 mph. Our efforts, as of today, have yielded 422 traffic stops, 129 tickets, 282 warnings, 50 arrests, and 1 crosswalk violation, pedestrian not using the crosswalk. So, not only are we targeting the motorists, but the pedestrians trying to encourage them, reeducate them into using the crosswalks in this area. Once we get the new island up in the center, hopefully that along with new lighting along Johnson, we will see some significant differences in things that are going on. I will note that Johnson and State Street intersection in the past year, we only had five accidents at this intersection, but unfortunately, two of them involved pedestrians, one which is fatal. Just up from that, we did have a child struck on a bicycle the other day. Fortunately, that child was not seriously injured, just very minor injuries. There is a lot of foot traffic. Again, we are trying to take a positive approach and reeducating our drivers and our pedestrians. With lighting and safety equipment in place, we hope to make a big difference along Johnson.*

*Mayor Copenhaver said, and I might add Council, as late as last week, we were doing additional, not only the patrols, and hopefully, you were able to see that as well, but additional lighting upgrades. We have already visited with City, Water and Light on at least 40 poles being addressed for additional lighting. And, then, our traffic signs that I believe we mentioned earlier as well, those will be installed. We have gone ahead and provided that permit to ARDOT and so, hopefully, we will be hearing back from them this week for us to be able to move forward. Chief Elliott said, yes sir. Thank you, Mayor. Mayor Copenhaver said, thank you.*

Councilmember Ann Williams said, you have to get permission from ARDOT for any signage at all, right? Mayor Copenhaver said, that is correct. Thank you Chief. I would like to conclude by saying that I was horrified by the accident that happened on Johnson. I think we all were. We do have fears about bad driving all over our city. And, I want to say that Chief Elliott and JPD do a wonderful job. We have to educate not only vehicles, bicycles, and pedestrians, but we need to do it in a safe way. We need to provide them with affordable access and respect our byways for all. So, I commend our JPD for keeping our streets safe and enforcing our laws. Again, speeding, texting, driving recklessly, and other vehicle offenses, they are saving lives and maybe our own one day.

There is a family that I would like to thank you. I can't name them because they chose to be anonymous, unnamed. This family gave me a \$10,000 check this weekend for Project CARE, which as you know, is a non-profit this administration created to serve for special needs population who can and want to work. We held a jobs fair a couple of weeks ago and it was a big success. And, I know the young men and women who will now have jobs feel empowered by their contributions and the rewards that the working career offers. I know all of Jonesboro is better with the service of Project CARE. And, if you want to donate, hire, or get involved with Project CARE, please call my office or Shelly Anderson or Tonya Hottel or Mary Housewright and others who volunteer to make Project CARE so valuable in our community.

## **9. CITY COUNCIL REPORTS**

Councilmember John Street said, we had our MPO meeting today and we were talking to Brad Smithee, District Engineer with ARDOT, about our HAWK and the progress we have made on Johnson and what we need to do. He did indicated they had approved the city to put in a HAWK. They were waiting for the equipment that is going to be used. For approval, apparently, it is a formality, but he talked like that would be forthcoming very quickly as soon as we got that information to them. I think that is going to make a difference. We will have to see. The lighting at one of the meetings earlier, just general information, City, Water and Light has been for over two years I guess, replacing these sodium lights with LED's. They are a little over 70% traded out now. Those are brighter lights. They provide a lot better security. As the sodium burnout or several along an area burnout, they replace them. They have been made aware of the outages on Johnson. There are several places where lights are out. We will see that they are notified about the ones on Main as well. They have a crew at night that does nothing but go around and replace those lights out. But, as someone, I think Tony Thomas said earlier, there is a spot on the website where anybody can report an outage of street lights if you want it faster. They are very good about getting to those and getting them on a list and getting them changed out. Hopefully the increased lighting on Johnson will make a difference as well. Mayor Copenhaver said, thank you councilman. I will say that yes, we sent a diagram because we are actually installing our equipment instead of ordering the equipment from ARDOT. So, they do have to approve that. So, that is what we are doing.

Councilmember LJ Bryant said, Mayor, you already addressed this, I mean I think you know we started looking at a multifaceted approach to helping JPD because JPD is doing all that they can. So, whether it is lighting or public policy or whatever it might be. I know in the past there has been court orders and all of the things that have happened on the north side of Johnson on apartment complexes, but Ms. Lack will share her spot crime thing and I live in Rossland Hills by Central Baptist and I think we know, you know, the complexes we have there and the crime and the shooting that we had at the Exxon recently. So, do we need to look from a public policy perspective? I

mean I look at the regulations we have on Airbnb's. You know, if you misbehave and JPD comes out a couple of times, we can do something about you not having an Airbnb. So, at what point can we do something to these bigger apartment complexes that are putting such a strain on city resources? So, I don't ask that for an answer tonight, but just something for us to consider on how we can help JPD. Mayor Copenhaver said, I can promise you Chief Elliot and I have had those conversations on the pressure points on those complexes. So, we are going to be using additional ways to apply that.

Councilmember Dr. Anthony Coleman said, thank you to the Mayor and everyone. I just want to make a public statement in that it's February which is Black History month. And, I would be reposed or remiss if I did not at least acknowledge it because I haven't personally heard anything stated in that regard, but being a proud citizen here in Jonesboro, but also a victim of profiling back when I was in college. I do want to acknowledge the fact that our policing and others have definitely improved since then, but we do have a ways to go in certain areas. I know even legislation now is being talked about and is being presented about affirmative action basically being eradicated. I just want to make a public statement that it does affect more than we would know or even like to recognize. So, I just think it is important that we make that statement, that we also as a city recognize those minorities, not just blacks, but our Asian community, our Hispanic community, and others that are doing a great work. They are also sowing (I am using a preaching term here.), but giving and of course submitting resources into our communities. I think we ought to continue to recognize that and make some open statements about it.

Councilmember Chris Moore said, well, I am wearing out the City Attorney tonight so I might as well continue down this trail. Earlier there was a comment made that if you transfer the title of property, condemnation has to start back. Is that an affirmative defense to condemnation, you simply sell the property. City Attorney Carol Duncan said, if you sell the property prior to us granting the condemnation. Now, after the condemnation, it would transfer with the property. If it's sold prior to Council acting on it, then yes, we would have to start the notification process over. Councilmember Moore said, so as long as you sell it prior the adoption of the ordinance? Ms. Duncan said, right, we would have to start over and notify the new property owner. Councilmember Moore said, well, I am pretty disappointed, there's not another avenue. Maybe we need to look because it is pretty easy to issue a quitclaim deed. And, we could actually do that back and forth between me and John Street until the Council gives up. Ms. Duncan said, we appreciate you publicly giving people that idea. Councilmember Moore said, there is no need to hide a problem. We might be aware of that and if there is something that we can think about or another alternative, we might want to consider that.

Ms. Duncan said, I will say that I did a little more looking while everybody was talking on and talked to Scott Roper and the fees that we were talking about earlier, we are truly enforcing them as fees and not fines so I don't have any concern with the raise. Councilmember Moore said, that's good news. Anything we can do to help Scott. I didn't want to get off in the weeds tonight on all of the condemnations, but all my efforts are to enable Scott to fulfill his obligations to move forward on this properties and keep people on a pretty tight leash. I am concerned about the title. Ms. Duncan said, it doesn't happen often until now. Councilmember Moore said, I understand. Thank you Madam Attorney. Mayor Copenhaver said, thank you for your comments.

Councilmember Dr. Charles Coleman said, I have a couple of things. To thank the Chief and what they are doing over on Johnson. You can actually see what is going on.

*I leave early a lot in the morning going down Johnson and I can actually see the traffic slowing down like it should. But, we are beginning to have another issue on Belt and Patrick. So, if we could get some more patrol out there, I sure would appreciate it.*

*Councilmember Brian Emison said, I just want to echo Dr. Coleman and applaud the Jonesboro Police Department for their efforts on Johnson. I drove by there twice on Saturday coming from the Hilltop area going towards that area and coming down and I saw multiple vehicles pulled over down there. So, enforcement on Saturday morning, just like the rest of the week. It was definitely stepped up and thank you for your efforts. Along the same lines, I have been contacted by a couple of homeowner associations that are here in the city and they have been asking if we have any updates on any of the speed bumps that can be installed in their neighborhoods. I know that at one time we were working on pricing and getting some policies together on that. Do we have an update on that or anything? Mayor Copenhaver said, we do have price scheduling. Brian, do you have any updates? It is more about instituting and having accessibility to them at this point.*

*Chief Administrative Officer Brian Richardson said, of course, like anything else, the supply chain disruptions somehow affects rubber. I think average lead time is 12-14 weeks on the fastest one we have found. What we have been encouraging neighborhood associations to do is to reach out to us and to inquire about some speed tables. And, we have some internal metrics that we use to see if that is something to address a larger problem or if it is something that is more defined to a particular neighborhood. Part of that information would help weigh in on if this is something that the neighborhood would be asked to pay for. Or, if, for example, they want to do a concrete speed table, we would need to see the renderings and the actual drawing from an engineer before we would issue that permit. Of course, we are going to want the input from the people that are going to be using it every day in the actual neighborhood. So, I would just ask if there is any neighborhood associations or any particular neighborhoods that are interested in that, you can reach out to the Mayor's office. You can email me directly and I will see to it that we kind of go through the proper processes on that.*

*Councilmember Dr. Charles Coleman asked, Brian, can't some of that information be put on the web page so people can look at it? Mr. Richardson said, yeah, we can put some pretty basic stuff on there, but obviously it is pretty unique. If we get a request for speed tables on a highway, that is not really something that any of the other regulations that we just talked about would be applicable for. But, we can definitely put out some basics. Are you interested in speed tables in your neighborhood? If so, here's the process and here are some of the minimum requirements. Councilmember Dr. Charles Coleman asked, do they still have to go through the Engineering Department to get a permit? Mr. Richardson said, correct. Yes, we would have to permit. Even if it was a neighborhood association that was going to pay for the installation, whatever that might be, before you put something on city right-of-way, we have to authorize a permit for that. Councilmember Emison said, Brian, I think that is a great idea and I thank you for speaking to that. I had no idea it was a 14 week backlog on something like that. Mr. Richardson said, actually, you should have seen some of the lead time on some of the longer ones. I think we waited something like 6-8 months for one. We didn't order from them anymore.*

*Councilmember Emison said, right. To Councilmember Coleman's position there as far as the website, I mean I think putting both that and as far as like the private neighborhoods that are wanting to go out and get their own cameras from the skycops side of it and being able to feed that back to dispatch to have both of those pieces of*

*information on the same website, I think would at least help answer a lot of the starting conversations for those neighborhoods there. Sure and I would just say as a general statement that someone on city staff is always available. If there is a neighborhood that would like for somebody to come out and talk about some of the other items that maybe they are interested in or just general updates, I would encourage any of those groups or associations to reach out and let us know. We will do our best to get somebody there. Councilmember Emison said, thank you. Mr. Richardson said, thank you.*

*Councilmember Janice Porter said, I would just like to affirm that city officials did come and meet with our neighborhood association about cameras, license plate readers and it was very helpful and very informative. They were patient and answered every question and I was very proud to be associated with this group of people. Mayor Copenhaver said, thank you for your comments. I would like to say I think it is really important and I want Council to and I think you all know that my door is open for any conversation. Sometimes, we are not going to hear everything. But, you represent wards and you do have concerns in your wards. I know that Councilmember Williams has come up and visited with me recently. And, that is the way that we learn about how we can address your particular areas that you might hear of concerns that we are not aware of. So, please, please note that my door is open to anybody.*

*Councilmember Ann Williams said, I must say that those in my ward and neighborhood have been really pleased and have noticed the enforcement of the speed limit. It is quite the conversation at the University Market gas station. I have heard a lot of people. It has gotten their attention. I was having lunch with a friend recently and we were talking about the very strict speed enforcement and my friend informed me that she had gotten a ticket. She said, yeah, it's been real good. But, she said, well, you know, live and learn. It was a learning moment for her. So, it has slowed the traffic down. It really has been noticeable.*

## **10. PUBLIC COMMENTS**

*Patti Lack, 4108 Forest Hill Road, said, what I want to say is last week or last council meeting, I know, LJ, you mentioned something about the small homes, a lot of them being built and most of them being rentals and I went by that area and there's a lot of small little homes there. In saying that it's out of state builders and then they build them and move on and they don't really care. You know, I think also too is that with the growth of Jonesboro now, you see some complexes that there's even local builders that are selling to out of state people too. And, once again, out of state people don't really care what happens after, you know, what happens after they buy it and they just move on. And, that's where I think the idea of impact fees. You know we talked about it and I know Ms. Williams, you asked the Mayor back in December about an update on the study and all of that and I hope that you can share that, where that is right now. But, I think where people are is that, you know, you look at all of the apartment complexes that are having shootings is that you and I and all of the citizens pay for our police and our fire department to go and protect those people and they are citizens, but, also, too, the people that own those complexes don't live here in Jonesboro. And, I think that with their attention focused on those apartments is taking away from the rest of the community and I think that is where I think that if we really start looking at impact fees and I hope that we do because I think for the growth of Jonesboro right now is amazing. I mean, it is non-stop. It seems something's going up all of the time. And, I think we need to have the developers pay a little bit more. And, those impact fees also, too, not only will help the roads, but they will help with the police and the fire departments. So, I was wondering if you can kind of give us an update on where that*

*study is. Thank you. Mayor Harold Copenhaver said, thank you for your comments.*

**11. ADJOURNMENT**

*Councilmember Joe Hafner left the meeting at approximately 6:40 p.m.*

*Councilmember Dr. Anthony Coleman left the meeting at approximately 6:45 p.m.*

**A motion was made by Councilperson Chris Moore, seconded by Councilperson John Street, that this meeting be Adjourned. The motion PASSED with the following vote.**

**Aye:** 10 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Mitch Johnson;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

**Absent:** 2 - Joe Hafner and Anthony Coleman

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Harold Copenhaver, Mayor**

**Attest:**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**April Leggett, City Clerk**



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: RES-23:036

**Agenda Date:**

**Version:** 1

**Status:** Recommended to  
Council

**In Control:** Public Services Council Committee

**File Type:** Resolution

RESOLUTION AUTHORIZING THE MAYOR AND CITY ATTORNEY TO CERTIFY FOR THE CITY OF JONESBORO FOR THE 2023 ANNUAL FEDERAL TRANSIT ADMINISTRATION (FTA) CERTIFICATIONS AND ASSURANCES FOR THE JONESBORO ECONOMICAL TRANSPORTATION SYSTEM (JET)

WHEREAS, the City of Jonesboro receives annual funding from the Federal Transit Administration (FTA) to assist in the operations and capital improvements of the Jonesboro Economical Transportation System (JET) public transit service, and

WHEREAS, as a requirement for receiving this funding, the City of Jonesboro must sign annually the FTA Certifications and Assurances, attesting to the fact that the City of Jonesboro complies with all of the regulations set forth in 49 U.S.C. 53 for the operation of JET,

NOW, therefore, be it resolved by the City Council of the City of Jonesboro that:

SECTION 1: The Mayor and City Attorney shall be the authorized signatory for the City of Jonesboro in attesting to the compliance of each section of the FTA Certifications and Assurances for this calendar year.

SECTION 2: Authorization is hereby given to submit and PIN the 2023 Certifications and Assurances to FTA via TrAMS (electronic interface)

*Not every provision of every certification will apply to every applicant or award. If a provision of a certification does not apply to the applicant or its award, FTA will not enforce that provision.*

*Text in italic is guidance to the public. It does not have the force and effect of law, and is not meant to bind the public in any way. It is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.*

## **CATEGORY 1. CERTIFICATIONS AND ASSURANCES REQUIRED OF EVERY APPLICANT.**

*All applicants must make the certifications in this category.*

### **1.1. Standard Assurances.**

*The certifications in this subcategory appear as part of the applicant's registration or annual registration renewal in the System for Award Management (SAM.gov) and on the Office of Management and Budget's standard form 424B "Assurances—Non-Construction Programs". This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.*

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
- (b) Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- (c) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
- (d) Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- (e) Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728–4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F).

- (f) Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to:
- (1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin, as effectuated by U.S. DOT regulation 49 CFR Part 21;
  - (2) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681–1683, and 1685–1686), which prohibits discrimination on the basis of sex, as effectuated by U.S. DOT regulation 49 CFR Part 25;
  - (3) Section 5332 of the Federal Transit Law (49 U.S.C. § 5332), which prohibits any person being excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance from FTA because of race, color, religion, national origin, sex, disability, or age.
  - (4) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps, as effectuated by U.S. DOT regulation 49 CFR Part 27;
  - (5) The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101–6107), which prohibits discrimination on the basis of age;
  - (6) The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
  - (7) The comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91–616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
  - (8) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
  - (9) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing;
  - (10) Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and,
  - (11) the requirements of any other nondiscrimination statute(s) which may apply to the application.
- (g) Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (“Uniform Act”) (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases. The requirements of the Uniform Act are effectuated by U.S. DOT regulation 49 CFR Part 24.

- (h) Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§ 1501–1508 and 7324–7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- (i) Will comply, as applicable, with the provisions of the Davis–Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327–333), regarding labor standards for federally assisted construction subagreements.
- (j) Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- (k) Will comply with environmental standards which may be prescribed pursuant to the following:
  - (1) Institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
  - (2) Notification of violating facilities pursuant to EO 11738;
  - (3) Protection of wetlands pursuant to EO 11990;
  - (4) Evaluation of flood hazards in floodplains in accordance with EO 11988;
  - (5) Assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.);
  - (6) Conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§ 7401 et seq.);
  - (7) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and
  - (8) Protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93–205).
- (l) Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
- (m) Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§ 469a-1 et seq.).
- (n) Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
- (o) Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§ 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded

- animals held for research, teaching, or other activities supported by this award of assistance.
- (p) Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
  - (q) Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and 2 CFR Part 200, Subpart F, “Audit Requirements”, as adopted and implemented by U.S. DOT at 2 CFR Part 1201.
  - (r) Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing the program under which it is applying for assistance.
  - (s) Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104) which prohibits grant award recipients or a subrecipient from:
    - (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect;
    - (2) Procuring a commercial sex act during the period of time that the award is in effect; or
    - (3) Using forced labor in the performance of the award or subawards under the award.

### **1.2. Standard Assurances: Additional Assurances for Construction Projects.**

*This certification appears on the Office of Management and Budget’s standard form 424D “Assurances—Construction Programs” and applies specifically to federally assisted projects for construction. This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.*

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency; will record the Federal awarding agency directives; and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.
- (b) Will comply with the requirements of the assistance awarding agency with regard to the drafting, review, and approval of construction plans and specifications.
- (c) Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work confirms with the approved plans and specifications, and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

**1.3. Procurement.**

*The Uniform Administrative Requirements, 2 CFR § 200.325, allow a recipient to self-certify that its procurement system complies with Federal requirements, in lieu of submitting to certain pre-procurement reviews.*

The applicant certifies that its procurement system complies with:

- (a) U.S. DOT regulations, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, particularly 2 CFR §§ 200.317–200.327 “Procurement Standards;
- (b) Federal laws, regulations, and requirements applicable to FTA procurements; and
- (c) The latest edition of FTA Circular 4220.1 and other applicable Federal guidance.

**1.4. Suspension and Debarment.**

*Pursuant to Executive Order 12549, as implemented at 2 CFR Parts 180 and 1200, prior to entering into a covered transaction with an applicant, FTA must determine whether the applicant is excluded from participating in covered non-procurement transactions. For this purpose, FTA is authorized to collect a certification from each applicant regarding the applicant’s exclusion status. 2 CFR § 180.300. Additionally, each applicant must disclose any information required by 2 CFR § 180.335 about the applicant and the applicant’s principals prior to entering into an award agreement with FTA. This certification serves both purposes.*

The applicant certifies, to the best of its knowledge and belief, that the applicant and each of its principals:

- (a) Is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily or involuntarily excluded from covered transactions by any Federal department or agency;
- (b) Has not, within the preceding three years, been convicted of or had a civil judgment rendered against him or her for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction; violation of Federal or State antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors, and bid rigging; commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; or commission of any other offense indicating a lack of business integrity or business honesty;

- (c) Is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any offense described in paragraph (b) of this certification;
- (d) Has not, within the preceding three years, had one or more public transactions (Federal, State, or local) terminated for cause or default.

**1.5. Coronavirus Response and Relief Supplemental Appropriations Act, 2021, and CARES Act Funding.**

The applicant certifies:

- (a) To the maximum extent possible, funds made available under title IV of division M of the Consolidated Appropriations Act, 2021 (Public Law 116–260), and in title XII of division B of the CARES Act (Public Law 116–136; 134 Stat. 599) shall be directed to payroll and operations of public transit (including payroll and expenses of private providers of public transportation); or
- (b) The applicant certifies that the applicant has not furloughed any employees.

**1.6. American Rescue Plan Act Funding.**

The applicant certifies:

- (a) Funds made available by Section 3401(a)(2)(A) of the American Rescue Plan Act of 2021 (Public Law 117-2) shall be directed to payroll and operations of public transportation (including payroll and expenses of private providers of public transportation); or
- (b) The applicant certifies that the applicant has not furloughed any employees.

**CATEGORY 2. PUBLIC TRANSPORTATION AGENCY SAFETY PLANS**

*This certification is required of each applicant under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), each rail operator that is subject to FTA’s state safety oversight programs, and each State that is required to draft and certify a Public Transportation Agency Safety Plan on behalf of a Small Public Transportation Provider (as that term is defined at 49 CFR § 673.5) pursuant to 49 CFR § 673.11(d).*

*This certification is required by 49 U.S.C. § 5307(c)(1)(L), 49 U.S.C. § 5329(d)(1), and 49 CFR § 673.13. This certification is a condition of receipt of Urbanized Area Formula Grants Program (49 U.S.C. § 5307) funding.*

*This certification does not apply to any applicant that only receives financial assistance from FTA under the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C.*

*§ 5310), the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or combination of these two programs, unless it operates a rail fixed guideway public transportation system.*

If the applicant is an operator, the applicant certifies that it has established a Public Transportation Agency Safety Plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673; including, specifically, that the board of directors (or equivalent entity) of the applicant has approved, or, in the case of an applicant that will apply for assistance under 49 U.S.C. § 5307 that is serving an urbanized area with a population of 200,000 or more, the safety committee of the entity established under 49 U.S.C. § 5329(d)(5), followed by the board of directors (or equivalent entity) of the applicant has approved, the Public Transportation Agency Safety Plan or any updates thereto; and, for each recipient serving an urbanized area with a population of fewer than 200,000, that the Public Transportation Agency Safety Plan has been developed in cooperation with frontline employee representatives.

If the applicant is a State that drafts and certifies a Public Transportation Agency Safety Plan on behalf of a public transportation operator, the applicant certifies that:

- (a) It has drafted and certified a Public Transportation Agency Safety Plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673 for each Small Public Transportation Provider (as that term is defined at 49 CFR § 673.5) in the State, unless the Small Public Transportation Provider provided notification to the State that it was opting out of the State-drafted plan and drafting its own Public Transportation Agency Safety Plan; and
- (b) Each Small Public Transportation Provider within the State that opts to use a State-drafted Public Transportation Agency Safety Plan has a plan that has been approved by the provider's Accountable Executive (as that term is defined at 49 CFR § 673.5), Board of Directors or Equivalent Authority (as that term is defined at 49 CFR § 673.5), and, if the Small Public Transportation Provider serves an urbanized area with a population of 200,000 or more, the safety committee of the Small Public Transportation Provider established under 49 U.S.C. § 5329(d)(5).

### **CATEGORY 3. TAX LIABILITY AND FELONY CONVICTIONS.**

*If the applicant is a business association (regardless of for-profit, not for-profit, or tax exempt status), it must make this certification. Federal appropriations acts since at least 2014 have prohibited FTA from using funds to enter into an agreement with any corporation that has unpaid Federal tax liabilities or recent felony convictions without first considering the corporation for debarment. E.g., Consolidated Appropriations Act, 2023, Pub. L. 117-328, div. E, tit. VII, §§ 744–745. U.S. DOT Order 4200.6 defines a “corporation” as “any private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association”, and applies the restriction to all tiers of subawards. As prescribed by U.S. DOT*

*Order 4200.6, FTA requires each business association applicant to certify as to its tax and felony status.*

If the applicant is a private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association, the applicant certifies that:

- (a) It has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and
- (b) It has not been convicted of a felony criminal violation under any Federal law within the preceding 24 months.

#### **CATEGORY 4. LOBBYING.**

*If the applicant will apply for a grant or cooperative agreement exceeding \$100,000, or a loan, line of credit, loan guarantee, or loan insurance exceeding \$150,000, it must make the following certification and, if applicable, make a disclosure regarding the applicant's lobbying activities. This certification is required by 49 CFR § 20.110 and app. A to that part.*

*This certification does not apply to an applicant that is an Indian Tribe, Indian organization, or an Indian tribal organization exempt from the requirements of 49 CFR Part 20.*

#### **4.1. Certification for Contracts, Grants, Loans, and Cooperative Agreements.**

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and

contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### **4.2. Statement for Loan Guarantees and Loan Insurance.**

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### **CATEGORY 5. PRIVATE SECTOR PROTECTIONS.**

*If the applicant will apply for funds that it will use to acquire or operate public transportation facilities or equipment, the applicant must make the following certification regarding protections for the private sector.*

#### **5.1. Charter Service Agreement.**

*To enforce the provisions of 49 U.S.C. § 5323(d), FTA's charter service regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following Charter Service Agreement. 49 CFR § 604.4.*

The applicant agrees that it, and each of its subrecipients, and third party contractors at any level who use FTA-funded vehicles, may provide charter service using equipment or facilities acquired with Federal assistance authorized under the Federal Transit Laws only in compliance with the regulations set out in 49 CFR Part 604, the terms and conditions of which are incorporated herein by reference.

**5.2. School Bus Agreement.**

*To enforce the provisions of 49 U.S.C. § 5323(f), FTA's school bus regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following agreement regarding the provision of school bus services. 49 CFR § 605.15.*

- (a) If the applicant is not authorized by the FTA Administrator under 49 CFR § 605.11 to engage in school bus operations, the applicant agrees and certifies as follows:
  - (1) The applicant and any operator of project equipment agrees that it will not engage in school bus operations in competition with private school bus operators.
  - (2) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Mass Transit Regulations, or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
- (b) If the applicant is authorized or obtains authorization from the FTA Administrator to engage in school bus operations under 49 CFR § 605.11, the applicant agrees as follows:
  - (1) The applicant agrees that neither it nor any operator of project equipment will engage in school bus operations in competition with private school bus operators except as provided herein.
  - (2) The applicant, or any operator of project equipment, agrees to promptly notify the FTA Administrator of any changes in its operations which might jeopardize the continuation of an exemption under § 605.11.
  - (3) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Transit Administration regulations or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
  - (4) The applicant agrees that the project facilities and equipment shall be used for the provision of mass transportation services within its urban area and that any other use of project facilities and equipment will be incidental to and shall not interfere with the use of such facilities and equipment in mass transportation service to the public.

**CATEGORY 6. TRANSIT ASSET MANAGEMENT PLAN.**

*If the applicant owns, operates, or manages capital assets used to provide public transportation, the following certification is required by 49 U.S.C. § 5326(a).*

The applicant certifies that it is in compliance with 49 CFR Part 625.

## **CATEGORY 7. ROLLING STOCK BUY AMERICA REVIEWS AND BUS TESTING.**

### **7.1. Rolling Stock Buy America Reviews.**

*If the applicant will apply for an award to acquire rolling stock for use in revenue service, it must make this certification. This certification is required by 49 CFR § 663.7.*

The applicant certifies that it will conduct or cause to be conducted the pre-award and post-delivery audits prescribed by 49 CFR Part 663 and will maintain on file the certifications required by Subparts B, C, and D of 49 CFR Part 663.

### **7.2. Bus Testing.**

*If the applicant will apply for funds for the purchase or lease of any new bus model, or any bus model with a major change in configuration or components, the applicant must make this certification. This certification is required by 49 CFR § 665.7.*

The applicant certifies that the bus was tested at the Bus Testing Facility and that the bus received a passing test score as required by 49 CFR Part 665. The applicant has received or will receive the appropriate full Bus Testing Report and any applicable partial testing reports before final acceptance of the first vehicle.

## **CATEGORY 8. URBANIZED AREA FORMULA GRANTS PROGRAM.**

*If the applicant will apply for an award under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), or any other program or award that is subject to the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310); “flex funds” from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)); projects that will receive an award authorized by the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) (23 U.S.C. §§ 601–609) or State Infrastructure Bank Program (23 U.S.C. § 610) (see 49 U.S.C. § 5323(o)); formula awards or competitive awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(a) and (b)); or low or no emission awards to any area under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(c)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5307(c)(1).*

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out the program of projects (developed pursuant 49 U.S.C. § 5307(b)), including safety and security aspects of the program;
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities;

- (c) Will maintain equipment and facilities in accordance with the applicant's transit asset management plan;
- (d) Will ensure that, during non-peak hours for transportation using or involving a facility or equipment of a project financed under this section, a fare that is not more than 50 percent of the peak hour fare will be charged for any—
  - (1) Senior;
  - (2) Individual who, because of illness, injury, age, congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design; and
  - (3) Individual presenting a Medicare card issued to that individual under title II or XVIII of the Social Security Act (42 U.S.C. §§ 401 et seq., and 1395 et seq.);
- (e) In carrying out a procurement under 49 U.S.C. § 5307, will comply with 49 U.S.C. §§ 5323 (general provisions) and 5325 (contract requirements);
- (f) Has complied with 49 U.S.C. § 5307(b) (program of projects requirements);
- (g) Has available and will provide the required amounts as provided by 49 U.S.C. § 5307(d) (cost sharing);
- (h) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning);
- (i) Has a locally developed process to solicit and consider public comment before raising a fare or carrying out a major reduction of transportation;
- (j) Either—
  - (1) Will expend for each fiscal year for public transportation security projects, including increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages), increased camera surveillance of an area in or adjacent to that system, providing an emergency telephone line to contact law enforcement or security personnel in an area in or adjacent to that system, and any other project intended to increase the security and safety of an existing or planned public transportation system, at least 1 percent of the amount the recipient receives for each fiscal year under 49 U.S.C. § 5336; or
  - (2) Has decided that the expenditure for security projects is not necessary;
- (k) In the case of an applicant for an urbanized area with a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census, will submit an annual report listing projects carried out in the preceding fiscal year under 49 U.S.C. § 5307 for associated transit improvements as defined in 49 U.S.C. § 5302; and
- (l) Will comply with 49 U.S.C. § 5329(d) (public transportation agency safety plan).

**CATEGORY 9. FORMULA GRANTS FOR RURAL AREAS.**

*If the applicant will apply for funds made available to it under the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), it must make this certification. Paragraph (a) of this certification helps FTA make the determinations required by 49 U.S.C. § 5310(b)(2)(C). Paragraph (b) of this certification is required by 49 U.S.C. § 5311(f)(2). Paragraph (c) of this certification, which applies to funds apportioned for the Appalachian Development Public Transportation Assistance Program, is necessary to enforce the conditions of 49 U.S.C. § 5311(c)(2)(D).*

- (a) The applicant certifies that its State program for public transportation service projects, including agreements with private providers for public transportation service—
  - (1) Provides a fair distribution of amounts in the State, including Indian reservations; and
  - (2) Provides the maximum feasible coordination of public transportation service assisted under 49 U.S.C. § 5311 with transportation service assisted by other Federal sources; and
- (b) If the applicant will in any fiscal year expend less than 15% of the total amount made available to it under 49 U.S.C. § 5311 to carry out a program to develop and support intercity bus transportation, the applicant certifies that it has consulted with affected intercity bus service providers, and the intercity bus service needs of the State are being met adequately.
- (c) If the applicant will use for a highway project amounts that cannot be used for operating expenses authorized under 49 U.S.C. § 5311(c)(2) (Appalachian Development Public Transportation Assistance Program), the applicant certifies that—
  - (1) It has approved the use in writing only after providing appropriate notice and an opportunity for comment and appeal to affected public transportation providers; and
  - (2) It has determined that otherwise eligible local transit needs are being addressed.

**CATEGORY 10. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS AND THE EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PILOT PROGRAM.**

*If the applicant will apply for an award under any subsection of the Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), including an award made pursuant to the FAST Act's Expedited Project Delivery for Capital Investment Grants Pilot Program (Pub. L. 114-94, div. A, title III, § 3005(b)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5309(c)(2) and Pub. L. 114-94, div. A, title III, § 3005(b)(3)(B).*

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award,
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities acquired or improved under its Award.
- (c) Will maintain equipment and facilities acquired or improved under its Award in accordance with its transit asset management plan; and
- (d) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning).

**CATEGORY 11. GRANTS FOR BUSES AND BUS FACILITIES AND LOW OR NO EMISSION VEHICLE DEPLOYMENT GRANT PROGRAMS.**

*If the applicant is in an urbanized area and will apply for an award under subsection (a) (formula grants), subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.*

*If the applicant is in a rural area and will apply for an award under subsection (a) (formula grants), subsection (b) (bus and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 9 for Formula Grants for Rural Areas (49 U.S.C. § 5311). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.*

*Making this certification will incorporate by reference the applicable certifications in Category 8 or Category 9.*

*If the applicant will receive a competitive award under subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) related to zero emissions vehicles or related infrastructure, it must make the following certification. This certification is required by 49 U.S.C. § 5339(d).*

The applicant will use 5 percent of grants related to zero emissions vehicles (as defined in subsection (c)(1)) or related infrastructure under subsection (b) or (c) to fund workforce development training as described in section 49 U.S.C. § 5314(b)(2) (including registered apprenticeships and other labor-management training programs) under the recipient's plan to address the impact of the transition to zero emission vehicles on the applicant's current workforce; or the applicant certifies a smaller percentage is necessary to carry out that plan.

**CATEGORY 12. ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAMS.**

*If the applicant will apply for an award under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program (49 U.S.C. § 5310), it must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5310(e)(1). Making this certification will incorporate by reference the certification in Category 8, except that FTA has determined that (d), (f), (i), (j), and (k) of Category 8 do not apply to awards made under 49 U.S.C. § 5310 and will not be enforced.*

*In addition to the certification in Category 8, the applicant must make the following certification that is specific to the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program. This certification is required by 49 U.S.C. § 5310(e)(2).*

The applicant certifies that:

- (a) The projects selected by the applicant are included in a locally developed, coordinated public transit-human services transportation plan;
- (b) The plan described in clause (a) was developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers, and other members of the public;
- (c) To the maximum extent feasible, the services funded under 49 U.S.C. § 5310 will be coordinated with transportation services assisted by other Federal departments and agencies, including any transportation activities carried out by a recipient of a grant from the Department of Health and Human Services; and
- (d) If the applicant will allocate funds received under 49 U.S.C. § 5310 to subrecipients, it will do so on a fair and equitable basis.

**CATEGORY 13. STATE OF GOOD REPAIR GRANTS.**

*If the applicant will apply for an award under FTA's State of Good Repair Grants Program (49 U.S.C. § 5337), it must make the following certification. Because FTA generally does not review the transit asset management plans of public transportation providers, the asset management certification is necessary to enforce the provisions of 49 U.S.C. § 5337(a)(4). The certification with regard to acquiring restricted rail rolling stock is required by 49 U.S.C. § 5323(u)(4). Note that this certification is not limited to the use of Federal funds.*

The applicant certifies that the projects it will carry out using assistance authorized by the State of Good Repair Grants Program, 49 U.S.C. § 5337, are aligned with the applicant's most recent transit asset management plan and are identified in the investment and prioritization section of such plan, consistent with the requirements of 49 CFR Part 625.

If the applicant operates a rail fixed guideway service, the applicant certifies that, in the fiscal year for which an award is available to the applicant under the State of Good Repair Grants Program, 49 U.S.C. § 5337, the applicant will not award any contract or subcontract for the procurement of rail rolling stock for use in public transportation with a rail rolling stock manufacturer described in 49 U.S.C. § 5323(u)(1).

#### **CATEGORY 14. INFRASTRUCTURE FINANCE PROGRAMS.**

*If the applicant will apply for an award for a project that will include assistance under the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) Program (23 U.S.C. §§ 601–609) or the State Infrastructure Banks (“SIB”) Program (23 U.S.C. § 610), it must make the certifications in Category 8 for the Urbanized Area Formula Grants Program, Category 10 for the Fixed Guideway Capital Investment Grants program, and Category 13 for the State of Good Repair Grants program. These certifications are required by 49 U.S.C. § 5323(o).*

*Making this certification will incorporate the certifications in Categories 8, 10, and 13 by reference.*

#### **CATEGORY 15. ALCOHOL AND CONTROLLED SUBSTANCES TESTING.**

*If the applicant will apply for an award under FTA’s Urbanized Area Formula Grants Program (49 U.S.C. § 5307), Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) programs, the applicant must make the following certification. The applicant must make this certification on its own behalf and on behalf of its subrecipients and contractors. This certification is required by 49 CFR § 655.83.*

The applicant certifies that it, its subrecipients, and its contractors are compliant with FTA’s regulation for the Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations, 49 CFR Part 655.

#### **CATEGORY 16. RAIL SAFETY TRAINING AND OVERSIGHT.**

*If the applicant is a State with at least one rail fixed guideway system, or is a State Safety Oversight Agency, or operates a rail fixed guideway system, it must make the following certification. The elements of this certification are required by 49 CFR §§ 672.31 and 674.39.*

The applicant certifies that the rail fixed guideway public transportation system and the State Safety Oversight Agency for the State are:

- (a) Compliant with the requirements of 49 CFR Part 672, “Public Transportation Safety Certification Training Program”; and
- (b) Compliant with the requirements of 49 CFR Part 674, “State Safety Oversight”.

**CATEGORY 17. DEMAND RESPONSIVE SERVICE.**

*If the applicant operates demand responsive service and will apply for an award to purchase a non-rail vehicle that is not accessible within the meaning of 49 CFR Part 37, it must make the following certification. This certification is required by 49 CFR § 37.77.*

The applicant certifies that the service it provides to individuals with disabilities is equivalent to that provided to other persons. A demand responsive system, when viewed in its entirety, is deemed to provide equivalent service if the service available to individuals with disabilities, including individuals who use wheelchairs, is provided in the most integrated setting appropriate to the needs of the individual and is equivalent to the service provided other individuals with respect to the following service characteristics:

- (a) Response time;
- (b) Fares;
- (c) Geographic area of service;
- (d) Hours and days of service;
- (e) Restrictions or priorities based on trip purpose;
- (f) Availability of information and reservation capability; and
- (g) Any constraints on capacity or service availability.

**CATEGORY 18. INTEREST AND FINANCING COSTS.**

*If the applicant will pay for interest or other financing costs of a project using assistance awarded under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), the Fixed Guideway Capital Investment Grants Program (49 U.S.C. § 5309), or any program that must comply with the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310), "flex funds" from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)), or awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the following certification. This certification is required by 49 U.S.C. §§ 5307(e)(3) and 5309(k)(2)(D).*

The applicant certifies that:

- (a) Its application includes the cost of interest earned and payable on bonds issued by the applicant only to the extent proceeds of the bonds were or will be expended in carrying out the project identified in its application; and
- (b) The applicant has shown or will show reasonable diligence in seeking the most favorable financing terms available to the project at the time of borrowing.

**CATEGORY 19. CYBERSECURITY CERTIFICATION FOR RAIL ROLLING STOCK AND OPERATIONS.**

*If the applicant operates a rail fixed guideway public transportation system, it must make this certification. This certification is required by 49 U.S.C. § 5323(v). For information about standards or practices that may apply to a rail fixed guideway public transportation system, visit <https://www.nist.gov/cyberframework> and <https://www.cisa.gov/>.*

The applicant certifies that it has established a process to develop, maintain, and execute a written plan for identifying and reducing cybersecurity risks that complies with the requirements of 49 U.S.C. § 5323(v)(2).

**CATEGORY 20. PUBLIC TRANSPORTATION ON INDIAN RESERVATIONS FORMULA AND DISCRETIONARY PROGRAM (TRIBAL TRANSIT PROGRAMS).**

*Before FTA may provide Federal assistance for an Award financed under either the Public Transportation on Indian Reservations Formula or Discretionary Program authorized under 49 U.S.C. § 5311(c)(1), as amended by the FAST Act, (Tribal Transit Programs), the applicant must select the Certifications in Category 21, except as FTA determines otherwise in writing. Tribal Transit Program applicants may certify to this Category and Category 1 (Certifications and Assurances Required of Every Applicant) and need not make any other certification, to meet Tribal Transit Program certification requirements. If an applicant will apply for any program in addition to the Tribal Transit Program, additional certifications may be required.*

FTA has established terms and conditions for Tribal Transit Program grants financed with Federal assistance appropriated or made available under 49 U.S.C. § 5311(c)(1). The applicant certifies that:

- (a) It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
- (b) It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
- (c) It will maintain its equipment and facilities acquired or improved under its Award, in accordance with its transit asset management plan and consistent with FTA regulations, "Transit Asset Management," 49 CFR Part 625. Its Award will achieve maximum feasible coordination with transportation service financed by other federal sources.
- (d) With respect to its procurement system:
  - (1) It will have a procurement system that complies with U.S. DOT regulations, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, "Uniform Administrative Requirements, Cost

- Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, for Awards made on or after December 26, 2014,
- (2) It will have a procurement system that complies with U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 CFR Part 18, specifically former 49 CFR § 18.36, for Awards made before December 26, 2014, or
  - (3) It will inform FTA promptly if its procurement system does not comply with either of those U.S. DOT regulations.
- (e) It will comply with the Certifications, Assurances, and Agreements in:
- (1) Category 05.1 and 05.2 (Charter Service Agreement and School Bus Agreement),
  - (2) Category 06 (Transit Asset Management Plan),
  - (3) Category 07.1 and 07.2 (Rolling Stock Buy America Reviews and Bus Testing),
  - (4) Category 09 (Formula Grants for Rural Areas),
  - (5) Category 15 (Alcohol and Controlled Substances Testing), and
  - (6) Category 17 (Demand Responsive Service).

#### **CATEGORY 21. EMERGENCY RELIEF PROGRAM.**

*An applicant to the Public Transportation Emergency Relief Program, 49 U.S.C. § 5324, must make the following certification. The certification is required by 49 U.S.C. § 5324(f) and must be made before the applicant can receive a grant under the Emergency Relief program.*

The applicant certifies that the applicant has insurance required under State law for all structures related to the emergency relief program grant application.

**FEDERAL FISCAL YEAR 2023 CERTIFICATIONS AND ASSURANCES FOR FTA ASSISTANCE PROGRAMS**

(Signature pages alternate to providing Certifications and Assurances in TrAMS.)

Name of Applicant: Jonesboro Economical Transportation System

The Applicant certifies to the applicable provisions of all categories: (check here) ✓.

*Or,*

The Applicant certifies to the applicable provisions of the categories it has selected:

<b>Category</b>	<b>Certification</b>
01 Certifications and Assurances Required of Every Applicant	_____
02 Public Transportation Agency Safety Plans	_____
03 Tax Liability and Felony Convictions	_____
04 Lobbying	_____
05 Private Sector Protections	_____
06 Transit Asset Management Plan	_____
07 Rolling Stock Buy America Reviews and Bus Testing	_____
08 Urbanized Area Formula Grants Program	_____
09 Formula Grants for Rural Areas	_____
10 Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	_____
11 Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	_____

12 Enhanced Mobility of Seniors and Individuals with Disabilities Programs

13 State of Good Repair Grants

14 Infrastructure Finance Programs

15 Alcohol and Controlled Substances Testing

16 Rail Safety Training and Oversight

17 Demand Responsive Service

18 Interest and Financing Costs

19 Cybersecurity Certification for Rail Rolling Stock and Operations

20 Tribal Transit Programs

21 Emergency Relief Program

**CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE**

**AFFIRMATION OF APPLICANT**

Name of the Applicant: Jonesboro Economical Transportation System

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in the federal fiscal year, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

The Certifications and Assurances the Applicant selects apply to each Award for which it now seeks, or may later seek federal assistance to be awarded by FTA during the federal fiscal year.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Name \_\_\_\_\_ Authorized Representative of Applicant

**AFFIRMATION OF APPLICANT'S ATTORNEY**

For (Name of Applicant): Jonesboro Economical Transportation System

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Name \_\_\_\_\_ Attorney for Applicant

*Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.*



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: RES-23:040

**Agenda Date:**

**Version:** 1

**Status:** Recommended to  
Council

**In Control:** Public Services Council Committee

**File Type:** Resolution

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH ROCK SOLID TRAIL CONTRACTING, LLC FOR THE CONSTRUCTION OF THE CRAIGHEAD FOREST MOUNTAIN BIKE TRIALS

WHEREAS, the City of Jonesboro has desires to accept the low bid and enter into a contract for the construction of the Craighead Forest Mountain Bike Trails;

WHEREAS, the low bidder and the firm selected for the construction of the Craighead Forest Mountain Bike Trails is Rock Solid Trail Contracting, LLC.; and

WHEREAS, the funding for the execution of the contract shall come from the 2023 Capital Improvements budget and external matching sources and compensation shall be paid in accordance with the contract documents.

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

Section 1. That the City of Jonesboro shall accept the low bid and enter into a contract with Rock Solid Trail Contracting, LLC for the construction of the Craighead Forest Mountain Bike Trails.

Section 2. The funding for the execution of the contract shall come from the 2023 Capital Improvements budget and external matching sources and compensation shall be paid in accordance with the contract documents

Section 3. The Mayor and the City Clerk are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate this agreement.

## VII. CONTRACT

THIS AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and  
between Rock Solid Trail Contracting, LLC

Hereinafter called the "Contractor" and the City of Jonesboro, Arkansas, hereinafter called the "Owner".

### WITNESSETH:

That the Contractor and the Owner for the consideration stated herein mutually agree as follows:

ARTICLE 1. Statement of Work. The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment, incidentals and services, including utility and transportation services and perform and complete all work required for the Craighead Forest Mountain Bike Trails, in strict accordance with the Contract Documents, including all Addenda as prepared by the Engineer.

ARTICLE 2. The Contract Price. The Owner will pay the Contractor, because of his performance of the Contract, for the total quantities of work performed at the lump sum and unit prices stipulated in the Bid Form.

ARTICLE 3. Contract Time. The Contractor agrees to begin work within ten (10) calendar days after issuance by the Owner of a "Work Order" or "Notice to Proceed" and to complete the work within (180) calendar days.

ARTICLE 4. Contract. The executed Contract Documents shall consist of the following:

- a. This Agreement (Contract)
- b. Bid Form
- c. Bid Documents/Drawings (Plans)
- d. Performance-Payment Bond

This Contract, together with other Documents enumerated in this Article 4, which said other Documents are as fully a part of the Contract as if hereto attached or herein repeated, form the Contract between the parties hereto. In the event that any provisions in any component part of this Contract conflicts with any provision of any other component part, the conflict shall be resolved by the Engineer whose decision shall be final.

ARTICLE 5. Surety. The Surety on the Performance-Payment Bond shall be a surety company of financial resources satisfactory to the Owner, authorized to do business in the State of Arkansas, and shall comply with applicable Arkansas laws.

IN WITNESS WHEREOF, the parties hereto have caused this CONTRACT to be executed in four (4) counterparts, each of which shall be considered an original on the day and year first above written.

ATTEST:

\_\_\_\_\_

(Contractor)

\_\_\_\_\_ By \_\_\_\_\_

\_\_\_\_\_ Title \_\_\_\_\_

\_\_\_\_\_

(Street)

\_\_\_\_\_

(City)

\_\_\_\_\_

City of Jonesboro

(Owner)

\_\_\_\_\_ By \_\_\_\_\_

\_\_\_\_\_

# studio | DRIFT

501 c (3)

## BID FORM

Bid Date: Wednesday, January 25<sup>th</sup>, 2023  
 Bid Time: 2:00pm (email acceptable, received by 2pm)  
 Bid Opening: studioDRIFT, 210 East Merriman Avenue, Wynne, Arkansas  
 Bid To: City of Jonesboro  
 Bid From: Rock Solid Trail Contracting, LLC

Project: Craighead Forest Mountain Bike Trails

Qualifications: Prospective singletrack mountain bike trail builders shall have a minimum of 3 years of trail building experience, provide references and summary of at least 3 trail construction projects completed withing the past 5 years preferably within the State of Arkansas. Two of these projects should be of approximately 10 miles (or longer) in scope, have a performance period of less than 12 months. Qualified builders will demonstrate experience constructing boardwalks and single span bridges. In addition to trail construction projects, a qualified builder should have a reference and summary of one, feature planning and design project, that includes preparation of detailed design sheets using AutoCAD software (or similar). In addition the qualified trail builder shall provide at minimum a 5 million umbrella policy, and contractors license for the State of Arkansas for similar size and project scope. The selected qualified trail builder shall self-perform and not utilize sub-contractors.

- A. Having carefully examined the bid documents for this project, as well as the premises and all conditions affecting the proposed construction, the undersigned proposes to provide all labor, materials, services, and equipment necessary for, or incidental to, the construction of the project in accordance with the bid documents within the time set forth, for the lump sum base bid for each defined scope of work:

1. Craighead Forest Loop (Sheet 07)	\$ 228,418.00
<i>*see unit cost to be included in base bid, sheet 2</i>	
2. Flagged Trails West (Sheet 05)	\$ 56,324.75
<i>*see unit cost to be included in base bid, sheet 2</i>	
3. Flagged Trails East (Sheet 06)	\$ 433,016.45
<i>*see unit cost to be included in base bid, sheet 2</i>	
TOTAL BASE BID	<u>\$ 717,759.20</u>
4. Contingency, Wayfinding, Trail Heads/Hubs, Pumptrack	\$ 71,775.92 = 10% of Base Bid
TOTAL BASE BID + CONTINGENCY/WAYFINDING/TRAILHEAD HUBS	<u>\$ 789,535.12</u>
5. Payment and Performace Bond	<u>\$ 11,495.00</u>
TOTAL BASE BID + CONTINGENCY + BOND	<u>\$ 801,030.12</u>

- B. Timeline for mobilization and construction considering contract by February 22, 2023:

1. Mobilization + SWPPP Complete By:	<u>within 15 business days of selection</u>
2. Item No.1-3 above Complete By:	<u>7/1/2023</u>

**UNIT PRICES**

Shall include all design, structural engineering, labor, materials, services, and equipment necessary for, or incidental to, the construction of the project. It shall be noted that the puncheon and span bridges will be less than 30" in height therefore not requiring railings. Any railings to be added shall come out of the contingency line item. All designed features shall be representative to the unique Crowley's Ridge ecology and fit with the natural environment.

	(LF)	(SF)	(EA)	cost per	Total
	linear feet	square feet	each		
<b>1. Craighhead Forest Loop (Sheet 07)</b>					
a. Tread Type 1	8395			\$ 5.95	\$ 49,950.25
b. Tread Type 5	10745			\$ 4.95	\$ 53,187.75
c. Demo + New Chain Link Fence	3168			\$ 35.00	\$ 110,880.00
<i>*black coated vinyl chain link</i>					
d. Puncheon Bridge		200		\$ 27.00	\$ 5,400
e. Span Bridge <i>*assumes railings</i>		120		\$ 75.00	\$ 9,000
<b>2. Flagged Trails West (Sheet 05)</b>					
a. Tread Type 1	2945			\$ 5.95	\$ 17,522.75
b. Tread Type 5	3960			\$ 4.95	\$ 19,602.00
c. Puncheon Bridge		200		\$ 27.00	\$ 5,400
d. Span Bridge <i>*assumes railings</i>		140		\$ 75.00	\$ 10,500
e. Non-elevated Turns			6	\$ 550	\$ 3,300
<b>3. Flagged Trails East (Sheet 06)</b>					
a. Tread Type 1	6695			\$ 5.95	\$ 39,835.25
b. Tread Type 2	1714			\$ 5.75	\$ 9,855.50
c. Tread Type 3	659			\$ 15.00	\$ 9,885.50
d. Tread Type 4	3987			\$ 18.00	\$ 71,766.00
e. Tread Type 5	8621			\$ 4.95	\$ 42,673.95
f. Tread Type 6	1027			\$ 18.00	\$ 18,486.00
g. Tread Type 7	867			\$ 4.95	\$ 4,291.65
h. Tread Type 8	604			\$ 14.60	\$ 8,818.40
i. Tread Type 10	252			\$ 16.60	\$ 4,183.20
j. Decommission Trail	1825	(all sheet 07,05,06)		\$ 2.50	\$ 4,562.50
k. Puncheon Bridge		840		\$ 27.00	\$ 22,680.00
l. Span Bridge <i>*assumes railings</i>		660		\$ 75.00	\$ 49,500.00
m. Non-elevated Turns			14	\$ 550	\$ 7,700
n. Elevated Turns			6	\$ 950	\$ 5,700
o. Feature Rich Boardwalk	165 total(90,75)			\$ 275	\$ 45,375.00
<i>aka (TTF) Technical Trail Feature (Provide Steel Structural Elements)</i>					
p. Custom Banked Wood Feature	25			\$ 600	\$ 15,000
q. Lift and Tilt		5564		\$ 7.00	\$ 38,948.00
r. 36" culvert	60			\$ 89.00	\$ 5,340.00
s. Rock Armoring		768		\$ 37.00	\$ 28,416.00



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: RES-23:041

**Agenda Date:**

**Version:** 1

**Status:** Recommended to  
Council

**In Control:** Public Safety Council Committee

**File Type:** Resolution

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS  
AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT TO ESTABLISH JAIL FEES  
BETWEEN THE CITY OF JONESBORO AND CRAIGHEAD COUNTY AND TO AMEND  
THE 2023 BUDGET FOR JAIL FEES

WHEREAS, Craighead County, Arkansas operates a detention facility; and,

WHEREAS, the City of Jonesboro desires to house prisoners at said facility; and,

WHEREAS, the City of Jonesboro desires to establish a fixed rate to ensure fiscal stability; and,

WHEREAS, the 2023 budget for Jail Fees will need to be increased \$250,000 to provide for the  
Intergovernmental Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Jonesboro that:

SECTION 1: The City of Jonesboro shall enter into an Intergovernmental Agreement with Craighead  
County establishing Jail fees as follows:

January 1, 2023 to December 31, 2023 in the amount of \$248,758.72 per month

SECTION 2: The City of Jonesboro 2023 budget for Jail Fees shall be increased \$250,000.

SECTION 3: Mayor Harold Copenhaver and City Clerk April Leggett are authorized to execute  
such documents as are necessary to effectuate this agreement.

**INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF JONESBORO, ARKANSAS AND THE COUNTY OF CRAIGHEAD, ARKANSAS FOR KEEPING PRISONERS OF THE CITY OF JONESBORO IN THE CRAIGHEAD COUNTY DETENTION CENTER**

**THIS INTERGOVERNMENTAL AGREEMENT** is entered into on this the 30<sup>TH</sup> day of January 2023 by and between the City of Jonesboro, Arkansas ("Jonesboro") and the County of Craighead, Arkansas ("Craighead").

**WHEREAS**, Craighead County, through its Sheriff's Department, provides a detention facility for the housing of prisoners; and

**WHEREAS**, Jonesboro desires to house certain of its prisoners in the Craighead County detention facility; and

**WHEREAS**, Craighead is required by Arkansas Code Annotated 12-41-503 to house Jonesboro prisoners subject to the terms and conditions of Arkansas Code Annotated 12-41-503 and pursuant to this agreement; and

**WHEREAS**, pursuant to Arkansas Code Annotated 12-41-506, Craighead and Jonesboro are authorized to enter into this intergovernmental agreement.

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein, and for other good and valuable consideration, the parties agree as follows:

**1. PURPOSES AND SECURITY PROVIDED.** The purpose of this Agreement is to establish a formal binding relationship between Craighead County and City of Jonesboro for the detention of persons charged with, or convicted of violations of state or local law, or held as material witnesses at the Craighead County detention facility. Craighead County agrees to accept and provide for the secure custody, care, and safe keeping of Jonesboro prisoners in accordance with state and local laws, standards, policies, procedures, or court orders applicable to the operations of the Craighead County detention facility. Craighead further agrees to make available to Jonesboro spaces inside the Craighead detention facility currently utilized by Craighead for bond hearings and inmate interviews for use by Jonesboro for bond hearings and inmate interviews. The parties agree to cooperate with each other regarding the scheduling of the use of these spaces.

**2. PERIOD OF PERFORMANCE.** This Agreement shall be in effect from January 1, 2023, through December 31, 2023, until terminated as hereinafter provided. However, the parties hereto may extend agreement upon terms and conditions mutually agreed upon prior to its expiration.

**3. PAYMENT RATE**

Payments shall be made monthly by the City of Jonesboro to Craighead County according to the following schedule;

January 1, 2023 to December 31, 2023 is \$248,758.72

**4. PRIORITY.** Craighead County shall not refuse any lawfully arrested inmate of the City of Jonesboro and shall give priority to prisoners from those municipalities within Craighead County or those from other counties pursuant to State law. Further, the respective duties of the Jonesboro Police Department and the Craighead County Sheriff's Department as currently conducted will not change, due to this agreement.

**5. MISCELLANEOUS.** This Agreement constitutes the entire Agreement between the parties and supersedes any county ordinance establishing fees for housing of prisoners, during the term of this agreement or any extension thereof.

**6. PAYMENT SCHEDULE.** That the amount of money to be paid and the payment schedule previously agreed upon remains unchanged.

**7. RESPONSIBILITY.** That the responsibilities of the respective parties remain as previously agreed.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

  
\_\_\_\_\_  
CRAIGHEAD COUNTY, ARKANSAS

\_\_\_\_\_  
CITY OF JONESBORO, ARKANSAS



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: RES-23:042

**Agenda Date:**

**Version:** 1

**Status:** Recommended to  
Council

**In Control:** Finance & Administration Council Committee

**File Type:** Resolution

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 416 FORREST, JONESBORO, AR 72401, PARCEL 01-144073-28700, OWNED BY LENA KERSEY IN THE AMOUNT OF \$390

LEGAL DESCRIPTION: HALTOM'S 2ND ADD LOTS 9 & 10 50X132

WHEREAS, LENA KERSEY, the owner of record, was properly notified of a code violation at 416 Forrest, Jonesboro, AR 72401, and refused to remove or correct the conditions identified by the code enforcement officer of the City of Jonesboro, Arkansas; and,

WHEREAS, the code enforcement officer corrected the code violation using city funds in the amount of \$390; and,

WHEREAS, the City of Jonesboro seeks to perfect a lien against the affected property to cover the cost of the work pursuant to A.C.A 14-15-903.

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

Section 1: The city should proceed with placing a lien on the property located at 416 Forrest, Jonesboro, AR 72401.



IN THE CIRCUIT COURT OF CRAIGHEAD COUNTY, ARKANSAS

AFFIDAVIT OF STATUTORY LIEN

I, Scott Roper, being duly sworn, depose and say as follows:

- 1.) My name is Scott Roper. I am the Director of Code Enforcement for Jonesboro, Arkansas ("the City"), and as such I am authorized to make this Affidavit of Statutory Lien.
- 2.) On 11/29/2022, a Notice to Comply was mailed to Lena Kersey, at 416 W Forrest St., Jonesboro, AR 72401-1629. Due to the Owner's failure to abide by the notice within the required time, the City took corrective action as was necessary, or the City caused as much of the work as was left undone by the Owner at the expiration of the time allowed. An itemized account of this indebtedness is as follows:

DATE OF SERVICE	TYPE OF WORK	ORDINANCE NUMBER	COST
1/4/2023	Clean up and Haul	13:053	\$390

- 3.) The above statement of cost is true and correct and the amount of indebtedness is now due the City for cost and expenses incurred on the following described real property located in Jonesboro, Craighead County, Arkansas:

**ADDRESS OF PROPERTY & LEGAL DESCRIPTION**

*416 Forrest, Jonesboro, AR 72401, HALTOM'S 2ND ADD LOTS 9 & 10 50X132*

**Parcel Number 01-144073-28700**

- 4.) The City has made demand for payment and given the debtor notice of the City's intent to file this lien and the debtor has failed to make payment. No Part of the debt has been paid and the City of Jonesboro claims a lien on this real property, pursuant to Ark. Code Ann § 14-54-903(b) in the amount of \$390 to secure this indebtedness.
- 5.) Payment must be made to the City Collector's Office, 300 South Church Street, 1st Floor, Jonesboro, Arkansas 72401, within (30) days of this notification. If payment is not made within (30) days the lien may be certified to Craighead County for collection on real estate taxes or city may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904

**FURTHER AFFIANT SAYETH NOT.**

Scott Roper  
 Director of Code Enforcement  
 City of Jonesboro  
 300 S. Church Street  
 Jonesboro, AR 72401  
 Phone: 870-933-4658

State of Arkansas  
 County of Craighead

Subscribed and sworn to or affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
 Notary Public

My Commission Expires:  
 \_\_\_\_\_

Case# :33-53463
Invoice# : 66329
Council Date: 3/7/2023



Office of Code Enforcement  
P.O. Box 1845, Jonesboro, AR 72403

870-933-4658

AFFIDAVIT

Lena Kersey  
416 Forrest  
Jonesboro, AR 72401

RE: 416 Forrest Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 21<sup>st</sup> day of November, 2022.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 21<sup>st</sup> day of November, 2022.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



**CITY OF JONESBORO  
CODE ENFORCEMENT**

DATE: 11/21/2022

TO: LENA KERSEY  
416 FORREST  
Jonesboro, AR 72401

In regards to property located at 416 FORREST  
Jonesboro, AR 72401 .

Our records show that you own the property listed above. We have observed that the property has multiple pieces of furniture, junk, debris in the backyard. We are sending this letter and are allowing you the chance to correct the violation that is mentioned below by November 29, 2022. If the issue is not corrected by the date listed, the City will hire a contractor, and place a lien on your property. Please call the Code Enforcement Office at (870) 933-4658 if you have any questions. If you would like to view the ordinance in violation online, they are available on City Clerk section of [www.jonesboro.org](http://www.jonesboro.org).

Section 1. Sec. 30-5 - Unlawful storage.  
2. Sec. 30-5 - Unsightly or Unsanitary Conditions

*Tosha Geror*

Tosha Geror  
870-604-5579  
Code Enforcement Officer  
CE22-2606

U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- |  |          |
|--|----------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ _____ |

Postage

\$

Total Postage and Fees

\$

Sent To

Lena Kersen  
Street and Apt. No., or PO Box No.  
416 Forrest

City, State, ZIP+4®

Jonesboro, AR 72401

66



7021 2720 0000 4355 1906



**CITY OF JONESBORO**  
**Code Enforcement**

Request For Invoice

Date: 01/04/23

To: Tosha Moss

Case #: 3353463

Property Address: 416 Forrest APN# 01-144073-28700  
Jonesboro, AR 72401

Comply by Date: 11/29/22

Need to send the following charges to this person.

Property Owner: Lena Kersey  
416 W Forrest St.  
Jonesboro, AR 72401-1629

<u>ITEMS</u>	<u>AMOUNTS</u>
Cleanup/ Haul-off	\$ 275.00
Admin Fees	\$ 100.00
Filing Fees	\$ 15.00
<hr/>	
Total	\$ 390.00

Thank you,

Mike McQuay  
Jonesboro Police Department  
Code Enforcement Division  
PO Box 1845  
Jonesboro, AR 72403



DATE	INVOICE NO
1/4/2023	0066329

BILL TO
Lena Kersey 416 W Forrest Street Jonesboro, AR 72401

DUE DATE
1/31/2023

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
PREVIOUS OUTSTANDING BALANCE						0.00
Code Enforcement Charges:						
Filing Fee - 416 Forrest	1.00	15.00	15.00	0.00	0.00	15.00
Admin. Fee - 416 Forrest	1.00	100.00	100.00	0.00	0.00	100.00
Cleanup/Haul-Off - 416 Forrest	1.00	275.00	275.00	0.00	0.00	275.00
<b>INVOICE TOTAL:</b>			<b>390.00</b>	<b>0.00</b>	<b>0.00</b>	<b>390.00</b>

If payment is not made within (30) days, the lien may be certified to Craighead County for collection on real estate taxes or City may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904.

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042

Customer Name: Lena Kersey  
Customer No: 023625  
Account No: 0035668 - Mowing Account

DUE DATE	INVOICE NO
1/31/2023	0066329

Please remit payment by the due date to:

City of Jonesboro  
300 South Church Street  
PO Box 1845  
Jonesboro, AR 72403

Invoice Total:	390.00
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	390.00

**INVOICE BALANCE: \$390.00**  
**AMOUNT PAID: \_\_\_\_\_**



AFFIDAVIT

Lena Kersey  
416 W Forrest St.  
Jonesboro, AR 72401-1629

RE: 416 Forrest Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 6<sup>th</sup> day of February, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 6<sup>th</sup> day of February, 2023.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



Invoice# : 66329
Case# : 33-53463

Notice Mailed on 2/6/2023

Lena Kersey  
416 W Forrest St.  
Jonesboro, AR 72401-1629

Subject: 416 Forrest, Jonesboro, AR 72401 Parcel# 01-144073-28700

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 3/7/2023.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you

Scott Roper  
Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658



DATE	INVOICE NO
1/4/2023	0066329

<b>BILL TO</b>
Lena Kersey 416 W Forrest Street Jonesboro, AR 72401

<b>DUE DATE</b>
1/31/2023

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
-------------	----------	----------------	--------	----------	--------	---------

PREVIOUS OUTSTANDING BALANCE 0.00

Code Enforcement Charges:

Filing Fee - 416 Forrest	1.00	15.00	15.00	0.00	0.00	15.00
Admin. Fee - 416 Forrest	1.00	100.00	100.00	0.00	0.00	100.00
Cleanup/Haul-Off - 416 Forrest	1.00	275.00	275.00	0.00	0.00	275.00

**INVOICE TOTAL:                    390.00                    0.00                    0.00                    390.00**

**If payment is not made within (30) days, the lien may be certified to Craighead County for collection on real estate taxes or City may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904.**

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042

Customer Name:            Lena Kersey  
Customer No:                023625  
Account No:                0035668 - Mowing Account

<b>DUE DATE</b>	<b>INVOICE NO</b>
1/31/2023	0066329

**Please remit payment by the due date to:**

City of Jonesboro  
300 South Church Street  
PO Box 1845  
Jonesboro, AR 72403

Invoice Total:	390.00
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	390.00

**INVOICE BALANCE:                    \$390.00**  
**AMOUNT PAID:                    \_\_\_\_\_**

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OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_  
 Return Receipt (electronic) \$ \_\_\_\_\_  
 Certified Mail Restricted Delivery \$ \_\_\_\_\_  
 Adult Signature Required \$ \_\_\_\_\_  
 Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage

\$

Total Postage and Fees

\$

Sent To

Lena Kersan

Street and Apt. No., or PO Box No.

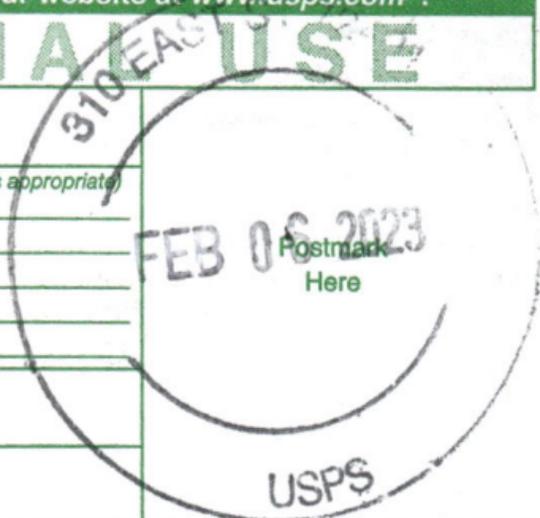
716 W Forrest St.

City, State, ZIP+4®

Jonesboro, AR 72401

72

7022 2410 0003 0083 6093





# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: RES-23:043

**Agenda Date:**

**Version:** 1

**Status:** Recommended to  
Council

**In Control:** Finance & Administration Council Committee

**File Type:** Resolution

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 501 E ALLEN, JONESBORO, AR 72401, PARCEL 01-144181-32700, OWNED BY BK & HP REAL ESTATE LLC IN THE AMOUNT OF \$165

LEGAL DESCRIPTION: LOT 7, BLOCK 14 OF MEYERS ADD

WHEREAS, BK & HP REAL ESTATE LLC, the owner of record, was properly notified of a code violation at 501 E Allen, Jonesboro, AR 72401, and refused to remove or correct the conditions identified by the code enforcement officer of the City of Jonesboro, Arkansas; and,

WHEREAS, the code enforcement officer corrected the code violation using city funds in the amount of \$165; and,

WHEREAS, the City of Jonesboro seeks to perfect a lien against the affected property to cover the cost of the work pursuant to A.C.A 14-15-903.

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

Section 1: The city should proceed with placing a lien on the property located at 501 E Allen, Jonesboro, AR 72401.



AFFIDAVIT

BK + HP Real Estate LLC  
2800 Fair Park Blvd  
Jonesboro, AR 72401

RE: 501 Allen Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 14<sup>th</sup> day of November, 2022.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 17<sup>th</sup> day of November, 2022

Sharon McIntosh  
Notary Public

My commission expires: May 20, 2032





**CITY OF JONESBORO  
CODE ENFORCEMENT**

DATE: 11/10/2022

TO: BK & HP REAL ESTATE LLC  
2800 FAIR PARK Blvd  
JONESBORO, AR 72401

In regards to property located at 501 ALLEN  
JONESBORO, AR 72401 .

Our records show that you own the property listed above. We have observed that there is trash all around the property. We are sending this letter and are allowing you the chance to correct the violation that is mentioned below by November 21, 2022. If the issue is not corrected by the date listed, the City will hire a contractor, and place a lien on your property. Please call the Code Enforcement Office at (870) 933-4658 if you have any questions. If you would like to view the ordinance in violation online, they are available on City Clerk section of [www.jonesboro.org](http://www.jonesboro.org).

Section 1. Sec. 30-3 - Trash/Littering  
2. Sec. 30-5 - Unsightly or Unsanitary Conditions

*Tosha Geror*

Tosha Geror  
870-604-5579  
Code Enforcement Officer  
CE22-2627

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**OFFICIAL USE**

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- |  |          |
|--|----------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ _____ |

Postage

\$

**Total Postage and Fees**

\$

Sent To

BK & HP Real Estate LLC

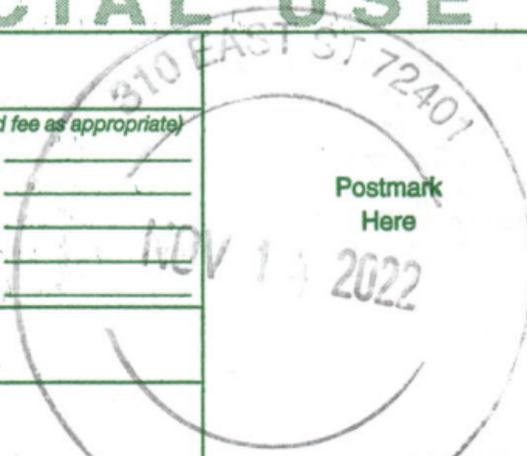
Street and Apt. No., or PO Box No.

2800 Fair Park Blvd

City, State, ZIP+4®

Jonesboro, AR 72401

76



Postmark  
Here

7021 2720 0000 4355 1241



# CITY OF JONESBORO

## Code Enforcement

Request For Invoice

Date: 12-27-22

To: Tosha Moss

Property Address: 501 E Allen APN# 01-144181-32700

Jonesboro, AR 72401

Need to send the following charges to this person.

Property Owner: BK & HP Real estate LLC  
2800 fair Park Blvd  
Jonesboro, AR 72401

<u>ITEMS</u>	<u>AMOUNTS</u>
Clean up and Haul	\$ 50.00
Admin Fees	\$ 100.00
Filing Fees	\$ 15.00
<hr/>	
Total	\$ 165.00

Thank you,

Mike McQuay  
Jonesboro Police Department  
Code Enforcement Division  
PO Box 1845  
Jonesboro, AR 72403



DATE	INVOICE NO
12/27/2022	0066305

<b>BILL TO</b>
BK & HP Real Estate LLC 2800 Fair Park Blvd Jonesboro, AR 72401

<b>DUE DATE</b>
12/31/2022

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
PREVIOUS OUTSTANDING BALANCE						0.00
<b>Code Enforcement Charges:</b>						
Filing Fee-501 E Allen	1.00	15.00	15.00	0.00	0.00	15.00
Admin. Fee- 501 E Allen	1.00	100.00	100.00	0.00	0.00	100.00
Clean Up and Haul - 501 E Allen	1.00	50.00	50.00	0.00	0.00	50.00
<b>INVOICE TOTAL:</b>			<b>165.00</b>	<b>0.00</b>	<b>0.00</b>	<b>165.00</b>

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042

Customer Name: BK & HP Real Estate LLC  
Customer No: 023609  
Account No: 0035664 - Mowing Account

<b>DUE DATE</b>	<b>INVOICE NO</b>
12/31/2022	0066305

**Please remit payment by the due date to:**

City of Jonesboro  
300 South Church Street  
PO Box 1845  
Jonesboro, AR 72403

Invoice Total: 165.00  
Discounts: 0.00  
Credit Applied: 0.00  
Ending Balance: 165.00

**INVOICE BALANCE: \$165.00**  
**AMOUNT PAID: \_\_\_\_\_**



AFFIDAVIT

BK + HP Real Estate LLC  
2800 Fair Park Blvd  
Jonesboro, AR 72401

RE: 501 E Allen Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 5<sup>th</sup> day of January, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 5<sup>th</sup> day of January, 2023.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



Notice to be Mailed by 1/8/2022

BK & HP Real Estate LLC  
2800 Fair Park Blvd.  
Jonesboro, AR 72401

Subject: 501 E Allen, Jonesboro, AR 72401 Parcel# 01-144181-32700

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 2/7/2022.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you,

Scott Roper  
Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658



DATE	INVOICE NO
12/27/2022	0066305

BILL TO
BK & HP Real Estate LLC 2800 Fair Park Blvd Jonesboro, AR 72401

DUE DATE
12/31/2022

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
PREVIOUS OUTSTANDING BALANCE						0.00
<b>Code Enforcement Charges:</b>						
Filing Fee-501 E Allen	1.00	15.00	15.00	0.00	0.00	15.00
Admin. Fee- 501 E Allen	1.00	100.00	100.00	0.00	0.00	100.00
Clean Up and Haul - 501 E Allen	1.00	50.00	50.00	0.00	0.00	50.00
<b>INVOICE TOTAL:</b>			<b>165.00</b>	<b>0.00</b>	<b>0.00</b>	<b>165.00</b>

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042

Customer Name: BK & HP Real Estate LLC  
 Customer No: 023609  
 Account No: 0035664 - Mowing Account

DUE DATE	INVOICE NO
12/31/2022	0066305

Please remit payment by the due date to:

City of Jonesboro  
 300 South Church Street  
 PO Box 1845  
 Jonesboro, AR 72403

Invoice Total:	165.00
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	165.00

**INVOICE BALANCE: \$165.00**  
**AMOUNT PAID: \_\_\_\_\_**

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OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_
- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage

\$

Total Postage and Fees

\$

Sent To

BK to HP Real Estate LLC

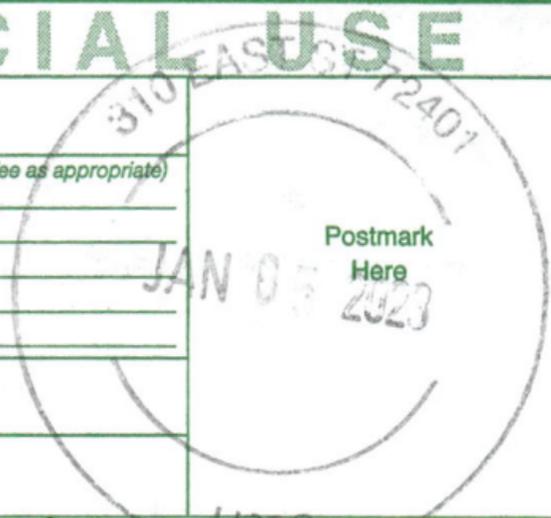
Street and Apt. No., or PO Box No.

2800 Fair Park Blvd

City, State, ZIP+4®

Jonesboro, AR 72401

82



7022 2410 0003 0083 5478



Office of Code Enforcement  
P.O. Box 1845, Jonesboro, AR 72403

870-933-4658

AFFIDAVIT

BK & HP Real Estate LLC  
2800 Fair Park Blvd  
Jonesboro, AR 72401

RE: 501 E Allen Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 6<sup>th</sup> day of February, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 6<sup>th</sup> day of February, 2023.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



Invoice# : 66305

Case# : 22-2627

Notice Mailed on 2/6/2023

BK & HP Real Estate LLC  
2800 Fair Park Blvd.  
Jonesboro, AR 72401

Subject: 501 E Allen, Jonesboro, AR 72401 Parcel# 01-144181-32700

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 3/7/2023.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you

Scott Roper  
Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658

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Extra Services & Fees (check box, add fee as appropriate)

- |  |          |
|--|----------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ _____ |

Postage

\$

Total Postage and Fees

\$

Sent To

BK + HA Real Estate LLC

Street and Apt. No., or PO Box No.

2800 Fair Park BPSd

City, State ZIP+4®

Jonesboro, AR 72401

85



7022 2410 0003 0083 6086



IN THE CIRCUIT COURT OF CRAIGHEAD COUNTY, ARKANSAS

AFFIDAVIT OF STATUTORY LIEN

I, Scott Roper, being duly sworn, depose and say as follows:

- 1.) My name is Scott Roper. I am the Director of Code Enforcement for Jonesboro, Arkansas ("the City"), and as such I am authorized to make this Affidavit of Statutory Lien.
- 2.) On 11/21/2022, a Notice to Comply was mailed to BK & HP Real Estate LLC, at 2800 Fair Park Blvd., Jonesboro, AR 72401. Due to the Owner's failure to abide by the notice within the required time, the City took corrective action as was necessary, or the City caused as much of the work as was left undone by the Owner at the expiration of the time allowed. An itemized account of this indebtedness is as follows:

DATE OF SERVICE	TYPE OF WORK	ORDINANCE NUMBER	COST
12/27/2022	Clean up and Haul	13:053	\$165

- 3.) The above statement of cost is true and correct and the amount of indebtedness is now due the City for cost and expenses incurred on the following described real property located in Jonesboro, Craighead County, Arkansas:

**ADDRESS OF PROPERTY & LEGAL DESCRIPTION**

*501 E Allen, Jonesboro, AR 72401, LOT 7, BLOCK 14 OF MEYERS ADD*

**Parcel Number 01-144181-32700**

- 4.) The City has made demand for payment and given the debtor notice of the City's intent to file this lien and the debtor has failed to make payment. No Part of the debt has been paid and the City of Jonesboro claims a lien on this real property, pursuant to Ark. Code Ann § 14-54-903(b) in the amount of \$165 to secure this indebtedness.
- 5.) Payment must be made to the City Collector's Office, 300 South Church Street, 1st Floor, Jonesboro, Arkansas 72401, within (30) days of this notification. If payment is not made within (30) days the lien may be certified to Craighead County for collection on real estate taxes or city may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904

**FURTHER AFFIANT SAYETH NOT.**

Scott Roper  
 Director of Code Enforcement  
 City of Jonesboro  
 300 S. Church Street  
 Jonesboro, AR 72401  
 Phone: 870-933-4658

**State of Arkansas**  
**County of Craighead**

Subscribed and sworn to or affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

Case# :22-2627
Invoice# : 66305
Council Date: 2/7/2022



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: RES-23:044

**Agenda Date:**

**Version:** 1

**Status:** Recommended to  
Council

**In Control:** Finance & Administration Council Committee

**File Type:** Resolution

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 513 MARSHALL, JONESBORO, AR 72401, PARCEL 01-144171-12100, OWNED BY PRECISION PROPERTY HOLDINGS, LLC IN THE AMOUNT OF \$323

LEGAL DESCRIPTION: CEDAR HEIGHTS 2ND ADD

WHEREAS, PRECISION PROPERTY HOLDINGS, LLC, the owner of record, was properly notified of a code violation at 513 Marshall, Jonesboro, AR 72401, and refused to remove or correct the conditions identified by the code enforcement officer of the City of Jonesboro, Arkansas; and,

WHEREAS, the code enforcement officer corrected the code violation using city funds in the amount of \$323; and,

WHEREAS, the City of Jonesboro seeks to perfect a lien against the affected property to cover the cost of the work pursuant to A.C.A 14-15-903.

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

Section 1: The city should proceed with placing a lien on the property located at 513 Marshall, Jonesboro, AR 72401.



AFFIDAVIT

Precision Property Holdings LLC  
PO Box 330  
Gladerille, TN 37071

RE: 513 Marshall Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 6<sup>th</sup> day of February, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 6<sup>th</sup> day of February, 2023.

Sharon McIntosh  
Notary Public

My commission expires: May 20, 2032





Invoice# : 66229

Case# : 22-2639

Notice Mailed on 2/6/2023

Precision Property Holdings LLC  
PO Box 330  
Gladeville, TN 37071

Subject: 513 Marshall, Jonesboro, AR 72401 Parcel# 01-144171-12100

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 3/7/2023.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you,

Scott Roper

Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658

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Extra Services & Fees (check box, add fee as appropriate)

- |  |    |       |
|--|----|-------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ | _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ | _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ | _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ | _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ | _____ |

Postage

\$

Total Postage and Fees

\$

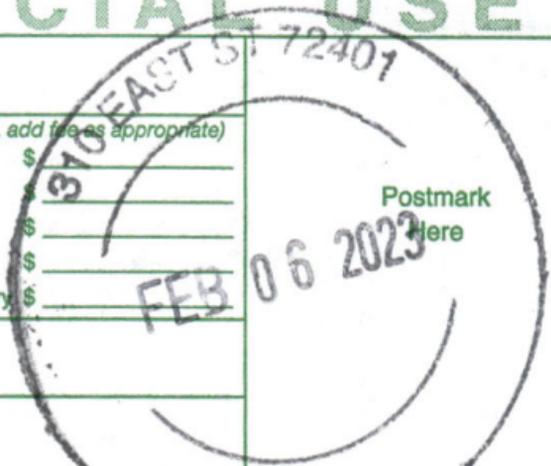
Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

Precision Property Holdings LLC  
PO Box 330

Gladeville, TN 37071 90



7022 2410 0003 0083 6161



IN THE CIRCUIT COURT OF CRAIGHEAD COUNTY, ARKANSAS

AFFIDAVIT OF STATUTORY LIEN

I, Scott Roper, being duly sworn, depose and say as follows:

- 1.) My name is Scott Roper. I am the Director of Code Enforcement for Jonesboro, Arkansas ("the City"), and as such I am authorized to make this Affidavit of Statutory Lien.
- 2.) On 11/24/2022, a Notice to Comply was mailed to Precision Property Holdings LLC, at PO Box 330, Gladeville, TN 37071. Due to the Owner's failure to abide by the notice within the required time, the City took corrective action as was necessary, or the City caused as much of the work as was left undone by the Owner at the expiration of the time allowed. An itemized account of this indebtedness is as follows:

DATE OF SERVICE	TYPE OF WORK	ORDINANCE NUMBER	COST
11/29/2022	Clean up/haul Off	13:053	\$323

- 3.) The above statement of cost is true and correct and the amount of indebtedness is now due the City for cost and expenses incurred on the following described real property located in Jonesboro, Craighead County, Arkansas:

**ADDRESS OF PROPERTY & LEGAL DESCRIPTION**

*513 Marshall, Jonesboro, AR 72401, CEDAR HEIGHTS 2ND ADD*

**Parcel Number 01-144171-12100**

- 4.) The City has made demand for payment and given the debtor notice of the City's intent to file this lien and the debtor has failed to make payment. No Part of the debt has been paid and the City of Jonesboro claims a lien on this real property, pursuant to Ark. Code Ann § 14-54-903(b) in the amount of \$323 to secure this indebtedness.
- 5.) Payment must be made to the City Collector's Office, 300 South Church Street, 1st Floor, Jonesboro, Arkansas 72401, within (30) days of this notification. If payment is not made within (30) days the lien may be certified to Craighead County for collection on real estate taxes or city may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904

**FURTHER AFFIANT SAYETH NOT.**

Scott Roper  
 Director of Code Enforcement  
 City of Jonesboro  
 300 S. Church Street  
 Jonesboro, AR 72401  
 Phone: 870-933-4658

State of Arkansas  
 County of Craighead

Subscribed and sworn to or affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
 Notary Public

My Commission Expires:  
 \_\_\_\_\_

Case# :22-2639
Invoice# : 66229
Council Date: 3/7/2023



Office of Code Enforcement  
P.O. Box 1845, Jonesboro, AR 72403

870-933-4658

AFFIDAVIT

Precision Property Holdings LLC  
PO Box 330  
Gladeville, TN 37071

RE: 513 Marshall Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 15<sup>th</sup> day of November, 2022.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 17<sup>th</sup> day of November, 2022.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



**CITY OF JONESBORO  
CODE ENFORCEMENT**

DATE: 11/15/2022

TO: Precision Property Holdings LLC  
P.O Box 330  
Gladeville, TN 37071

In regards to property located at 513 MARSHALL  
JONESBORO, AR 72401 .

Our records show that you own the property listed above. We have observed that there are multiple pieces of furniture and bedding set out by the dumpster that needs to be hauled off. We are sending this letter and are allowing you the chance to correct the violation that is mentioned below by November 24, 2022. If the issue is not corrected by the date listed, the City will hire a contractor, and place a lien on your property. Please call the Code Enforcement Office at (870) 933-4658 if you have any questions. If you would like to view the ordinance in violation online, they are available on City Clerk section of [www.jonesboro.org](http://www.jonesboro.org).

Section 1. Sec. 30-3 - Illegal Disposal  
2. Sec. 30-5 - Unsightly or Unsanitary Conditions

*Tosha Geror*

Tosha Geror  
870-604-5579  
Code Enforcement Officer  
CE22-2639

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- |  |    |       |
|--|----|-------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ | _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ | _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ | _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ | _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ | _____ |

Postage

\$

Total Postage and Fees

\$

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

Precision Property Holdings LLC

PO Box 330

Gladesville, TN 37071 94

310 EAST ST 72401

Postmark  
Here

NOV 15 2022

7021 2720 0000 4355 1579



## CITY OF JONESBORO

### Code Enforcement

Request For Invoice

Date: 11 -29-22

To: Tosha Moss

Property Address: 513 Marshall APN# 01-144171-12100  
Case #CE 22-2639

Jonesboro, AR 72401

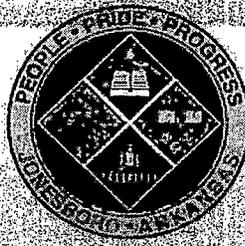
Need to send the following charges to this person.

Property Owner: Precision Property Holdings LLC  
P O Box 330  
Gladeville, TN 37071

<u>ITEMS</u>	<u>AMOUNTS</u>
Clean up and Haul	\$ 208 .00
Admin Fees	\$ 100.00
Filing Fees	\$ 15.00
<hr/>	
Total	\$ 323.00

Thank you,

Mike McQuay  
Jonesboro Police Department  
Code Enforcement Division  
PO Box 1845  
Jonesboro, AR 72403



DATE	INVOICE NO
11/29/2022	0066229

<b>BILL TO</b>
Precision Property Holdings LLC PO Box 330 Gladeville, TN 30701

DUE DATE
11/30/2022

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
PREVIOUS OUTSTANDING BALANCE						0.00
<b>Code Enforcement Charges:</b>						
Filing Fee - 513 Marshall	1.00	15.00	15.00	0.00	0.00	15.00
Admjt. Fee - 513 Marshall	1.00	100.00	100.00	0.00	0.00	100.00
Clean Up and Haul - 513 Marshall	1.00	208.00	208.00	0.00	0.00	208.00
<b>INVOICE TOTAL:</b>			<b>323.00</b>	<b>0.00</b>	<b>0.00</b>	<b>323.00</b>

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042.

Customer Name: Precision Property Holdings LLC  
 Customer No: 023573  
 Account No: 0035646 - Mowing Account

DUE DATE	INVOICE NO
11/30/2022	0066229

Please remit payment by the due date to:

City of Jonesboro  
 300 South Church Street  
 PO Box 1845  
 Jonesboro, AR 72403

If payment is not made within (30) days, the lien may be certified to Craighead County for collection on real estate taxes or City may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904.

Invoice Total:	323.00
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	323.00

**INVOICE BALANCE:** 323.00  
**AMOUNT PAID:** \_\_\_\_\_



AFFIDAVIT

Precision Property Holdings LLC  
PO Box 330  
Gladeville, TN 37071

RE: 513 Marshall Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 3<sup>rd</sup> day of January, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 3<sup>rd</sup> day of January, 2023.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



Invoice# : 66229

Case# : 22-2057

Notice to be Mailed by 1/8/2022

Precision Property Holdings LLC  
PO Box 330  
Gladeville, TN 37071

Subject: 513 Marshall, Jonesboro, AR 72401 Parcel# 01-144171-12100

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 2/7/2022.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you,

Scott Roper

Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658



DATE	INVOICE NO.
11/29/2022	0066229

BILL TO
Precision Property Holdings LLC PO Box 330 Gladeville, TN 30701

DUE DATE
11/30/2022
BALANCE

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
PREVIOUS OUTSTANDING BALANCE						0.00
<b>Code Enforcement Charges:</b>						
Filing Fee - 513 Marshall	1.00	15.00	15.00	0.00	0.00	15.00
Admin. Fee - 513 Marshall	1.00	100.00	100.00	0.00	0.00	100.00
Clean Up and Haul - 513 Marshall	1.00	208.00	208.00	0.00	0.00	208.00
<b>INVOICE TOTAL:</b>			<b>323.00</b>	<b>0.00</b>	<b>0.00</b>	<b>323.00</b>

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042

Customer Name: Precision Property Holdings LLC  
Customer No: 023573  
Account No: 0035646 -Mowing Account

DUE DATE	INVOICE NO.
11/30/2022	0066229

Please remit payment by the due date to:

City of Jonesboro  
300 South Church Street  
PO Box 1845  
Jonesboro, AR 72403

If payment is not made within (30) days, the lien may be certified to Craighead County for collection on real estate taxes or City may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904.

Invoice Total:	323.00
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	323.00

INVOICE BALANCE: \$323.00  
AMOUNT PAID: \_\_\_\_\_

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Gladeville, TN 37071

Certified Mail Fee

\$4.00

\$

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy)

\$0.00

Return Receipt (electronic)

\$0.00

Certified Mail Restricted Delivery

\$0.00

Adult Signature Required

\$0.00

Adult Signature Restricted Delivery

\$0.00

Postage

\$0.60

\$

Total Postage and Fees

\$7.85

\$

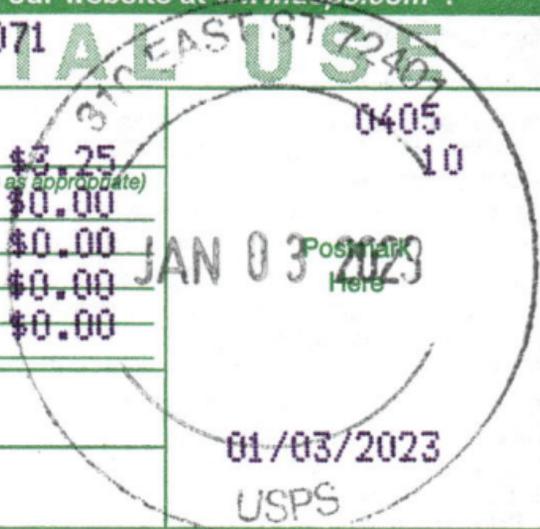
Sent To

Precision Property Holdings LLC  
PO Box 330

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

Gladeville, TN 37071 100



7022 2410 0003 0083 5324



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: RES-23:045

**Agenda Date:**

**Version:** 1

**Status:** Recommended to  
Council

**In Control:** Finance & Administration Council Committee

**File Type:** Resolution

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 910 HOPE STREET, JONESBORO, AR 72401, PARCEL 01-144184-11700, OWNED BY LYNEAL & NELLIE MANNING IN THE AMOUNT OF \$5,297.76

LEGAL DESCRIPTION: BROADWAY ADD W 1/2 LOT 4

WHEREAS, LYNEAL & NELLIE MANNING, the owner of record, was properly notified of a code violation at 910 Hope Street, Jonesboro, AR 72401, and refused to remove or correct the conditions identified by the code enforcement officer of the City of Jonesboro, Arkansas; and,

WHEREAS, the code enforcement officer corrected the code violation using city funds in the amount of \$5,297.76; and,

WHEREAS, the City of Jonesboro seeks to perfect a lien against the affected property to cover the cost of the work pursuant to A.C.A 14-15-903.

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

Section 1: The city should proceed with placing a lien on the property located at 910 Hope Street, Jonesboro, AR 72401.



AFFIDAVIT

Lyneal o Nellie Manning  
213 N Rogers  
Jonesboro, AR 72401

RE: 910 Hope St. Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 6<sup>th</sup> day of February, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 6<sup>th</sup> day of February, 2023.

Sharon Mcintosh  
Notary Public



My commission expires: May 20, 2032



Invoice# : 66194
Case# : 20-3549

Notice Mailed on 2/6/2023

Lyneal & Nellie Manning  
213 N Rogers  
Jonesboro, AR 72401

Subject: 910 Hope Street, Jonesboro, AR 72401 Parcel# 01-144184-11700

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 3/7/2023.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you,

Scott Roper  
Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658

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Extra Services & Fees (check box, add fee as appropriate)

- |  |          |
|--|----------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ _____ |

Postage

\$

Total Postage and Fees

\$

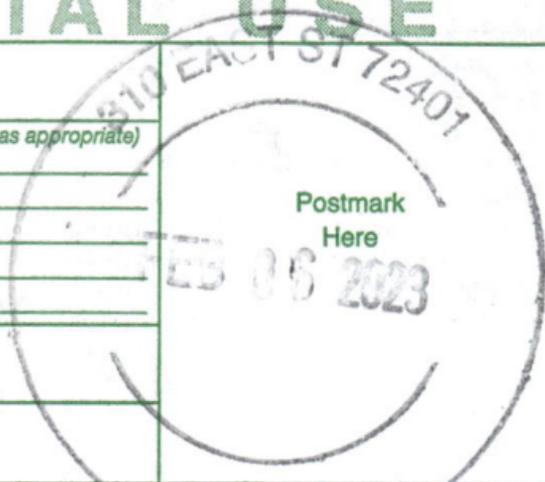
Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

Lynéal + Nellie Manning  
213 N Rogers  
Jonesboro, AR 72401

104



7022 2410 0003 0083 6062



IN THE CIRCUIT COURT OF CRAIGHEAD COUNTY, ARKANSAS

AFFIDAVIT OF STATUTORY LIEN

I, Scott Roper, being duly sworn, depose and say as follows:

- 1.) My name is Scott Roper. I am the Director of Code Enforcement for Jonesboro, Arkansas ("the City"), and as such I am authorized to make this Affidavit of Statutory Lien.
- 2.) On 10/24/2022, a Notice to Comply was mailed to Lyneal & Nellie Manning, at 213 N Rogers, Jonesboro, AR 72401. Due to the Owner's failure to abide by the notice within the required time, the City took corrective action as was necessary, or the City caused as much of the work as was left undone by the Owner at the expiration of the time allowed. An itemized account of this indebtedness is as follows:

DATE OF SERVICE	TYPE OF WORK	ORDINANCE NUMBER	COST
11/17/2022	DEMO	13:053	\$5297.76

- 3.) The above statement of cost is true and correct and the amount of indebtedness is now due the City for cost and expenses incurred on the following described real property located in Jonesboro, Craighead County, Arkansas:

**ADDRESS OF PROPERTY & LEGAL DESCRIPTION**

*910 Hope Street, Jonesboro, AR 72401, BROADAWAY ADD W 1/2 LOT 4*

**Parcel Number 01-144184-11700**

- 4.) The City has made demand for payment and given the debtor notice of the City's intent to file this lien and the debtor has failed to make payment. No Part of the debt has been paid and the City of Jonesboro claims a lien on this real property, pursuant to Ark. Code Ann § 14-54-903(b) in the amount of \$5297.76 to secure this indebtedness.
- 5.) Payment must be made to the City Collector's Office, 300 South Church Street, 1st Floor, Jonesboro, Arkansas 72401, within (30) days of this notification. If payment is not made within (30) days the lien may be certified to Craighead County for collection on real estate taxes or city may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904

**FURTHER AFFIANT SAYETH NOT.**

Scott Roper  
 Director of Code Enforcement  
 City of Jonesboro  
 300 S. Church Street  
 Jonesboro, AR 72401  
 Phone: 870-933-4658

State of Arkansas  
 County of Craighead

Subscribed and sworn to or affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
 Notary Public

My Commission Expires:  
 \_\_\_\_\_

Case# :20-3549
Invoice# : 66194
Council Date: 3/7/2023



2207 Fowler Avenue  
Jonesboro, Arkansas 72401  
Phone: 870-935-7410  
FAX: 870-933-7222

### **LIMITED TITLE SEARCH**

Date: July 18, 2022  
Prepared For: City of Jonesboro - Code Enforcement  
File Number: 22-081950-300

Lenders Title Company hereby certifies that the records of the Circuit Clerk of Craighead County, Arkansas have been examined as to the following described property from August 6, 1974 at 12:25 P.M. to July 5, 2022 at 7:30 A.M.:

The West Half of Lot 4 in Block 3 of Broadaway's Addition to the City of Jonesboro, Arkansas.

The following instruments were found of record during the aforementioned period which affect the above described property:

#### 30 Year Deed Chain

WARRANTY DEED executed by Allie Johnson Nash in favor of Lyneal Manning and Nelling Manning, husband and wife, as tenants by the entirety, dated July 22, 1974, filed August 6, 1974 and recorded in Deed Record 213 page 53 in the records of Jonesboro, Craighead County, Arkansas.

DECREE OF DIVORCE Case No. E-98-143 styled Nellie Manning vs. Lyneal Manning dated November 10, 1998, filed November 13, 1998 and recorded in Chancery Book 190 page 64 in the records of Craighead County, Arkansas. \*Note: Said decree vests title to the property in Nellie Manning and Lyneal Manning as tenants in common, an undivided 1/2 interest each.

\*Note: According to information found online, Lyneal Manning, Sr. passed away on October 13, 2011. See attached obituary.

#### Open Mortgages/Deeds of Trust

NONE

State and General Taxes for the year 2020 and Special Assessments for the year 2021 and prior years are paid. Taxes for the year 2021 and Special Assessments for the year 2022 are now due and payable.

Parcel No. 01-144184-11700

Judgments have been checked on Nellie Manning, Lyneal Manning, Sr., Alana Prunty, Nadine Coleman, Etta Fortson, Lyneal Manning, Jr., and Michael Manning during the aforementioned period, and the following were found:

Judgment against Nadine Coleman in favor of State of Arkansas Department of Finance and Administration, dated November 12, 2020, filed November 17, 2020 and recorded as Instrument No. 2020R-026421 in the records of Jonesboro, Craighead County, Arkansas.

Judgment against Lyneal Manning, Jr. in favor of State of Arkansas Office of Child Support Enforcement, dated April 7, 2008, filed April 16, 2008 and recorded in Judgment Book 70 page 345 and in Domestic Relations Book 281 page 512 in the records of Jonesboro, Craighead County, Arkansas.

Judgment against Lyneal Manning, Jr. in favor of State of Arkansas Office of Child Support Enforcement, dated September \_\_\_, 2013, filed October 10, 2013 and recorded as Instrument No. JB2013J-002401 in the records of Jonesboro, Craighead County, Arkansas.

Judgment against Lyneal Manning, Jr. in favor of State of Arkansas Office of Child Support Enforcement, dated December 16, 2013, filed January 2, 2014 and recorded as Instrument No. JB2014J-000019 in the records of Jonesboro, Craighead County, Arkansas.

Judgment against Lyneal Manning, Jr. in favor of State of Arkansas Office of Child Support Enforcement, dated March 17, 2014, filed March 24, 2014 and recorded as Instrument No. JB2014J-000541 in the records of Jonesboro, Craighead County, Arkansas.

Judgment against Lyneal Manning, Jr. in favor of State of Arkansas Office of Child Support Enforcement, September 15, 2014, filed September 19, 2014 and recorded as Instrument No. JB2014J-002076 in the records of Jonesboro, Craighead County, Arkansas.

If tax information was requested, please see the attached tax certificate for the real property tax information as to the above described property.

This Limited Title Search is intended for the exclusive use of the addressee for informational purposes only. Lenders Title Company is not expressing or attempting to express an opinion as to the validity of the title to the above described property nor as to the validity of any encumbrances, both recorded and unrecorded, that pertain to the above described property. While Lenders Title Company believes that the information stated above is accurate, no assurances are made nor is any liability assumed by Lenders Title Company for any incorrect information stated herein or omitted herefrom. For assurances as to the title to the above described property, addressee should obtain a title insurance policy.

Sincerely,

**Lenders Title Company**

A handwritten signature in cursive script that reads "Tara V. Pierce".

By: Tara V. Pierce



Office of Code Enforcement  
P.O. Box 1845, Jonesboro, AR 72403

870-933-4658

**AFFIDAVIT**

Lyneal + Nellie Manning  
313 N Rogers  
Jonesboro, AR 72401

RE: 910 Hope Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 23<sup>rd</sup> day of September, 2022.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 23<sup>rd</sup> day of September, 2022.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



**CITY OF JONESBORO  
CODE ENFORCEMENT**

**NOTICE TO REPAIR OR REMOVE**

Via: Certified Mail

Date: 09/22/2022

To: LYNEAL & NELLIE MANNING  
213 N ROGERS  
JONESBORO, AR 72401  
Mobil: 870-273-0589

Subject: 910 HOPE  
JONESBORO, AR 72401

Dear LYNEAL & NELLIE MANNING.

At its meeting on SEPTEMBER 20, 2022, The City Council of the City of Jonesboro adopted a resolution finding and declaring the subject property to be a nuisance that must be repaired or removed. A copy of the Condemnation Resolution is enclosed.

You are hereby directed to board and secure the structure at all times until the structure is brought into full compliance with applicable building or abatement codes or until such time as the structure is razed and removed. Boarding and securing the structure does not relieve the owner of the requirement to diligently repair, rehabilitate or demolish and remove the structure.

If you decide to abate this nuisance you must obtain necessary permits and commence abatement work with thirty (30) days from the date of condemnation by City Council. The permits shall expire forty-five (45) days from the date of issuance. Abatement work is expected to be completed before the permits expire. **A fine of not less than \$250 nor more than \$500 may be imposed and an additional fine of \$250 for each day thereafter.(Ord. 11.32.12)**

In the event you have not obtained necessary permits and commenced work to abate the nuisance with in thirty (30) days from the date of condemnation by City Council the City will take actions required to abate the nuisance. All costs of abatement will be billed to you as owner of the property. Payment of this bill will be actively pursued. A tax lien will be placed on the property until payment is received in full. **A fine of not less than \$250 nor more than \$500 may be imposed and an additional fine of \$250 for each day thereafter.(Ord. 11.32.12)**

Should you have any questions about this process, please call the City's Code Enforcement Office at 870-933-4658.

Sincerely,

David Cooley  
Code Enforcement Officer

CE20-3549

*Sign if served in  
person*

*Date  
served or  
delivered:*

\_\_\_\_\_

Code Enforcement Officer Signature, if delivered in person

Property Owner/Interested Party Signature, if delivered in person



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Signature Copy

Resolution: R-EN-139-2022

**File Number: RES-22:127**

**Enactment Number: R-EN-139-2022**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO  
CONDEMN PROPERTY LOCATED AT: 910 Hope Ave. Jonesboro, AR 72401 Parcel #:  
01-144184-11700 OWNER: Lyneal & Nellie Manning

LEGAL DESCRIPTION: The West Half of Lot 4 in Block 3 of Broadway's Addition to the City of  
Jonesboro, Arkansas.

WHEREAS, the above property has been inspected and has been determined unsuited for human  
habitation.

WHEREAS, all of the stipulations have been met in the condemnation process to proceed with the  
condemnation of this property.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
JONESBORO, ARKANSAS THAT: The city should proceed with the condemnation of the property  
located at: 910 Hope Ave. Jonesboro, AR 72401.

PASSED AND APPROVED THIS 20TH DAY OF SEPTEMBER 2022.



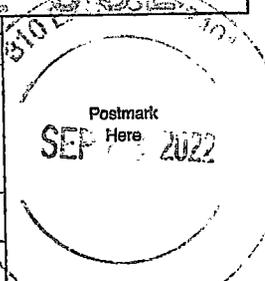
  
\_\_\_\_\_  
Harold Copenhaver, Mayor

Date 9-22-22

ATTEST:   
\_\_\_\_\_  
April Leggett, City Clerk

Date 9-22-22

7021 2720 0001 4894 9066

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<b>OFFICIAL USE</b>	
Certified Mail Fee \$ _____	
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$ _____	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
Total Postage and Fees \$ _____	
Sent To <b>Lynceal &amp; Nellie Manning</b> <sup>USPS</sup>	
Street and Apt. No., or PO Box No. <b>213 N Rogers</b>	
City, State, ZIP+4® <b>Jonesboro, AR 72401</b>	
PS Form 3800, April 2015 PSN 7535-02-000-9047 See Reverse for Instructions	

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Extra Services & Fees (check box, add fee as appropriate)

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|--|----|-------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ | _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ | _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ | _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ | _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ | _____ |

Postage

\$

Total Postage and Fees

\$

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

USPS  
Lynéal & Nellie Manning  
213 N Rogers  
Jonesboro, AR 72401

Postmark  
Here  
SEP 23 2022

113

7021 2720 0001 4894 9066

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

LYNEAL & NELLIE MANNING  
213 N ROGERS  
JONESBORO, AR 72401



9590 9402 7198 1284 5721 09

2. Article Number (Transfer from service label)

7021 2720 0001 4894 9066

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X LAWS C4

- 
- Agent
- 
- 
- Addressee

B. Received by (Printed Name)

CIS

C. Date of Delivery

 D. Is delivery address different from item 1?  Yes  
 delivery address below:  No

- 
- Adult Signature
- 
- 
- Adult Signature Restricted Delivery
- 
- 
- Certified Mail®
- 
- 
- Certified Mail Restricted Delivery
- 
- 
- Collect on Delivery
- 
- 
- Collect on Delivery Restricted Delivery
- 
- 
- Priority Mail Express®
- 
- 
- Registered Mail™
- 
- 
- Registered Mail Restricted Delivery
- 
- 
- Signature Confirmation™
- 
- 
- Signature Confirmation Restricted Delivery

 Mail  
 Mail Restricted Delivery

910 Hope 114

USPS TRACKING #



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

9590 9402 7198 1284 5721 09

**United States  
Postal Service**

• Sender: Please print your name, address, and ZIP+4® in this box•

**Jonesboro Code Enforcement  
P. O. Box 1845  
Jonesboro, AR 72403**

115



AFFIDAVIT

Lyneal + Nellie Manning  
213 N Rogers  
Jonesboro, AR 72401

RE: 910 Hope Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 9<sup>th</sup> day of June, 2022.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 9<sup>th</sup> day of June, 2022.

Tosha Moss  
Notary Public



My commission expires: Jan. 17, 2024



## CITY OF JONESBORO CODE ENFORCEMENT

### Notice of Violation

Date: 06/09/2022

LYNEAL & NELLIE MANNING  
213 N ROGERS  
JONESBORO, AR 72401  
Mobile: 870-273-0589

SUBJECT: 910 HOPE  
JONESBORO, AR 72401

According to county records, you are the owner of the subject property. Please be advised that the structure on this property has been inspected by the City Building and Code Enforcement inspectors and has been found to be unfit for human habitation by virtue of its dilapidated and unsanitary condition. This property poses a hazard to the public and is a nuisance against public health.

Within 10 (ten) calendar days from the date of this letter you are required to respond to this notice in writing, indicating your intention to either repair, re-inhabit, or raze and remove this structure. Should you choose to repair or rehab the structure, you will have to obtain a building permit and start work within 40 calendar days from the date of this notice. The building permit will be issued for a total of 45 calendar days at which time the repair or rehab work must be complete and able to pass all building, electrical, plumbing, and mechanical inspections.

If you decide to raze and remove this structure, removal and clean-up activities must be completed within 40 days of this notice.

If you decide not to repair or remove this structure, it will be necessary for the City Council to consider condemning the structure to ensure the repair, rehab, securing, and/or razing and removal of this nuisance. All costs involved in the condemnation process would be charged to you. Collection would be actively pursued.

We look forward to your cooperation in this matter. If you have any questions, call our office at (870)933-4658.

Sincerely,

David Cooley  
Code Enforcement Officer  
P.O. Box 1845  
Jonesboro, AR 72403

CE20-3549

**Sign if served in person**

---

Code Enforcement Officer Signature, if delivered  
in person

---

Property Owner/Interested Party Signature, if delivered in  
person



DEPARTMENT OF INSPECTION AND CODE ENFORCEMENT

**BUILDING INSPECTION REPORT**

DATE OF INSPECTION:	<b>JUNE 9, 2022</b>	CASE NUMBER: <b>CE20-3549</b>
PROPERTY ADDRESS:	<b>910 HOPE Ave.</b>	
PROPERTY OWNER:	<b>LYNEAL &amp; NELLIE MANNING</b>	

THE HOME IS ON BLOCK PIERS, WHICH HAVE SEPARATED FROM THE HOME. FOUNDATION IS BROKEN AND FALLING DOWN IN MANY PLACES. THE WOOD ON THE FRONT PORCH IS ROTTEN AND NEEDS REPLACED. FRONT & REAR DOOR BOTH NEED REPLACED. REAR DOOR FRAME IS SAGGING DUE TO FOUNDATION FALLING. ALL WINDOWS ARE BOARDED, SO THEIR CONDITION IS UNKNOWN. THE ROOF PLYWOOD NEEDS REPLACED AS WELL AS THE SHINGLES. SOFFIT AREA IS DECAYED WITH HOLES. MAIN ROOF IS SHOWING SOME SAGGING. THE SIDING IS FALLING OFF AND MISSING IN PLACES. ALL SIDING NEEDS REPLACED. THERE ARE NO ACTIVE UTILITIES AT THE HOME. HOME IS A HAZARD TO THE HEALTH, WELFARE, AND SAFETY OF THE PUBLIC. HOME SHOULD BE RAZED IMMEDIATELY TO ENSURE THE SAFETY OF LOCAL CHILDREN AND OTHER CITIZENS, NOT TO MENTION THE BLIGHT TO THE COMMUNITY.

HOME WAS SECURED AT THE TIME OF INSPECTION.

In my opinion, this structure		Is	<b>XX</b>	Is not	Suitable for human habitation.
In my opinion, this structure		Is	<b>XX</b>	Is not	Physically feasible for rehabilitation.
In my opinion, this structure		Is	<b>XX</b>	Is not	Economically feasible for rehabilitation.
In my opinion, this structure	<b>XX</b>	Is		Is not	A public safety hazard and should be condemned immediately.

**EMERGENCY ACTION IS WARRANTED: YES NO **XX****

<b>Tim Renshaw, Chief Building Inspector</b>	<b>David Cooley, Code Enforcement</b>
	

Municipal Building, 300 South Church Jonesboro, AR/ Phone 870-336-7194/Fax 870-336-1358

7020 1810 0001 8542 1088

U.S. Postal Service  
**CERTIFIED MAIL® RECEIPT**  
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For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee

\$ \_\_\_\_\_

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_
- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage

\$ \_\_\_\_\_

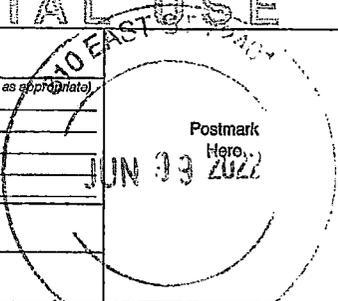
**Total Postage and Fees**

\$ \_\_\_\_\_

Sent To Lynéal + Nellie Manning

Street and Apt. No., or PO Box No. 213 N Rogers St.

City, State, ZIP+4® Jonesboro, AR 72401



PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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OFFICIAL USE

Certified Mail Fee

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Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_
- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage

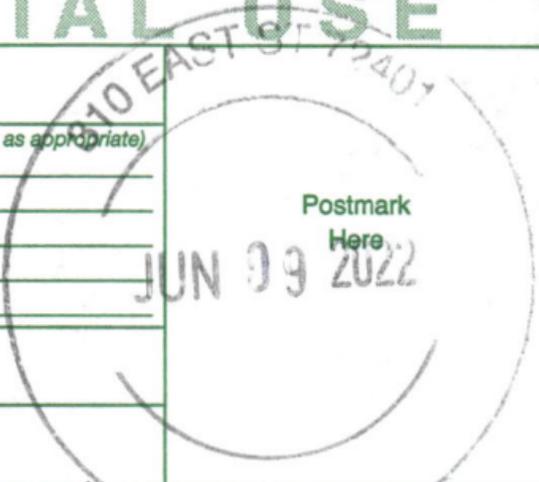
\$

Total Postage and Fees

\$

Sent To

Lynéal + Nellie Manning  
Street and Apt. No., or PO Box No.  
213 N Rogers St.  
City, State, ZIP+4®  
Jonesboro, AR 72401 120



7020 1810 0001 8542 1088  
8907 2458 1000 0191 0201

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X LAWS cll

- Agent  
 Addressee

B. Received by (Printed Name)

CIR

C. Date of Delivery

- D. Is delivery address different from item 1?  Yes  
 No  
 If delivery address is different, print delivery address below:  No

LYNEAL & NELLIE MANNING  
 213 N ROGERS ST  
 JONESBORO AR 72401



9590 9402 7198 1284 5802 34

2. Article Number (Transfer from service label)

7020 1810 0001 8542 1088

- Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail®  
 Certified Mail Restricted Delivery  
 Collect on Delivery  
 Collect on Delivery Restricted Delivery  
 Priority Mail Express®  
 Registered Mail™  
 Registered Mail Restricted Delivery  
 Signature Confirmation™  
 Signature Confirmation Restricted Delivery
- Mail  
 Mail Restricted Delivery  
 (over \$500)

910 Hc 121

USPS TRACKING #



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

9590 9402 7198 1284 5802 34

**United States  
Postal Service**

• Sender: Please print your name, address, and ZIP+4® in this box•

Jonesboro Code Enforcement  
P. O. Box 1845  
Jonesboro, AR 72403

122



AFFIDAVIT

Lynéal & Nellie Manning  
213 N Rogers  
Jonesboro, AR 72401

RE: 910 Hope Street Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 5<sup>th</sup> day of January, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 5<sup>th</sup> day of January, 2023.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



Invoice# : 66194
------------------

Case# : 20-3549
-----------------

Notice to be Mailed by 1/8/2022

Lyneal & Nellie Manning  
213 N Rogers  
Jonesboro, AR 72401

Subject: 910 Hope Street, Jonesboro, AR 72401 Parcel# 01-144184-11700

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 2/7/2022.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you,

Scott Roper  
Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658



DATE	INVOICE NO
11/17/2022	0066194

<b>BILL TO:</b>
Lynéal & Nellie Manning 213 N Rogers Jonesboro, AR 72401

<b>DUE DATE</b>
11/30/2022

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
PREVIOUS OUTSTANDING BALANCE						0.00
<b>Code Enforcement Charges:</b>						
Filing Fee - 910 Hope Street	1.00	15.00	15.00	0.00	0.00	15.00
Admin. Fee - 910 Hope Street	1.00	100.00	100.00	0.00	0.00	100.00
Certified Postage for Notices - 910 Hope Street	1.00	30.40	30.40	0.00	0.00	30.40
Standard Postage for Notices - 910 Hope Street	1.00	2.36	2.36	0.00	0.00	2.36
Title Search - 910 Hope Street	1.00	150.00	150.00	0.00	0.00	150.00
Demolition Charge - 910 Hope Street	1.00	5,000.00	5,000.00	0.00	0.00	5,000.00
<b>INVOICE TOTAL:</b>			<b>5,297.76</b>	<b>0.00</b>	<b>0.00</b>	<b>5,297.76</b>

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042

Customer Name: Lynéal & Nellie Manning  
 Customer No: 023561  
 Account No: 0035635 - Mowing Account #01-144184-11700

DUE DATE	INVOICE NO
11/30/2022	0066194

Please remit payment by the due date to:

City of Jonesboro  
 300 South Church Street  
 PO Box 1845  
 Jonesboro, AR 72403

Invoice Total:	5,297.76
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	5,297.76
<b>INVOICE BALANCE:</b>	<b>5,297.76</b>
<b>AMOUNT PAID:</b>	<b>_____</b>

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OFFICIAL USE

Certified Mail Fee

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Extra Services & Fees (check box, add fee as appropriate)

- |  |          |
|--|----------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ _____ |

Postage

\$

Total Postage and Fees

\$

Sent To

USPS,  
Lyneal & Nellie Manning

Street and Apt. No., or PO Box No.

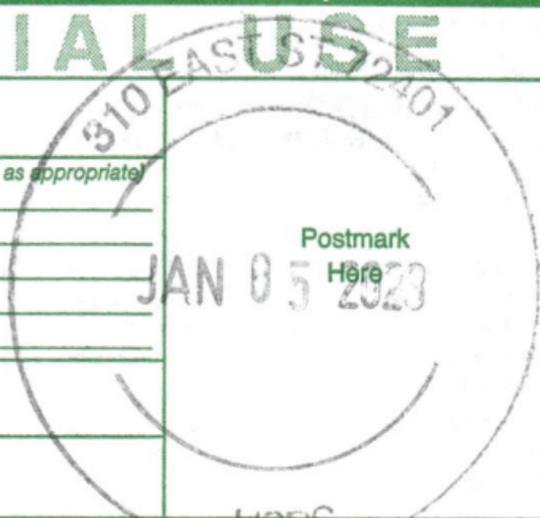
213 N Rogers

City, State, ZIP+4®

Jonesboro AR 72401

126

7022 2410 0003 0083 5348



## Certified Mail service provides the following benefits:

- A receipt (this portion of the Certified Mail label).
  - A unique identifier for your mailpiece.
  - Electronic verification of delivery or attempted delivery.
  - A record of delivery (including the recipient's signature) that is retained by the Postal Service™ for a specified period.
- Important Reminders:**
- You may purchase Certified Mail service with First-Class Mail®, First-Class Package Service®, or Priority Mail® service.
  - Certified Mail service is *not* available for international mail.
  - Insurance coverage is *not* available for purchase with Certified Mail service. However, the purchase of Certified Mail service does not change the insurance coverage automatically included with certain Priority Mail items.
  - For an additional fee, and with a proper endorsement on the mailpiece, you may request the following services:
    - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*; attach PS Form 3811 to your mailpiece; for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.
    - Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
    - Adult signature service, which requires the signee to be at least 21 years of age (not available at retail).
    - Adult signature restricted delivery service, which requires the signee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).
  - To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office™ for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

**IMPORTANT: Save this receipt for you 127**



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: RES-23:046

**Agenda Date:**

**Version:** 1

**Status:** Recommended to  
Council

**In Control:** Finance & Administration Council Committee

**File Type:** Resolution

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 1403 OAKHURST, JONESBORO, AR 72401, PARCEL 01-143133-23700, OWNED BY KEVIN & TONYA LYLES IN THE AMOUNT OF \$965

LEGAL DESCRIPTION: WILSON 2ND ADD ALL 31-32 & PT 33 62X137

WHEREAS, KEVIN & TONYA LYLES, the owner of record, was properly notified of a code violation at 1403 Oakhurst, Jonesboro, AR 72401, and refused to remove or correct the conditions identified by the code enforcement officer of the City of Jonesboro, Arkansas; and,

WHEREAS, the code enforcement officer corrected the code violation using city funds in the amount of \$965; and,

WHEREAS, the City of Jonesboro seeks to perfect a lien against the affected property to cover the cost of the work pursuant to A.C.A 14-15-903.

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

Section 1: The city should proceed with placing a lien on the property located at 1403 Oakhurst, Jonesboro, AR 72401.



IN THE CIRCUIT COURT OF CRAIGHEAD COUNTY, ARKANSAS

AFFIDAVIT OF STATUTORY LIEN

I, Scott Roper, being duly sworn, depose and say as follows:

- 1.) My name is Scott Roper. I am the Director of Code Enforcement for Jonesboro, Arkansas ("the City"), and as such I am authorized to make this Affidavit of Statutory Lien.
- 2.) On 11/21/2022, a Notice to Comply was mailed to Kevin & Tonya Lyles, at PO Box 16042, Jonesboro, AR 72403-6700. Due to the Owner's failure to abide by the notice within the required time, the City took corrective action as was necessary, or the City caused as much of the work as was left undone by the Owner at the expiration of the time allowed. An itemized account of this indebtedness is as follows:

DATE OF SERVICE	TYPE OF WORK	ORDINANCE NUMBER	COST
1/5/2023	Clean up and Haul	13:053	\$965

- 3.) The above statement of cost is true and correct and the amount of indebtedness is now due the City for cost and expenses incurred on the following described real property located in Jonesboro, Craighead County, Arkansas:

**ADDRESS OF PROPERTY & LEGAL DESCRIPTION**

*1403 Oakhurst, Jonesboro, AR 72401, WILSON 2ND ADD ALL 31-32 & PT 33 62X137*

**Parcel Number 01-143133-23700**

- 4.) The City has made demand for payment and given the debtor notice of the City's intent to file this lien and the debtor has failed to make payment. No Part of the debt has been paid and the City of Jonesboro claims a lien on this real property, pursuant to Ark. Code Ann § 14-54-903(b) in the amount of \$965 to secure this indebtedness.
- 5.) Payment must be made to the City Collector's Office, 300 South Church Street, 1st Floor, Jonesboro, Arkansas 72401, within (30) days of this notification. If payment is not made within (30) days the lien may be certified to Craighead County for collection on real estate taxes or city may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904

**FURTHER AFFIANT SAYETH NOT.**

Scott Roper  
 Director of Code Enforcement  
 City of Jonesboro  
 300 S. Church Street  
 Jonesboro, AR 72401  
 Phone: 870-933-4658

State of Arkansas  
 County of Craighead

Subscribed and sworn to or affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
 Notary Public

My Commission Expires:  
 \_\_\_\_\_

Case# :33-45842
Invoice# : 66330
Council Date: 3/7/2023



AFFIDAVIT

Kevin L + Tanya Lyles  
PO Box 16042  
Jonesboro, AR 72403

RE: 1403 Oakhurst Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 14<sup>th</sup> day of Jonesboro, 2022.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 17<sup>th</sup> day of November, 2022

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



**CITY OF JONESBORO  
CODE ENFORCEMENT**

DATE: 11/14/2022

TO: Kevin L & Tonya Lyles  
P.O. Box 16042  
Jonesboro, AR 72403

In regards to property located at 1403 OAKHURST  
JONESBORO, AR 72401 .

Our records show that you own the property listed above. We have observed that the property is littered with building materials, household items, shopping carts, excess canned goods, and other assorted waste. We are sending this letter and are allowing you the chance to correct the violation that is mentioned below by 11-21-2022. If the issue is not corrected by the date listed, the City will hire a contractor to clean the property, and place a lien on your property. Please call the Code Enforcement Office at (870) 933-4658 if you have any questions. If you would like to view the ordinance in violation online, they are available on City Clerk section of [www.jonesboro.org](http://www.jonesboro.org).

Section 1. Sec. 30-5 - Unlawful storage.  
2. Sec. 30-5 - Unsightly or Unsanitary Conditions

Greyson Long  
Code Enforcement Officer  
CE22-2453

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OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_  
 Return Receipt (electronic) \$ \_\_\_\_\_  
 Certified Mail Restricted Delivery \$ \_\_\_\_\_  
 Adult Signature Required \$ \_\_\_\_\_  
 Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage

\$

Total Postage and Fees

\$

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

Kevin L + Tanya Lyles

PO Box 16042

Jonesboro, AR 72403 132

Postmark Here  
NOV 14 2022

USPS

2021 2720 0000 4355 1302



## CITY OF JONESBORO

### Code Enforcement

Request For Invoice

Date: 01-05-23

To: Tosha Moss

Case # 3345842

Property Address: 1403 Oakhurst  
Jonesboro, AR 72401

APN# 01-143133-2370

Comply by Date: 11/21/22

Need to send the following charges to this person.

Property Owner: Kevin L & Tonya Lyles  
PO Box 16042  
Jonesboro, AR 72403-6700

<u>ITEMS</u>	<u>AMOUNTS</u>
Clean up and Haul	\$ 850.00
Admin Fees	\$ 100.00
Filing Fees	\$ 15.00
<hr/>	
Total	\$ 965.00

Thank you,

Mike McQuay  
Jonesboro Police Department  
Code Enforcement Division  
PO Box 1845  
Jonesboro, AR 72403



DATE	INVOICE NO
1/5/2023	0066330

<b>BILL TO</b>
Kevin & Tonya Lyles PO Box 16042 Jonesboro, AR 72403

<b>DUE DATE</b>
1/31/2023

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
-------------	----------	----------------	--------	----------	--------	---------

PREVIOUS OUTSTANDING BALANCE 5,297.40

**Code Enforcement Charges:**

Filing Fee - 1403 Oakhurst	15.00	15.00	15.00			15.00
Admin. Fee - 1403 Oakhurst	100.00	100.00	100.00			100.00
Clean Up and Haul - 1403 Oakhurst	850.00	850.00	850.00			850.00

**INVOICE TOTAL:** 965.00 0.00 0.00 965.00

**If payment is not made within (30) days,  
the lien may be certified to Craighead  
County for collection on real estate  
taxes or City may pursue a  
judicial foreclosure in accordance  
with Ark. Code Ann. § 14-54-904.**

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042

Customer Name: Kevin & Tonya Lyles  
Customer No: 015823  
Account No: 0035620 - Mowing Account #01-143133-23700 1403 Oakhurst

<b>DUE DATE:</b>	<b>INVOICE NO</b>
1/31/2023	0066330

**Please remit payment by the due date to:**

City of Jonesboro  
300 South Church Street  
PO Box 1845  
Jonesboro, AR 72403

Invoice Total:	965.00
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	6,262.40

**AMOUNT PAID:** \_\_\_\_\_



AFFIDAVIT

Kevin + Tonya Lyles  
PO Box 16042  
Jonesboro, AR 72403-6700

RE: 1403 Oakhurst Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 6<sup>th</sup> day of February, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 6<sup>th</sup> day of February, 2023.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



Invoice# : 66330

Case# : 33-45842

Notice Mailed on 2/6/2023

Kevin & Tonya Lyles  
PO Box 16042  
Jonesboro, AR 72403-6700

Subject: 1403 Oakhurst, Jonesboro, AR 72401 Parcel# 01-143133-23700

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 3/7/2023.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you,

Scott Roper  
Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658



DATE	INVOICE NO
1/5/2023	0066330

<b>BILL TO</b>
Kevin & Tonya Lyles PO Box 16042 Jonesboro, AR 72403

<b>DUE DATE</b>
1/31/2023

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
-------------	----------	----------------	--------	----------	--------	---------

PREVIOUS OUTSTANDING BALANCE 5,297.40

**Code Enforcement Charges:**

Filing Fee - 1403 Oakhurst	15.00	15.00	15.00			15.00
Admin. Fee - 1403 Oakhurst	100.00	100.00	100.00			100.00
Clean Up and Haul - 1403 Oakhurst	850.00	850.00	850.00			850.00

**INVOICE TOTAL:                    965.00                    0.00                    0.00                    965.00**

**If payment is not made within (30) days, the lien may be certified to Craighead County for collection on real estate taxes or City may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904.**

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042

Customer Name: Kevin & Tonya Lyles  
Customer No: 015823  
Account No: 0035620 - Mowing Account #01-143133-23700 1403 Oakhurst

<b>DUE DATE</b>	<b>INVOICE NO</b>
1/31/2023	0066330

**Please remit payment by the due date to:**

City of Jonesboro  
300 South Church Street  
PO Box 1845  
Jonesboro, AR 72403

Invoice Total:	965.00
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	6,262.40

**AMOUNT PAID:** \_\_\_\_\_

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OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- |  |    |       |
|--|----|-------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ | _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ | _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ | _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ | _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ | _____ |

Postage

\$

Total Postage and Fees

\$

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

Kevin + Tanya Lyles

PO Box 16042

Jonesboro, AR 72403-1380

210 EAST ST 72401

Postmark  
Here

FEB 06 2023

7022 2410 0003 0083 6116  
RT19 E800 E000 OT42 2201



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: RES-23:047

**Agenda Date:**

**Version:** 1

**Status:** Recommended to  
Council

**In Control:** Finance & Administration Council Committee

**File Type:** Resolution

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 1654 W MATTHEWS, JONESBORO, AR 72401, PARCEL 01-143133-00900, OWNED BY LAMONT WADE THOMAS IN THE AMOUNT OF \$165

LEGAL DESCRIPTION: PT E 1/2 E 1/2 SW SW .215 JONESBORO CITY

WHEREAS, LAMONT WADE THOMAS, the owner of record, was properly notified of a code violation at 1654 W Matthews, Jonesboro, AR 72401, and refused to remove or correct the conditions identified by the code enforcement officer of the City of Jonesboro, Arkansas; and,

WHEREAS, the code enforcement officer corrected the code violation using city funds in the amount of \$165; and,

WHEREAS, the City of Jonesboro seeks to perfect a lien against the affected property to cover the cost of the work pursuant to A.C.A 14-15-903.

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

Section 1: The city should proceed with placing a lien on the property located at 1654 W Matthews, Jonesboro, AR 72401.



AFFIDAVIT

Lamant Wade Thomas  
1401 Lakewood Dr. Apt 8  
Jonesboro, AR 72404

RE: 1654 W Matthews Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 6<sup>th</sup> day of February, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 6<sup>th</sup> day of February, 2023.

Sharon McIntosh  
Notary Public

My commission expires: May 20, 2032





Invoice# : 66230

Case# : 22-2057

Notice Mailed on 2/6/2023

Lamont Wade Thomas  
1401 Lakewood Dr APT 8  
Jonesboro, AR 72404

Subject: 1654 W Matthews, Jonesboro, AR 72401 Parcel# 01-143133-00900

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 3/7/2023.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you,

Scott Roper  
Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658

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OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- |  |    |       |
|--|----|-------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ | _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ | _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ | _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ | _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ | _____ |

Postage

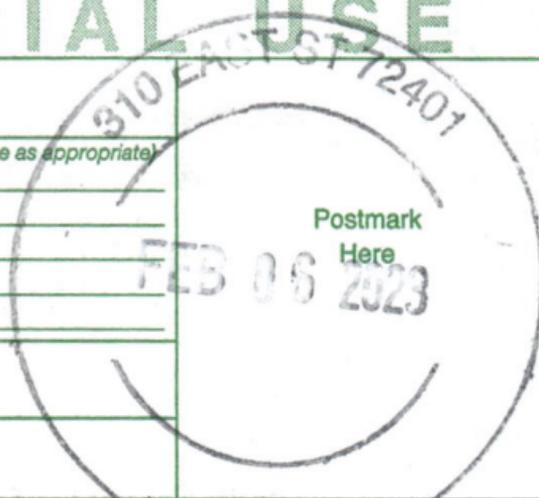
\$

Total Postage and Fees

\$

Sent To

Lamont Wade Thomas  
Street and Apt. No. or PO Box No. 1401 Lakewood Drive #8  
City, State, ZIP+4® Jonesboro, AR 72404-142



7022 2410 0003 0083 6154



IN THE CIRCUIT COURT OF CRAIGHEAD COUNTY, ARKANSAS

AFFIDAVIT OF STATUTORY LIEN

I, Scott Roper, being duly sworn, depose and say as follows:

- 1.) My name is Scott Roper. I am the Director of Code Enforcement for Jonesboro, Arkansas ("the City"), and as such I am authorized to make this Affidavit of Statutory Lien.
- 2.) On 11/16/2022, a Notice to Comply was mailed to Lamont Wade Thomas, at 1401 Lakewood Dr APT 8, Jonesboro, AR 72404. Due to the Owner's failure to abide by the notice within the required time, the City took corrective action as was necessary, or the City caused as much of the work as was left undone by the Owner at the expiration of the time allowed. An itemized account of this indebtedness is as follows:

DATE OF SERVICE	TYPE OF WORK	ORDINANCE NUMBER	COST
11/22/2022	Clean up/haul Off	13:053	\$165

- 3.) The above statement of cost is true and correct and the amount of indebtedness is now due the City for cost and expenses incurred on the following described real property located in Jonesboro, Craighead County, Arkansas:

**ADDRESS OF PROPERTY & LEGAL DESCRIPTION**

*1654 W Matthews, Jonesboro, AR 72401, PT E 1/2 E 1/2 SW SW .215 J'BORO CITY*

**Parcel Number 01-143133-00900**

- 4.) The City has made demand for payment and given the debtor notice of the City's intent to file this lien and the debtor has failed to make payment. No Part of the debt has been paid and the City of Jonesboro claims a lien on this real property, pursuant to Ark. Code Ann § 14-54-903(b) in the amount of \$165 to secure this indebtedness.
- 5.) Payment must be made to the City Collector's Office, 300 South Church Street, 1st Floor, Jonesboro, Arkansas 72401, within (30) days of this notification. If payment is not made within (30) days the lien may be certified to Craighead County for collection on real estate taxes or city may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904

**FURTHER AFFIANT SAYETH NOT.**

Scott Roper  
 Director of Code Enforcement  
 City of Jonesboro  
 300 S. Church Street  
 Jonesboro, AR 72401  
 Phone: 870-933-4658

State of Arkansas  
 County of Craighead

Subscribed and sworn to or affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
 Notary Public

My Commission Expires:  
 \_\_\_\_\_

Case# :22-2057
Invoice# : 66230
Council Date: 3/7/2023



AFFIDAVIT

Lamont Thomas Mailed to:  
~~900 Vine St~~ 1808 Self Cir. Apt. 1  
Jonesboro, AR 72401

RE: 1654 W Matthews Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 9<sup>th</sup> day of November, 2022.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 17<sup>th</sup> day of November, 2022.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



**CITY OF JONESBORO  
CODE ENFORCEMENT**

DATE: 11/09/2022

TO: Lamont Thomas  
900 Vine St.  
Jonesboro, AR 72401  
Mobile: 870-273-6106

In regards to property located at 1654 W MATTHEWS  
JONESBORO, AR 72401 .

Our records show that you own the property listed above. We have observed that there are tires, chairs, bedding material in the yard of this property that constitutes as unlawful storage. We are sending this letter and are allowing you the chance to correct the violation that is mentioned below by 11-16-2022. If the issue is not corrected by the date listed, the City will hire a contractor to clean the property and place a lien on your property. Please call the Code Enforcement Office at (870) 933-4658 if you have any questions. If you would like to view the ordinance in violation online, they are available on City Clerk section of [www.jonesboro.org](http://www.jonesboro.org).

Section 1. Sec. 30-5 - Inoperative Vehicles on Property  
2. Sec. 30-5 - Unlawful storage.

Greyson Long  
Code Enforcement Officer  
CE22-2057



**CITY OF JONESBORO  
CODE ENFORCEMENT**

DATE: 11/09/2022

TO: Lamont Thomas

1808 Self Circle Apt. 1

Jonesboro, AR 72401

The Silver Dodge Charger with License 253-VUM and VIN SAJEA01T44FM99692 has been towed by Sharp's Towing, their contact number is: (870) 761-0662 on 11-9-2022 at 11:30 A.M. The Silver Jaguar was towed as well by The Body Shop in Marked Tree. Their contact number is (870) 934-1635.

Greyson Long

Code Enforcement Officer

CE22-2057

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OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- |  |    |       |
|--|----|-------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ | _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ | _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ | _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ | _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ | _____ |

Postage

\$

Total Postage and Fees

\$

Sent To

Lamont Thomas USPS

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

~~900 Vine St~~ 1808 Self Cir  
Jonesboro, AR 72401 A147



2021 2720 0000 4355 1173  
E2T 55E4 0000 0222 1202



## CITY OF JONESBORO

### Code Enforcement

Request For Invoice

Date: 11 -22-22

To: Tosha Moss

Property Address: 1654 W Matthews APN# 01-143133-00900  
Case #CE 22-2057

Jonesboro, AR 72401

Need to send the following charges to this person.

Property Owner: Lamont Wade Thomas  
1401 Lakewood Dr APT 8  
Jonesboro, AR 72404

<u>ITEMS</u>	<u>AMOUNTS</u>
Clean up and Haul	\$ 50 .00
Admin Fees	\$ 100.00
Filing Fees	\$ 15.00
<hr/>	
Total	\$ 165.00

Thank you,

Mike McQuay  
Jonesboro Police Department  
Code Enforcement Division  
PO Box 1845  
Jonesboro, AR 72403



DATE	INVOICE NO.
11/22/2022	0066230

<b>BILL TO</b>
Lamont Wade Thomas 1401 Lakewood Drive #8 Jonesboro, AR 72404

<b>DUE DATE</b>
11/30/2022

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
PREVIOUS OUTSTANDING BALANCE						0.00
Code Enforcement Charges:						
Filing Fee - 1654 W Matthews	1.00	15.00	15.00	0.00	0.00	15.00
Admin. Fee - 1654 W Matthews	1.00	100.00	100.00	0.00	0.00	100.00
Clean Up and Haul - 1654 W Matthews	1.00	50.00	50.00	0.00	0.00	50.00
<b>INVOICE TOTAL:</b>			<b>165.00</b>	<b>0.00</b>	<b>0.00</b>	<b>165.00</b>

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042

Customer Name: Lamont Wade Thomas  
 Customer No: 023574  
 Account No: 0035647 - Mowing Account

DUE DATE	INVOICE NO.
11/30/2022	0066230

Please remit payment by the due date to:

City of Jonesboro  
 300 South Church Street  
 PO Box 1845  
 Jonesboro, AR 72403

If payment is not made within (30) days the lien may be certified to Craighead County for collection on real estate taxes or City may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904.

Invoice Total:	165.00
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	165.00

**INVOICE BALANCE: \$165.00**  
**AMOUNT PAID: \_\_\_\_\_**



AFFIDAVIT

Lamont Wade Thomas  
1401 Lakewood Dr. Apt 8  
Jonesboro, AR 72404

RE: 1654 W Matthews Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 3<sup>rd</sup> day of January, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 3<sup>rd</sup> day of January, 2023.

[Signature]  
Notary Public



My commission expires: May 20, 2032



Invoice# : 66230

Case# : 22-2057

Notice to be Mailed by 1/8/2022

Lamont Wade Thomas  
1401 Lakewood Dr APT 8  
Jonesboro, AR 72404

Subject: 1654 W Matthews, Jonesboro, AR 72401 Parcel# 01-143133-00900

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 2/7/2022.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you,

Scott Roper

Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658



DATE	INVOICE NO
11/22/2022	0066230

<b>BILL TO</b>
Lamont Wade Thomas 1401 Lakewood Drive #8 Jonesboro, AR 72404

<b>DUE DATE</b>
11/30/2022

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
PREVIOUS OUTSTANDING BALANCE						0.00
Code Enforcement Charges:						
Filing Fee - 1654 W Matthews	1.00	15.00	15.00	0.00	0.00	15.00
Admin. Fee - 1654 W Matthews	1.00	100.00	100.00	0.00	0.00	100.00
Clean Up and Haul - 1654 W Matthews	1.00	50.00	50.00	0.00	0.00	50.00
<b>INVOICE TOTAL:</b>			<b>165.00</b>	<b>0.00</b>	<b>0.00</b>	<b>165.00</b>

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042

Customer Name: Lamont Wade Thomas  
 Customer No: 023574  
 Account No: 0035647 - Mowing Account

<b>DUE DATE</b>	<b>INVOICE NO</b>
11/30/2022	0066230

Please remit payment by the due date to:

City of Jonesboro  
 300 South Church Street  
 PO Box 1845  
 Jonesboro, AR 72403

If payment is not made within (30) days the lien may be certified to Craighead County for collection on real estate taxes or City may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-90.

Invoice Total:	165.00
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	165.00

**INVOICE BALANCE: \$165.00**  
**AMOUNT PAID: \_\_\_\_\_**

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Jonesboro, AR 72404

Certified Mail Fee

\$4.00

\$

Extra Services & Fees (check box, add fees as appropriate)

- |                          |                                     |    |        |
|--------------------------|-------------------------------------|----|--------|
| <input type="checkbox"/> | Return Receipt (hardcopy)           | \$ | \$0.00 |
| <input type="checkbox"/> | Return Receipt (electronic)         | \$ | \$0.00 |
| <input type="checkbox"/> | Certified Mail Restricted Delivery  | \$ | \$0.00 |
| <input type="checkbox"/> | Adult Signature Required            | \$ | \$0.00 |
| <input type="checkbox"/> | Adult Signature Restricted Delivery | \$ | \$0.00 |

Postage

\$0.60

\$

Total Postage and Fees

\$7.85

\$

Sent To

Lamont Wade Thomas

Street and Apt. No., or PO Box No.

1401 Lakewood Dr. #8

City, State, ZIP+4®

Jonesboro, AR 72404

153



7022 2410 0003 0083 5409



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: RES-23:048

**Agenda Date:**

**Version:** 1

**Status:** Recommended to  
Council

**In Control:** Finance & Administration Council Committee

**File Type:** Resolution

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 2106 COTTON STREET, JONESBORO, AR 72401, PARCEL 01-144271-20700, OWNED BY MICHAUL ROLLAND IN THE AMOUNT OF \$265

LEGAL DESCRIPTION: LOT 4, BLOCK A OF KEICH EARL 4TH ADD

WHEREAS, MICHAUL ROLLAND, the owner of record, was properly notified of a code violation at 2106 Cotton Street, Jonesboro, AR 72401, and refused to remove or correct the conditions identified by the code enforcement officer of the City of Jonesboro, Arkansas; and,

WHEREAS, the code enforcement officer corrected the code violation using city funds in the amount of \$265; and,

WHEREAS, the City of Jonesboro seeks to perfect a lien against the affected property to cover the cost of the work pursuant to A.C.A 14-15-903.

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

Section 1: The city should proceed with placing a lien on the property located at 2106 Cotton Street, Jonesboro, AR 72401.



AFFIDAVIT

Michael Rolland  
2106 Cotton Street  
Jonesboro, AR 72401

RE: 2106 Cotton St. Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 6<sup>th</sup> day of February, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 6<sup>th</sup> day of February, 2023.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



Invoice# : 66306
------------------

Case# : 22-864
----------------

Notice Mailed on 2/6/2023

Michaul Rolland  
2106 Cotton Street  
Jonesboro, AR 72401

Subject: 2106 Cotton Street, Jonesboro, AR 72401 Parcel# 01-144271-20700

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 3/7/2023.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you,

Scott Roper  
Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658

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OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- |  |          |
|--|----------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ _____ |

Postage

\$

Total Postage and Fees

\$

Sent To

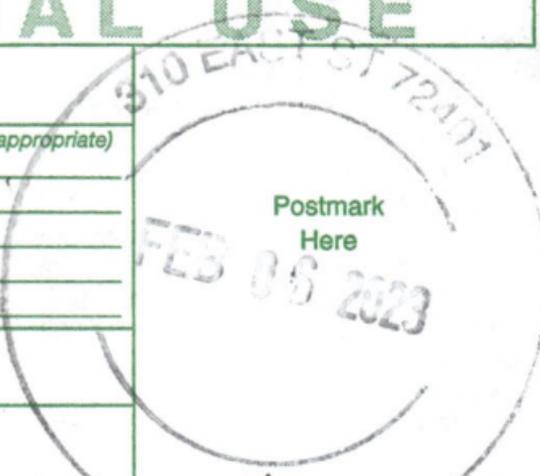
Michael Rolland

Street and Apt. No., or PO Box No.

2106 Cotton St.

City, State, ZIP+4®

Jonesboro, AR 72401-157



7022 2410 0003 0083 6123



IN THE CIRCUIT COURT OF CRAIGHEAD COUNTY, ARKANSAS

AFFIDAVIT OF STATUTORY LIEN

I, Scott Roper, being duly sworn, depose and say as follows:

- 1.) My name is Scott Roper. I am the Director of Code Enforcement for Jonesboro, Arkansas ("the City"), and as such I am authorized to make this Affidavit of Statutory Lien.
- 2.) On 9/1/2022, a Notice to Comply was mailed to Michaul Rolland, at 2106 Cotton Street, Jonesboro, AR 72401. Due to the Owner's failure to abide by the notice within the required time, the City took corrective action as was necessary, or the City caused as much of the work as was left undone by the Owner at the expiration of the time allowed. An itemized account of this indebtedness is as follows:

DATE OF SERVICE	TYPE OF WORK	ORDINANCE NUMBER	COST
11/16/2022	Clean up and Haul	13:053	\$265

- 3.) The above statement of cost is true and correct and the amount of indebtedness is now due the City for cost and expenses incurred on the following described real property located in Jonesboro, Craighead County, Arkansas:

**ADDRESS OF PROPERTY & LEGAL DESCRIPTION**

*2106 Cotton Street, Jonesboro, AR 72401, LOT 4, BLOCK A OF KEICH EARL 4TH ADD*

**Parcel Number 01-144271-20700**

- 4.) The City has made demand for payment and given the debtor notice of the City's intent to file this lien and the debtor has failed to make payment. No Part of the debt has been paid and the City of Jonesboro claims a lien on this real property, pursuant to Ark. Code Ann § 14-54-903(b) in the amount of \$265 to secure this indebtedness.
- 5.) Payment must be made to the City Collector's Office, 300 South Church Street, 1st Floor, Jonesboro, Arkansas 72401, within (30) days of this notification. If payment is not made within (30) days the lien may be certified to Craighead County for collection on real estate taxes or city may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904

**FURTHER AFFIANT SAYETH NOT.**

Scott Roper  
 Director of Code Enforcement  
 City of Jonesboro  
 300 S. Church Street  
 Jonesboro, AR 72401  
 Phone: 870-933-4658

**State of Arkansas**  
**County of Craighead**

Subscribed and sworn to or affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
 Notary Public

My Commission Expires:  
 \_\_\_\_\_

Case# :22-864
Invoice# : 66306
Council Date: 2/7/2022



AFFIDAVIT

Mickaul Rolland  
2106 Cotton  
Jonesboro, AR 72401

RE: 2106 Cotton Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 22<sup>nd</sup> day of August, 2022.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 22<sup>nd</sup> day of August, 2022.

Sharon McIntosh  
Notary Public

My commission expires: May 20, 2032





## CITY OF JONESBORO CODE ENFORCEMENT

DATE: 08/22/2022

TO: Mickaul Rolland  
2106 Cotton  
Jonesboro, AR 72401

In regards to property located at 2106 COTTON  
JONESBORO, AR 72401 .

Our records show that you own the property listed above. We have observed that the property has junk and tires all over the whole yard and the yard is overgrown. We are sending this letter and are allowing you the chance to correct the violation that is mentioned below by 9-1-2022. If the issue is not corrected by the date listed, the City will mow and trim and clean up whole yard of junk and tires, and place a lien on your property. Please call the Code Enforcement Office at (870) 933-4658 if you have any questions. If you would like to view the ordinance in violation online, they are available on City Clerk section of [www.jonesboro.org](http://www.jonesboro.org).

- Section 1. Sec. 30-5 - Unlawful storage.  
2. Sec. 30-5 - Unsightly or Unsanitary Conditions  
3. Sec. 30-5 - Overgrown Grass, Weeds, Vines, or Low hanging Limbs

C Blake Nichols

Code Enforcement Officer

Call me direct as soon as you receive this letter at 870-273-2129.

CE22-864

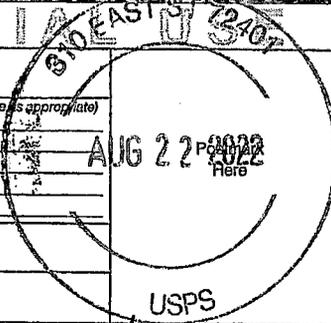
7021 1970 0001 4352 3571

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**OFFICIAL RECEIPT**

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee, if appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To	Mickaul Rolland		
Street and Apt. No., or PO Box No.	2106 Cotton		
City, State, ZIP+4®	Jonesboro, AR	72401	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



## CITY OF JONESBORO

### Code Enforcement

Request For Invoice

Date: 11-16-22

To: Tosha Moss

Property Address: 2106 Cotton Street APN# 01-144271-20700

Jonesboro, AR 72401

Need to send the following charges to this person.

Property Owner: Michaul Rolland  
2106 Cotton Street  
Jonesboro, AR 72401

<u>ITEMS</u>	<u>AMOUNTS</u>
Clean up and Haul	\$ 150.00
Admin Fees	\$ 100.00
Filing Fees	\$ 15.00
<hr/>	
Total	\$ 265.00

Thank you,

Mike McQuay  
Jonesboro Police Department  
Code Enforcement Division  
PO Box 1845  
Jonesboro, AR 72403



DATE	INVOICE NO
11/16/2022	0066306

BILL TO
Michaul Rolland 2106 Cotton Street Jonesboro, AR 72401

DUE DATE
11/30/2022

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
PREVIOUS OUTSTANDING BALANCE						0.00
Code Enforcement Charges:						
Filing Fee-2106 Cotton Street	1.00	15.00	15.00	0.00	0.00	15.00
Admin. Fee-2106 Cotton Street	1.00	100.00	100.00	0.00	0.00	100.00
Clean Up and Haul - 2106 Cotton Street	1.00	150.00	150.00	0.00	0.00	150.00
<b>INVOICE TOTAL:</b>			<b>265.00</b>	<b>0.00</b>	<b>0.00</b>	<b>265.00</b>

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042

Customer Name: Michaul Rolland  
Customer No: 023610  
Account No: 0035665 - Mowing Account

DUE DATE	INVOICE NO
11/30/2022	0066306

Please remit payment by the due date to:

City of Jonesboro  
300 South Church Street  
PO Box 1845  
Jonesboro, AR 72403

Invoice Total:	265.00
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	265.00

**INVOICE BALANCE: \$265.00**  
**AMOUNT PAID: \_\_\_\_\_**



AFFIDAVIT

Michael Rolland  
2106 Cotton Street  
Jonesboro, AR 72401

RE: 2106 Cotton Street Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 5<sup>th</sup> day of January, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 5<sup>th</sup> day of January, 2023.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



Notice to be Mailed by 1/8/2022

Michaul Rolland  
2106 Cotton Street  
Jonesboro, AR 72401

Subject: 2106 Cotton Street, Jonesboro, AR 72401 Parcel# 01-144271-20700

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 2/7/2022.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you,

Scott Roper

Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658



DATE	INVOICE NO
11/16/2022	0066306

<b>BILL TO</b>
Michaul Rolland 2106 Cotton Street Jonesboro, AR 72401

DUE DATE
11/30/2022

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
PREVIOUS OUTSTANDING BALANCE						0.00
<b>Code Enforcement Charges:</b>						
Filing Fee-2106 Cotton Street	1.00	15.00	15.00	0.00	0.00	15.00
Admin. Fee-2106 Cotton Street	1.00	100.00	100.00	0.00	0.00	100.00
Clean Up and Haul - 2106 Cotton Street	1.00	150.00	150.00	0.00	0.00	150.00
<b>INVOICE TOTAL:</b>			<b>265.00</b>	<b>0.00</b>	<b>0.00</b>	<b>265.00</b>

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042

Customer Name: Michaul Rolland  
Customer No: 023610  
Account No: 0035665 - Mowing Account

DUE DATE	INVOICE NO
11/30/2022	0066306

**Please remit payment by the due date to:**

City of Jonesboro  
300 South Church Street  
PO Box 1845  
Jonesboro, AR 72403

Invoice Total:	265.00
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	265.00

**INVOICE BALANCE: \$265.00**  
**AMOUNT PAID: \_\_\_\_\_**





# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: RES-23:049

**Agenda Date:**

**Version:** 1

**Status:** Recommended to  
Council

**In Control:** Finance & Administration Council Committee

**File Type:** Resolution

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 2501 MARY JANE, JONESBORO, AR 72401, PARCEL 01-144272-24200, OWNED BY KENNETH L. AND DENA BRADWAY IN THE AMOUNT OF \$6,297.86

LEGAL DESCRIPTION: Lot 23, Block D of the Fairview Acres East Add.

WHEREAS, KENNETH L. DENA BRADWAY, the owner of record, was properly notified of a code violation at 2501 Mary Jane, Jonesboro, AR 72401, and refused to remove or correct the conditions identified by the code enforcement officer of the City of Jonesboro, Arkansas; and,

WHEREAS, the code enforcement officer corrected the code violation using city funds in the amount of \$6,297.86; and,

WHEREAS, the City of Jonesboro seeks to perfect a lien against the affected property to cover the cost of the work pursuant to A.C.A 14-15-903.

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

Section 1: The city should proceed with placing a lien on the property located at 2501 Mary Jane, Jonesboro, AR 72401.



AFFIDAVIT

Kenneth L Dena Bradway  
PO Box 294  
Trumann, AR 72472

RE: 2501 Mary Jane Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 6<sup>th</sup> day of February, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 6<sup>th</sup> day of February, 2023.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



Invoice# : 66254

Case# : 20-7386

Notice Mailed on 2/6/2023

Kenneth L. Dena Bradway  
PO Box 294  
Trumann, AR 72472

Subject: 2501 Mary Jane, Jonesboro, AR 72401 Parcel# 01-144272-24200

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 3/7/2023.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you,

Scott Roper  
Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658

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OFFICIAL USE

Certified Mail Fee

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Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_
- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postmark  
Here

310 EAST ST 72401  
FEB 06 2023

Postage

\$

Total Postage and Fees

\$

Sent To

Kenneth L & Dena Bradway

Street and Apt. No., or PO Box No.

PO Box 294

USPS

City, State, ZIP+4®

Trumann, AR 72472-0171

7022 2410 0003 0083 6178



2207 Fowler Avenue  
Jonesboro, Arkansas 72401  
Phone: 870-935-7410  
FAX: 870-933-7222

### **LIMITED TITLE SEARCH**

Date: July 18, 2022  
Prepared For: City of Jonesboro - Code Enforcement  
File Number: 22-081949-300

Lenders Title Company hereby certifies that the records of the Circuit Clerk of Craighead County, Arkansas have been examined as to the following described property from January 28, 1976 at 9:00 A.M. to July 5, 2022 at 7:30 A.M.:

Lot 23 in Block "D" of Fairview Acres East, an Addition to the City of Jonesboro, Arkansas, as shown by Plat in Deed Record 158 page 24, and being subject to easements as shown on recorded Plat.

The following instruments were found of record during the aforementioned period which affect the above described property:

#### **30 Year Deed Chain**

WARRANTY DEED executed by Tony E. Bittle and Mary H. Bittle, his wife, in favor of Kenneth L. Bradway and Dena Lynn Bradway, his wife, as tenants by the entirety, dated January 27, 1976, filed January 28, 1976 and recorded in Deed Record 229 page 64 in the records of Jonesboro, Craighead County, Arkansas.

#### **OPEN MORTGAGES/DEEDS OF TRUST**

NONE

State and General Taxes for the years 2018-2021 have been certified to the Arkansas Land Commissioner for Non-Payment. Certificate of Forfeiture is filed as Instrument No. 2021R-014395 in the records of Jonesboro, Craighead County, Arkansas. Correction Certificates are filed as Instrument No. 2021R-019304 and as Instrument No. 2022R-004004. A petition to Redeem must be obtained in order to determined the total amount due.

Parcel No. 01-144272-24200

Judgments have been checked on Kenneth L. Bradway and Dena Lynn Bradway during the aforementioned period, and the following were found:

Certificate of Indebtedness against Kenneth & Dena Bradway, in favor of State of Arkansas Department of Finance and Administration, dated March 11, 2016, filed March 16, 2016 and recorded as Instrument No. JB2016J-000639 in the records of Jonesboro, Craighead County, Arkansas.

Notice of Tax Lien against Corelogic in favor of City of Jonesboro, dated June 28, 2017, filed June 29, 2017 and recorded as Instrument No. 2017R-011591 in the records of Jonesboro, Craighead County, Arkansas.

Notice of Tax Lien against Corelogic in favor of City of Jonesboro, dated July 18, 2017, filed July 18, 2017 and recorded as Instrument No. 2017R-012915 in the records of Jonesboro, Craighead County, Arkansas.

Notice of Tax Lien against Corelogic in favor of City of Jonesboro, dated November 6, 2017, filed November 6, 2017 and recorded as Instrument No. 2017R-020790 in the records of Jonesboro, Craighead County, Arkansas.

Affidavit of Statutory Lien against Kenneth & Dena Bradway in favor of City of Jonesboro, dated October 26, 2020, filed October 27, 2020 and recorded as Instrument No. 2020R-024797 in the records of Jonesboro, Craighead County, Arkansas.

Affidavit of Statutory Lien against Kenneth & Dena Bradway in favor of City of Jonesboro, dated October 26, 2020, filed October 27, 2020 and recorded as Instrument No. 2020R-024798 in the records of Jonesboro, Craighead County, Arkansas.

Affidavit of Statutory Lien against Kenneth & Dena Bradway in favor of City of Jonesboro, dated November 10, 2020, filed November 10, 2020 and recorded as Instrument No. 2020R-025934 in the records of Jonesboro, Craighead County, Arkansas.

Affidavit of Statutory Lien against Kenneth L. & Dena Bradway in favor of City of Jonesboro, dated July 8, 2021, filed July 12, 2021 and recorded as Instrument No. 2021R-016675 in the records of Jonesboro, Craighead County, Arkansas.

Affidavit of Statutory Lien against Kenneth L. & Dena Bradway in favor of City of Jonesboro, dated August 4, 2021, filed August 5, 2021 and recorded as Instrument No. 2021R-018871 in the records of Jonesboro, Craighead County, Arkansas.

Affidavit of Statutory Lien against Kenneth L. & Dena Bradway in favor of City of Jonesboro, dated November 23, 2021, filed November 24, 2021 and recorded as Instrument No. 2021R-028602 in the records of

Jonesboro, Craighead County, Arkansas.

Affidavit of Statutory Lien against Kenneth L & Dena Bradway in favor of City of Jonesboro, dated January 24, 2022, filed January 25, 2022 and recorded as Instrument No. 2022R-001617 in the records of Jonesboro, Craighead County, Arkansas.

If tax information was requested, please see the attached tax certificate for the real property tax information as to the above described property.

This Limited Title Search is intended for the exclusive use of the addressee for informational purposes only. Lenders Title Company is not expressing or attempting to express an opinion as to the validity of the title to the above described property nor as to the validity of any encumbrances, both recorded and unrecorded, that pertain to the above described property. While Lenders Title Company believes that the information stated above is accurate, no assurances are made nor is any liability assumed by Lenders Title Company for any incorrect information stated herein or omitted herefrom. For assurances as to the title to the above described property, addressee should obtain a title insurance policy.

Sincerely,

**Lenders Title Company**



By: Tara V. Pierce



AFFIDAVIT

Kenneth & Dena Bradway  
PO Box 2211  
Jonesboro, AR 72402

RE: 2501 Mary Jane Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 2<sup>nd</sup> day of June, 2022.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 2<sup>nd</sup> day of June, 2022.

Tosha Moss  
Notary Public



My commission expires: Jan. 17, 2024



## CITY OF JONESBORO CODE ENFORCEMENT

### Notice of Violation

Date: 06/02/2022

KENNETH L & DENA BRADWAY  
P O BOX 2211  
JONESBORO, AR 72402

SUBJECT: 2501 MARY JANE  
JONESBORO, AR 72401

According to county records, you are the owner of the subject property. Please be advised that the structure on this property has been inspected by the City Building and Code Enforcement inspectors and has been found to be unfit for human habitation by virtue of its dilapidated and unsanitary condition. This property poses a hazard to the public and is a nuisance against public health.

Within 10 (ten) calendar days from the date of this letter you are required to respond to this notice in writing, indicating intention to either repair, re-inhabit, or raze and remove this structure. Should you choose to repair or rehab the structure you will have to obtain a building permit and start work within 40 calendar days from the date of this notice. The building permit will be issued for a total of 45 calendar days at which time the repair or rehab work must be complete and able to pass all building, electrical, plumbing, and mechanical inspections.

If you decide to raze and remove this structure, removal and clean-up activities must be completed within 40 days of this notice.

If you decide not to repair or remove this structure, it will be necessary for the City Council to consider condemning the structure to ensure the repair, rehab, securing, and/or razing and removal of this nuisance. All costs involved in the condemnation process would be charged to you. Collection would be actively pursued.

We look forward to your cooperation in this matter. If you have any questions, call our office at (870)933-4658.

Sincerely,

David Cooley  
Code Enforcement Officer  
P.O. Box 1845  
Jonesboro, AR 72403

CE20-7386

**Sign if served in person**

---

Code Enforcement Officer Signature, if delivered  
in person

---

Property Owner/Interested Party Signature, if delivered  
in person



DEPARTMENT OF INSPECTION AND CODE ENFORCEMENT

**RESIDENTIAL BUILDING INSPECTION REPORT**

DATE OF INSPECTION:	<b>5/31/2022</b>
PROPERTY ADDRESS:	<b>2501 MARY JANE</b>
PROPERTY OWNER:	<b>KENNETH &amp; DENA BRADWAY</b>

THE FRONT WINDOW AND SIDE DOOR WERE BOARDED BY CODE ENFORCEMENT. THE INTERIOR OF THE HOME IS DESTROYED. WILDLIFE RAN FROM THE HOME AND INTO THE HOME WHILE I WALKED AROUND IT. THERE ARE HOLES IN THE SOFFET AND WALLS, BOTH INSIDE AND OUTSIDE, FROM WILDLIFE. THERE IS ANIMAL FECES ALL OVER THE INSIDE OF THE HOME. THE ROOF LINE IS SINKING. THERE ARE NO UTILITIES AT THE PROPERTY. THE HOME IS A HAZARD TO THE HEALTH, WELFARE, AND SAFETY OF THE PUBLIC. THE HOME SHOULD BE RAZED IMMEDIATELY TO ENSURE THE SAFETY OF LOCAL CHILDREN AND OTHER CITIZENS, NOT TO MENTION THE BLIGHT TO THE COMMUNITY. PROPERTY WAS NOT SECURED AT THE TIME OF INSPECTION.

In my opinion, this structure		Is	<b>XX</b>	Is not	Suitable for human habitation.
In my opinion, this structure	<b>XX</b>	Is		Is not	Physically feasible for rehabilitation.
In my opinion, this structure		Is	<b>XX</b>	Is not	Economically feasible for rehabilitation.
In my opinion, this structure	<b>XX</b>	Is		Is not	A public safety hazard and should be condemned immediately.

**EMERGENCY ACTION IS WARRANTED: YES NOXX**

<b>Tim Renshaw, Chief Building Inspector</b>	<b>David Cooley, Code Enforcement</b>
	

Municipal Building, 300 South Church Jonesboro, AR/ Phone 870-336-7194/Fax 870-336-1358

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- Return Receipt (hardcopy) \$ 2.00
- Return Receipt (electronic)
- Certified Mail Restricted Delivery \$ 1.00
- Adult Signature Required
- Adult Signature Restricted Delivery \$

Postmark  
Here

Postage

Total Postage and Fees \$ 3.00

Sent To

Kenneth & Dana Bradley

Street and Apt. No., or PO Box No.

100 130X 2211

City, State, ZIP+4

Sherborn, AK 99502

PS Form 3800, April 2015 PSN7530-02-000-9047 See Reverse for Instructions

7020 1810 0001 8542 0661

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Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_
- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postmark  
Here

Postage

\$

Total Postage and Fees

\$

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

Kenneth + Dena Bradway

PO Box 2211

Jonesboro, AR 72402

179

7020 1810 0001 8542 0661



**City of Jonesboro**  
*Office of Code Enforcement*  
P.O. Box 1845  
Jonesboro, AR 72403

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7020 1810 0001 8542 0661

KENNETH L & DENA BRADWAY  
P O BOX 2211  
JONESBORO, AR 72402



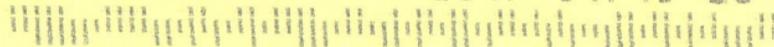
NIXIE 381 DE 1 0008/02/22

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

UNC

BC: 72403184545 \*1047-04745-16-21

72403>1845



72402>2211

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

KENNETH L & DENA BRADWAY  
P O BOX 2211  
JONESBORO, AR 72402



9590 9402 7145 1251 2245 65

2. Article Number (Transfer from service label)

7020 1810 0001 8542 0661

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
delivery address below:  No

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

CE20 - 7386

Domestic Return Receipt



2207 Fowler Avenue  
Jonesboro, Arkansas 72401  
Phone: 870-935-7410  
FAX: 870-933-7222

### LIMITED TITLE SEARCH

Date: July 18, 2022  
Prepared For: City of Jonesboro - Code Enforcement  
File Number: 22-081949-300

Lenders Title Company hereby certifies that the records of the Circuit Clerk of Craighead County, Arkansas have been examined as to the following described property from January 28, 1976 at 9:00 A.M. to July 5, 2022 at 7:30 A.M.:

Lot 23 in Block "D" of Fairview Acres East, an Addition to the City of Jonesboro, Arkansas, as shown by Plat in Deed Record 158 page 24, and being subject to easements as shown on recorded Plat.

The following instruments were found of record during the aforementioned period which affect the above described property:

#### 30 Year Deed Chain

WARRANTY DEED executed by Tony E. Bittle and Mary H. Bittle, his wife, in favor of Kenneth L. Bradway and Dena Lynn Bradway, his wife, as tenants by the entirety, dated January 27, 1976, filed January 28, 1976 and recorded in Deed Record 229 page 64 in the records of Jonesboro, Craighead County, Arkansas.

#### OPEN MORTGAGES/DEEDS OF TRUST

NONE

State and General Taxes for the years 2018-2021 have been certified to the Arkansas Land Commissioner for Non-Payment. Certificate of Forfeiture is filed as Instrument No. 2021R-014395 in the records of Jonesboro, Craighead County, Arkansas. Correction Certificates are filed as Instrument No. 2021R-019304 and as Instrument No. 2022R-004004. A petition to Redeem must be obtained in order to determined the total amount due.

Parcel No. 01-144272-24200

Judgments have been checked on Kenneth L. Bradway and Dena Lynn Bradway during the aforementioned period, and the following were found:

Certificate of Indebtedness against Kenneth & Dena Bradway, in favor of State of Arkansas Department of Finance and Administration, dated March 11, 2016, filed March 16, 2016 and recorded as Instrument No. JB2016J-000639 in the records of Jonesboro, Craighead County, Arkansas.

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Notice of Tax Lien against Corelogic in favor of City of Jonesboro, dated July 18, 2017, filed July 18, 2017 and recorded as Instrument No. 2017R-012915 in the records of Jonesboro, Craighead County, Arkansas.

Notice of Tax Lien against Corelogic in favor of City of Jonesboro, dated November 6, 2017, filed November 6, 2017 and recorded as Instrument No. 2017R-020790 in the records of Jonesboro, Craighead County, Arkansas.

Affidavit of Statutory Lien against Kenneth & Dena Bradway in favor of City of Jonesboro, dated October 26, 2020, filed October 27, 2020 and recorded as Instrument No. 2020R-024797 in the records of Jonesboro, Craighead County, Arkansas.

Affidavit of Statutory Lien against Kenneth & Dena Bradway in favor of City of Jonesboro, dated October 26, 2020, filed October 27, 2020 and recorded as Instrument No. 2020R-024798 in the records of Jonesboro, Craighead County, Arkansas.

Affidavit of Statutory Lien against Kenneth & Dena Bradway in favor of City of Jonesboro, dated November 10, 2020, filed November 10, 2020 and recorded as Instrument No. 2020R-025934 in the records of Jonesboro, Craighead County, Arkansas.

Affidavit of Statutory Lien against Kenneth L. & Dena Bradway in favor of City of Jonesboro, dated July 8, 2021, filed July 12, 2021 and recorded as Instrument No. 2021R-016675 in the records of Jonesboro, Craighead County, Arkansas.

Affidavit of Statutory Lien against Kenneth L. & Dena Bradway in favor of City of Jonesboro, dated August 4, 2021, filed August 5, 2021 and recorded as Instrument No. 2021R-018871 in the records of Jonesboro, Craighead County, Arkansas.

Affidavit of Statutory Lien against Kenneth L. & Dena Bradway in favor of City of Jonesboro, dated November 23, 2021, filed November 24, 2021 and recorded as Instrument No. 2021R-028602 in the records of

Jonesboro, Craighead County, Arkansas.

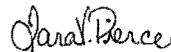
Affidavit of Statutory Lien against Kenneth L & Dena Bradway in favor of City of Jonesboro, dated January 24, 2022, filed January 25, 2022 and recorded as Instrument No. 2022R-001617 in the records of Jonesboro, Craighead County, Arkansas.

If tax information was requested, please see the attached tax certificate for the real property tax information as to the above described property.

This Limited Title Search is intended for the exclusive use of the addressee for informational purposes only. Lenders Title Company is not expressing or attempting to express an opinion as to the validity of the title to the above described property nor as to the validity of any encumbrances, both recorded and unrecorded, that pertain to the above described property. While Lenders Title Company believes that the information stated above is accurate, no assurances are made nor is any liability assumed by Lenders Title Company for any incorrect information stated herein or omitted herefrom. For assurances as to the title to the above described property, addressee should obtain a title insurance policy.

Sincerely,

**Lenders Title Company**



By: Tara V. Pierce



AFFIDAVIT

Kenneth & Dena Bradway  
PO Box 2211  
Jonesboro, AR 72402

RE: 2501 Mary Jane Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 2<sup>nd</sup> day of June, 2022.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 2<sup>nd</sup> day of June, 2022.

Tosha Moss  
Notary Public



My commission expires: Jan. 17, 2024



## CITY OF JONESBORO CODE ENFORCEMENT

### Notice of Violation

Date: 06/02/2022

KENNETH L & DENA BRADWAY  
P O BOX 2211  
JONESBORO, AR 72402

SUBJECT: 2501 MARY JANE  
JONESBORO, AR 72401

According to county records, you are the owner of the subject property. Please be advised that the structure on this property has been inspected by the City Building and Code Enforcement inspectors and has been found to be unfit for human habitation by virtue of its dilapidated and unsanitary condition. This property poses a hazard to the public and is a nuisance against public health.

Within 10 (ten) calendar days from the date of this letter you are required to respond to this notice in writing, indicating intention to either repair, re-inhabit, or raze and remove this structure. Should you choose to repair or rehab the structure you will have to obtain a building permit and start work within 40 calendar days from the date of this notice. The building permit will be issued for a total of 45 calendar days at which time the repair or rehab work must be complete and able to pass all building, electrical, plumbing, and mechanical inspections.

If you decide to raze and remove this structure, removal and clean-up activities must be completed within 40 days of this notice.

If you decide not to repair or remove this structure, it will be necessary for the City Council to consider condemning the structure to ensure the repair, rehab, securing, and/or razing and removal of this nuisance. All costs involved in the condemnation process would be charged to you. Collection would be actively pursued.

We look forward to your cooperation in this matter. If you have any questions, call our office at (870)933-4658.

Sincerely,

David Cooley  
Code Enforcement Officer  
P.O. Box 1845  
Jonesboro, AR 72403

CE20-7386

**Sign if served in person**

---

Code Enforcement Officer Signature, if delivered  
in person

---

Property Owner/Interested Party Signature, if delivered  
in person



DEPARTMENT OF INSPECTION AND CODE ENFORCEMENT

**RESIDENTIAL BUILDING INSPECTION REPORT**

DATE OF INSPECTION:	<b>5/31/2022</b>
PROPERTY ADDRESS:	<b>2501 MARY JANE</b>
PROPERTY OWNER:	<b>KENNETH &amp; DENA BRADWAY</b>

THE FRONT WINDOW AND SIDE DOOR WERE BOARDED BY CODE ENFORCEMENT. THE INTERIOR OF THE HOME IS DESTROYED. WILDLIFE RAN FROM THE HOME AND INTO THE HOME WHILE I WALKED AROUND IT. THERE ARE HOLES IN THE SOFFET AND WALLS, BOTH INSIDE AND OUTSIDE, FROM WILDLIFE. THERE IS ANIMAL FECES ALL OVER THE INSIDE OF THE HOME. THE ROOF LINE IS SINKING. THERE ARE NO UTILITIES AT THE PROPERTY. THE HOME IS A HAZARD TO THE HEALTH, WELFARE, AND SAFETY OF THE PUBLIC. THE HOME SHOULD BE RAZED IMMEDIATELY TO ENSURE THE SAFETY OF LOCAL CHILDREN AND OTHER CITIZENS, NOT TO MENTION THE BLIGHT TO THE COMMUNITY. PROPERTY WAS NOT SECURED AT THE TIME OF INSPECTION.

In my opinion, this structure		Is	<b>XX</b>	Is not	Suitable for human habitation.
In my opinion, this structure	<b>XX</b>	Is		Is not	Physically feasible for rehabilitation.
In my opinion, this structure		Is	<b>XX</b>	Is not	Economically feasible for rehabilitation.
In my opinion, this structure	<b>XX</b>	Is		Is not	A public safety hazard and should be condemned immediately.

**EMERGENCY ACTION IS WARRANTED: YES NOXX**

<b>Tim Renshaw, Chief Building Inspector</b>	<b>David Cooley, Code Enforcement</b>
	

Municipal Building, 300 South Church Jonesboro, AR/ Phone 870-336-7194/Fax 870-336-1358

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Adult Signature Restricted Delivery

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Street and Apt. No., or PO Box No.

City, State, ZIP+4

PS Form 3800, April 2010 (PSN 7530-0200-9047) See Reverse for Instructions

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USA

PS Form 3800, April 2010 (PSN 7530-0200-9047) See Reverse for Instructions

1990 0181 0001 8542 0661

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 Return Receipt (electronic)  
 Certified Mail Restricted Delivery  
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 Adult Signature Restricted Delivery  
 Postage  
 Total Postage and Fees  
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 Street and Apt. No., or PO Box No.  
 City, State, ZIP+4  
 PS Form 3800, April 2010 (PSN 7530-0200-9047) See Reverse for Instructions

Kenneth & Dana Bradley  
 1301 Box 2211  
 Sarsboro, AK 72402

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Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_
- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postmark  
Here

Postage

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Total Postage and Fees

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Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

Kenneth & Dena Bradway

PO Box 2211

Jonesboro, AR 72402

189

7020 1810 0001 8542 0661



Office of Code Enforcement  
P.O. Box 1845, Jonesboro, AR 72403

870-933-4658

AFFIDAVIT

Kenneth L + Dena Bradley  
PO Box 294  
Trumann, AR 72472

RE: 2501 Mary Jane Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 23<sup>rd</sup> day of September, 2022.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 23<sup>rd</sup> day of September, 2022.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



**CITY OF JONESBORO  
CODE ENFORCEMENT**

**NOTICE TO REPAIR OR REMOVE**

Via: Certified Mail

Date: 09/22/2022

To: KENNETH L & DENA BRADWAY  
P O BOX 294  
TRUMANN, AR 72472

Subject: 2501 MARY JANE  
JONESBORO, AR 72401

Dear KENNETH L & DENA BRADWAY.

At its meeting on SEPTEMBER 20, 2022, The City Council of the City of Jonesboro adopted a resolution finding and declaring the subject property to be a nuisance that must be repaired or removed. A copy of the Condemnation Resolution is enclosed.

You are hereby directed to board and secure the structure at all times until the structure is brought into full compliance with applicable building or abatement codes or until such time as the structure is razed and removed. Boarding and securing the structure does not relieve the owner of the requirement to diligently repair, rehabilitate or demolish and remove the structure.

If you decide to abate this nuisance you must obtain necessary permits and commence abatement work with thirty (30) days from the date of condemnation by City Council. The permits shall expire forty-five (45) days from the date of issuance. Abatement work is expected to be completed before the permits expire. **A fine of not less than \$250 nor more than \$500 may be imposed and an additional fine of \$250 for each day thereafter.(Ord. 11.32.12)**

In the event you have not obtained necessary permits and commenced work to abate the nuisance within thirty (30) days from the date of condemnation by City Council the City will take actions required to abate the nuisance. All costs of abatement will be billed to you as owner of the property. Payment of this bill will be actively pursued. A tax lien will be placed on the property until payment is received in full. **A fine of not less than \$250 nor more than \$500 may be imposed and an additional fine of \$250 for each day thereafter.(Ord. 11.32.12)**

Should you have any questions about this process, please call the City's Code Enforcement Office at 870-933-4658.

Sincerely,

David Cooley  
Code Enforcement Officer  
CE20-7386

*Sign if served in  
person*

*Date  
served or  
delivered:* \_\_\_\_\_

\_\_\_\_\_  
Code Enforcement Officer Signature, if delivered in person

\_\_\_\_\_  
Property Owner/Interested Party Signature, if delivered in person



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Signature Copy

Resolution: R-EN-141-2022

File Number: RES-22:129

Enactment Number: R-EN-141-2022

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO  
CONDEMN PROPERTY LOCATED AT: 2501 Mary Jane Dr. Jonesboro, AR 72401 Parcel #:  
01-144272-24200 OWNER: Kenneth L & Dena Bradway

LEGAL DESCRIPTION: Lot 23 in Block "D" of Fairview Acres East, an Addition to the City of  
Jonesboro, Arkansas, as shown by Plat in Deed Record 158 page 24, and being subject to easements as  
shown on recorded Plat.

WHEREAS, the above property has been inspected and has been determined unsuited for human  
habitation.

WHEREAS, all of the stipulations have been met in the condemnation process to proceed with the  
condemnation of this property.

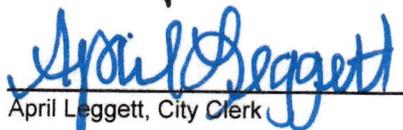
NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
JONESBORO, ARKANSAS THAT: The city should proceed with the condemnation of the property  
located at: 2501 Mary Jane Dr. Jonesboro, AR 72401.

PASSED AND APPROVED THIS 20TH DAY OF SEPTEMBER 2022.

  
\_\_\_\_\_  
Harold Copenhaver, Mayor

Date 9-22-22



ATTEST:   
\_\_\_\_\_  
April Leggett, City Clerk

Date 9-22-22

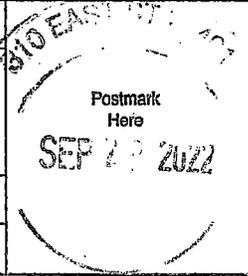
7021 2720 0001 4894 9035

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Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage	
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Total Postage and Fees	
\$	

Sent To	
Kenneth L & Dena Broadway	
Street and Apt. No., or PO Box No.	
PO Box 294	
City, State, ZIP+4 <sup>®</sup>	
Trumann AR 72472	

PS Form 3800, April 2015 PSN 7530-02-000-9077 See Reverse for Instructions



AFFIDAVIT

Kenneth L + Dena Bradway  
PO Box 294  
Trumann, AR 72472

RE: 2501 Mary Jane Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 5<sup>th</sup> day of January, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 5<sup>th</sup> day of January, 2023.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



Invoice# : 66254
Case# : 20-7386

Notice to be Mailed by 1/8/2022

Kenneth L. Dena Bradway  
PO Box 294  
Trumann, AR 72472

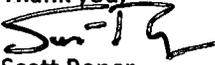
Subject: 2501 Mary Jane, Jonesboro, AR 72401 Parcel# 01-144272-24200

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 2/7/2022.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you,  


Scott Roper  
Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658



DATE	INVOICE NO
12/16/2022	0066254

<b>BILL TO</b>
Kenneth L & Dena Bradway PO Box 294 Trumann, AR 72472

<b>DUE DATE</b>
12/31/2022

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
PREVIOUS OUTSTANDING BALANCE						350.00
<b>Code Enforcement Charges:</b>						
Filing Fee - 2501 Mary Jane		15.00	15.00			15.00
Admin. Fee - 2501 Mary Jane		100.00	100.00			100.00
Standard Postage for Notices - 2501 Mary Jane		2.36	2.36			2.36
Certified Postage for Notices - 2501 Mary Jane		30.50	30.50			30.50
Title Search - 2501 Mary Jane		150.00	150.00			150.00
Demolition Charge - 2501 Mary Jane		6,000.00	6,000.00			6,000.00
		<b>INVOICE TOTAL:</b>	<b>6,297.86</b>	<b>0.00</b>	<b>0.00</b>	<b>6,297.86</b>

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042

<b>DUE DATE</b>	<b>INVOICE NO</b>
12/31/2022	0066254

Customer Name: Kenneth L & Dena Bradway  
Customer No: 017754  
Account No: 0034548 - Mowing Acct- 2501 Mary Jane #01-144272-24200

**Please remit payment by the due date to:**

City of Jonesboro  
300 South Church Street  
PO Box 1845  
Jonesboro, AR 72403

Invoice Total:	6,297.86
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	6,647.86

**AMOUNT PAID:** \_\_\_\_\_



DATE	INVOICE NO
10/20/2022	0066139

<b>BILL TO</b>
Kenneth L & Dena Bradway PO Box 294 Trumann, AR 72472

<b>DUE DATE</b>
10/31/2022

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
PREVIOUS OUTSTANDING BALANCE						175.00
Code Enforcement Charges:						
Filing Fee - 2501 Mary Jane		15.00	15.00			15.00
Admin. Fee - 2501 Mary Jane		100.00	100.00			100.00
Mowing and Trimming - 2501 Mary Jane		60.00	60.00			60.00
<b>INVOICE TOTAL:</b>			<b>175.00</b>	<b>0.00</b>	<b>0.00</b>	<b>175.00</b>

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042

<b>DUE DATE</b>	<b>INVOICE NO</b>
10/31/2022	0066139

Customer Name: Kenneth L & Dena Bradway  
Customer No: 017754  
Account No: 0034548 - Mowing Acct- 2501 Mary Jane #01-144272-24200

**Please remit payment by the due date to:**

City of Jonesboro  
300 South Church Street  
PO Box 1845  
Jonesboro, AR 72403

Invoice Total: 175.00  
Discounts: 0.00  
Credit Applied: 0.00  
Ending Balance: 350.00

**AMOUNT PAID:** \_\_\_\_\_

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| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ _____ |

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Total Postage and Fees

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Street and Apt. No. or PO Box No.

City, State, ZIP+4®

Kenneth L & Dena Bradway  
PO Box 294

Trumann, AR 72472-0219

310 EAST ST 72401

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JAN 05 2023

7022 2410 0003 0083 5492



IN THE CIRCUIT COURT OF CRAIGHEAD COUNTY, ARKANSAS

AFFIDAVIT OF STATUTORY LIEN

I, Scott Roper, being duly sworn, depose and say as follows:

- 1.) My name is Scott Roper. I am the Director of Code Enforcement for Jonesboro, Arkansas ("the City"), and as such I am authorized to make this Affidavit of Statutory Lien.
- 2.) On 10/24/2022, a Notice to Comply was mailed to Kenneth L. Dena Bradway, at PO Box 294, Trumann, AR 72472. Due to the Owner's failure to abide by the notice within the required time, the City took corrective action as was necessary, or the City caused as much of the work as was left undone by the Owner at the expiration of the time allowed. An itemized account of this indebtedness is as follows:

DATE OF SERVICE	TYPE OF WORK	ORDINANCE NUMBER	COST
12/16/2022	DEMO	13:053	\$6297.86

- 3.) The above statement of cost is true and correct and the amount of indebtedness is now due the City for cost and expenses incurred on the following described real property located in Jonesboro, Craighead County, Arkansas:

**ADDRESS OF PROPERTY & LEGAL DESCRIPTION**

*2501 Mary Jane, Jonesboro, AR 72401, Lot 23, Block D of the Fairview Acres East Add.*

**Parcel Number 01-144272-24200**

- 4.) The City has made demand for payment and given the debtor notice of the City's intent to file this lien and the debtor has failed to make payment. No Part of the debt has been paid and the City of Jonesboro claims a lien on this real property, pursuant to Ark. Code Ann § 14-54-903(b) in the amount of \$6297.86 to secure this indebtedness.
- 5.) Payment must be made to the City Collector's Office, 300 South Church Street, 1st Floor, Jonesboro, Arkansas 72401, within (30) days of this notification. If payment is not made within (30) days the lien may be certified to Craighead County for collection on real estate taxes or city may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904

**FURTHER AFFIANT SAYETH NOT.**

Scott Roper  
 Director of Code Enforcement  
 City of Jonesboro  
 300 S. Church Street  
 Jonesboro, AR 72401  
 Phone: 870-933-4658

State of Arkansas  
 County of Craighead

Subscribed and sworn to or affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
 Notary Public

My Commission Expires:  
 \_\_\_\_\_

Case# :20-7386
Invoice# : 66254
Council Date: 3/7/2023



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: RES-23:050

**Agenda Date:**

**Version:** 1

**Status:** Recommended to  
Council

**In Control:** Finance & Administration Council Committee

**File Type:** Resolution

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 3406 MEADOR, JONESBORO, AR 72401, PARCEL 01-144281-35600, OWNED BY HAZEL WATSON IN THE AMOUNT OF \$8,336.48

LEGAL DESCRIPTION: FAIRVIEW ACRES JONESBORO CITY LOT 36 BLOCK I

WHEREAS, HAZEL WATSON, the owner of record, was properly notified of a code violation at 3406 Meador, Jonesboro, AR 72401, and refused to remove or correct the conditions identified by the code enforcement officer of the City of Jonesboro, Arkansas; and,

WHEREAS, the code enforcement officer corrected the code violation using city funds in the amount of \$8,336.48; and,

WHEREAS, the City of Jonesboro seeks to perfect a lien against the affected property to cover the cost of the work pursuant to A.C.A 14-15-903.

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

Section 1: The city should proceed with placing a lien on the property located at 3406 Meador, Jonesboro, AR 72401.



AFFIDAVIT

Amanda Watson  
404 Roseclair  
Jonesboro, AR 72401

RE: 3406 Meador Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 6<sup>th</sup> day of February, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 6<sup>th</sup> day of February, 2023.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



Invoice# : 66255

Case# : 20-9335

Notice Mailed on 2/6/2023

Hazel Watson  
3604 Meador  
Jonesboro, AR 72401

Subject: 3406 Meador, Jonesboro, AR 72401 Parcel# 01-144281-35600

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 3/7/2023.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you

Scott Roper  
Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658

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Extra Services & Fees (check box, add fee as appropriate)

- |  |          |
|--|----------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ _____ |

Postage

\$

Total Postage and Fees

\$

Sent To

Amanda Watson  
Street and Apt. No., or PO Box No. 404 Roseclair  
City, State, ZIP+4® Jonesboro AR 72401 203



7022 2410 0003 0083 6185



IN THE CIRCUIT COURT OF CRAIGHEAD COUNTY, ARKANSAS

AFFIDAVIT OF STATUTORY LIEN

I, Scott Roper, being duly sworn, depose and say as follows:

- 1.) My name is Scott Roper. I am the Director of Code Enforcement for Jonesboro, Arkansas ("the City"), and as such I am authorized to make this Affidavit of Statutory Lien.
- 2.) On 10/24/2022, a Notice to Comply was mailed to Hazel Watson, at 3604 Meador, Jonesboro, AR 72401. Due to the Owner's failure to abide by the notice within the required time, the City took corrective action as was necessary, or the City caused as much of the work as was left undone by the Owner at the expiration of the time allowed. An itemized account of this indebtedness is as follows:

DATE OF SERVICE	TYPE OF WORK	ORDINANCE NUMBER	COST
12/15/2022	DEMO	13:053	\$8336.48

- 3.) The above statement of cost is true and correct and the amount of indebtedness is now due the City for cost and expenses incurred on the following described real property located in Jonesboro, Craighead County, Arkansas:

**ADDRESS OF PROPERTY & LEGAL DESCRIPTION**

*3406 Meador, Jonesboro, AR 72401, FAIRVIEW ACRES J'BORO CITY LOT 36 BLOCK I*

**Parcel Number 01-144281-35600**

- 4.) The City has made demand for payment and given the debtor notice of the City's intent to file this lien and the debtor has failed to make payment. No Part of the debt has been paid and the City of Jonesboro claims a lien on this real property, pursuant to Ark. Code Ann § 14-54-903(b) in the amount of \$8336.48 to secure this indebtedness.
- 5.) Payment must be made to the City Collector's Office, 300 South Church Street, 1st Floor, Jonesboro, Arkansas 72401, within (30) days of this notification. If payment is not made within (30) days the lien may be certified to Craighead County for collection on real estate taxes or city may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904

**FURTHER AFFIANT SAYETH NOT.**

Scott Roper  
 Director of Code Enforcement  
 City of Jonesboro  
 300 S. Church Street  
 Jonesboro, AR 72401  
 Phone: 870-933-4658

State of Arkansas  
 County of Craighead

Subscribed and sworn to or affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
 Notary Public

My Commission Expires:  
 \_\_\_\_\_

Case# :20-9335
Invoice# : 66255
Council Date: 3/7/2023



AFFIDAVIT

Hazel Watson  
3604 Meador  
Jonesboro, AR 72401

RE: 3406 Meador Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 6<sup>th</sup> day of February, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 6<sup>th</sup> day of February, 2023.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



Invoice# : 66255

Case# : 20-9335

Notice Mailed on 2/6/2023

Hazel Watson  
3604 Meador  
Jonesboro, AR 72401

Subject: 3406 Meador, Jonesboro, AR 72401 Parcel# 01-144281-35600

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 3/7/2023.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you

Scott Roper  
Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658

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- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage

\$

Total Postage and Fees

\$

Sent To

Hazel Watson USPS

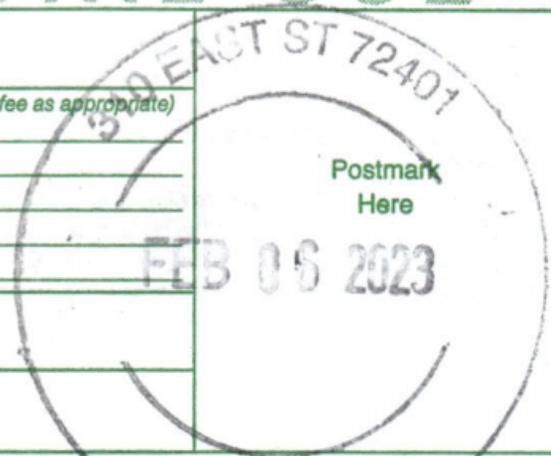
Street and Apt. No., or PO Box No.

3604 Meador

City, State, ZIP+4®

Jonesboro AR 72401

207



7022 2410 0003 0083 6055



2207 Fowler Avenue  
Jonesboro, Arkansas 72401  
Phone: 870-935-7410  
FAX: 870-933-7222

**LIMITED TITLE SEARCH**

Date: June 1, 2021  
Prepared For: Jonesboro Code Enforcement  
File Number: 21-079912-300

Lenders Title Company hereby certifies that the records of the Circuit Clerk of Craighead County, Arkansas have been examined as to the following described property from January 1, 1986 at 07:30 a.m. to May 14, 2021 at 07:30 a.m.:

**Lot 36 in Block "I" of Fairview Acres Subdivision to the City of Jonesboro, Arkansas, as shown by plat of record in Book 123 at page 126, subject to Bill of Assurance in Deed Record 149 at page 98 and easements as shown on recorded plat.**

The following instruments were found of record during the aforementioned period which affect the above described property:

**Warranty Deed** from W. C. Meadows and Jacqueline Meadows, his wife, to Leonard Watson and Hazel Watson, his wife, as tenants by the entirety, dated February 14, 1986, filed February 14, 1986 in Deed Record 328 Page 660 in the records of Jonesboro, Craighead County, Arkansas.

Judgments have been checked on Hazel Watson and Leonard Watson during the aforementioned period, and the following were found:

NONE

If tax information was requested, please see the attached tax certificate for the real property tax information as to the above described property.

This Limited Title Search is intended for the exclusive use of the addressee for informational purposes only. Lenders Title Company is not expressing or attempting to express an opinion as to the validity of the title to the above described property nor as to the validity of any encumbrances, both recorded and unrecorded, that pertain to the above described property. While Lenders Title Company believes that the information stated above is accurate, no assurances are made nor is any liability assumed by Lenders Title Company for any incorrect

information stated herein or omitted herefrom. For assurances as to the title to the above described property, addressee should obtain a title insurance policy.

Sincerely,

**Lenders Title Company**

A handwritten signature in black ink, appearing to read "Kristin Paige McLaughlin". The signature is written in a cursive style with some ink bleed-through or texture.

By: Kristin Paige McLaughlin



AFFIDAVIT

Hazel Watson  
3406 Meador  
Jonesboro, AR 72401-6422

RE: 3406 Meador Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 2<sup>nd</sup> day of June, 2022.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 2<sup>nd</sup> day of June, 2022.

Joshua Moss  
Notary Public



My commission expires: Jan. 17, 2024



## CITY OF JONESBORO CODE ENFORCEMENT

### Notice of Violation

Date: 06/02/2022

Hazel Watson  
3406 Meador  
Jonesboro, AR 72401-6422

SUBJECT: 3406 MEADOR  
JONESBORO, AR 72401

According to county records, you are the owner of the subject property. Please be advised that the structure on this property has been inspected by the City Building and Code Enforcement inspectors and has been found to be unfit for human habitation by virtue of its dilapidated and unsanitary condition. This property poses a hazard to the public and is a nuisance against public health.

Within 10 (ten) calendar days from the date of this letter you are required to respond to this notice in writing, indicating intention to either repair, re-inhabit, or raze and remove this structure. Should you choose to repair or rehab the structure you will have to obtain a building permit and start work within 40 calendar days from the date of this notice. The building permit will be issued for a total of 45 calendar days at which time the repair or rehab work must be complete and able to pass all building, electrical, plumbing, and mechanical inspections.

If you decide to raze and remove this structure, removal and clean-up activities must be completed within 40 days of this notice.

If you decide not to repair or remove this structure, it will be necessary for the City Council to consider condemning the structure to ensure the repair, rehab, securing, and/or razing and removal of this nuisance. All costs involved in the condemnation process would be charged to you. Collection would be actively pursued.

We look forward to your cooperation in this matter. If you have any questions, call our office at (870)933-4658.

Sincerely,

David Cooley  
Code Enforcement Officer  
P.O. Box 1845  
Jonesboro, AR 72403

CE20-9335

***Sign if served in person***

---

Code Enforcement Officer Signature, if delivered  
in person

---

Property Owner/Interested Party Signature, if delivered  
in person



DEPARTMENT OF INSPECTION AND CODE ENFORCEMENT

**RESIDENTIAL BUILDING INSPECTION REPORT**

DATE OF INSPECTION:	<b>5/31/2022</b>
PROPERTY ADDRESS:	<b>3406 MEADOR</b>
PROPERTY OWNER:	<b>HAZEL WATSON</b>

THE FRONT DOOR IS SECURED BY A LOCK AND HASP. ALMOST ALL WIDOWS ARE BROKEN OUT AND BOARDED OVER. SOME FROM INSIDE SOME FROM OUTSIDE. THE ROOF LINE IS SINKING. THE REAR OF THE HOME HAS FALLEN OFF AND WAS CLEANED UP BY A CONTACTOR HIRED BY CODE ENFORCEMENT. ON THE REAR OF THE HOME THE RAFTERS ARE EXPOSED DUE TO THE MISSING PART OF THE HOME. THERE IS AN UNSECURED STORM SHELTER, WHICH IS HOLDING WATER AND TRASH. THERE ARE NO UTILITIES AT THE PROPERTY. THE HOME IS A HAZARD TO THE HEALTH, WELFARE, AND SAFETY OF THE PUBLIC. THE HOME SHOULD BE RAZED IMMEDIATELY TO ENSURE THE SAFETY OF LOCAL CHILDREN AND OTHER CITIZENS, NOT TO MENTION THE BLIGHT TO THE COMMUNITY.  
PROPERTY WAS SECURED AT THE TIME OF INSPECTION.

In my opinion, this structure		Is	<b>XX</b>	Is not	Suitable for human habitation.
In my opinion, this structure		Is	<b>XX</b>	Is not	Physically feasible for rehabilitation.
In my opinion, this structure		Is	<b>XX</b>	Is not	Economically feasible for rehabilitation.
In my opinion, this structure	<b>XX</b>	Is		Is not	A public safety hazard and should be condemned immediately.

**EMERGENCY ACTION IS WARRANTED: YES NOXX**

<b>Tim Renshaw, Chief Building Inspector</b>	<b>David Cooley, Code Enforcement</b>
	

Municipal Building, 300 South Church Jonesboro, AR/ Phone 870-336-7194/Fax 870-336-1358

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Total Postage and Fees  
 \$ \_\_\_\_\_

Sent To Hazel Watson

Street and Apt. No., or PO Box No.  
340 S Meador

City, State, ZIP+4®  
Jonesboro AK 72401

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 1810 0001 8542 0654

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- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postmark  
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Postage

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Total Postage and Fees

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Sent To

Hazel Watson

Street and Apt. No., or PO Box No.

3406 Meador

City, State, ZIP+4®

Jonesboro, AR 72401

214

7020 1810 0001 8542 0654



AFFIDAVIT

Hazel Watson  
3406 Meador  
Jonesboro, AR 72401-6422

RE: 3406 Meador Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 23<sup>rd</sup> day of September, 2022.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 23<sup>rd</sup> day of September, 2022.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



**CITY OF JONESBORO  
CODE ENFORCEMENT**

**NOTICE TO REPAIR OR REMOVE**

Via: Certified Mail

Date: 09/22/2022

To: Hazel Watson  
3406 Mcador  
Jonesboro, AR 72401-6422

Subject: 3406 MEADOR  
JONESBORO, AR 72401

Dear Hazel Watson.

At its meeting on September 20, 2022, The City Council of the City of Jonesboro adopted a resolution finding and declaring the subject property to be a nuisance that must be repaired or removed. A copy of the Condemnation Resolution is enclosed.

You are hereby directed to board and secure the structure at all times until the structure is brought into full compliance with applicable building or abatement codes or until such time as the structure is razed and removed. Boarding and securing the structure does not relieve the owner of the requirement to diligently repair, rehabilitate or demolish and remove the structure.

If you decide to abate this nuisance you must obtain necessary permits and commence abatement work with thirty (30) days from the date of condemnation by City Council. The permits shall expire forty-five (45) days from the date of issuance. Abatement work is expected to be completed before the permits expire. **A fine of not less than \$250 nor more than \$500 may be imposed and an additional fine of \$250 for each day thereafter.(Ord. 11.32.12)**

In the event you have not obtained necessary permits and commenced work to abate the nuisance with in thirty (30) days from the date of condemnation by City Council the City will take actions required to abate the nuisance. All costs of abatement will be billed to you as owner of the property. Payment of this bill will be actively pursued. A tax lien will be placed on the property until payment is received in full. **A fine of not less than \$250 nor more than \$500 may be imposed and an additional fine of \$250 for each day thereafter.(Ord. 11.32.12)**

Should you have any questions about this process, please call the City's Code Enforcement Office at 870-933-4658.

Sincerely,

David Cooley  
Code Enforcement Officer

CE20-9335

*Sign if served in  
person*

*Date  
served or  
delivered:* \_\_\_\_\_

\_\_\_\_\_  
Code Enforcement Officer Signature, if delivered in person

\_\_\_\_\_  
Property Owner/Interested Party Signature, if delivered in person



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Signature Copy

Resolution: R-EN-142-2022

**File Number: RES-22:130**

**Enactment Number: R-EN-142-2022**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO  
CONDEMN PROPERTY LOCATED AT: 3406 Meador Rd. Jonesboro, AR 72401 Parcel #  
01-144281-35600 OWNER: Hazel Watson

LEGAL DESCRIPTION: Lot 36 in Block "I" of Fairview Acres Subdivision to the City of Jonesboro,  
Arkansas, as shown by plat of record in Book 123 at page 126, subject to Bill of Assurance in Deed  
Record 149 at page 98 and easements as shown on recorded plat.

WHEREAS, the above property has been inspected and has been determined unsuited for human  
habitation.

WHEREAS, all of the stipulations have been met in the condemnation process to proceed with the  
condemnation of this property.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
JONESBORO, ARKANSAS THAT: The city should proceed with the condemnation of the property  
located at: 3406 Meador Rd. Jonesboro, AR 72401.

PASSED AND APPROVED THIS 20TH DAY OF SEPTEMBER 2022.

  
\_\_\_\_\_  
Harold Copenhaver, Mayor

Date 9-22-22



ATTEST:   
\_\_\_\_\_  
April Leggett, City Clerk

Date 9-22-22

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SEP 7 2022

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Total Postage and Fees

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Sent To

Hazel Watson USPS

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3406 Meador

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Jonesboro, AR 72401

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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| <input type="checkbox"/> Return Receipt (electronic)         | \$ | _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ | _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ | _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ | _____ |

Postage

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**Total Postage and Fees**

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Sent To

Hazel Watson USPS

Street and Apt. No., or PO Box No.

3406 Meador

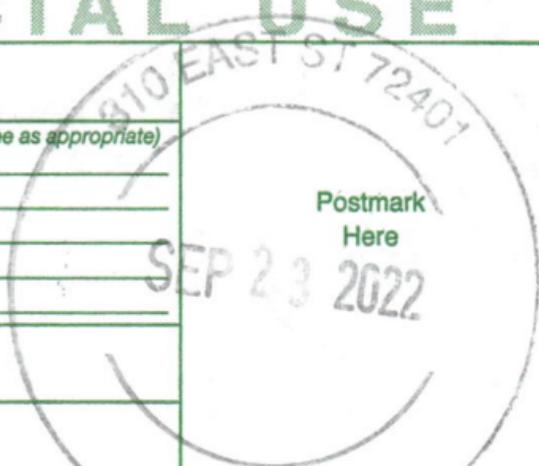
City, State, ZIP+4®

Jonesboro, AR 72401 219

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

7021 2720 0001 4894 9011





**AFFIDAVIT**

Amanda Watson  
404 Roseclair  
Jonesboro, AR 72401

RE: 3406 Meador Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 5<sup>th</sup> day of January, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 5<sup>th</sup> day of January, 2023.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



Invoice# : 66255
Case# : 20-9335

Notice to be Mailed by 1/8/2022

Hazel Watson  
~~3604~~ Meador  
~~3406~~  
Jonesboro, AR 72401

Subject: 3406 Meador, Jonesboro, AR 72401 Parcel# 01-144281-35600

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 2/7/2022.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you,

Scott Roper  
Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658



DATE	INVOICE NO
12/15/2022	0066311

<b>BILL TO</b>
Hazel Watson 3406 Meador Jonesboro, AR 72401

DUE DATE
12/31/2022

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
-------------	----------	----------------	--------	----------	--------	---------

PREVIOUS OUTSTANDING BALANCE 0.00

**Code Enforcement Charges December 2022:**

Newspaper Publication	1.00	280.80	280.80	0.00	0.00	280.80
Title Search for 3406 Meador	1.00	150.00	150.00	0.00	0.00	150.00
Certified Postage for Notices	1.00	30.50	30.50	0.00	0.00	30.50
Demolition Costs	1.00	7,000.00	7,000.00	0.00	0.00	7,000.00
Administrative Fee	1.00	100.00	100.00	0.00	0.00	100.00
Standard Postage for Notices	1.00	2.36	2.36	0.00	0.00	2.36
County Filing Fee	1.00	15.00	15.00	0.00	0.00	15.00
Attorney Ad Litem	1.00	757.82	757.82	0.00	0.00	757.82

**INVOICE TOTAL: 8,336.48 0.00 0.00 8,336.48**

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042

Customer Name: Hazel Watson  
 Customer No: 022920  
 Account No: 0035479 - Mowing Account #01-144281-35600

DUE DATE	INVOICE NO
12/31/2022	0066311

**Please remit payment by the due date to:**

City of Jonesboro  
 300 South Church Street  
 PO Box 1845  
 Jonesboro, AR 72403

Invoice Total: 8,336.48  
 Discounts: 0.00  
 Credit Applied: 0.00  
 Ending Balance: 8,336.48

**INVOICE BALANCE: \$8,336.48**  
**AMOUNT PAID: \_\_\_\_\_**

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OFFICIAL USE

Certified Mail Fee

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Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_
- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage

\$

Total Postage and Fees

\$

Sent To

Amanda Watson

Street and Apt. No., or PO Box No.

404 Roseclair

City, State, ZIP+4®

Jonesboro, AR 72401 223



7022 2410 0003 0083 5560



AFFIDAVIT

Hazel Watson  
3406 Meador  
Jonesboro, AR 72401

RE: 3406 Meador Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 5<sup>th</sup> day of January, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 5<sup>th</sup> day of January, 2023.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



DATE	INVOICE NO
12/15/2022	0066311

<b>BILL TO</b>
Hazel Watson 3406 Meador Jonesboro, AR 72401

<b>DUE DATE</b>
12/31/2022

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
-------------	----------	----------------	--------	----------	--------	---------

PREVIOUS OUTSTANDING BALANCE 0.00

Code Enforcement Charges December 2022:

Newspaper Publication	1.00	280.80	280.80	0.00	0.00	280.80
Title Search for 3406 Meador	1.00	150.00	150.00	0.00	0.00	150.00
Certified Postage for Notices	1.00	30.50	30.50	0.00	0.00	30.50
Demolition Costs	1.00	7,000.00	7,000.00	0.00	0.00	7,000.00
Administrative Fee	1.00	100.00	100.00	0.00	0.00	100.00
Standard Postage for Notices	1.00	2.36	2.36	0.00	0.00	2.36
County Filing Fee	1.00	15.00	15.00	0.00	0.00	15.00
Attorney Ad Litem	1.00	757.82	757.82	0.00	0.00	757.82

**INVOICE TOTAL: 8,336.48      0.00      0.00      8,336.48**

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042

Customer Name: Hazel Watson  
 Customer No: 022920  
 Account No: 0035479 - Mowing Account #01-144281-35600

<b>DUE DATE</b>	<b>INVOICE NO</b>
12/31/2022	0066311

**Please remit payment by the due date to:**

City of Jonesboro  
 300 South Church Street  
 PO Box 1845  
 Jonesboro, AR 72403

Invoice Total:	8,336.48
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	8,336.48

**INVOICE BALANCE: \$8,336.48**  
**AMOUNT PAID: \_\_\_\_\_**



Invoice# : 66255
Case# : 20-9335

Notice to be Mailed by 1/8/2022

Hazel Watson  
~~3604~~ Meador  
~~3406~~  
Jonesboro, AR 72401

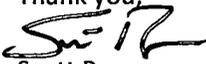
Subject: 3406 Meador, Jonesboro, AR 72401 Parcel# 01-144281-35600

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 2/7/2022.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you,  
  
Scott Roper  
Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658

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Extra Services & Fees (check box, add fee as appropriate)

- |  |          |
|--|----------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ _____ |

Postage

\$ \_\_\_\_\_

Total Postage and Fees

\$ \_\_\_\_\_

Sent To

Hazel Watson

Street and Apt. No., or PO Box No.

3604 Meador

City, State, ZIP+4®

Jonesboro AR 72401 227



7022 2410 0003 0083 5300



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: RES-23:051

**Agenda Date:**

**Version:** 1

**Status:** Recommended to  
Council

**In Control:** Finance & Administration Council Committee

**File Type:** Resolution

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 3500 FAIRVIEW, JONESBORO, AR 72401, PARCEL 01-144281-43900, OWNED BY JANET M BOGAN IN THE AMOUNT OF \$215

LEGAL DESCRIPTION: LOT 11, BLOCK N OF FAIRVIEW ACRES JONESBORO CITY

WHEREAS, JANET M BOGAN, the owner of record, was properly notified of a code violation at 3500 Fairview, Jonesboro, AR 72401, and refused to remove or correct the conditions identified by the code enforcement officer of the City of Jonesboro, Arkansas; and,

WHEREAS, the code enforcement officer corrected the code violation using city funds in the amount of \$215; and,

WHEREAS, the City of Jonesboro seeks to perfect a lien against the affected property to cover the cost of the work pursuant to A.C.A 14-15-903.

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

Section 1: The city should proceed with placing a lien on the property located at 3500 Fairview, Jonesboro, AR 72401.



AFFIDAVIT

Janet M Bogan  
100 Antapike Unit #272  
Nashville, TN 37211

RE: 3500 Fairview Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 6<sup>th</sup> day of February, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 6<sup>th</sup> day of February, 2023.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



Invoice# : 66231

Case# : 22-2443

Notice Mailed on 2/6/2023

Janet M Bogan  
100 Antapike Unit 272  
Nashville, TN 37211

Subject: 3500 Fairview, Jonesboro, AR 72401 Parcel# 01-144281-43900

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 3/7/2023.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you

Scott Roper  
Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658

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Extra Services & Fees (check box, add fees as appropriate)

- |  |    |       |
|--|----|-------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ | _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ | _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ | _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ | _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ | _____ |

Postage

\$

Total Postage and Fees

\$

Sent To

Janet M Bogan  
Street and Apt. No., or PO Box No.  
100 Antipike Unit #270  
City, State, ZIP+4®  
Nashville, TN 37211 231



7022 2410 0003 0083 6147



IN THE CIRCUIT COURT OF CRAIGHEAD COUNTY, ARKANSAS

AFFIDAVIT OF STATUTORY LIEN

I, Scott Roper, being duly sworn, depose and say as follows:

- 1.) My name is Scott Roper. I am the Director of Code Enforcement for Jonesboro, Arkansas ("the City"), and as such I am authorized to make this Affidavit of Statutory Lien.
- 2.) On 11/5/2022, a Notice to Comply was mailed to Janet M Bogan, at 100 Antapike Unit 272, Nashville, TN 37211. Due to the Owner's failure to abide by the notice within the required time, the City took corrective action as was necessary, or the City caused as much of the work as was left undone by the Owner at the expiration of the time allowed. An itemized account of this indebtedness is as follows:

DATE OF SERVICE	TYPE OF WORK	ORDINANCE NUMBER	COST
11/22/2022	Clean up/haul Off & Trim	13:053	\$215

- 3.) The above statement of cost is true and correct and the amount of indebtedness is now due the City for cost and expenses incurred on the following described real property located in Jonesboro, Craighead County, Arkansas:

**ADDRESS OF PROPERTY & LEGAL DESCRIPTION**

*3500 Fairview, Jonesboro, AR 72401, LOT 11, BLOCK N OF FAIRVIEW ACRES J'BORO CITY*

**Parcel Number 01-144281-43900**

- 4.) The City has made demand for payment and given the debtor notice of the City's intent to file this lien and the debtor has failed to make payment. No Part of the debt has been paid and the City of Jonesboro claims a lien on this real property, pursuant to Ark. Code Ann § 14-54-903(b) in the amount of \$215 to secure this indebtedness.
- 5.) Payment must be made to the City Collector's Office, 300 South Church Street, 1st Floor, Jonesboro, Arkansas 72401, within (30) days of this notification. If payment is not made within (30) days the lien may be certified to Craighead County for collection on real estate taxes or city may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904

**FURTHER AFFIANT SAYETH NOT.**

Scott Roper  
 Director of Code Enforcement  
 City of Jonesboro  
 300 S. Church Street  
 Jonesboro, AR 72401  
 Phone: 870-933-4658

State of Arkansas  
 County of Craighead

Subscribed and sworn to or affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
 Notary Public

My Commission Expires:  
 \_\_\_\_\_

Case# :22-2443
Invoice# : 66231
Council Date: 3/7/2023



AFFIDAVIT

Janet Bogan  
100 Antapike Unit 272  
Nashville, TN 37211

RE: 3500 Fairview Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 26<sup>th</sup> day of October, 2022.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 26<sup>th</sup> day of October, 2022.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



**CITY OF JONESBORO  
CODE ENFORCEMENT**

DATE: 10/26/2022

TO: Janet Bogan  
100 Antapike, Unit Unit 272  
Nashville, TN 37211

In regards to property located at 3500 FAIRVIEW  
JONESBORO, AR 72401 .

Our records show that you own the property listed above. We have observed that the property has trash by the road and yard needs mowed, especially the back yard. We are sending this letter and are allowing you the chance to correct the violation that is mentioned below by 11-5-2022. If the issue is not corrected by the date listed, the City will clean up trash and mow and trim the whole yard, and place a lien on your property. Please call the Code Enforcement Office at (870) 933-4658 if you have any questions. If you would like to view the ordinance in violation online, they are available on City Clerk section of [www.jonesboro.org](http://www.jonesboro.org).

Section 1. Sec. 30-5 - Overgrown Grass, Weeds, Vines, or Low hanging Limb  
2. Sec. 30-3 - Illegal Disposal  
3. Sec. 30-5 - Unsightly or Unsanitary Conditions

C Blake Nichols

Code Enforcement Officer

Call me as soon as you receive this letter at 870-273-2129.

CE22-2443

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OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_
- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage

\$

Total Postage and Fees

\$

Sent To

Janet M Bogan

Street and Apt. No., or PO Box No.

100 Antapike Unit 272

City, State, ZIP+4®

Nashville, TN 37211 235



7021 2720 0000 4355 0459



## CITY OF JONESBORO

### Code Enforcement

Request For Invoice

Date: 11 -22-22

To: Tosha Moss

Property Address: 3500 Fairview APN# 01-144281-43900  
Case # CE 22-2443

Jonesboro, AR 72401

Need to send the following charges to this person.

Property Owner: Janet M Bogan  
100 Antapike Unit 272  
Nashville, TN 37211

<u>ITEMS</u>	<u>AMOUNTS</u>
Clean up and Haul /weed eat	\$ 100 .00
Admin Fees	\$ 100.00
Filing Fees	\$ 15.00
<hr/>	
Total	\$ 215.00

Thank you,

Mike McQuay  
Jonesboro Police Department  
Code Enforcement Division  
PO Box 1845  
Jonesboro, AR 72403



DATE	INVOICE NO
11/22/2022	0066231

<b>BILL TO</b>
Janet M Bogan 100 Antapike Unit #272 Nashville, TN 37211

DUE DATE
11/30/2022

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
-------------	----------	----------------	--------	----------	--------	---------

PREVIOUS OUTSTANDING BALANCE 0.00

**Code Enforcement Charges:**

Filing Fee - 3500 Fairview	1.00	15.00	15.00	0.00	0.00	15.00
Admin. Fee - 3500 Fairview	1.00	100.00	100.00	0.00	0.00	100.00
Clean Up and Haul/Weed Eater - 3500 Fairview	1.00	100.00	100.00	0.00	0.00	100.00

**INVOICE TOTAL: 215.00 0.00 0.00 215.00**

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042

Customer Name: Janet M Bogan  
Customer No: 023575  
Account No: 0035648 - Mowing Account

DUE DATE	INVOICE NO
11/30/2022	0066231

Please remit payment by the due date to:

City of Jonesboro  
300 South Church Street  
PO Box 1845  
Jonesboro, AR 72403

If payment is not made within (30) days, the lien may be certified to Craighead County for collection on real estate taxes or City may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904.

Invoice Total:	215.00
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	215.00

**INVOICE BALANCE: 215.00**  
**AMOUNT PAID: \_\_\_\_\_**



AFFIDAVIT

Janet M Bogan  
100 Antapike Unit 272  
Nashville, TN 37211

RE: 3500 Fairview Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 3<sup>rd</sup> day of January, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 3<sup>rd</sup> day of January, 2023.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



Invoice# : 66231
Case# : 22-2443

Notice to be Mailed by 1/8/2022

Janet M Bogan  
100 AntapikeUnit 272  
Nashville, TN 37211

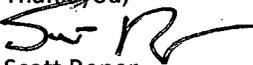
Subject: 3500 Fairview, Jonesboro, AR 72401 Parcel# 01-144281-43900

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 2/7/2022.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you,  


Scott Roper  
Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658



DATE	INVOICE NO
11/22/2022	0066231

<b>BILL TO</b>
Janet M Bogan 100 Antelope Unit #272 Nashville, TN 37211

DUE DATE						
11/30/2022						
DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE

PREVIOUS OUTSTANDING BALANCE						0.00
<b>Code Enforcement Charges:</b>						
Filing Fee - 3500 Fairview	1.00	15.00	15.00	0.00	0.00	15.00
Admin. Fee - 3500 Fairview	1.00	100.00	100.00	0.00	0.00	100.00
Clean Up and Haul/Weed Eater - 3500 Fairview	1.00	100.00	100.00	0.00	0.00	100.00
<b>INVOICE TOTAL:</b>			<b>215.00</b>	<b>0.00</b>	<b>0.00</b>	<b>215.00</b>

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (870) 932-3042

Customer Name: Janet M Bogan  
Customer No: 023575  
Account No: 0035648 - Mowing Account

DUE DATE	INVOICE NO
11/30/2022	0066231

Please remit payment by the due date to:

City of Jonesboro  
300 South Church Street  
PO Box 1845  
Jonesboro, AR 72403

If payment is not made within (30) days, the lien may be certified to Craighead County for collection on real estate taxes or City may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904.

Invoice Total:	215.00
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	215.00

**INVOICE BALANCE: \$215.00**  
**AMOUNT PAID: \_\_\_\_\_**

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Nashville, TN 37211

OFFICIAL USE  
310 EAST ST 72401  
0405  
10

Certified Mail Fee \$4.00

\$ 3.25

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ 0.00

Return Receipt (electronic) \$ 0.00

Certified Mail Restricted Delivery \$ 0.00

Adult Signature Required \$ 0.00

Adult Signature Restricted Delivery \$

JAN 03 2023  
Postmark Here

Postage \$0.60

\$

Total Postage and Fees \$7.85

\$

01/03/2023  
USPS

Sent To

Janet M Bogan

Street and Apt. No., or PO Box No.

100 Antapike Unit 272

City, State, ZIP+4®

Nashville, TN 37211

241

7022 2410 0003 0083 5430



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: RES-23:052

**Agenda Date:**

**Version:** 1

**Status:** Recommended to  
Council

**In Control:** Finance & Administration Council Committee

**File Type:** Resolution

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 4405&4407 JANICE, JONESBORO, AR 72401, PARCEL 01-144271-20300, OWNED BY CHARLES E NOELL JR. IN THE AMOUNT OF \$9,286.80

LEGAL DESCRIPTION: KIECH, EARL 4TH AD 62.5' LOT 2 & PT LOT 1

WHEREAS, CHARLES E NOELL JR., the owner of record, was properly notified of a code violation at 4405&4407 Janice, Jonesboro, AR 72401, and refused to remove or correct the conditions identified by the code enforcement officer of the City of Jonesboro, Arkansas; and,

WHEREAS, the code enforcement officer corrected the code violation using city funds in the amount of \$9,286.80; and,

WHEREAS, the City of Jonesboro seeks to perfect a lien against the affected property to cover the cost of the work pursuant to A.C.A 14-15-903.

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

Section 1: The city should proceed with placing a lien on the property located at 4405&4407 Janice, Jonesboro, AR 72401.



AFFIDAVIT

Charles E Noell Jr.  
407 Ridgecrest  
Jonesboro, AR 72401-5386

RE: 4405 + 4407 Janice Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 6<sup>th</sup> day of February, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 6<sup>th</sup> day of February, 2023.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



Invoice# : 66195
Case# : 20-7417

Notice Mailed on 2/6/2023

Charles E Noell Jr.  
407 Ridgecrest  
Jonesboro, AR 72401-5386

Subject: 4405&4407 Janice, Jonesboro, AR 72401 Parcel# 01-144271-20300

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 3/7/2023.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you,

Scott Roper  
Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658

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OFFICIAL USE

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Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_
- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage

\$

Total Postage and Fees

\$

Sent To

Charles E. Noell Jr.

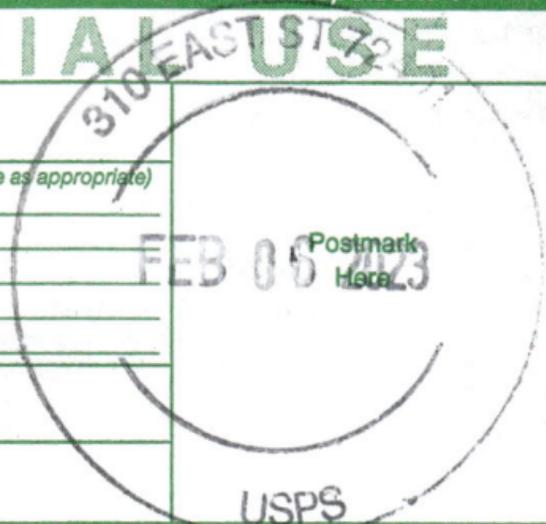
Street and Apt. No., or PO Box No.

407 Ridgecrest St.

City, State, ZIP+4®

Jonesboro AR 72401-245

7022 2410 0003 0083 6130





2207 Fowler Avenue  
Jonesboro, Arkansas 72401  
Phone: 870-935-7410  
FAX: 870-933-7222

### **LIMITED TITLE SEARCH**

Date: July 18, 2022  
Prepared For: City of Jonesboro - Code Enforcement  
File Number: 22-081948-300

Lenders Title Company hereby certifies that the records of the Circuit Clerk of Craighead County, Arkansas have been examined as to the following described property from January 18, 1991 at 3:30 P.M. to July 5, 2022 at 7:30 A.M.:

The East 62.5 feet of Lots 1 and 2 in Block "A" of Earl Kiech Fourth Addition to the City of Jonesboro, formerly Town of Nettleton, Arkansas.

The following instruments were found of record during the aforementioned period which affect the above described property:

#### 30 Year Deed Chain

WARRANTY DEED executed by Norman C. Scarborough, an unmarried person, in favor of Jerry G. Tibbs, Sr., dated January 18, 1991, filed January 18, 1991 and recorded in Deed Record 401 page 173 in the records of Jonesboro, Craighead County, Arkansas.

WARRANTY DEED executed by Jerry G. Tibbs, Sr. and Paula M. Tibbs, husband and wife, in favor of Charles Noell, Jr., dated January 19, 1996, filed January 22, 1996 and recorded in Deed Record 492 page 93 in the records of Jonesboro, Craighead County, Arkansas.

PETITION FOR THE APPOINTMENT OF ADMINISTRATOR, In the Matter of the Estate of Charles Edward Noell, Jr., deceased, Probate Case No. 16JPR-20-131, filed March 23, 2020 in the Circuit Court of Craighead County, Arkansas, Western District, Probate Division.

#### Open Mortgages

NONE

State and General Taxes for the years 2018-2021 have been certified to the Arkansas Land Commissioner for Non-Payment. Certificate of Forfeiture is filed as Instrument No. 2021R-014395 in the records of Jonesboro, Craighead County, Arkansas. A petition to Redeem must be obtained in order to determined the total amount due.

Parcel No. 01-144271-20300

Judgments have been checked on Charles E. Noell, Jr. during the aforementioned period, and the following were found:

Certificate of Indebtedness against Charles Noell, in favor of State of Arkansas Department of Finance and Administration, dated June 6, 2012 and recorded on June 11, 2012 as Instrument No. JB2012J-002217 in the records of Craighead County, Arkansas. Writs of Execution filed as Instrument No. JB2015EX-000038 and as Instrument No. JB2016EX-000017.

Certificate of Indebtedness against Charles Noell, in favor of State of Arkansas Department of Finance and Administration, dated April 15, 2013 and recorded on April 23, 2013 as Instrument No. JB2013J-000802 in the records of Craighead County, Arkansas. Writs of Execution filed as Instrument No. JB2015EX-000038 and as Instrument No. JB2016EX-000017.

Certificate of Indebtedness against Charles Noell, in favor of State of Arkansas Department of Finance and Administration, dated May 14, 2015, filed May 18, 2015 and recorded as Instrument No. JB2015J-001030 in the records of Craighead County, Arkansas. Writ of Execution filed as Instrument No. JB2016EX-000017.

Affidavit of Statutory Lien against Charles Noell, Jr. in favor of City of Jonesboro, dated October 12, 2020, filed October 13, 2020 and recorded as Instrument No. 2020R-023530 in the records of Craighead County, Arkansas.

This Limited Title Search is intended for the exclusive use of the addressee for informational purposes only. Lenders Title Company is not expressing or attempting to express an opinion as to the validity of the title to the above described property nor as to the validity of any encumbrances, both recorded and unrecorded, that pertain to the above described property. While Lenders Title Company believes that the information stated above is accurate, no assurances are made nor is any liability assumed by Lenders Title Company for any incorrect information stated herein or omitted herefrom. For assurances as to the title to the above described property, addressee should obtain a title insurance policy.

Sincerely,

**Lenders Title Company**

*Tara V. Pierce*

By: Tara V. Pierce



AFFIDAVIT

Charles Edward Noell Jr  
407 Ridgecrest  
Jonesboro, AR 72401

RE: 4405 + 4407 Janice Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 23<sup>rd</sup> day of September, 2022.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 23<sup>rd</sup> day of September, 2022.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



**CITY OF JONESBORO  
CODE ENFORCEMENT**

**NOTICE TO REPAIR OR REMOVE**

Via: Certified Mail

Date: 09/22/2022

To: CHARLES EDWARD NOELL JR  
407 Ridgcrest  
JONESBORO, AR 72401

Subject: 4405 & 4407 Janice  
Jonesboro, AR 72401

Dear CHARLES EDWARD NOELL JR.

At its meeting on SEPTEMBER 20, 2022, The City Council of the City of Jonesboro adopted a resolution finding and declaring the subject property to be a nuisance that must be repaired or removed. A copy of the Condemnation Resolution is enclosed.

You are hereby directed to board and secure the structure at all times until the structure is brought into full compliance with applicable building or abatement codes or until such time as the structure is razed and removed. Boarding and securing the structure does not relieve the owner of the requirement to diligently repair, rehabilitate or demolish and remove the structure.

If you decide to abate this nuisance you must obtain necessary permits and commence abatement work with thirty (30) days from the date of condemnation by City Council. The permits shall expire forty-five (45) days from the date of issuance. Abatement work is expected to be completed before the permits expire. **A fine of not less than \$250 nor more than \$500 may be imposed and an additional fine of \$250 for each day thereafter.(Ord. 11.32.12)**

In the event you have not obtained necessary permits and commenced work to abate the nuisance within thirty (30) days from the date of condemnation by City Council the City will take actions required to abate the nuisance. All costs of abatement will be billed to you as owner of the property. Payment of this bill will be actively pursued. A tax lien will be placed on the property until payment is received in full. **A fine of not less than \$250 nor more than \$500 may be imposed and an additional fine of \$250 for each day thereafter.(Ord. 11.32.12)**

Should you have any questions about this process, please call the City's Code Enforcement Office at 870-933-4658.

Sincerely,

David Cooley  
Code Enforcement Officer

CE20-7417

*Sign if served in  
person*

*Date  
served or  
delivered:* \_\_\_\_\_

\_\_\_\_\_  
Code Enforcement Officer Signature, if delivered in person

\_\_\_\_\_  
Property Owner/Interested Party Signature, if delivered in person



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Signature Copy

Resolution: R-EN-143-2022

**File Number: RES-22:131**

**Enactment Number: R-EN-143-2022**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO  
CONDEMN PROPERTY LOCATED AT: 4405 & 4407 Janice Ave. Jonesboro, AR 72401 Parcel  
#: 01-144271-20300 OWNER: Charles Edward Noell, Jr.

LEGAL DESCRIPTION: The East 62.5 feet of Lots 1 and 2 in Block "A" of Earl Kiech Fourth Addition  
to the City of Jonesboro, formerly Town of Nettleton, Arkansas.

WHEREAS, the above property has been inspected and has been determined unsuited for human  
habitation.

WHEREAS, all of the stipulations have been met in the condemnation process to proceed with the  
condemnation of this property.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
JONESBORO, ARKANSAS THAT: The city should proceed with the condemnation of the property  
located at: 4405 & 4407 Janice Ave. Jonesboro, AR 72401.

PASSED AND APPROVED THIS 20TH DAY OF SEPTEMBER 2022.



  
\_\_\_\_\_  
Harold Copenhaver, Mayor

Date 9-22-22

ATTEST:   
\_\_\_\_\_  
April Leggett, City Clerk

Date 9-22-22

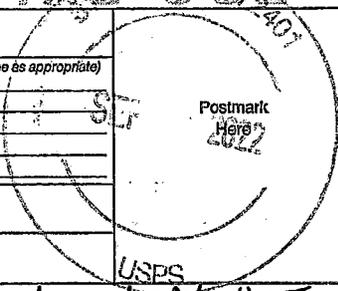
7021 2720 0001 4894 9028

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**OFFICIAL USE**

Certified Mail Fee	\$	
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$	
<input type="checkbox"/> Return Receipt (electronic)	\$	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	
Postage	\$	
Total Postage and Fees	\$	



Sent To	Charles Edward Noell Jr
Street and Apt. No., or PO Box No.	407 Ridgecrest
City, State, ZIP+4®	Jonesboro, AR 72401

PS Form 3800, April 2015, PSN 7530-02-000-9077 See Reverse for Instructions

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Extra Services & Fees (check box, add fee as appropriate)

- |  |          |
|--|----------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ _____ |

Postage

\$ \_\_\_\_\_

**Total Postage and Fees**

\$ \_\_\_\_\_

Sent To

Charles Edward Noell Jr

Street and Apt. No., or PO Box No.

407 Ridgecrest

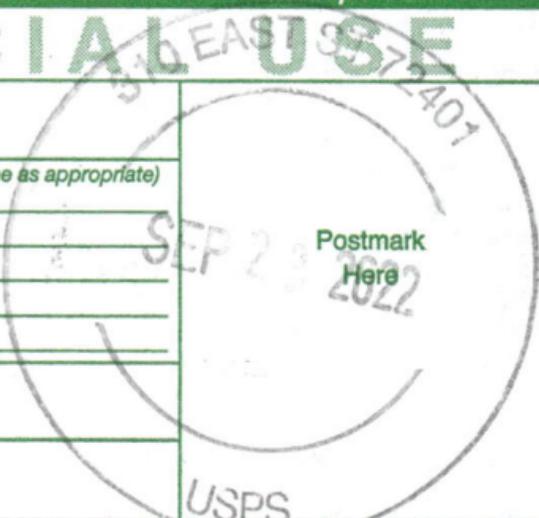
City, State, ZIP+4®

Jonesboro AR 7240253

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

7021 2720 0001 4894 9028





Office of Code Enforcement  
P.O. Box 1845, Jonesboro, AR 72403

870-933-4658

AFFIDAVIT

Charles Edward Noell Jr  
407 Ridgecrest  
Jonesboro, AR 72401

RE: 4405 & 4407 Janice Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 2<sup>nd</sup> day of June, 2022.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 2<sup>nd</sup> day of June, 2022.

Tosha Moss  
Notary Public



My commission expires: Jan. 17, 2024



## CITY OF JONESBORO CODE ENFORCEMENT

### Notice of Violation

Date: 06/02/2022

CHARLES EDWARD NOELL JR  
407 Ridgecrest  
JONESBORO, AR 72401

SUBJECT: 4405 & 4407 Janice  
Jonesboro, AR 72401

According to county records, you are the owner of the subject property. Please be advised that the structure on this property has been inspected by the City Building and Code Enforcement inspectors and has been found to be unfit for human habitation by virtue of its dilapidated and unsanitary condition. This property poses a hazard to the public and is a nuisance against public health.

Within 10 (ten) calendar days from the date of this letter you are required to respond to this notice in writing, indicating intention to either repair, re-inhabit, or raze and remove this structure. Should you choose to repair or rehab the structure you will have to obtain a building permit and start work within 40 calendar days from the date of this notice. The building permit will be issued for a total of 45 calendar days at which time the repair or rehab work must be complete and able to pass all building, electrical, plumbing, and mechanical inspections.

If you decide to raze and remove this structure, removal and clean-up activities must be completed within 40 days of this notice.

If you decide not to repair or remove this structure, it will be necessary for the City Council to consider condemning the structure to ensure the repair, rehab, securing, and/or razing and removal of this nuisance. All costs involved in the condemnation process would be charged to you. Collection would be actively pursued.

We look forward to your cooperation in this matter. If you have any questions, call our office at (870)933-4658.

Sincerely,

David Cooley  
Code Enforcement Officer  
P.O. Box 1845  
Jonesboro, AR 72403

CE20-7417

**Sign if served in person**

---

Code Enforcement Officer Signature, if delivered  
in person

---

Property Owner/Interested Party Signature, if delivered  
in person



DEPARTMENT OF INSPECTION AND CODE ENFORCEMENT

**RESIDENTIAL BUILDING INSPECTION REPORT**

DATE OF INSPECTION:	5/31/2022
PROPERTY ADDRESS:	4405 & 4407 JANICE
PROPERTY OWNER:	CHARLES E. NOELL JR.

MOST OF WINDOWS AND DOORS WERE BOARDED BY CODE ENFORCEMENT. THIS HAS BEEN DONE MULTIPLE TIMES AS SQUATERS HAVE REMOVED THEM TO LIVE IN THE PROPERTY. THE INTERIOR OF THE PROPERTY IS DESTROYED. ALL WIRING HAS BEEN RIPPED FROM THE WALLS. ALL SHEET ROCK IS BROKEN TO GET TO WIRING. THERE ARE NO UTILITIES AT THE PROPERTY. THERE IS A MAKE SHIFT TOILET (BUCKET) IN ONE OF THE ROOMS. THE INTERIOR OF THE PROPERTY HAS EXPOSED RAFTERS, AND STUDS. PROPERTY IS A HAZARD TO THE HEALTH, WELFARE, AND SAFETY OF THE PUBLIC. THE BUILDING SHOULD BE RAZED IMMEDIATELY TO ENSURE THE SAFETY OF LOCAL CHILDREN AND OTHER CITIZENS, NOT TO MENTION THE BLIGHT TO THE COMMUNITY. PROPERTY WAS NOT SECURED AT THE TIME OF INSPECTION.

In my opinion, this structure		Is	XX	Is not	Suitable for human habitation.
In my opinion, this structure		Is	XX	Is not	Physically feasible for rehabilitation.
In my opinion, this structure		Is	XX	Is not	Economically feasible for rehabilitation.
In my opinion, this structure	XX	Is		Is not	A public safety hazard and should be condemned immediately.

**EMERGENCY ACTION IS WARRANTED: YES NOXX**

<b>Tim Renshaw, Chief Building Inspector</b>	<b>David Cooley, Code Enforcement</b>
	

Municipal Building, 300 South Church Jonesboro, AR/ Phone 870-336-7194/Fax 870-336-1358

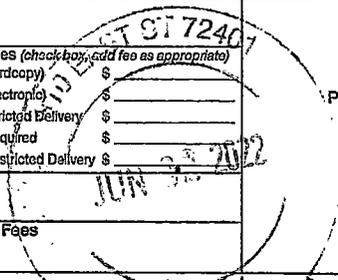
7020 1610 0001 8542 0678

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<input type="checkbox"/> Return Receipt (electronic)	\$		
<input type="checkbox"/> Certified Mail Restricted Delivery	\$		
<input type="checkbox"/> Adult Signature Required	\$		
<input type="checkbox"/> Adult Signature Restricted Delivery	\$		
Postage	\$		
Total Postage and Fees	\$		



Postmark Here

Sent To Charles Edward Noell Jr  
 Street and Apt. No., or PO Box No. 151  
407 Ridgecrest  
 City, State, ZIP+4® Jonesboro, AR 72401

PS Form 3800, April 2011 PSN 7530-02-000-9047 See Reverse for Instructions

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Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_  
 Return Receipt (electronic) \$ \_\_\_\_\_  
 Certified Mail Restricted Delivery \$ \_\_\_\_\_  
 Adult Signature Required \$ \_\_\_\_\_  
 Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postmark  
Here

Postage

\$

Total Postage and Fees

\$

Sent To

Charles Edwards Noell Jr

Street and Apt. No., or PO Box No.

407 Ridgecrest

City, State, ZIP+4®

Jonesboro, AR 72401

258

7020 1810 0001 8542 0678



AFFIDAVIT

Charles E Noell Jr.  
407 Ridgecrest  
Jonesboro, AR 72401-5386

RE: 4405 + 4407 Janice Jonesboro, AR 72401

I, Michael McQuay, a Code Enforcement Officer, being duly sworn upon oath, that I served the attached notice(s) upon each of the persons or firms therein addressed, by depositing copies thereof in the United States Mail, enclosed within envelopes plainly addressed, as shown with postage fully prepaid, at the Jonesboro, Arkansas Post Office located at 310 East Street, Suite A., before 3:00 P.M., on the 5<sup>th</sup> day of January, 2023.

Michael McQuay  
Michael McQuay  
Jonesboro Code Enforcement

Subscribed and sworn to before me the 5<sup>th</sup> day of January, 2023.

Sharon McIntosh  
Notary Public



My commission expires: May 20, 2032



Invoice# : 66195
Case# : 20-7417

Notice to be Mailed by 1/8/2022

Charles E Noell Jr.  
407 Ridgecrest  
Jonesboro, AR 72401-5386

Subject: 4405&4407 Janice, Jonesboro, AR 72401 Parcel# 01-144271-20300

This is notification that the property mentioned above is subject to a lien for cost and expenses due to the City of Jonesboro for correcting code violations. This lien will be placed on the agenda for approval before the City Council of the City of Jonesboro on 2/7/2022.

The Council Meeting is at 5:30pm in the Municipal Building Council Chambers located at 300 S. Church St.

You have the right to appear and contest this action.

Should you have any question about this process, please call the Code Enforcement Office at 870-933-4658.

Thank you,

Scott Roper  
Director of Code Enforcement  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401  
Phone: 870-933-4658



DATE	INVOICE NO
11/18/2022	0066195

<b>BILL TO</b>
Charles E Noell Jr 407 Ridgecrest St Jonesboro, AR 72401

DUE DATE
11/30/2022

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
-------------	----------	----------------	--------	----------	--------	---------

**PREVIOUS OUTSTANDING BALANCE**

0.00

**Code Enforcement Charges:**

Filing Fee - 4405 & 4407 Janice	1.00	15.00	15.00	0.00	0.00	15.00
Admin. Fee - 4405 & 4407 Janice	4.00	100.00	100.00	0.00	0.00	100.00
Title Search - 4405 & 4407 Janice	1.00	150.00	150.00	0.00	0.00	150.00
Newspaper Publication - 4405 & 4407 Janice	1.00	239.20	239.20	0.00	0.00	239.20
Certified Postage for Notices - 4405 & 4407 Janice	1.00	23.00	23.00	0.00	0.00	23.00
Standard Postage for Notices - 4405 & 4407 Janice	1.00	1.78	1.78	0.00	0.00	1.78
Attorney AD Litem - 4405 & 4407 Janice	1.00	757.82	757.82	0.00	0.00	757.82
Demolition Charge - 4405 & 4407 Janice	1.00	8,000.00	8,000.00	0.00	0.00	8,000.00

**INVOICE TOTAL: 9,286.80 0.00 0.00 9,286.80**

**PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT**

For questions please contact us at (870) 932-3042

Customer Name: Charles E Noell Jr  
Customer No: 021404  
Account No: 0035219 - Mowing Account - 4405 Janice

DUE DATE	INVOICE NO
11/30/2022	0066195

Please remit payment by the due date to:

City of Jonesboro  
300 South Church Street  
PO Box 1845  
Jonesboro, AR 72403

Invoice Total:	9,286.80
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	9,286.80

**INVOICE BALANCE: \$9,286.80**  
**AMOUNT PAID:** \_\_\_\_\_

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Extra Services & Fees (check box, add fee as appropriate)

- |  |    |       |
|--|----|-------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ | _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ | _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ | _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ | _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ | _____ |

Postage

\$

Total Postage and Fees

\$

Sent To

Charles E Noell Jr

Street and Apt. No., or PO Box No.

407 Ridgecrest St.

City, State, ZIP+4®

Jonesboro AR 72462

Postmark  
Here

JAN 03 2023



2022 2410 0003 0083 5447



IN THE CIRCUIT COURT OF CRAIGHEAD COUNTY, ARKANSAS

AFFIDAVIT OF STATUTORY LIEN

I, Scott Roper, being duly sworn, depose and say as follows:

- 1.) My name is Scott Roper. I am the Director of Code Enforcement for Jonesboro, Arkansas ("the City"), and as such I am authorized to make this Affidavit of Statutory Lien.
- 2.) On 10/24/2022, a Notice to Comply was mailed to Charles E Noell Jr., at 407 Ridgecrest, Jonesboro, AR 72401-5386. Due to the Owner's failure to abide by the notice within the required time, the City took corrective action as was necessary, or the City caused as much of the work as was left undone by the Owner at the expiration of the time allowed. An itemized account of this indebtedness is as follows:

DATE OF SERVICE	TYPE OF WORK	ORDINANCE NUMBER	COST
11/18/2022	DEMO	13:053	\$9286.8

- 3.) The above statement of cost is true and correct and the amount of indebtedness is now due the City for cost and expenses incurred on the following described real property located in Jonesboro, Craighead County, Arkansas:

**ADDRESS OF PROPERTY & LEGAL DESCRIPTION**

*4405&4407 Janice, Jonesboro, AR 72401, KIECH, EARL 4TH AD 62.5' LOT 2 & PT LOT 1*

**Parcel Number 01-144271-20300**

- 4.) The City has made demand for payment and given the debtor notice of the City's intent to file this lien and the debtor has failed to make payment. No Part of the debt has been paid and the City of Jonesboro claims a lien on this real property, pursuant to Ark. Code Ann § 14-54-903(b) in the amount of \$9286.8 to secure this indebtedness.
- 5.) Payment must be made to the City Collector's Office, 300 South Church Street, 1st Floor, Jonesboro, Arkansas 72401, within (30) days of this notification. If payment is not made within (30) days the lien may be certified to Craighead County for collection on real estate taxes or city may pursue a judicial foreclosure in accordance with Ark. Code Ann. § 14-54-904

**FURTHER AFFIANT SAYETH NOT.**

Scott Roper  
 Director of Code Enforcement  
 City of Jonesboro  
 300 S. Church Street  
 Jonesboro, AR 72401  
 Phone: 870-933-4658

State of Arkansas  
 County of Craighead

Subscribed and sworn to or affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
 Notary Public

My Commission Expires:  
 \_\_\_\_\_

Case# :20-7417
Invoice# : 66195
Council Date: 2/7/2022



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: RES-23:053

**Agenda Date:**

**Version:** 1

**Status:** Recommended to  
Council

**In Control:** Finance & Administration Council Committee

**File Type:** Resolution

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR TO ENTER INTO A CHANGE ORDER WITH iWORQ SYSTEMS TO INCREASE STORAGE CAPACITY.

WHEREAS, the City of Jonesboro, Arkansas and iWORQ SYSTEMS currently have an agreement for cloud services; and

WHEREAS, the City of Jonesboro has added various products which put a high demand on the current storage capacity and there exists a need to increase storage capacity to meet said demand; and

WHEREAS, they City of Jonesboro will pay a one-time fee prorated rate for the extra storage of \$583.33; and

WHEREAS, the increase in storage capacity and hosting would bring the annual service total to \$42,500, with the increased cost already budgeted in the 2023 budget; and

WHEREAS, the Change Order is attached hereto.

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

1. The City of Jonesboro approves the Change Order with iWORQ Systems to provide the increased storage capacity and hosting solution to the City. That the Change Order is attached hereto and the terms are set out therein.

2. The Mayor, Harold Copenhaver and City Clerk, April Leggett are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate this agreement.

## IWORQ SERVICE(S) AGREEMENT

### For iWorQ application(s) and service(s)

Jonesboro hereafter known as ("Customer"), enters into THIS SERVICE(S) AGREEMENT ("Agreement") with iWorQ Systems Inc. ("iWorQ") with its principal place of business 1125 West 400 North, Suite 102, Logan, Utah 84321.

#### **1. SOFTWARE AS A SERVICE (SaaS) TERMS OF ACCESS:**

iWorQ grants Customer a non-exclusive, non-transferable limited access to use iWorQ service(s), application(s) on iWorQ's authorize website for the fee(s) and terms listed in Appendix A. This agreement will govern all application(s) and service(s) listed in the Appendix A.

#### **2. CUSTOMER RESPONSIBILITY:**

Customer acknowledges that they are receiving only a limited subscription to use the application(s), service(s), and related documentation, if any, and shall obtain no titles, ownership nor any rights in or to the application(s), service(s), and related documentation, all of which title and rights shall remain with iWorQ. Customer shall not permit any user to reproduce, copy, or reverse engineer any of the application(s), service(s) and related documentation.

iWorQ is not responsible for the content entered into iWorQ's database or uploaded as a document or image. Access to iWorQ can not be used to record personal or confidential information such as driver license numbers, social security numbers, financial data, credit card information or upload any images or documents considered personal or confidential.

#### **3. TRAINING AND IMPLEMENTATION:**

Customer agrees to provide the time, resources, and personnel to implement iWorQ's service(s) and application(s). iWorQ will assign a senior account manager and an account management team to implement service(s) and application(s). Typical implementation will take less than 60 days. iWorQ account managers will call twice per week, provide remote training once per week, and send weekly summary emails to the customer implementation team. iWorQ can provide project management and implementation document upon request.

iWorQ will do ONE import of the Customer's data. This import consists of importing data, sent by the Customer, in an electronic relational database format.

Customer must have clear ownership of all forms, letters, inspections, checklists, and data sent to iWorQ.

#### **4. CUSTOMER DATA:**

Customer data will be stored on AWS GovCloud. iWorQ will use commercially reasonable efforts to backup, store and manage Customer data. iWorQ does backups twice per week and offsite backups twice per week. The subscription will renew each year on the anniversary date of this Agreement unless terminated (see 7. TERMINATION).

Customer can run reports and export data from iWorQ application(s) at any time.

Customer can pay iWorQ for additional data management service(s), onsite backups, application(s) and other service(s).

Data upload and storage is provided to every Customer. This includes uploading files up to 3MB and 10 GB of managed data storage on AWS GovCloud. Additional upload file sizes and managed data storage sizes can be provided based on the application(s) and service(s) listed in Appendix A.

#### **5. CUSTOMER SUPPORT:**

Customer support and training are FREE and available Monday-Friday, from 6:00 A.M. to 5:00 P.M. MST, for any authorized user with a login. iWorQ provides unlimited remote Customer training (through webinars), phone support, help files, and documentation. Basic support request is typically handled the same day. iWorQ provides "Service NOT Software".

#### **6. BILLING:**

iWorQ will invoice Customer on an annual basis. iWorQ will send invoice by mail and by email to the address(s) listed in Appendix A. Terms of the invoice are net 30 days. Any billing changes will require that a new Service(s) Agreement be signed by Customer.

Any additional costs imposed by the Customer including business licenses, fees, or taxes will be added to the Customer's invoice yearly. Support and services fees may increase in subsequent years, but will increase no more than 5% per year.

#### **7. TERMINATION:**

Either party may terminate this agreement, after the initial 3-YEAR TERM, without cause if the terminating party gives the other party sixty (60) days written notice. Should Customer terminate any application(s) and or service(s) the remaining balance will immediately become due. Should Customer terminate any part of the application(s) and or service(s) a new Service(s) Agreement will need to be signed.

Upon termination (7. TERMINATION), iWorQ will discontinue all application(s) and or service(s) under this Agreement; iWorQ will provide customer with an electronic copy of all of Customer's data, if requested by the Customer (within 3-5 business days).

During the term of the Agreement, the Customer may request a copy of all of Customer's data for a cost of no more than \$2500; and all provisions of this Agreement will continue.

**8. ACCEPTABLE USE:**

Customer represents and warrants that the application(s) and service(s) will only be used for lawful purposes, in a manner allowed by law, and in accordance with reasonable operating rules, and policies, terms, and procedures. iWorQ may restrict access to users upon misuse of application(s) and service(s).

**9. MISCELLANEOUS PROVISIONS:**

**10. CUSTOMER IMPLEMENTATION INFORMATION:**

Primary Implementation Contact \_\_\_\_\_ Title \_\_\_\_\_

Office Phone \_\_\_\_\_ Cell \_\_\_\_\_ Email \_\_\_\_\_

Secondary Implementation Contact \_\_\_\_\_ Title \_\_\_\_\_

Office Phone \_\_\_\_\_ Cell \_\_\_\_\_ Email \_\_\_\_\_

**11. CUSTOMER BILLING INFORMATION:**

Billing Contact \_\_\_\_\_ Title \_\_\_\_\_

Office Phone \_\_\_\_\_ Cell \_\_\_\_\_ Email \_\_\_\_\_

PO# \_\_\_\_\_ (if required) Tax Exempt ID # \_\_\_\_\_

**12. ACCEPTANCE:**

The effective date of this Agreement is listed below. Authorized representative of Customer and iWorQ have read the Agreement and agree and accept all the terms.

Signature \_\_\_\_\_

Effective Date: \_\_\_\_\_

Printed Name \_\_\_\_\_

Title \_\_\_\_\_

Office Number \_\_\_\_\_

Cell Number \_\_\_\_\_





# **iWorQ Service(s) Agreement**

## **APPENDIX A**

## iWorQ Cost Proposal

<b>Jonesboro</b>	<b>Population- <u>55515</u></b>
<b>PO Box 1845 Jonesboro, AR 72403</b>	<b>Prepared by: Nathan Romrell</b>

### Annual Subscription Fees

<u>Application(s) and Service(s)</u>	<u>Package Price</u>	<u>Billing</u>
<p><b>Community Development (Enterprise)</b>            *Permit Management            *Code Enforcement            *Portal Home</p> <ul style="list-style-type: none"> <li>- Track contractors, inspections, property information</li> <li>- Track code violations, fees, and activities</li> <li>- Unlimited reports and Ad-hoc reporting</li> <li>- Unlimited access to iWorQ's template library including 3 custom letters</li> <li>- Includes 3 customizable web forms</li> <li>- Premium Data (25MB Uploads &amp; 100GB Storage)</li> <li>- Online Credit/debit card processing integrated with iWorQ.</li> <li>- GIS REST Services – iWorQ will publish your agency's WMS layers in iWorQ Community Development applications.</li> <li>- iWorQ will update property details Monthly, annual fees are \$500 per layer. Note: If GIS configurations change (FTP location, name format, field changes, etc.) iWorQ will charge a minimum \$500 fee to accommodate new configuration adjustments (subject to additional hourly charges)</li> </ul>	<b>\$17,000.00</b>	Annual
<p><b>Financial Export</b>            Financial Export – iWorQ will export financial payments or monies received into the iWorQ system on a nightly basis to an FTP site maintained by customer.            *Any refunds or adjustments would be done manually as part of a reconciliation process.</p>	<b>\$2,000.00</b>	Annual
<p><b>Entity Management</b></p> <ul style="list-style-type: none"> <li>-Available on any computer, tablet, mobile device using Chrome Browser</li> <li>-Quarterly Parcel Upload</li> <li>-Renewal and invoicing capabilities for one owner to one property</li> <li>-Unlimited letters utilizing iWorQs template library, and up to 3 custom letters</li> <li>-Reminder letter generation</li> </ul>	<b>\$3,000.00</b>	Annual
<p><b>Public Works Package (Basic)</b>            Package includes:            *Work Management            *Sign Management            *Pavement Management</p> <ul style="list-style-type: none"> <li>-Available on any computer, tablet, or mobile device using Chrome browser</li> <li>-Track and manage work by location using OpenStreetMap</li> <li>-Work order scheduling and templates</li> <li>-Track inventory, parts, material</li> <li>-Sign and Pavement Management with OpenStreetMap</li> <li>-Quarterly GIS Updates</li> </ul>	<b>\$13,500.00</b>	Annual

<b>Capital Asset - Sidewalk Management</b> - Track work completed and maintenance history - Track up to 3 asset types - Track location using OpenStreetMap - Configurable dashboard, fields, and reports	<b>\$0.00</b>	Annual
<b>Stormwater Package</b> Package includes: Work Management - Track and manage work by location using OpenStreetMap - Work order scheduling and templates - Track labor, inventory, parts, and material - Track work completed and maintenance history  SWPP Permit Management - Issue permits (SWPP) - Unlimited access to iWorQ's template library, including 3 custom letters  Capital Asset Management - Track location, inspections, maintenance, and work orders for MS4 compliance - Asset layers on OpenStreetMap (Catch basins, Inlets, outfalls, Lines etc.) - Track up to 3 asset types - Set maintenance, inspection, and work order schedules - Manage and reduce illicit discharge  * Available on any computer, tablet, or mobile device using Chrome browser * OpenStreetMap – Ability to track point and line layers * Quarterly GIS Updates * Configurable dashboard, fields, and reports * Premium Data Package - 25MB File Upload Size & 100GB Total Storage	<b>\$6,000.00</b>	Annual
<b>Premium Data (Custom)</b> - Base of 25MB upload size and a custom total of data storage detailed below under note IV.	<b>\$1,000.00</b>	Annual
<b>Subscription Fee Total (This amount will be invoiced each year)</b>	<b>\$42,500.00</b>	

## One-Time Setup, GIS integration, and Data Conversion Fees

<u>Service(s)</u>	<u>Full Price Cost</u>	<u>Package Price</u>	<u>Billing</u>
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### NOTES SERVICE(S) DESCRIPTION

- I. Invoice for the (Annual Subscription Fee Total + One-Time Total) will be sent out 2 weeks after signature and Effective Date
- II. This subscription Fee and Agreement have been provided at the Customer's request and is valid for 25 days
- III. This cost proposal cannot be disclosed or used to compete with other companies.
- IV. Total for data storage is 450GB
- V. This agreement combines existing services totaling \$41,500 with proposed added service (200GB of data) totaling \$1,000 for a new annual total of \$42,500. Added service may be prorated.

- VI. A prorated invoice totaling \$583.33 will cover added services through November 2023. At which point, the full annual invoice totaling \$42,500 will be sent to cover services from December 2023 through November 2024.



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: RES-23:054

**Agenda Date:** 3/7/2023

**Version:** 1

**Status:** To Be Introduced

**In Control:** City Council

**File Type:** Resolution

A RESOLUTION TO SET A PUBLIC HEARING REGARDING THE ABANDONMENT OF A PORTION OF RIGHT-OF-WAY ALONG JUDY STREET AS REQUESTED BY HALSEY REAL ESTATE HOLDINGS, LLC AND MCP INVESTMENTS, LLC.

WHEREAS, the property owners have filed a petition with the City Clerk of the city Jonesboro, Arkansas requesting that a portion of right-of-way of Judy Street located in the Mangrum's Subdivision of block 4 of Senter & Company Addition to the City of Jonesboro, Arkansas be abandoned as described as follows:

THAT PORTION OF JUDY STREET SHOWN ON THE PLAT OF MANGRUM'S SUBDIVISION OF BLOCK 4 OF SENTER & COMPANY ADDITION TO THE CITY OF JONESBORO, OF RECORD IN DEED BOOK 40 AT PAGE 446, ABUTTED BY LOTS 13, 14 AND 15 IN BLOCK 1 AND ABUTTED BY LOTS 1, 2 AND 3 IN BLOCK 2 OF MANGRUM'S SUBDIVISION AS SHOWN ON SAID PLAT, LESS AND EXCEPT THE WEST 20 FEET THEREOF PREVIOUSLY ABANDONED BY THE CITY OF JONESBORO PER ORDINANCE NO. 1051, RECORDED IN BOOK 151, PAGE 439, PUBLIC RECORDS OF CRAIGHEAD COUNTY AT JONESBORO, ARKANSAS.

CONTAINING IN ALL 6,816 SQ. FT. OR 0.16 ACRES, MORE OR LESS.

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

Be vacated and abandoned; and

WHEREAS, the Petition has been presented to the City Council of the City of Jonesboro, Arkansas;  
AND

WHEREAS, Arkansas Code Annotated 14-301-110 requires two weeks public notice before the above right-of-way can be vacated and abandoned;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Jonesboro, Arkansas

that the City Clerk is directed to publish a notice once a week for two consecutive weeks advising the public of the request by the property owners to abandon a portion of right-of-way of Judy Street located in the Mangrum's Subdivision of Block 4 of Senter & Company Addition to the City of Jonesboro, Arkansas mentioned above and this matter will be heard before the City Council on March 21, 2023 at 5:25 p.m. in the Council Chambers, 300 South Church, Jonesboro, Arkansas.

## PETITION

To: Honorable Harold Copenhaver, Mayor, and Members of the City Council of the City of Jonesboro, Arkansas

AN ORDINANCE VACATING A ROAD RIGHT-OF-WAY LOCATED IN:

THAT PORTION OF JUDY STREET SHOWN ON THE PLAT OF MANGRUM'S SUBDIVISION OF BLOCK 4 OF SENTER & COMPANY ADDITION TO THE CITY OF JONESBORO, OF RECORD IN DEED BOOK 40 AT PAGE 446, ABUTTED BY LOTS 13, 14 AND 15 IN BLOCK 1 AND ABUTTED BY LOTS 1, 2 AND 3 IN BLOCK 2 OF MANGRUM'S SUBDIVISION AS SHOWN ON SAID PLAT, LESS AND EXCEPT THE WEST 20 FEET THEREOF PREVIOUSLY ABANDONED BY THE CITY OF JONESBORO PER ORDINANCE NO. 1051, RECORDED IN BOOK 151, PAGE 439, PUBLIC RECORDS OF CRAIGHEAD COUNTY AT JONESBORO, ARKANSAS.

CONTAINING IN ALL 6,816 SQ. FT. OR 0.16 ACRES, MORE OR LESS.

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

SAID ROAD RIGHT-OF-WAY ABANDONMENT RUNS ADJACENT TO PARCEL NO. 01-144194-22600, PARCEL NO. 01-144194-22100 AND PARCEL NO. 01-144194-07000.

We, the undersigned, being the owner(s) of property adjoining the following described property:

THAT PORTION OF JUDY STREET SHOWN ON THE PLAT OF MANGRUM'S SUBDIVISION OF BLOCK 4 OF SENTER & COMPANY ADDITION TO THE CITY OF JONESBORO, OF RECORD IN DEED BOOK 40 AT PAGE 446, ABUTTED BY LOTS 13, 14 AND 15 IN BLOCK 1 AND ABUTTED BY LOTS 1, 2 AND 3 IN BLOCK 2 OF MANGRUM'S SUBDIVISION AS SHOWN ON SAID PLAT, LESS AND EXCEPT THE WEST 20 FEET THEREOF PREVIOUSLY ABANDONED BY THE CITY OF JONESBORO PER ORDINANCE NO. 1051, RECORDED IN BOOK 151, PAGE 439, PUBLIC RECORDS OF CRAIGHEAD COUNTY AT JONESBORO, ARKANSAS.

CONTAINING IN ALL 6,816 SQ. FT. OR 0.16 ACRES, MORE OR LESS.

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

SAID ROAD RIGHT-OF-WAY ABANDONMENT RUNS ADJACENT TO PARCEL NO. 01-144194-22600, PARCEL NO. 01-144194-22100 AND PARCEL NO. 01-144194-07000.

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

Dated this 22<sup>nd</sup> day of November, 20 22.

PETITION  
(continued)

PROPERTY OWNER, NAME AND ADDRESS

Halsey Real Estate Holdings, LLC  
301 E. Washington Ave.  
Jonesboro, AR 72401



[Signature]  
Signature \_\_\_\_\_ Date \_\_\_\_\_

Subscribed and sworn to before me this 22<sup>nd</sup> day of November, 2022.

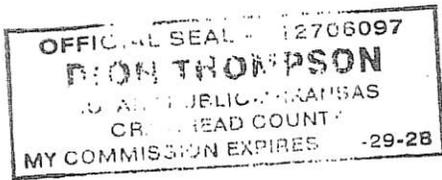
Expiration Date: 03.19.2031 [Signature]  
Notary

MCP Investments, LLC  
P. O. Box 19307  
Jonesboro, AR 72403-2307

[Signature]  
Signature \_\_\_\_\_ Date 11/22/22

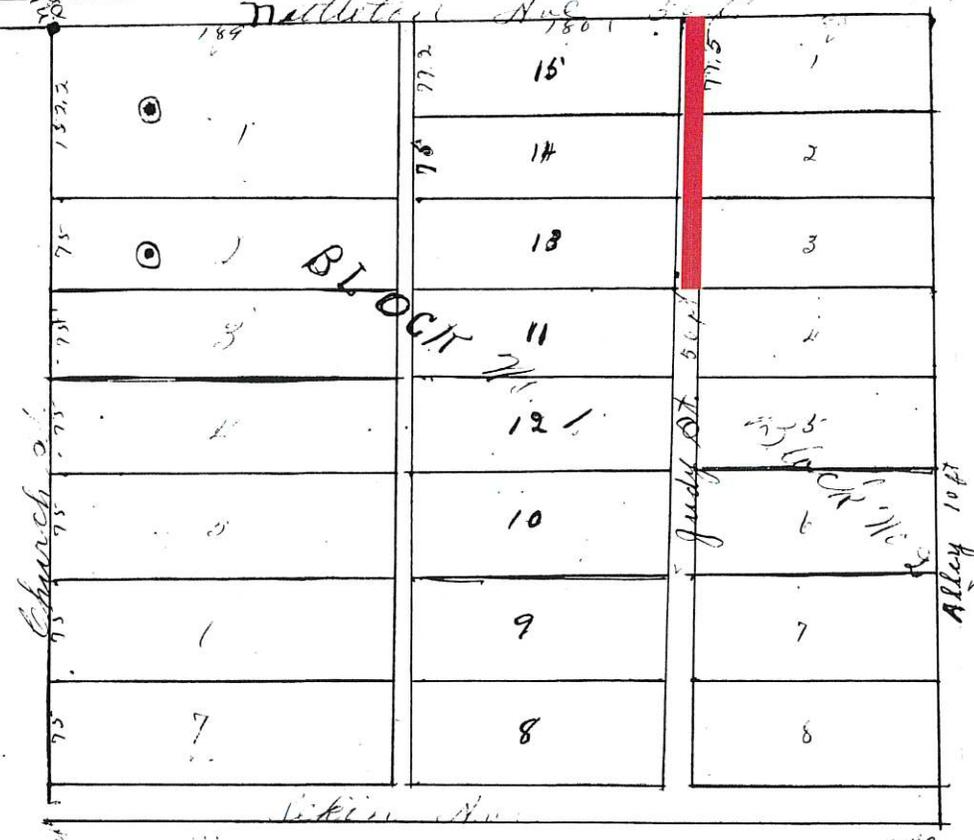
Subscribed and sworn to before me this 22 day of November, 2022.

Expiration Date: 11-29-28 [Signature]  
Notary



446  
 189  
 180  
 185

148



KNOW ALL MEN BY THESE PRESENTS:

THAT Hereto attached Plat is a plat of Mangrum's Subdivision of Block Four (4) of Senter & Company's Addition to Jonesboro, Arkansas:

I, Jeanette Mangrum, individually, and as executrix of the last will and Testament of John H. Mangrum, deceased, for and in consideration of the sum of One (\$1.00) Dollar to me in hand paid, and of other benefits accruing to me by reason of the opening up of the Streets and alleys shown on said Plat, do hereby dedicate the streets and alleys shown thereon to the public use forever.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal on this 8th day of September 1914.

Jeanette Mangrum, (SEAL)  
 Jeanette Mangrum, (SEAL)

As Executrix of the Last Will and Testament of John H. Mangrum, deceased.  
 A C K N O W L E D G M E N T.

STATE OF ARKANSAS,  
 County of Craighead.

BE IT REMEMBERED, That on this day came before me, the undersigned, a Notary Public within and for the county aforesaid, duly commissioned and acting, Jeanette Mangrum individually and as Executrix of the Last Will and Testament of John H. Mangrum, deceased, to me well known as the grantor in the foregoing deed, and states that she has executed the same for the consideration and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on this 8th day of September, 1914.

(SEAL) John R. West, Notary public.

My Commission expires October 31st, 1916.  
 A true copy of the original as filed for record in my office on this 9th day of September, 1914, at 5 p.m.

A. B. Law Clerk.

WARRANTY DEED WITH RELINQUISHMENT OF POWER.

KNOW ALL MEN BY THESE PRESENTS:

That we, R. A. Stephens and E. V. Stephens his wife, forasmuch in consideration of Twelve Hundred Fifty & No/100 (\$1250.00), to us in hand paid by T. J. Feezor and Arminia Feezor, his wife the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the said T. J. Feezor and Arminia Feezor, his wife and unto their heirs and assigns forever, the following described land lying in Craighead county, Arkansas, to-wit:-

The South Half of the south-east Quarter of Section 22, in Township 15 North, Range 4 East, containing 80 acres, more or less.

TO HAVE AND TO HOLD the same unto the said T. J. Feezor and Arminia Feezor, his wife, and unto their heirs and assigns forever, with all appurtenances thereunto belonging.

And we hereby covenant with the said T. J. Feezor and Arminia Feezor, his wife, the we will forever warrant and defend the title to said lands against all lawful claims whatever.

And I, E. V. Stephens, wife of the said R. A. Stephens, for and in consideration of said sum of money, do hereby release and relinquish all my right of dower and homestead in and to said land.

Witness Our hands and seals on this ... day of September, 1914.

R. A. Stephens, (SEAL)  
 Ellen V. Stephens (SEAL)



*Owned by the Citizens of Jonesboro*

October 25, 2022

City of Jonesboro  
P.O. Box 1845  
Jonesboro, AR 72403  
Attn: April Leggett, City Clerk

Re: Right of Way Abandonment  
Judy Street, of Mangrum's Subdivision  
Jonesboro, Craighead County, Arkansas

Dear April:

City Water and Light Plant of the City of Jonesboro (CWL) has been requested to relinquish our interest in the right-of-way on the following described property (Existing R.O.W.).

A portion of the existing right-of-way of Judy Street shown on the plat of Mangrum's Subdivision of Block 4 of Senter & Company Addition of the City of Jonesboro of record in Deed Book 40 at Page 446, abutted by Lots 13, 14 and 15. In Block 1 and abutted by Lots 1, 2 and 3 in Block 2 of Mangrum's Subdivision as shown on said plat, less and except the West 20 feet thereof previously abandoned by the City of Jonesboro per Ordinance No. 1051, recorded in Book 151, Page 439, public records of Craighead County at Jonesboro, Arkansas. The right-of-way south of this requested was previously abandoned by the City of Jonesboro per Resolution No. 1962:06.

CWL has no objection to the abandonment of the referenced R.O.W.

Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jake Rice III", is written over a light blue horizontal line.

Jake Rice III, P.E.  
Manager, City Water & Light

Enclosure

Cc: Benchmark Land Surveying, INC

Jake Rice III, MANAGER

**CITY WATER & LIGHT** • 400 East Monroe • P.O. Box 1289 • Jonesboro, Arkansas 72403-1289 • 870/935-5581



January 26, 2023

**VIA REGULAR MAIL**

Mr. Kevin Scrape, PS  
Benchmark Land Surveying, Inc.  
2500 Alexander Drive Suite A  
P.O. Box 1921  
Jonesboro, Arkansas 72403

**Re: Right- of -Way/Easement abandonment:**

*Halsey Real Estate Holdings, LLC and MCP Investments, LLC are requesting approval or the abandonment of a portion of the existing right-of-way of Judy Street shown on the plat of Mangrum's Subdivision of Block 4 of Senter & Company Addition to the City of Jonesboro, of record in Deed Book 40 at Page 446, abutted by Lots 13, 14 and 15 in Block 1 and abutted by Lots 1, 2 and 3 in Block 2 of Mangrum's Subdivision as shown on said plat, less and except the West 20 feet thereof previously abandoned by the City of Jonesboro per Ordinance No. 1051, recorded in Book 151, Page 439, public records of Craighead County at Jonesboro, Arkansas. The right-of-way south of this requested abandonment was previously abandoned by the City of Jonesboro per Resolution No. 1962:06. Halsey Real Estate Holdings, LLC owns the property adjacent on the West side and MCP Investments, LLC owns the property adjacent on the East side. They are requesting that a portion of the right-of-way be abandoned. This is to minimize the impact of the existing right-of-way on the property under development. The attached drawing shows the requested right-of-way to be abandoned.*

Dear Mr. Scrape:

After reviewing your request of the easement abandonment in the City of Jonesboro, Cebridge Acquisition, L.P. (Suddenlink) has verified there is not active CATV facilities in this easement and consents to the release of this existing right-of-way easement.

Given the verification stated above, Cebridge Acquisition, L.P. has no objection with the requested easement abandonment.

Sincerely,

A handwritten signature in cursive script that reads 'Joel Watson'. The signature is written in black ink and is positioned above a horizontal line.

Altice  
1111 Stewart Avenue  
Bethpage, NY 11714  
516 803 2300  
info@altice.com



Todd R. Gregory  
AT&T Arkansas  
Right-of-Way &  
Joint Pole Use Mgr.

P.O. Box 6505  
Hot Springs, AR 71901  
Phone: (501) 321-3207  
Cell: (501) 276-3791  
[tg5473@att.com](mailto:tg5473@att.com)

*Transmitted via E-mail*

## UTILITY APPROVAL FORM FOR RIGHT-OF-WAY, ALLEY AND UTILITY EASEMENT VACATIONS

DATE: 02/14/2023

UTILITY COMPANY: Southwestern Bell Telephone Company d/b/a AT&T Arkansas

REQUESTED VACATION:

### **City Street Right-of-Way / Easement**

I have been notified of the petition for Easement Abandonment within Judy Street Right-of-Way. Southwestern Bell Telephone Company d/b/a. AT&T Arkansas has no cables copper or fiber within this street ROW.

Described as follows:

*Halsey Real Estate Holdings, LLC and MCP Investments, LLC are requesting approval or the abandonment of a portion of the existing right-of-way of Judy Street shown on the plat of Mangrum's Subdivision of Block 4 of Senter & Company Addition to the City of Jonesboro, of record in Deed Book 40 at Page 446, abutted by Lots 13, 14 and 15 in Block 1 and abutted by Lots 1, 2 and 3 in Block 2 of Mangrum's Subdivision as shown on said plat, less and except the West 20 feet thereof previously abandoned by the City of Jonesboro per Ordinance No. 1051, recorded in Book 151, Page 439, public records of Craighead County at Jonesboro, Arkansas. The right-of-way south of this requested abandonment was previously abandoned by the City of Jonesboro per Resolution No. 1962:06. Halsey Real Estate Holdings, LLC owns the property adjacent on the West side and MCP Investments, LLC owns the property adjacent on the East side. They are requesting that a portion of the right-of-way be abandoned. This is to minimize the impact of the existing right-of-way on the property under development. The attached drawing shows the requested right-of-way to be abandoned.*

UTILITY COMPANY COMMENTS:

**No objections to the vacation described above.**

Todd R. Gregory

Todd R. Gregory  
Right-of-Way Mgr. AT&T Arkansas

## Kevin Scrape

---

**From:** Allen Nelson <Allen.Nelson@rittercommunications.com>  
**Sent:** Monday, October 24, 2022 8:56 AM  
**To:** Kevin Scrape  
**Subject:** RE: REQUEST FOR RW ABANDONMENT

We have no fiber in this area

**From:** Jeremy Garland <Jeremy.Garland@rittercommunications.com>  
**Sent:** Monday, October 24, 2022 8:12 AM  
**To:** Kevin Scrape <kevin.scrape@bmls-inc.com>  
**Cc:** Allen Nelson <Allen.Nelson@rittercommunications.com>  
**Subject:** RE: REQUEST FOR RW ABANDONMENT

This will need to go to Allen Nelson our local engineer.

Thank You  
Jeremy Garland  
OSP Engineer 1  
2109 Fowler Avenue, Jonesboro AR 72401  
Office (870) 336-3451  
Mobile (870) 316-6841

Geaux Tigers



**From:** Kevin Scrape <[kevin.scrape@bmls-inc.com](mailto:kevin.scrape@bmls-inc.com)>  
**Sent:** Thursday, October 20, 2022 3:44 PM  
**To:** Jeremy Garland <[Jeremy.Garland@rittercommunications.com](mailto:Jeremy.Garland@rittercommunications.com)>  
**Subject:** REQUEST FOR RW ABANDONMENT

You don't often get email from [kevin.scrape@bmls-inc.com](mailto:kevin.scrape@bmls-inc.com). [Learn why this is important](#)

**CAUTION:** This is an external e-mail originating outside of Ritter Communications. Do not click on links or open any attachments unless you recognize the sender and know the content is safe. [Please contact IT](#) if you received this warning and the sender address appears to be an employee of Ritter Communications.

The attached pdf file contains details of the requested abandonment. Please call if you need any additional information.



Summit Utilities  
1400 Centerview Dr, Ste. 100  
Little Rock, AR 72211  
summitutilitiesinc.com

**UTILITY RELEASE FORM**

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

Utility Company: Summit Utilities Date: 1/4/2023

Requested Abandonment: Abandonment of a portion of the existing right-of-way on Judy Street shown on the plat of Mangrum's Subdivision

Legal Description:

Halsey Real Estate Holdings, LLC and MCP Investments, LLC are requesting approval for the abandonment of a portion of the existing right-of-way of Judy Street shown on the plat of Mangrum's Subdivision of Block 4 of Senter & Company Addition to the City of Jonesboro, of record in Deed Book 40 at Page 446, abutted by Lots 13, 14 and 15 in Block 1 and abutted by Lots 1, 2 and 3 in Block 2 of Mangrum's Subdivision as shown on said plat, less and except the West 20 feet thereof previously abandoned by the City of Jonesboro per Ordinance No. 1051, recorded in Book 151, Page 439, public records of Craighead County at Jonesboro, Arkansas. The right-of-way south of this requested abandonment was previously abandoned by the City of Jonesboro per Resolution No. 1962:06

UTILITY COMPANY COMMENTS:

No objections to the abandonment(s) described above.

No objections to the abandonment (s) described above, provided the following easements are retained (Exhibit A).

Objects to the abandonment(s) described above, reason described below.

Described reasons for objection or easements to be retained.

*Grace Grubb*  
Signature of Utility Company Representative

Engineer Gas  
Title



**City of Jonesboro**  
**Engineering Department**  
**Municipal Building**  
**PO Box 1845**  
**300 S. Church**  
**Jonesboro, AR 72403**  
**(870) 932-2438**

October 20, 2022

Kevin Scrape, PS  
Benchmark Land Surveying, Inc.  
P.O. Box 1921  
2500 Alexander Dr., Suite A  
Jonesboro, AR 72403

RE: Right-of-way Abandonment

Dear Kevin,

The City of Jonesboro Engineering and Planning Departments concur with the abandonment of a portion of the existing right-of-way of Judy Street shown on the plat of Mangrum's Subdivision of Block 4 of Senter & Company Addition to the City of Jonesboro, of record in Deed Book 40 at Page 446, abutted by Lots 13, 14 and 15 in Block 1 and abutted by Lots 1, 2 and 3 in Block 2 of Mangrum's Subdivision.

If you have questions or comments, feel free to call the number listed above.

Sincerely,

Craig Light, PE, CFM  
City Engineer

Derrel Smith  
Planning Director

October 20, 2022

Mr. Craig Light, PE  
City Engineer  
City of Jonesboro  
300 South Church Street  
Jonesboro, AR 72401

Via e-mail: CLight@jonesboro.org

Dear Mr. Light,

Halsey Real Estate Holdings, LLC and MCP Investments, LLC are requesting approval for the abandonment of a portion of the existing right-of-way of Judy Street shown on the plat of Mangrum's Subdivision of Block 4 of Senter & Company Addition to the City of Jonesboro, of record in Deed Book 40 at Page 446, abutted by Lots 13, 14 and 15 in Block 1 and abutted by Lots 1, 2 and 3 in Block 2 of Mangrum's Subdivision as shown on said plat, less and except the West 20 feet thereof previously abandoned by the City of Jonesboro per Ordinance No. 1051, recorded in Book 151, Page 439, public records of Craighead County at Jonesboro, Arkansas. The right-of-way south of this requested abandonment was previously abandoned by the City of Jonesboro per Resolution No. 1962:06.

Halsey Real Estate Holdings, LLC owns the property adjacent on the West side and MCP Investments, LLC owns the property adjacent on the East side. They are requesting that a portion of the right-of-way be abandoned. This is to minimize the impact of the existing right-of-way on the property under development. The attached drawing shows the requested right-of-way to be abandoned.

Please contact me if you have any questions or comments regarding this request. My number is 870-243-1887.

Thank you for your attention in this matter. If I can be of further assistance or if additional information is needed, please contact me at your convenience.

Sincerely,  
Benchmark Land Surveying, Inc.



Kevin Scrape, PS  
KS/ss

21239-002.DOC



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: ORD-23:006

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**Agenda Date:**

**Version:** 1

**Status:** First Reading

**In Control:** Public Safety Council Committee

**File Type:** Ordinance

AN ORDINANCE TO THE CITY OF JONESBORO TO PLACE VARIOUS TRAFFIC SIGNS AT DESIGNATED LOCATIONS AS DETERMINED BY THE TRAFFIC CONTROL COMMITTEE

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS to make the following changes as recommended by the Traffic Control Committee:

**CHANGE SPEED LIMIT AT THE FOLLOWING LOCATIONS:**

Warner Ave. (between Flint and Olive) from 30 MPH to 25 MPH

Holmes Rd. from 30 MPH to 25 MPH

Mark St. from 30 MPH to 25 MPH

Nix Lane and Rusher Lane from 30 MPH to 25 MPH

Dayton Ave. from 20 MPH to 25 MPH

**ESTABLISH 25 MPH SPEED LIMIT AT THE FOLLOWING LOCATION:**

Golf Course Drive

**INSTALL YIELD SIGN AT THE FOLLOWING LOCATION:**

Gee and Washington turn lane



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: ORD-23:007

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**Agenda Date:**

**Version:** 1

**Status:** First Reading

**In Control:** Public Safety Council Committee

**File Type:** Ordinance

AN ORDINANCE TO THE CITY OF JONESBORO TO PLACE VARIOUS TRAFFIC SIGNS AT DESIGNATED LOCATIONS AS DETERMINED BY THE TRAFFIC CONTROL COMMITTEE

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS to make the following changes as recommended by the Traffic Control Committee:

**INSTALL ALL-WAY STOP SIGN AT THE FOLLOWING LOCATION:**

Cate and Vandyne

**INSTALL STOP SIGNS AT THE FOLLOWING LOCATIONS:**

Ontario Drive at Lake Pointe Lane

Ontario Cove at Lake Pointe Lane



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: ORD-23:009

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**Agenda Date:**

**Version:** 1

**Status:** First Reading

**In Control:** Public Safety Council Committee

**File Type:** Ordinance

### AN ORDINANCE TO AMEND THE JONESBORO CODE OF ORDINANCES TO UPDATE ADMINISTRATIVE FEES CHARGED BY THE CITY IN THE CORRECTION OF ENVIRONMENTAL DEFICIENCIES IN THE CITY OF JONESBORO

WHEREAS, the City previously set administrative fees for services provided by the City of Jonesboro in the correction of environmental deficiencies; and

WHEREAS, the City incurs significant administrative costs in addition to the actual cost of removal and correction activities, and these fees have not been increased in many years; and

WHEREAS, the City Council of the City of Jonesboro, Arkansas has determined that fees should be increased.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS:

SECTION ONE: That the following administrative fees are authorized to be assessed by a Code Enforcement Officer on behalf of the City of Jonesboro: Property Mowing- \$200; Property Clean-up - minimum of \$250 and maximum of \$500; Condemnation - \$1,000.

SECTION TWO: That said administrative fees are in addition to any actual costs incurred in the removal and correction of environmental deficiencies on properties in the City.

SECTION THREE: That any other ordinance or resolution which conflicts with this ordinance is hereby repealed to the extent of said conflict.



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: ORD-23:012

Agenda Date: 3/7/2023

Version: 1

Status: First Reading

In Control: City Council

File Type: Ordinance

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 SINGLE FAMILY RESIDENTIAL AND C-3 GENERAL COMMERCIAL DISTRICT TO CR-1 COMMERCIAL RESIDENCE MIXED USE DISTRICT FOR PROPERTY LOCATED AT 4902 AND 4904 E. HIGHLAND DRIVE, JONESBORO, AR AS REQUESTED BY JEREMY BEVILL WITH FISHER ARNOLD ON BEHALF OF BRETT STROBBE

BE IT ORDAINED BY THE CITY COUNCIL OF JONESBORO, ARKANSAS:

**SECTION I:** 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: R-1 & C-3, SINGLE FAMILY RESIDENTIAL DISTRICT & GENERAL COMMERCIAL DISTRICT

TO: CR-1, COMMERCIAL RESIDENCE MIXED USE DISTRICT

THE FOLLOWING DESCRIBED PROPERTY:

### LEGAL DESCRIPTION:

PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 14 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

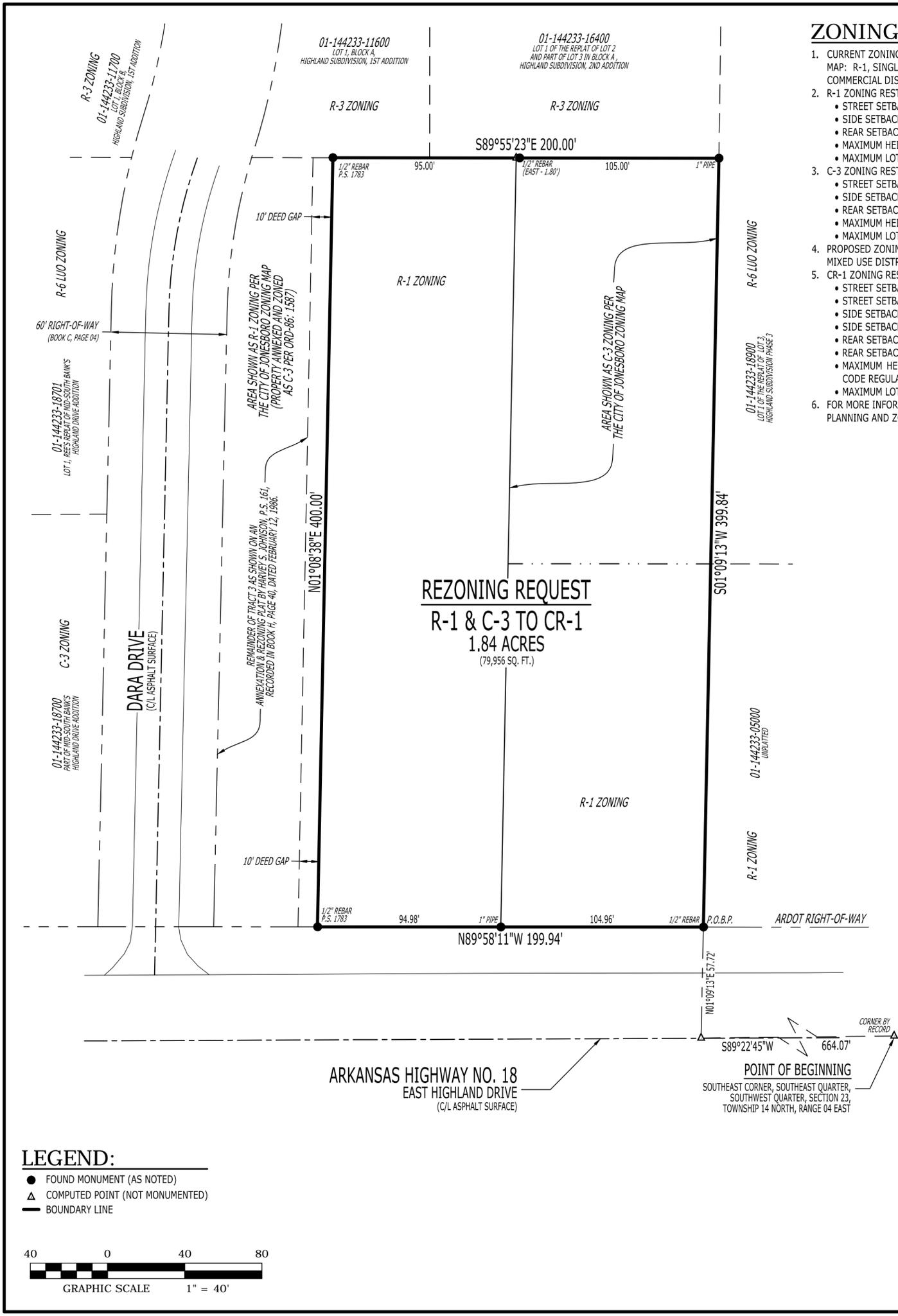
BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 14 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE SOUTH 89°22'45" WEST, 664.07 FEET; THENCE NORTH 01°09'13" EAST, 57.72 FEET TO THE POINT OF BEGINNING PROPER, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF ARKANSAS HIGHWAY NO. 18; THENCE NORTH 89°58'11" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 199.94 FEET; THENCE NORTH 01°08'38" EAST,

LEAVING SAID RIGHT-OF-WAY LINE, 400.00 FEET; THENCE SOUTH 89°55'23" EAST, 200.00 FEET; THENCE SOUTH 01°09'13" WEST, 399.84 FEET TO THE POINT OF BEGINNING PROPER, CONTAINING 1.84 ACRES (79,956 SQ. FT.), MORE OR LESS, SUBJECT TO ALL OTHER RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

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

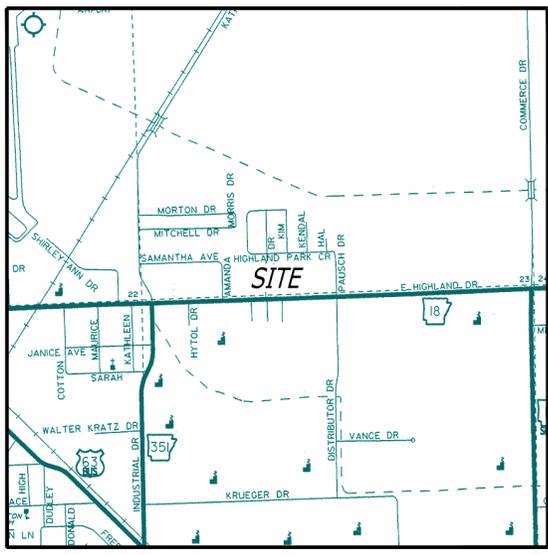
1. The proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Department, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Department approval in the future.
4. The site shall comply with all Overlay District requirements.

**SECTION III:** THE CITY CLERK IS HEREBY DIRECTED TO AMEND THE OFFICIAL ZONING DISTRICT BOUNDARY MAP OF THE CITY OF JONESBORO, ARKANSAS, INsofar AS IT RELATES TO THE LANDS DESCRIBED HEREINABOVE SO THAT THE ZONING CLASSIFICATION OF SAID LANDS SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE.



**ZONING NOTES:**

- CURRENT ZONING CLASSIFICATION PER CITY OF JONESBORO ZONING MAP: R-1, SINGLE-FAMILY, LOW DENSITY DISTRICT AND C-3, GENERAL COMMERCIAL DISTRICT.
- R-1 ZONING RESTRICTIONS:
  - STREET SETBACK - 25'
  - SIDE SETBACK - 7.5'
  - REAR SETBACK - 25'
  - MAXIMUM HEIGHT LIMITATION - 35'
  - MAXIMUM LOT COVERAGE - 35%
- C-3 ZONING RESTRICTIONS:
  - STREET SETBACK - 25'
  - SIDE SETBACK - 10'
  - REAR SETBACK - 20'
  - MAXIMUM HEIGHT LIMITATION - 45'
  - MAXIMUM LOT COVERAGE - 60%
- PROPOSED ZONING CLASSIFICATION: CR-1, COMMERCIAL RESIDENCE MIXED USE DISTRICT.
- CR-1 ZONING RESTRICTIONS:
  - STREET SETBACK RESIDENTIAL - 25'
  - STREET SETBACK NONRESIDENTIAL - 25'
  - SIDE SETBACK RESIDENTIAL - 7.5'
  - SIDE SETBACK NONRESIDENTIAL - 10'
  - REAR SETBACK RESIDENTIAL - 20'
  - REAR SETBACK NONRESIDENTIAL - 20'
  - MAXIMUM HEIGHT LIMITATION - LIMITED TO FIRE AND BUILDING CODE REGULATIONS
  - MAXIMUM LOT COVERAGE - 50%
- FOR MORE INFORMATION CONTACT THE CITY OF JONESBORO PLANNING AND ZONING DEPARTMENT @ (870) 932-0406.



VICINITY MAP (N.T.S)

**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 BEARINGS: ARKANSAS STATE PLANE GRID NORTH (0301).
- THE FOLLOWING DOCUMENTS WERE USED TO COMPLETE THIS SURVEY:
  - ANNEXATION AND REZONING PLAT, BY HARVEY S. JOHNSON, P.S. 161, RECORDED IN BOOK H, PAGE 40, DATED FEBRUARY 12, 1986.
  - RECORD PLAT, HIGHLAND SUBDIVISION, 1ST ADDITION, BY KENNETH L. SCRAPE, P.S. 766, RECORDED IN BOOK C, PAGE 04, DATED MAY 21, 1997.
  - BOUNDARY SURVEY, BY SHAWN L. HIME, P.S. 1783, PROVIDED BY CLIENT, DATED MAY 02, 2022.
  - BOUNDARY SURVEY, BY SHAWN L. HIME, P.S. 1783, PROVIDED BY CLIENT, DATED JUNE 13, 2022.
  - WARRANTY DEED, SNOW, MARTIN, AND NEAL TO MONARCH INVESTMENTS, LLC, CRAIGHEAD COUNTY DOCUMENT NO. 2022R-012580, DATED JUNE 03, 2022.
  - WARRANTY DEED, LAWRENCE TO STROBBE PROPERTY HOLDINGS, LLC, CRAIGHEAD COUNTY DOCUMENT NO. 2022R-017259, DATED AUGUST 03, 2022.
  - CITY OF JONESBORO ORDINANCE NO. 86:1587, PASSED AND ADOPTED FEBRUARY 17, 1986.
- BUILDINGS AND IMPROVEMENTS SURFACE AND/OR SUBSURFACE ON AND ADJACENT TO THE SUBJECT PROPERTY ARE NOT NECESSARILY SHOWN ON THIS BOUNDARY SURVEY.
- THE EXISTENCE AND/OR LOCATION OF UTILITY SERVICES TO THE SUBJECT PROPERTY ARE UNKNOWN AND ARE NOT SHOWN ON THIS BOUNDARY SURVEY.
- FIELD WORK WAS COMPLETED ON OCTOBER 25, 2022.

**LEGAL DESCRIPTION (AS SURVEYED):**

PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 14 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 14 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE SOUTH 89°22'45" WEST, 664.07 FEET; THENCE NORTH 01°09'13" EAST, 57.72 FEET TO THE POINT OF BEGINNING PROPER, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF ARKANSAS HIGHWAY NO. 18; THENCE NORTH 89°58'11" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 199.94 FEET; THENCE NORTH 01°08'38" EAST, LEAVING SAID RIGHT-OF-WAY LINE, 400.00 FEET; THENCE SOUTH 89°55'23" EAST, 200.00 FEET; THENCE SOUTH 01°09'13" WEST, 399.84 FEET TO THE POINT OF BEGINNING PROPER, CONTAINING 1.84 ACRES (79,956 SQ. FT.), MORE OR LESS, SUBJECT TO ALL OTHER RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

**SURVEYOR'S CERTIFICATION:**

I, JOSHUA J. NEELY, CERTIFY THAT THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF "ARKANSAS STANDARDS OF PRACTICE FOR PROPERTY BOUNDARY SURVEYS AND PLATS"; AND THAT THE ABOVE DESCRIBED TRACT WAS SURVEYED UNDER MY DIRECT SUPERVISION.

**OWNERS CERTIFICATION:**

WE, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE ABOVE DESCRIBED PROPERTY AND WE HEREBY REQUEST A REZONING FROM:  
 (C-3) GENERAL COMMERCIAL DISTRICT AND (R-1) SINGLE-FAMILY MEDIUM DENSITY DISTRICT TO  
 (CR-1) COMMERCIAL RESIDENCE MIXED USE DISTRICT.

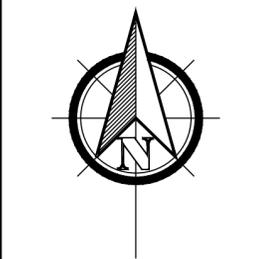
SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

NAME: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

NAME: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

**LEGEND:**

- FOUND MONUMENT (AS NOTED)
- ▲ COMPUTED POINT (NOT MONUMENTED)
- BOUNDARY LINE



BEARINGS BASED ON ARKANSAS STATE PLANE GRID NORTH ZONE (0301)

**REZONING PLAT**  
 CLIENT: MONARCH INVESTMENTS LLC  
 AND STROBBE PROPERTY HOLDINGS LLC  
 PART OF THE SOUTHEAST QUARTER OF THE  
 SOUTHWEST QUARTER OF SECTION 23,  
 TOWNSHIP 14 NORTH, RANGE 04 EAST,  
 JONESBORO, CRAIGHEAD COUNTY, ARKANSAS

RIDGE SURVEYING & CONSULTING PLLC		REVISIONS	
		DATE	DESCRIPTION
DRAWING INFO		JAN	11/10/2022
DRAWN BY:		JAN	RESUBMITTED
DATE:		JAN	ZONING PER CLIENT
SCALE:		1" = 40'	
JOB NO.:		22238-R	



RIDGE SURVEYING & CONSULTING, PLLC.  
 ARKANSAS - 2946



JOSHUA J. NEELY - SURVEYOR  
 ARKANSAS - P.S. 1841



*City of Jonesboro Metropolitan Area Planning Commission  
Staff Report – RZ 23-03 4902 & 4904 E Highland Dr.  
Municipal Center - 300 S. Church St.  
For Consideration by the Commission February 28, 2023*

**REQUEST:** To consider a rezoning of one tract of land containing 1.84 acres more or less.

**PURPOSE:** A request to consider recommendation to Council for a rezoning from “R-1” Single-Family Low Density & “C-3” General Commercial to “CR-1” Commercial Residence Mixed Use.

**APPLICANT:** Jeremy Bevill, Fisher Arnold, 404 Creath Ave.

**OWNER:** Brett Strobbe, 1213 Cardinal Rd.

**LOCATION:** 4902 & 4904 E. Highland Dr.

**SITE**

**DESCRIPTION:** **Tract Size:** Approx. 1.84 Acres  
**Street Frontage:** Approx. 200 ft.  
**Existing Development:** Residential

**SURROUNDING CONDITIONS:**

ZONE	LAND USE
North	R-3 - Multi-Family
South	I-2 - Hytrol
East	R-1 & R-6 – Residential & Multi-Family
West	C-3 & R-6 – Commercial & Multi-Family

**HISTORY:** Two single family residences

## ZONING ANALYSIS:

*City Planning Staff has reviewed the proposed Zone Change and offers the following findings:*

### **Comprehensive Plan Land Use Map:**

The Current/Future Land Use Map recommends this location as a **High Intensity Growth Sector**. A wide range of land uses is appropriate in the high intensity zone, from multi-family to fast food to Class A office space to outdoor display/highway oriented businesses like automotive dealerships, because they will be located in areas where sewer service is readily available and transportation facilities are equipped to handle the traffic.

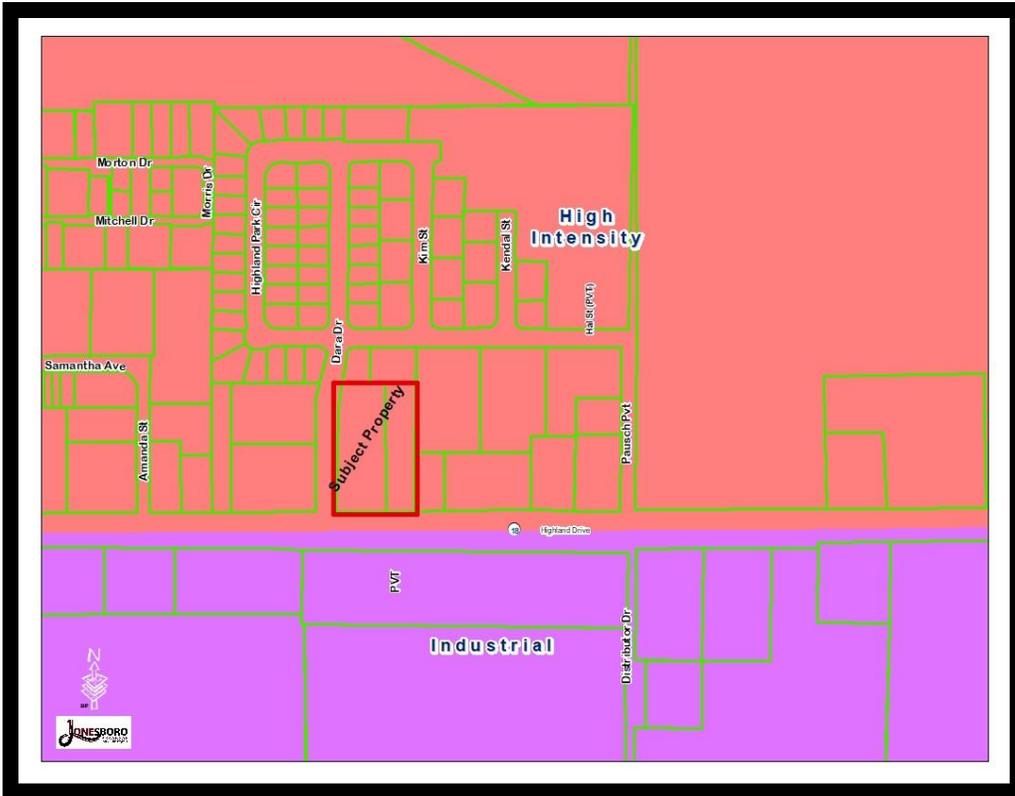
#### Typical Land Uses:

- Regional Shopping Centers
- Automotive Dealerships
- Outdoor Display Retail
- Fast Food Restaurants
- Multi-family
- Service Stations
- Commercial and Office
- Call Centers
- Research and Development
- Medical
- Banks
- Big Box Commercial
- Hotel

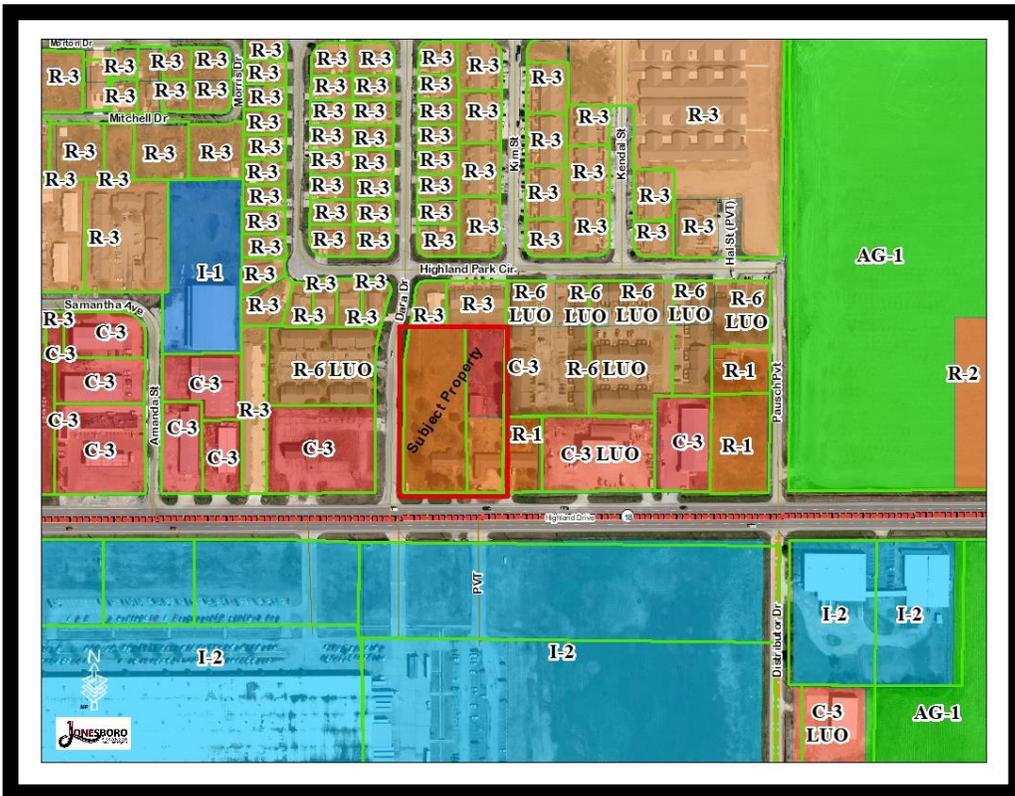
Density: Multi-family 8-14 Dwelling Units per acre

Height: 150 feet

Traffic: This will be located along arterial streets with high traffic volume.



*Land Use Map*



*Zoning Map*

## **Master Street Plan/Transportation**

The subject property is served by Highland Drive and Dara Drive, the Master Street Plan classifies Highland Drive as a **Principal Arterial** and Dara Drive as a **Local Street**.

*Principal Arterials* provide both long distance connections through the urban area and to major traffic generators within the community. Roadways are designated principal arterials to imply the need to focus more on moving traffic rather than providing direct access to adjacent land. Traffic management techniques used to maintain a high level of traffic capacity on these roadways include the use of medians, restricting curb cuts per some spacing policy, and limiting the use of traffic signals to the intersection with other significant roadways.

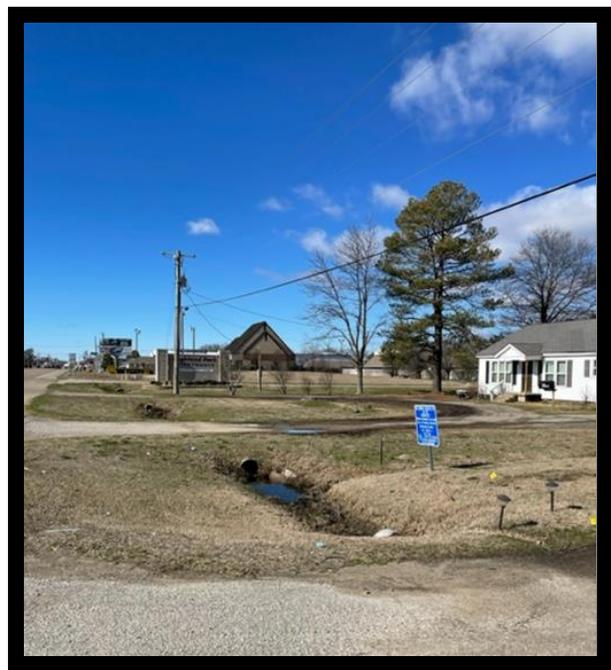
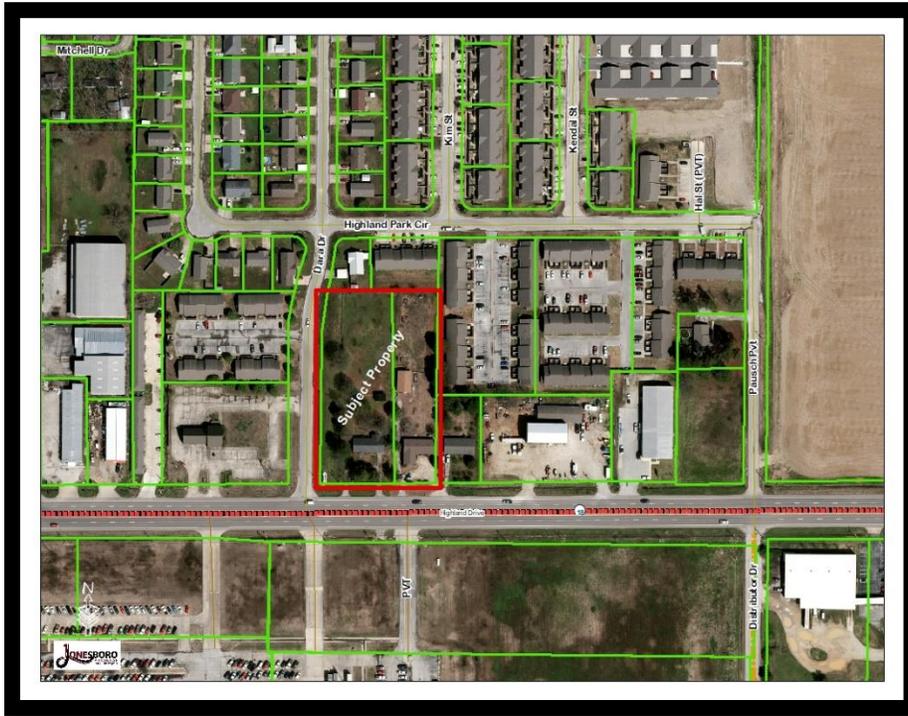
**FUNCTION:** The primary function of a Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within an urbanized area. Since these roads are designed for through traffic and are generally located three or more miles apart, dedication of additional right-of-way is required to allow for future expansion to four through lanes plus left and right turn lanes. At intersections with Collector Streets or other Arterials (principal or minor), additional right-of-way may be required if the anticipated turning movements warrant extra lanes.

**DESIGN:** The standard Principal Arterial is to be used in all cases except where City Staff and the MAPC find that an unusual condition occurs. In such cases, the Other Principal Arterial Design Option provided in this section may be used. Cross-section selection shall be based on traffic impact analysis. Design in accordance with AASHTO policy on Geometric design of highways and streets (current edition).

*Local Streets* serve the lowest traffic volumes. Low traffic volumes combined with slow travel speeds help to create a good residential setting. New developments should be reviewed to avoid creating cut-through streets that become commuter routes that generally lower quality of life for residents.

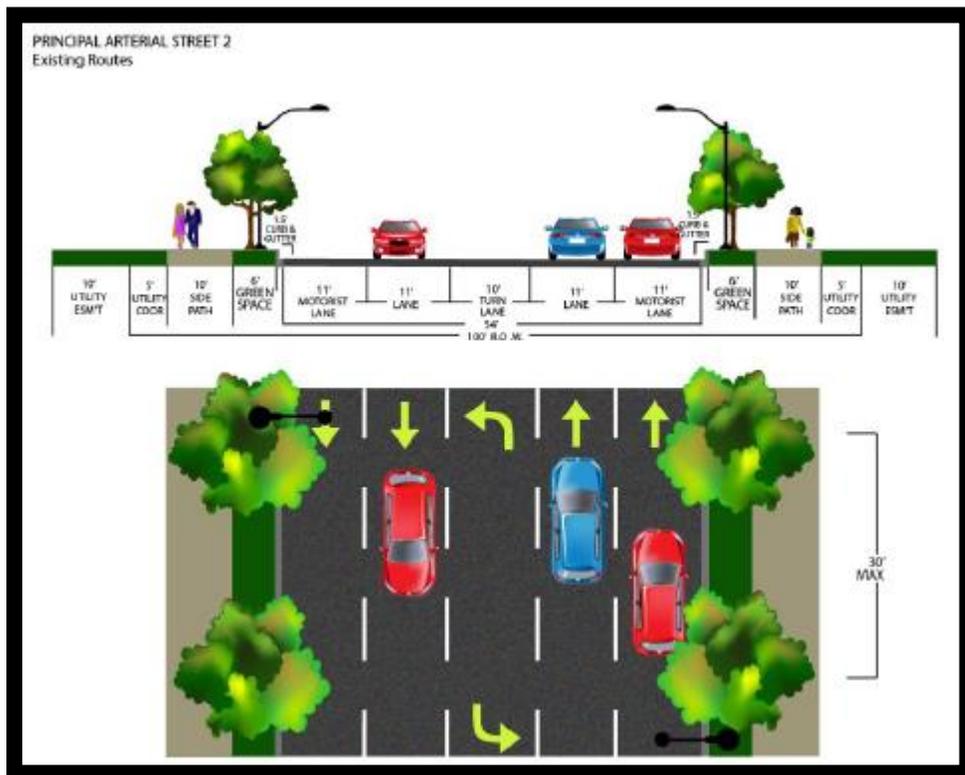
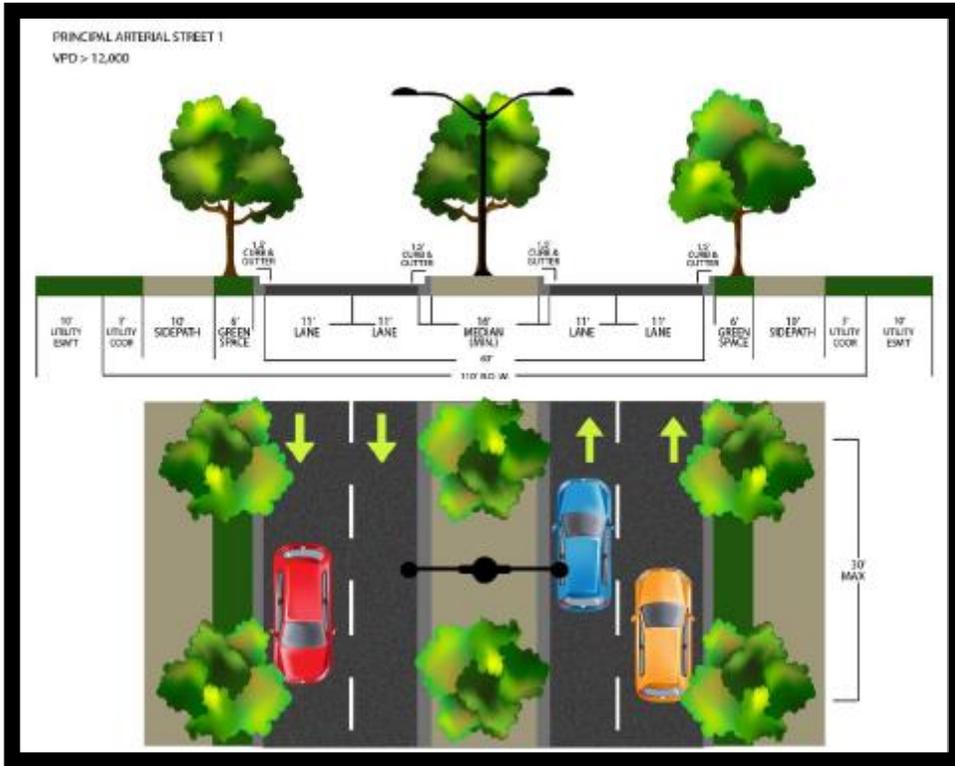
**FUNCTION:** The Local Street function is to provide access to adjacent property. The movement of traffic is a secondary purpose. The use of a Local Street in a residential area by heavy trucks and buses should be minimized.

**DESIGN:** Local Street Option 1 is to be used when on-street parking is provided within the development. Option 2 is to be used when on-street parking is not provided within the development. Option 3 is to be used in commercial mixed use areas.

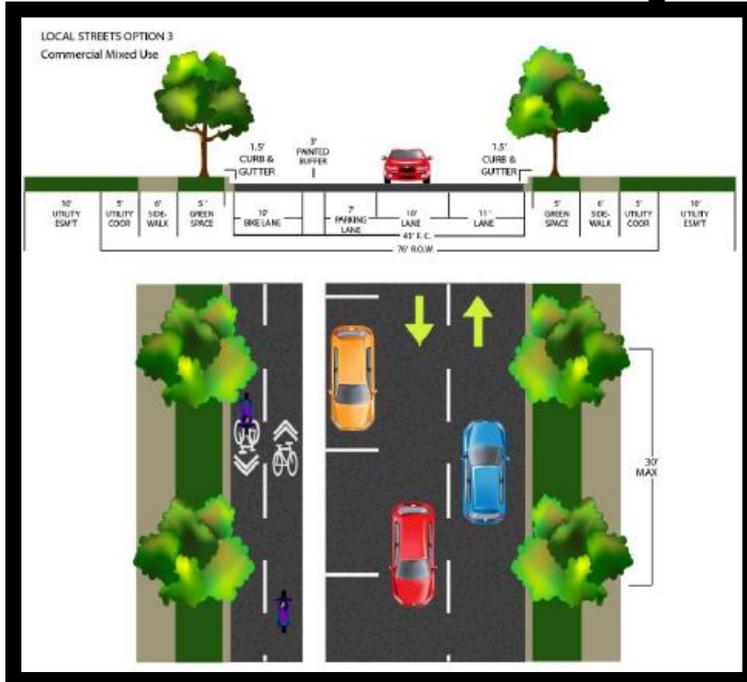
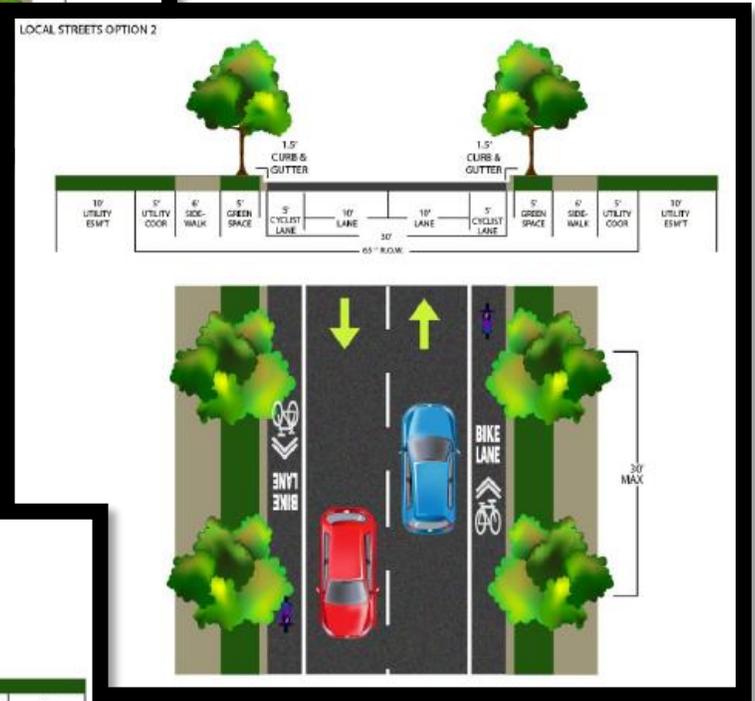
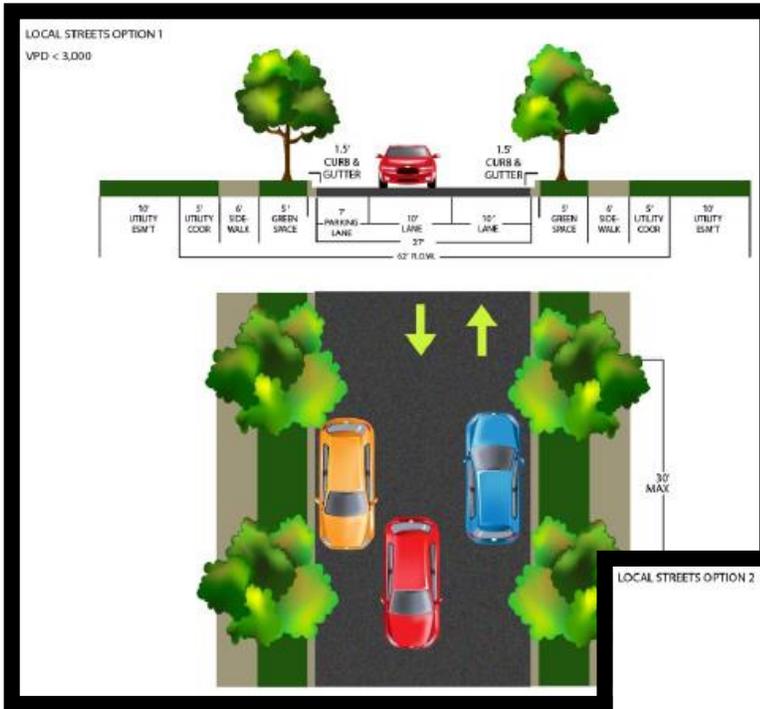


*Rezoning Sign*

# Principal Arterials



# Local Streets



**Approval Criteria- Chapter 117 - Amendments:**

The criteria for approval of a rezoning are set out below. Not all of the criteria must be given equal consideration by the MAPC or City Council in reaching a decision. The criteria to be considered shall include, but not be limited to the following list on the next page.

Criteria	Explanations and Findings	Comply Y/N
(a) <b>Consistency of the proposal with the Comprehensive Plan/Land Use Map</b>	The proposed district rezoning is consistent with the Adopted Land Use Plan, which is categorized as a High Intensity Growth Sector.	
(b) <b>Consistency of the proposal with the purpose of Chapter 117-Zoning.</b>	The proposal will achieve consistency with the purpose of Chapter 117, with compliance of all District standards.	
(c) <b>Compatibility of the proposal with the zoning, uses and character of the surrounding area.</b>	Compatibility is achieved with this rezoning considering the surrounding area is a mix of residential and commercial.	
(d) <b>Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;</b>	Without the proposed zoning map amendment, this property cannot develop as commercial or multi-family use.	
(e) <b>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;</b>	With proper planning there should not be any adverse effects caused by the property if rezoned to commercial.	
(f) <b>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</b>	Minimal impact if rezoned due to the fact that commercial and residential uses currently exist near this area.	

# Staff Findings:

## Applicant’s Purpose

The proposed area is currently classified as R-1, Single-Family Low Density and C-3, General Commercial. The applicant is applying for a Rezoning to allow for commercial or multi-family development.

Rezoning this property is consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*.

## Chapter 117 of the City Code of Ordinances/Zoning defines CR-1 as follows:

*Commercial residence mixed use district.* The CR-1, commercial residence mixed use district shall be classified as a transitional zoning classification for mixed-use type developments. It allows commercial development, with a residential appearance, and professional uses to be completed in areas between existing commercial more of a retail nature, and single-family residential. By definition it represents transition. Therefore, the logical conclusion would be that a transitional use, such as quadraplexes shall be permitted in this district with commercial below or coordinated to blend or relate. Site plan review shall be subject to planning commission review and administrative approval upon commission recommendation.

## Departmental/Agency Reviews:

The following departments and agencies were contacted for review and comments. Note that this table will be updated at the hearing due to reporting information that will be updated in the coming days:

Department/Agency	Reports/ Comments	Status
Engineering	No issues were reported	
Streets/Sanitation	No issues were reported	
Police	No issues were reported	
Fire Department	No issues were reported	
MPO	No issues were reported	
Jets	No issues were reported	
Utility Companies	No issues were reported	CWL
Code Enforcement	No issues were reported	

**Conclusion:**

The Planning Department Staff finds that the requested Zone Change submitted for subject parcel, should be evaluated based on the above observations and criteria of Case RZ 23-03 a request to rezone property from “R-1” Single-Family Low Density and “C-3” General Commercial to “CR-1” Commercial Residence Mixed Use; the following conditions are recommend:

1. The proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Department, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Department approval in the future.
4. The site shall comply with all Overlay District requirements.

Respectfully Submitted for Planning Commission Consideration,  
The Planning and Zoning Department

\*\*\*\*\*

**Sample Motion:**

I move that we place Case: RZ 23-03 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that to rezone property from “R-1” Single-Family Low Density and “C-3” General Commercial to “CR-1” Commercial Residence Mixed Use District will be compatible and suitable with the zoning, uses, and character of the surrounding area.

\*\*\*\*\*  
**MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON FEBRUARY 28, 2023**  
\*\*\*\*\*

**Jeremy Bevill of Fisher Arnold is requesting a rezoning from R-1, Single-Family Medium Density District, and C-3, General Commercial District, to CR-1, Commercial Residence Mixed Use District. This request is for 1.84 acres located at 4902 and 4904 E. Highland Drive.**

**Jeremy Bevill, Fisher Arnold – Proponent: Said they are requesting the rezoning to CR-1.**

**Derrel Smith – Staff: Said they would recommend approval with the following conditions**

- 1.The proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.**
- 2.A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Department, prior to any redevelopment of the property.**
- 3.Any change of use shall be subject to Planning Department approval in the future.**
- 4.The site shall comply with all Overlay District requirements.**

**Lonnie Roberts, Jr – Commission: Said they tabled the original application indefinitely, and this application is different from the last which is why it wasn't untabled.**

**COMMISSION ACTION:**

**Mr. Jimmy Cooper made a motion to approve Case RZ: 23-03, as submitted, to the City Council with the stipulations that were read by the Planning Department:**

- 1.The proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.**
- 2.A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Department, prior to any redevelopment of the property.**
- 3.Any change of use shall be subject to Planning Department approval in the future.**
- 4.The site shall comply with all Overlay District requirements.**

**The motion was seconded by Mr. Paul Ford.**

**Roll Call Vote:**

**Aye: 6 – Paul Ford, Stephanie Nelson, Jeff Steiling, Kevin Bailey, Monroe Pointer, Jimmy Cooper**

**Nay: 0**

\*\*\*\*\*



## FISHER ARNOLD

ENGINEERS | ARCHITECTS | CONSULTANTS | PLANNERS

February 15, 2023

Mr. Derrel Smith  
Director of Planning and Zoning  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401

**RE: REQUEST FOR REZONING  
PARCELS 01-144233-05400 & 01-144233-04700  
JONESBORO, ARKANSAS**

Dear Mr. Smith:

On behalf of Monarch Investments, LLC and Strobbe Property Holdings, LLC, we are pleased to submit this rezoning request. The subject properties are adjacent and northeast to the intersection of E. Highland Drive and Dara Drive. The property is currently zoned both R-1 & C-3 and contains 1.84 Acres. We are requesting the property (1.84 acres) to be rezoned as CR-1 (Commercial Residence Mixed Use District).

We are basing our request on the infeasibility of developing a single piece of property that is dual zoned. Additionally, the property surrounding the subject parcel is zoned C-3, R-6 LUO, R-3, and R-1 and is therefore consistent with the general zoning in the area.

As required on the Rezoning Application, we are submitting the following information:

1. The properties were Zoned R-1 & C-3 at the time the current owner purchased it and are still zoned R-1 & C-3.
2. The purpose of the rezoning is to simplify development. The rezoning is necessary in order to most efficiently develop the property.
3. The property would be developed as a downtown fringe commercial district that does not create a nuisance for its commercial, residential, or industrial neighbors.
4. We anticipate there to be mutli-family homes and commercial buildings that range in size and will be determined during the development of the final site plans.
5. The Future Land Use Plan calls for this area to be moderate intensity. Our proposal is consistent with the Comprehensive Plan.
6. The proposed rezoning would allow development that will provide housing and employment that supports the surrounding community.
7. The proposed rezoning is compatible with adjacent residential, commercial, and industrial uses. The rezoning will not have any negative effect on the character of the surrounding area.

404 Creath Avenue  
Jonesboro, AR 72401  
870.932.2019  
Toll Free: 1.888.583.9724

[www.fisherarnold.com](http://www.fisherarnold.com)

8. The property cannot be developed commercially or with multi-family under its current zoning, the rezoning requested provides for more consistent facilities and would be the most efficient method to develop the property.
9. The adjacent properties are similar in nature to the proposed rezoning. The proposed rezoning will be developed with compatible and complimentary materials, lighting, landscaping, etc.
10. The property is not vacant.
11. Existing infrastructure will be extended to serve this development with adequate capacity. A Highland Drive entrance will provide police, fire, and medical services adequate connectivity.
12. Anticipated development activities would begin in the spring of 2023.
13. A neighborhood meeting has not been held at this time due to the noncontroversial nature of this rezoning.
14. This application is not for a Limited Use Overlay.

As always, we look forward to working with the City of Jonesboro and appreciate your consideration of our request. If there is anything you may need to assist in the review of our application, please do not hesitate to contact me.

Sincerely

**FISHER & ARNOLD, INC.**



**Jeremy Bevill, PE, CFM**

Project Manager/Civil Engineer



# Application for a Zoning Ordinance Map Amendment

METROPOLITAN AREA  
PLANNING COMMISSION  
Jonesboro, Arkansas

Meeting Date: \_\_\_\_\_ Date Received: \_\_\_\_\_  
Meeting Deadline: \_\_\_\_\_ Case Number: \_\_\_\_\_

## LOCATION:

Site Address: 4902 & 4904 E. Highland Drive

Side of Street: North between E. Highland Drive and Highland Park Circle

Quarter: SW Section: 23 Township: 14N Range: 4E

Attach a survey plat and legal description of the property proposed for rezoning. A Registered Land Surveyor must prepare this plat.

## SITE INFORMATION:

Existing Zoning: R-1 & C-3 Proposed Zoning: CR-1

Size of site (square feet and acres): 79,956 sq-ft and 1.84 acres Street frontage (feet): 200'

Existing Use of the Site: Residential

Character and adequacy of adjoining streets: Principal Arterial (AR-18)

Does public water serve the site? Yes

If not, how would water service be provided? \_\_\_\_\_

Does public sanitary sewer serve the site? Yes

If not, how would sewer service be provided? \_\_\_\_\_

Use of adjoining properties:

North Multi-Family Residential

South General Industrial

East General Commercial

West General Commercial

Physical characteristics of the site: Two existing single family residences. Sparsely wooded and mainly open lawn.

Characteristics of the neighborhood: Mainly Multi-Family Residential, adjacent to Highland Park Apartments.

Commercial to the East and West of the properties.

*Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Area Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is on the public meeting schedule. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.*

**REZONING INFORMATION:**

The applicant is responsible for explaining and justifying the proposed rezoning. *Please prepare an attachment to this application answering each of the following questions in detail:*

- (1). How was the property zoned when the current owner purchased it?
- (2). What is the purpose of the proposed rezoning? Why is the rezoning necessary?
- (3). If rezoned, how would the property be developed and used?
- (4). What would be the density or intensity of development (e.g. number of residential units; square footage of commercial, institutional, or industrial buildings)?
- (5). Is the proposed rezoning consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*?
- (6). How would the proposed rezoning be the public interest and benefit the community?
- (7). How would the proposed rezoning be compatible with the zoning, uses, and character of the surrounding area?
- (8). Are there substantial reasons why the property cannot be used in accordance with existing zoning?
- (9). How would the proposed rezoning affect nearby property including impact on property value, traffic, drainage, visual appearance, odor, noise, light, vibration, hours of use or operation and any restriction to the normal and customary use of the affected property.
- (10). How long has the property remained vacant?
- (11). What impact would the proposed rezoning and resulting development have on utilities, streets, drainage, parks, open space, fire, police, and emergency medical services?
- (12). If the rezoning is approved, when would development or redevelopment begin?
- (13). How do neighbors feel about the proposed rezoning? Please attach minutes of the neighborhood meeting held to discuss the proposed rezoning or notes from individual discussions. *If the proposal has not been discussed with neighbors, please attach a statement explaining the reason. Failure to consult with neighbors may result in delay in hearing the application.*
- (14). If this application is for a Limited Use Overlay (LUO), the applicant must specify all uses desired to be permitted.

**OWNERSHIP INFORMATION:**

All parties to this application understand that the burden of proof in justifying and demonstrating the need for the proposed rezoning rests with the applicant named below.

**Owner of Record:**

I certify that I am the owner of the property that is the subject of this rezoning application and that I represent all owners, including spouses, of the property to be rezoned. I further certify that all information in this application is true and correct to the best of my knowledge.

Name: Brett Strobbe

Address: 1213 Cardinal Road

City, State: Jonesboro, AR ZIP 72401

Telephone: 8707107585

Facsimile: \_\_\_\_\_

Signature: *Brett Strobbe*

**Applicant:**

If you are not the Owner of Record, please describe your relationship to the rezoning proposal:

Name: Jeremy Bevill

Address: 404 Creath Ave

City, State: Jonesboro, AR ZIP 72401

Telephone: 870-932-2019

Facsimile: N/A

Signature: *Jeremy Bevill*

**Deed:** *Please attach a copy of the deed for the subject property.*

*Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Area Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is on the public meeting schedule. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.*

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.63

Total Postage and Fees \$8.13

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City, State, ZIP+4®

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Postage \$0.63

Total Postage and Fees \$8.13

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Postage \$0.63

Total Postage and Fees \$8.13

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Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Postage \$0.63

Total Postage and Fees \$8.13

Sent To *HYDRO CONVEYER COMPANY*

Street and Apt. No., or PO Box No.

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Total Postage and Fees \$8.13

Sent To *DWARO CORP*

Street and Apt. No., or PO Box No.

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Postage \$0.63

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Sent To *KC STORE 1391 LLC*

Street and Apt. No., or PO Box No.

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Sent To *SHIRLEY GAYNES*

Street and Apt. No., or PO Box No.

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.63

Total Postage and Fees \$8.13

Sent To *WILKINSON SCHOOLS (KAREN CUNNINGHAM)*

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City, State, ZIP+4®

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Postage \$0.63

Total Postage and Fees \$8.13

Sent To *REED 3L LLC*

Street and Apt. No., or PO Box No.

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Postage \$0.63

Total Postage and Fees \$8.13

Sent To *RONNIE HODGINS WORTHEN*

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# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: ORD-23:008

**Agenda Date:**

**Version:** 1

**Status:** Second Reading

**In Control:** City Council

**File Type:** Ordinance

AN ORDINANCE REGARDING AN ABANDONMENT OF A PORTION OF RIGHT-OF-WAY ALONG UNDEVELOPED BONAPARTE COVE AS REQUESTED BY HORIZON LAND SURVEYING ON BEHALF OF CURTNER ASSET MANAGEMENT, LLC

AN ORDINANCE VACATING AN UNDEVELOPED STREET RIGHT- OF- WAY LOCATED IN:

THAT PORTION OF RIGHT-OF-WAY FOR BONAPARTE COVE WHICH LIES EAST OF THE EAST RIGHT-OF-WAY LINE OF ROYALE DRIVE (60.0 FOOT RIGHT-OF-WAY), LYING IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 14 NORTH, RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS, AS SHOWN BY PLAT OF THE TAYLOR FOURTH REPLAT IN NORTH BELGRATH HEIGHTS SUBDIVISION (BOOK B, PAGE 75).

WHEREAS, the City Council at its regular meeting on Tuesday, February 21, 2023, pursuant to Ark. Stats. Section 14-301-302 through 14-301-304 heard the request of Curtner Asset Management, LLC to vacate an undeveloped street right-of-way; and

WHEREAS, the City Council held a public hearing and heard all persons desiring to be heard in connection with this matter; and

WHEREAS, the respective utilities have consented to said abandonment; and

WHEREAS, the abandonment of said portion of an undeveloped street will not adversely affect the City of Jonesboro, and would be in the best interest of all parties concerned.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas, that;

SECTION 1: The City of Jonesboro, Arkansas hereby vacates and abandons all of its rights together with the right of the public generally, in and to the undeveloped street right-of-way described above.

SECTION 2: A copy of this Ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of Craighead County of Jonesboro, Arkansas, and recorded in the Deed Records of

Craighead County, Arkansas.

SECTION 3. The vacating and abandonment by the City of its rights and the rights of the public generally in the above described an undeveloped street are in the public interest and will promote the public peace and welfare.

PETITION

To: Honorable Harold Copenhaver, Mayor, and Members of the City Council of the City of Jonesboro, Arkansas

PETITION TO VACATE AN UNDEVELOPED STREET RIGHT-OF-WAY

We, the undersigned, being the owner(s) of property adjoining the following described property:

THAT PORTION OF RIGHT-OF-WAY FOR BONAPARTE COVE WHICH LIES EAST OF THE EAST RIGHT-OF-WAY LINE OF ROYALE DRIVE (60.0 FOOT RIGHT-OF-WAY), LYING IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 14 NORTH, RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS, AS SHOWN BY PLAT OF THE TAYLOR FOURTH REPLAT IN NORTH BELGRATH HEIGHTS SUBDIVISION (BOOK B, PAGE 75).

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

Dated this | day Of January 2023.

PROPERTY OWNER, NAME AND ADDRESS

Curtner Asset Management, LLC  
3101 Dan Avenue  
Jonesboro, AR 72401

[Signature] 1/12/23  
Signature Date

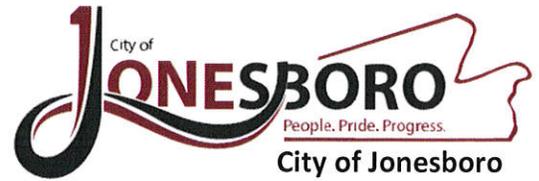
\_\_\_\_\_  
Signature Date

12 day of January, 2023.

Subscribed and sworn to before me this [Signature]  
Notary

Expiration Date: 01-01-25

OFFICIAL SEAL - #12402310  
**MICHAEL A. BOGGS**  
NOTARY PUBLIC-ARKANSAS  
CRAIGHEAD COUNTY  
MY COMMISSION EXPIRES: 01.01-25



January 13, 2023

Renee Eubanks  
Horizon Land Surveying, LLC  
2918 Wood Street  
Jonesboro, AR 72404

RE: Petition to vacate an undeveloped street right-of-way

Dear Renee,

The City of Jonesboro Engineering and Planning Departments concurs with the petition to vacate an undeveloped street right-of-way described as that portion of right-of-way for Bonaparte Cove which lies East of the East right-of-way line of Royale Drive (60.0 foot right-of-way), lying in the Southwest quarter of section 10, Township 14 North, Range 3 East, Craighead County, Arkansas, as shown by plat of the Taylor fourth replat in North Belgrath Heights Subdivision (Book B, Page 75).

If you have questions or comments, feel free to call the number listed above.

Sincerely,

Craig Light, PE, CFM  
City Engineer

Derrel Smith  
Planning Director

# PETITION

To: Honorable Harold Copenhaver, Mayor, and Members of the City Council of the City of Jonesboro, Arkansas

PETITION TO VACATE AN UNDEVELOPED STREET RIGHT-OF-WAY

We, the undersigned, being the owner(s) of property adjoining the following described property:

THAT PORTION OF RIGHT-OF-WAY FOR BONAPARTE COVE WHICH LIES EAST OF THE EAST RIGHT-OF-WAY LINE OF ROYALE DRIVE (60.0 FOOT RIGHT-OF-WAY), LYING IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 14 NORTH, RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS, AS SHOWN BY PLAT OF THE TAYLOR FOURTH REPLAT IN NORTH BELGRATH HEIGHTS SUBDIVISION (BOOK B, PAGE 75).

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

Dated this 12 day of January 2023.

PROPERTY OWNER, NAME AND ADDRESS

Curtner Asset Management, LLC  
3101 Dan Avenue  
Jonesboro, AR 72401

[Signature] 1/12/23  
Signature Date

\_\_\_\_\_  
Signature Date

Subscribed and sworn to before me this 12 day of January, 2023.

[Signature]  
Notary

Expiration Date: 01-01-25



**RESOLUTION NO. \_\_\_\_\_**

WHEREAS, Curtner Asset Management, LLC, has filed a petition with the City Clerk of the City of Jonesboro, Arkansas, requesting that the City vacate an undeveloped street right-of-way in:

THAT PORTION OF RIGHT-OF-WAY FOR BONAPARTE COVE WHICH LIES EAST OF THE EAST RIGHT-OF-WAY LINE OF ROYALE DRIVE (60.0 FOOT RIGHT-OF-WAY), LYING IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 14 NORTH, RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS, AS SHOWN BY PLAT OF THE TAYLOR FOURTH REPLAT IN NORTH BELGRATH HEIGHTS SUBDIVISION (BOOK B, PAGE 75).

WHEREAS, the petition has been presented to the City of Jonesboro, Arkansas; and

WHEREAS, Arkansas law requires notice of such public hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Jonesboro, Arkansas, that the City Clerk is directed to publish a notice advising the public of such request to vacate an undeveloped street right-of-way, and that this matter will be heard before the City Council on \_\_\_\_\_, at \_\_\_\_\_ o'clock, p.m. at the Municipal Building, Jonesboro, Arkansas.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Harold Copenhaver, Mayor

Attest:

\_\_\_\_\_  
April Leggett, City Clerk

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE VACATING AN UNDEVELOPED STREET RIGHT- OF- WAY LOCATED IN:

THAT PORTION OF RIGHT-OF-WAY FOR BONAPARTE COVE WHICH LIES EAST OF THE EAST RIGHT-OF-WAY LINE OF ROYALE DRIVE (60.0 FOOT RIGHT-OF-WAY), LYING IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 14 NORTH, RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS, AS SHOWN BY PLAT OF THE TAYLOR FOURTH REPLAT IN NORTH BELGRATH HEIGHTS SUBDIVISION (BOOK B, PAGE 75).

WHEREAS, the City Council at its regular meeting on \_\_\_\_\_, pursuant to Ark. Stats. Section 14-301-302 through 14-301-304 heard the request of Curtner Asset Management, LLC to vacate an undeveloped street right-of-way; and

WHEREAS, the City Council held a public hearing and heard all persons desiring to be heard in connection with this matter; and

WHEREAS, the respective utilities have consented to said abandonment; and

WHEREAS, the abandonment of said portion of an undeveloped street will not adversely affect the City of Jonesboro, and would be in the best interest of all parties concerned.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas, that;

SECTION 1: The City of Jonesboro, Arkansas hereby vacates and abandons all of its rights together with the right of the public generally, in and to the undeveloped street right-of-way described above.

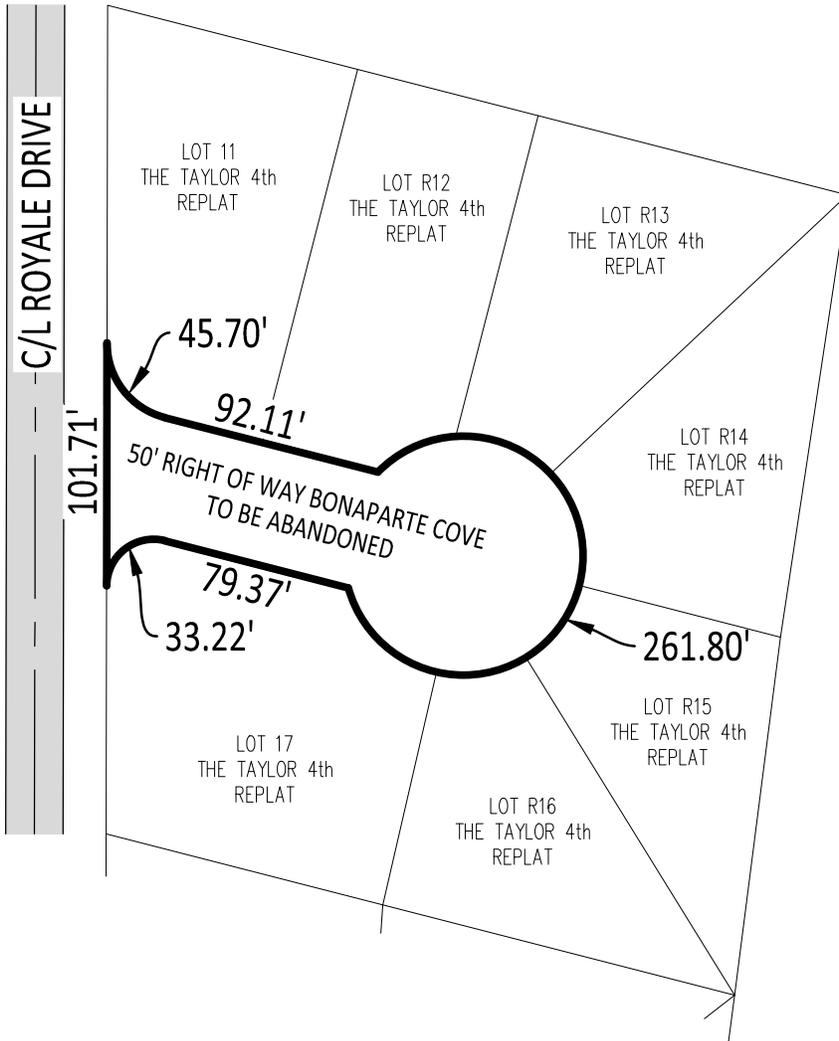
SECTION 2: A copy of this Ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of Craighead County of Jonesboro, Arkansas, and recorded in the Deed Records of Craighead County, Arkansas.

SECTION 3. The vacating and abandonment by the City of its rights and the rights of the public generally in the above described an undeveloped street are in the public interest and will promote the public peace and welfare.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
Harold Copenhaver, Mayor

\_\_\_\_\_  
April Leggett, City Clerk



Scale 1" = 80'

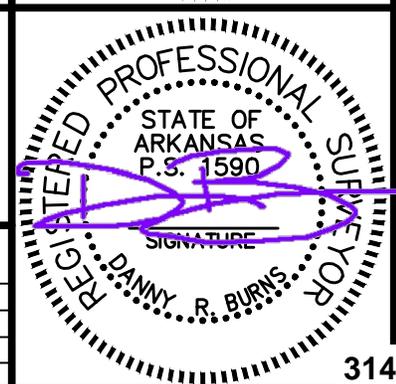


**Horizon**  
LAND SURVEYING, LLC

2918 WOOD STREET  
JONESBORO, AR 72404  
PH: 1-870-243-0092  
WWW.HORIZONLANDSURVEYING.COM

## BONAPARTE COVE RIGHT-OF-WAY ABANDONMENT PLAT

DRAWING INFO		REVISIONS		
DATE:	10/17/2022	DATE	BY	DESCRIPTION
DRAWN BY:	BRE			
JOB NO:	H22-174			
SCALE:	1"=80'			





December 29, 2022

**VIA REGULAR MAIL**

Mr. Danny Burns, PS  
Horizon Land Surveying, LLC  
2918 Wood Street  
Jonesboro, AR 72404

**Re: *Cutner Asset Management, LLC/Bonaparte Cove  
Right of Way/Easement Abandonment***

**A part of Taylor Fourth Replat in North Belgrath Heights Subdivision, being a right of way 50 feet (North and South) in width and 203 feet (East and West) in length for Bonaparte Cove, lying between lots 11, R12, R13, R14, (to the North), lots 17, R16, and R15 (to the South), Joe Mack Campbell Park property to the East, and lying East of Royale Drive right-of-way, containing 13,473square feet, or 0.31 acres, more or less.**

Dear Mr. Burns:

After reviewing your request of the Easement Abandonment in Jonesboro, AR, Cebridge Acquisition, L.P. (Suddenlink) has verified there is not active CATV facilities in this easement.

Given the verification stated above, Cebridge Acquisition, L.P. has no objection with the requested easement abandonment.

Sincerely,

  
Title: Operations Manager



**Todd R. Gregory**  
AT&T Arkansas  
Right-of-Way &  
Joint Pole Use Mgr.

P.O. Box 6505  
Hot Springs, AR 71901  
Phone: (501) 321-3207  
Cell: (501) 276-3791  
[tg5473@att.com](mailto:tg5473@att.com)

*Transmitted via E-mail*

## UTILITY APPROVAL FORM FOR RIGHT-OF-WAY, ALLEY AND UTILITY EASEMENT VACATIONS

DATE: 10/18/22

UTILITY COMPANY: Southwestern Bell Telephone Company d.b.a. AT&T Arkansas

REQUESTED VACATION:

### **City Right-of-Way**

I have been notified of the petition for Easement Abandonment within the following Right-of-Way.

Described as follows:

**A part of Taylor Fourth Replat in North Belgrath Heights Subdivision, being a right of way 50 feet (North and South) in width and 203 feet (East and West) in length for Bonaparte Cove, lying between lots 11, R12, R13, R14, (to the North), lots 17, R16, and R15 (to the South), Joe Mack Campbell Park property to the East, and lying East of Royale Drive right-of-way, containing 13,473 square feet, or 0.31 acres, 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.

UTILITY COMPANY COMMENTS:

No objections to the vacation described above.

Signature of AT&T Company Representative:

*Todd R. Gregory*

Todd R. Gregory  
Right-of-Way Mgr. AT&T Arkansas



*Owned by the Citizens of Jonesboro*

October 25, 2022

City of Jonesboro  
P.O. Box 1845  
Jonesboro, AR 72403  
Attn: April Leggett, City Clerk

Re: Right of Way Abandonment  
Bonaparte Cove, North Belgrath Heights Subdivision  
Jonesboro, Craighead County, Arkansas

Dear April:

City Water and Light Plant of the City of Jonesboro (CWL) has been requested to relinquish our interest in the right-of-way on the following described property (Existing R.O.W.).

A part of Taylor Fourth Replat in North Belgrath Heights Subdivision, being a right of way 50 feet (North and South) in width and 203 feet (East and West) in length for Bonaparte Cove, lying between lots 11, R12, R13, R14, (to the North), lots 17, R16, and R15 (to the South), Joe Mack Campbell Park property to the East, and lying East of Royale Drive right-of-way.

CWL has no objection to the abandonment of the referenced R.O.W.

Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jake Rice III', is written over a faint blue line.

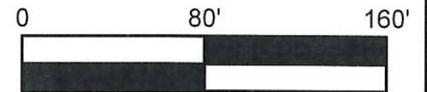
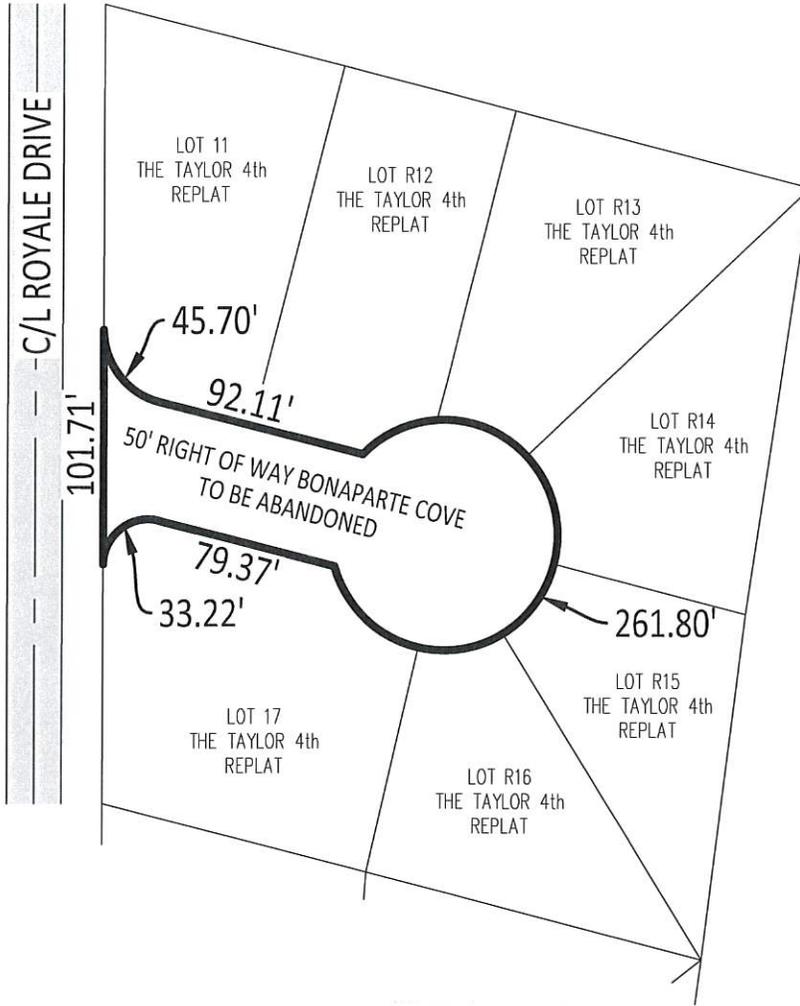
Jake Rice III, P.E.  
Manager, City Water & Light

Enclosure

Cc: Horizon Land Surveying, LLC

Jake Rice III, MANAGER

**CITY WATER & LIGHT** • 400 East Monroe • P.O. Box 1289 • Jonesboro, Arkansas 72403-1289 • 870/935-5581



Scale 1" = 80'



**Horizon**  
LAND SURVEYING, LLC

2918 WOOD STREET  
JONESBORO, AR 72404  
PH: 1-870-243-0092  
WWW.HORIZONLANDSURVEYING.COM

## BONAPARTE COVE RIGHT-OF-WAY ABANDONMENT PLAT

DRAWING INFO		REVISIONS		
DATE:	10/17/2022	DATE	BY	DESCRIPTION
DRAWN BY:	BRE			
JOB NO:	H22-174			
SCALE:	1"=80'			





phone 870.336.3434

1.888.336.4249

fax 870.336.3401

office 2400 Ritter

October 18, 2022

Horizon Land Surveying

2918 Wood Street

Jonesboro, AR, 72404

To whom it may concern,

Ritter Communications agrees with the abandonment of the utility easement on Bonaparte Cove in Jonesboro AR. as described in the attached.

Thanks

A handwritten signature in black ink that reads "Rich Busby". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Rich Busby

Ritter Communications

OSP Engineering Director

Office 870-336-3471

[rich.busby@rittercommunications.com](mailto:rich.busby@rittercommunications.com)



Summit Utilities  
1400 Centerview Dr, Ste. 100  
Little Rock, AR 72211  
summitutilitiesinc.com

**UTILITY RELEASE FORM**

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

Utility Company: Summit Utilities Date: 11/4/2022

Requested Abandonment: 50 ft right-of-way abandonment of Bonaparte Cove located on the East side of Royale Drive in Jonesboro, AR

Legal Description:

A part of Taylor Fourth Replat in North Belgrath Heights Subdivision, being a right of way 50 feet (North and South) in width and 203 feet (East and West) in length for Bonaparte Cove, lying between lots 11, R12, R13, R14, (to the North), lots 17, R16, and R15 (to the South), Joe Mack Campbell Park property to the East, and lying East of Royale Drive right-of-way, containing 13,473 square feet, or 0.31 acres, more or less.

UTILITY COMPANY COMMENTS:

No objections to the abandonment(s) described above.

No objections to the abandonment (s) described above, provided the following easements are retained (Exhibit A).

Objects to the abandonment(s) described above, reason described below.

Described reasons for objection or easements to be retained.

[Empty box for describing reasons for objection or easements to be retained]

Grace Grubb  
Signature of Utility Company Representative

Engineer Gas  
Title

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION TO SET A PUBLIC HEARING REGARDING AN ABANDONMENT OF A PORTION OF RIGHT-OF-WAY ALONG UNDEVELOPED BONAPARTE COVE AS REQUESTED BY HORIZON LAND SURVEYING ON BEHALF OF CURTNER ASSET MANAGEMENT, LLC

WHEREAS, CURTNER ASSET MANAGEMENT, LLC, HAS FILED A PETITION WITH THE CITY CLERK OF THE CITY OF JONESBORO, ARKANSAS, REQUESTING THAT THE CITY VACATE AN UNDEVELOPED STREET RIGHT-OF-WAY IN:

THAT PORTION OF RIGHT-OF-WAY FOR BONAPARTE COVE WHICH LIES EAST OF THE EAST RIGHT-OF-WAY LINE OF ROYALE DRIVE (60.0 FOOT RIGHT-OF-WAY), LYING IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 14 NORTH, RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS, AS SHOWN BY PLAT OF THE TAYLOR FOURTH REPLAT IN NORTH BELGRATH HEIGHTS SUBDIVISION (BOOK B, PAGE 75).

WHEREAS, the petition has been presented to the City of Jonesboro, Arkansas; and

WHEREAS, Arkansas law requires notice of such public hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Jonesboro, Arkansas, that the City Clerk is directed to publish a notice advising the public of such request to vacate an undeveloped street right-of-way, and that this matter will be heard before the City Council on February 21, 2023 at 5:25 p.m. at the Municipal Building, Jonesboro, Arkansas.

OFFICIAL RECEIPT

Receipt Date 01/26/2023 02:03 PM  
Receipt Print Date 01/26/2023

Receipt # 00229023  
Batch # 00026.01.2023

CITY OF JONESBORO  
300 S. Church St. Ste 106  
PO Box 1845  
JONESBORO, AR 72403-1845  
870-932-3042  
For Permit Inspections call 870-933-4602

Account/License/Permit/Category:  
CR 487.50

Detail:  
01-000-0150-00  
Proof of Publication - propos  
ed abandonment 487.50

-----  
Total 487.50

Payment Information:  
Check 1000 487.50  
Change 0.00

Curtner Asset Management LLC  
Customer #: 000000

3101 Dan Avenue  
Jonesboro, AR 72401-

Cashier: ALCooksey  
Station: ALCOOKSEY



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: ORD-23:003

**Agenda Date:**

**Version:** 1

**Status:** Third Reading

**In Control:** City Council

**File Type:** Ordinance

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES, FROM R-1 TO RM-12 FOR PROPERTY LOCATED AT 804 BELT AS REQUESTED BY WESTON WAGNER

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: R-1

TO: RM-12

THE FOLLOWING DESCRIBED PROPERTY:

**LEGAL DESCRIPTION:**

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 14 NORTH, RANGE 4 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 7; THENCE S89°34'30"W 427.00 FEET ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 7 TO A POINT, CONTINUE THENCE S89°34'30"W 116.70 FEET TO A POINT, THENCE N00°56'10"E 290.00 FEET TO THE POINT OF BEGINNING; CONTINUE THENCE N00°S6'10"E 130.00 FEET TO A POINT, THENCE N89°34'30"E 319.70 FEET TO A POINT, THENCE S00°56'10"W 130.00 FEET TO A POINT, THENCE S89°34'30"W 319.70 FEET TO THE POINT OF BEGINNING, CONTAINING SOME 0.95 ACRES, MORE OR LESS, BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS OF WAY OF RECORD.

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

- 1) That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction
- 2) A final site plan subject to all ordinance requirements shall be submitted, reviewed and approved by the Planning Department prior to any redevelopment of the property.

- 3) Any change of use shall be subject to Planning Department approval in the future.
- 4) A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks, etc. shall be submitted to the Planning Department prior to any redevelopment of this property.



*City of Jonesboro Metropolitan Area Planning Commission*  
**Staff Report – RZ 22-09: North of 804 Belt Street**  
 Municipal Center - 300 S. Church St.  
*For Consideration by the MAPC Commission on June 14th, 2022*

**REQUEST:** To consider a rezoning for one tract of land containing 0.95 acres more or less.

**PURPOSE:** A request to consider recommendation to Council for a rezoning from “R-1” Single-Family Medium Density District, to “RM-16”, Residential Multifamily 16 Units per Acre

**APPLICANTS/  
 OWNER:** Weston Wagner, 336 Natchez Drive, Jonesboro, AR 72404

**LOCATION:** North of 804 Belt Street

**SITE  
 DESCRIPTION:** **Tract Size:** Approx. 0.95 Acres  
**Street Frontage:** 0  
**Topography:** Predominately Flat  
**Existing Development:** Undeveloped

**SURROUNDING CONDITIONS:**

<b>ZONE</b>	<b>LAND USE</b>
<b>North</b>	<b>R-1 Single-Family Medium Density District</b>
<b>South</b>	<b>R-3 Multi-Family High Density District</b>
<b>East</b>	<b>R-1 Single-Family Medium Density District</b>
<b>West</b>	<b>R-3 Multi-Family High Density District</b>

**HISTORY:** Vacant

**PHYSICAL CHARACTERISTICS:** Wooded Lot

## ZONING ANALYSIS:

*City Planning Staff has reviewed the proposed Zone Change and offers the following findings:*

### **COMPREHENSIVE PLAN LAND USE MAP:**

The Current/Future Land Use Map recommends this location as a **Moderate Intensity Sector**. A wider mix of land uses is appropriate in the moderate intensity sectors. Control of traffic is probably the most important consideration in this sector. Additionally, good building design, use of quality construction materials, and more abundant landscaping are important considerations in what is approved, more so than the particular use. Limits on hours of operation, lighting standards, screening from residential uses, etc. may be appropriate. Consideration should be given to appropriate locations of transit stops.

### **Moderate Intensity Recommended Use Types Include:**

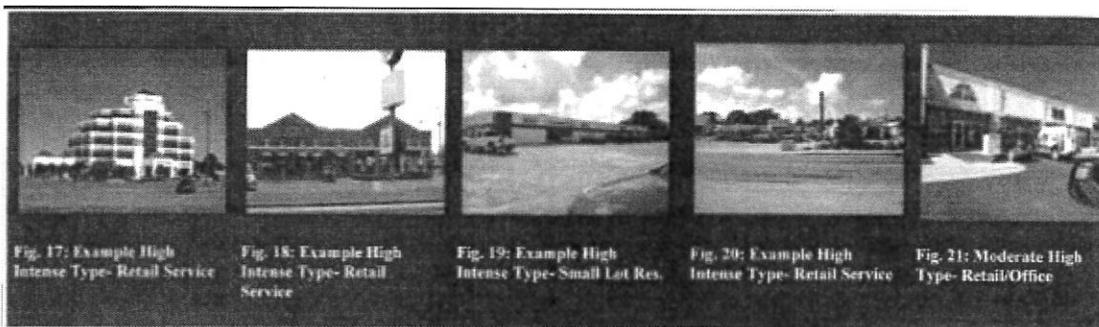
- Single Family Residential
- Attached Single Family, duplexes,
- triplexes and fourplexes
- Neighborhood retail, Neighborhood services Office parks
- Smaller medical offices
- Libraries, schools, other public facilities
- Senior living centers/nursing homes, etc.
- Community-serving retail
- Small supermarket
- Convenience store
- Bank
- Barber/beauty shop
- Farmer's Market
- Pocket Park

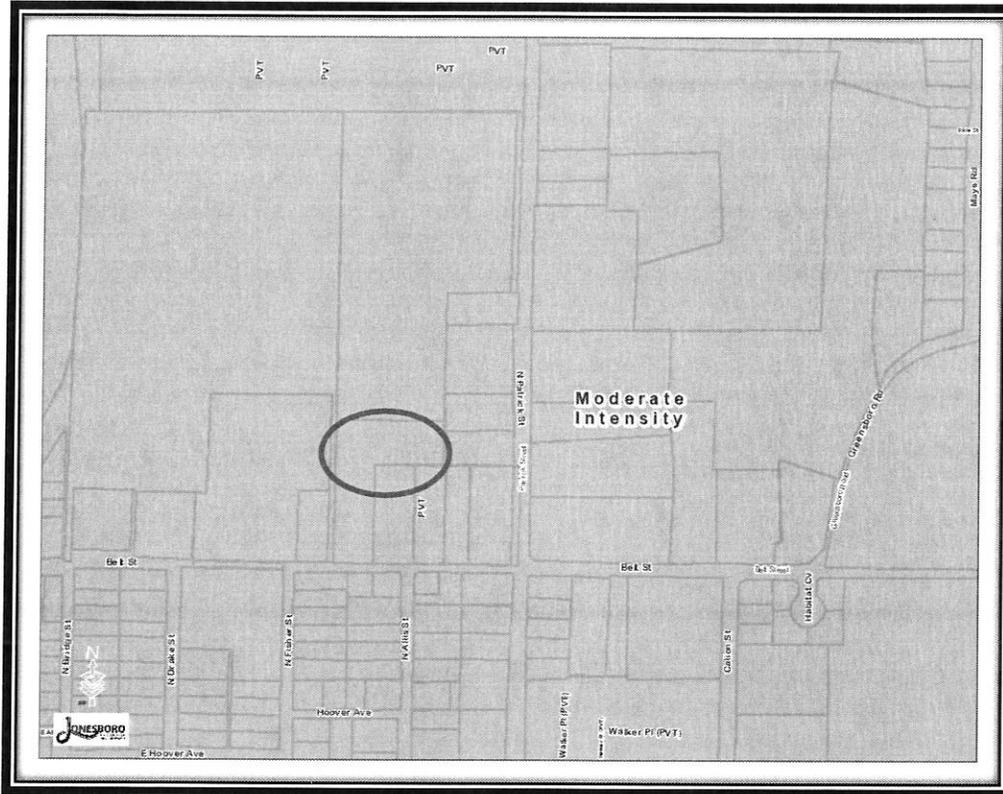
**Density:** 1/5 to 1/3 acre lots for Single Family

No more than six dwelling units per acre for Multi-Family. Multi-Family should only be allowed on collector and above streets that have been improved or scheduled to be improved in the next construction cycle of city projects unless the developer is willing to build the roads to Master Street Plan stands that serve the development

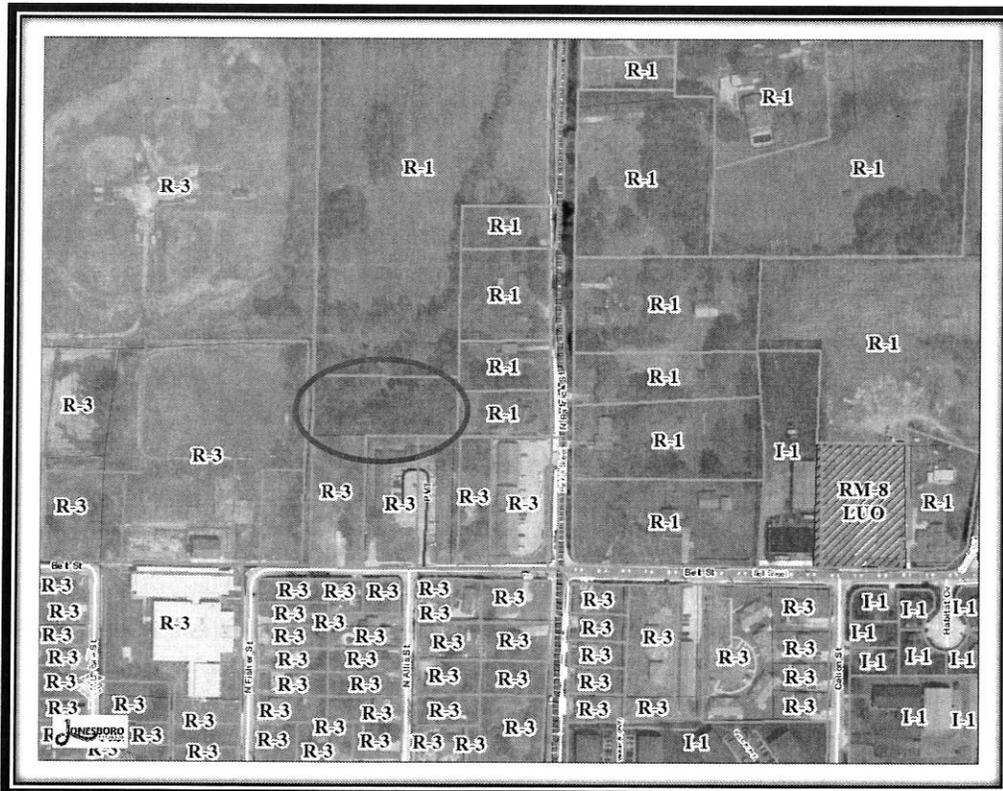
**Height:** 4 stories

**Traffic:** Approximately 300 peak hour trips (Commercial Only)





*Land Use Plan*



*Zoning Map*



*Master Street Plan*

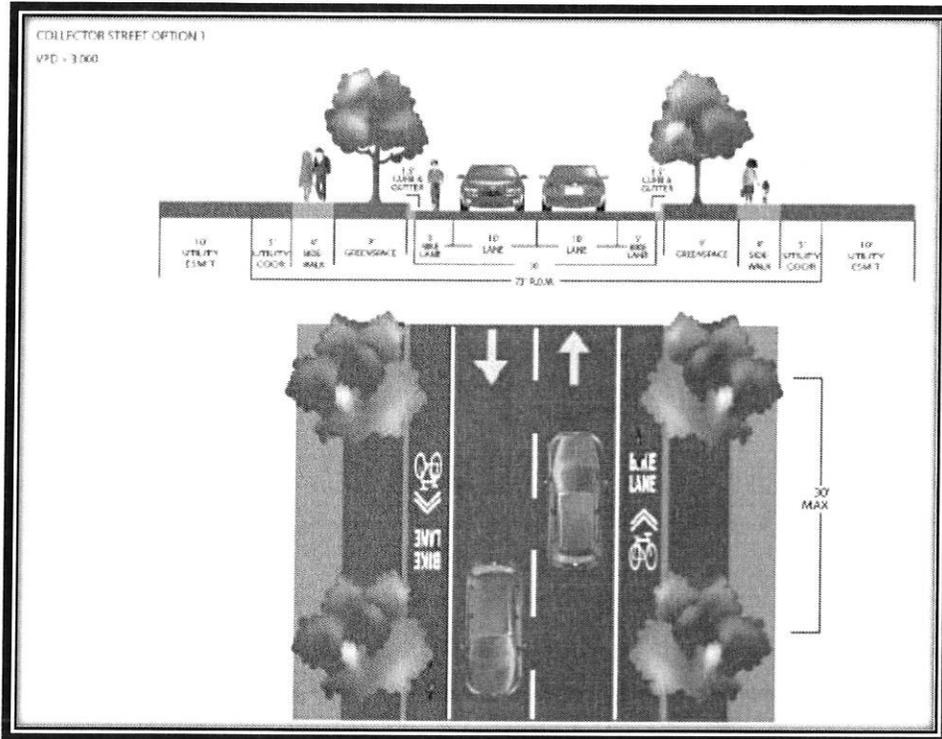
**Master Street Plan/Transportation**

The subject property is served by Belt Street. The Master Street Plan classifies Belt Street as a Collector. The applicant will be required to adhere to the Master Street Plan recommendations.

Collectors provide for traffic movement between arterials and local streets. They carry moderate traffic volumes over moderate distances and have a higher degree of property access than arterials.

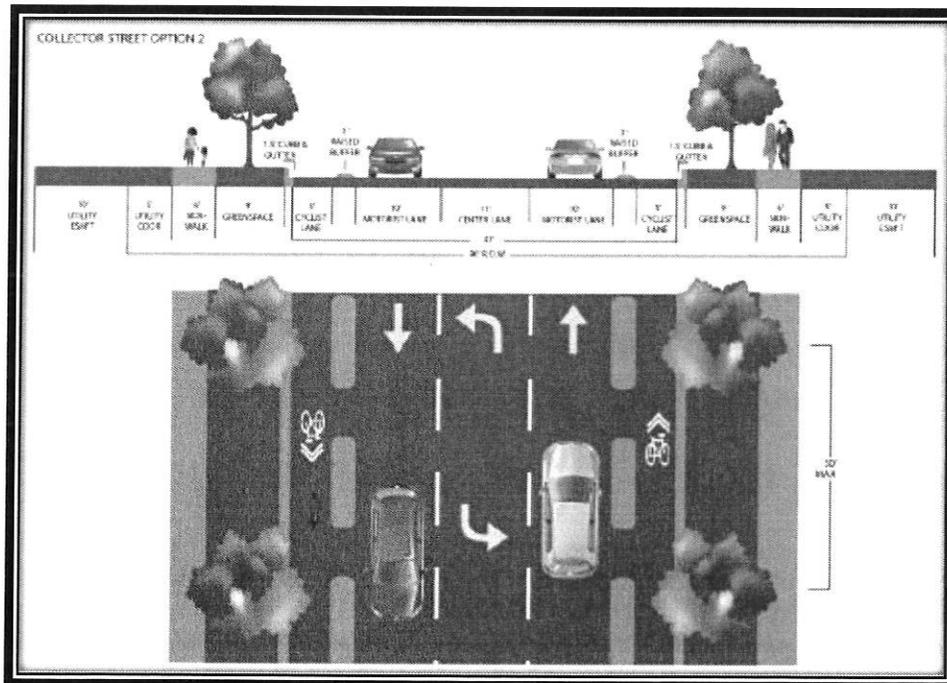
FUNCTION: A Collector Street is the traffic connection from Local Streets to Arterials, with the secondary function of providing access to adjoining property. The Collector system should not be continuous but should direct traffic to Arterials. This class of road is generally at a spacing of a quarter mile. At the time of the subdivision, the exact location and additional need for Collectors will be determined by the MAPC upon advice of the City Staff.

DESIGN: Cross-section selection shall be based on anticipated traffic volume and speed limit, or traffic impact analysis, if applicable. Design in accordance with AASHTO policy on Geometric design of highways and streets (current edition).

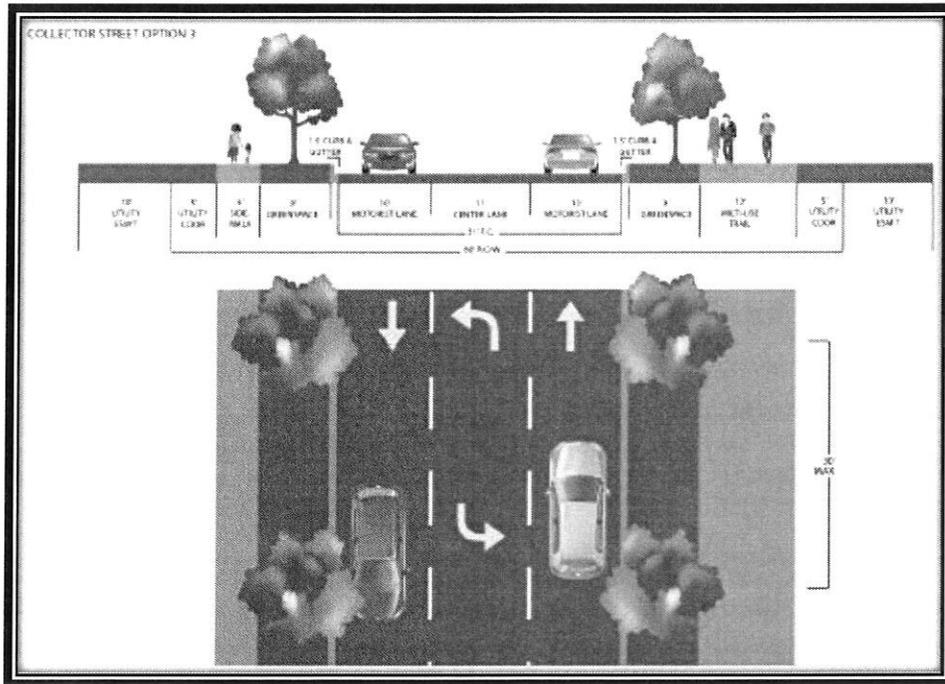


Note: Where VPD is > 3,000 and speed is < 30 mph bike lanes may be utilized.

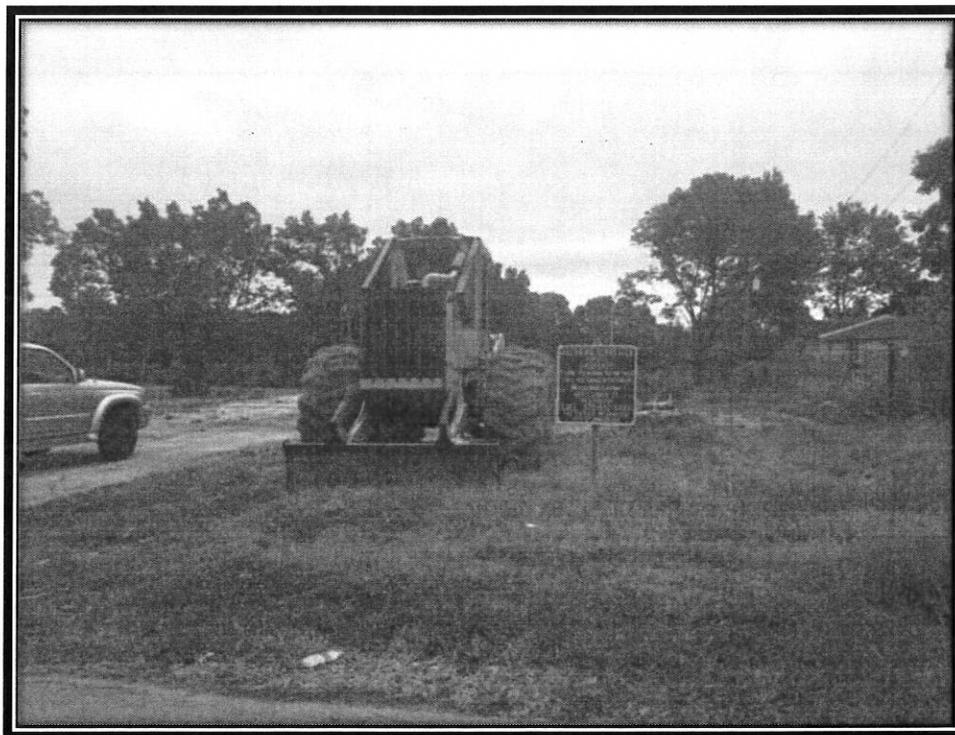
**OTHER COLLECTOR DESIGN OPTIONS:**



Note: Where VPD is > 3,000 and speed is ≥ 30 mph, three foot wide raised buffers should be used.



Note: Where VPD is > 3,000 or speed is  $\geq 35$  mph, utilize multi-use trail.



*Rezoning Sign Location*

**Approval Criteria- Chapter 117 - Amendments:**

The criteria for approval of a rezoning are set out below. Not all of the criteria must be given equal consideration by the MAPC or City Council in reaching a decision. The criteria to be considered shall include, but not be limited to the following list.

Criteria	Explanations and Findings	Comply Y/N
<b>(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map</b>	The proposed district rezoning is not consistent with the Adopted Land Use Plan, which was categorized as Moderate Intensity Sector.	
<b>(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.</b>	The proposal will achieve consistency with the purpose of Chapter 117, with compliance of all District standards.	
<b>(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.</b>	Compatibility is achieved with this rezoning considering there are multi-family in this area.	
<b>(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;</b>	Without the proposed zoning map amendment, this property will likely not develop as multi-family. The R-1 Zoning does not allow multi-family.	
<b>(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;</b>	No detrimental or adverse impacts are predicted, if proper assess management controls are implemented.	
<b>(f) 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</b>	Minimal impact if rezoned due to the fact that residential currently exist in this area.	

# Staff Findings:

## Applicant's Purpose

The proposed area is currently classified as an R-1 Single Family Residential District. Located north of 804 Belt Street.

Rezoning this property is not consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*. However, there are already multi-family homes in the surrounding area.

## Chapter 117 of the City Code of Ordinances/Zoning defines RM-16—Residential Multifamily as follows:

Definition of RM-16 Residential multifamily classification; 16 units per net acre, includes all forms of units, duplexes, triplexes, quads, and higher.

## Departmental/Agency Reviews:

The following departments and agencies were contacted for review and comments. Note that this table will be updated at the hearing due to reporting information that will be updated in the coming days:

Department/Agency	Reports/ Comments	Status
Engineering	No issues were reported	
Streets/Sanitation	No issues were reported	
Police	No issues were reported	
Fire Department	No issues were reported	
MPO	No issues were reported	
Jets	No issues were reported	
Utility Companies	No issues were reported	CWL
Code Enforcement	No issues were reported	

**Conclusion:**

The Planning Department Staff finds that the requested Zone Change submitted for subject parcel, should be evaluated based on the above observations and criteria of Case RZ 22-09 a request to rezone property from “R-1” Single-Family Medium Density District, to “RM-16”, Residential Multifamily 16 units per acre, the following conditions are recommended:

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements and illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks, etc. shall be submitted to the Planning Department prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Department approval in the future.

Respectfully Submitted for Planning Commission Consideration,

The Planning and Zoning Department

\*\*\*\*\*

**Sample Motion:**

I move that we place Case: RZ-22-09 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that to rezone property “R-1” Single-Family Medium Density District, to “RM-16”, Residential Multifamily 16 units per acre and will be compatible and suitable with the zoning, uses, and character of the surrounding area.

\*\*\*\*\*  
MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON JUNE 14, 2022  
\*\*\*\*\*

**APPLICANT:** Weston Wagner stated he currently has two lots of land there on Belt Street – one at 804 Belt and the parcel right behind that. Currently, one property is divided by two different zonings. The front half of the property is R-3 and the back half is R-1. He is looking to rezone the back half of the property to RM-16. Where the front half is currently R-3 – Multi-Family High Density District, which allows 18 units per acre. RM-16 allows 16 units per acre. He is asking for RM-16 zoning because it is the current zoning closest to an R-3. He directed commissioners to some handouts that weren't submitted in time to be displayed on the screen. He's looking to do a total of 18 units on 1.71 acres.

**COMMISSION:** Chair Roberts asked for Staff comments from City Planner Derrel Smith. Planning suggests they go to an RM-12 zoning for both properties. It would still allow the density of units that he needs while dropping the density on the front property from 18 to 12, and instead of 16, it would also be 12 on the back. He would get everything he needs but would not be quite as dense. In the past, there has been problems with City Council approving an RM-16.

**COMMISSION:** Asked the applicant to confirm that would cover all the units he plans.

**APPLICANT:** Correct. He stated at an RM-12, on 1.71 acres, that should be 20 units and he's only planning 18 units.

**STAFF:** Derrel Smith said with an RM-12, Staff would recommend approval with these conditions:

1. That the proposed site shall satisfy all the requirements of the City Engineer, all requirements of the current Storm Water Drainage Design Manual, and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosures, sidewalks, etc. shall be submitted to the Planning Department prior to any redevelopment of the property.
3. Any change of use shall be subject to the Planning Department approval in the future.

**COMMISSION:** Chair Roberts asked for comments from the public. There were none. He asked for commissioners' questions of Staff or Applicant. Commissioner Cooper asked if the zoning density could be changed later.

**STAFF:** Derrel Smith stated it could be changed to less, but not more.

**COMMISSION:** Jim Little asked if he changes his R-3 to RM-12, then is turned down by City Council, if he would still be allowed to keep his R-3 zoning. Chair Roberts and Director Smith answered yes. Commissioner Bailey stated at the pre-meeting a day earlier, it had been discussed with Wager, he would probably need to follow up and go through with a replat. Mr. Bailey asked Mr. Wagner if he was committed to doing that.

**APPLICANT:** Directed commissioners to a sheet attached to the handouts where he does have it ready but still needs to submit it.

**COMMISSION:** Mr. Bailey told Mr. Wagner that he has plenty of time to do that, but wanted to confirm that he was to follow through with that.

**COMMISSION ACTION:**

**Mr. Monroe Pointer made a motion to approve Case RZ: 22-09, as submitted, to the City Council with the stipulations that were read by the Planning Department:**

- 1. That the proposed site shall satisfy all the requirements of the City Engineer, all requirements of the current Storm Water Drainage Design Manual, and Flood Plain Regulations regarding any new construction.**
- 2. A final site plan subject to all ordinance requirements illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosures, sidewalks, etc. shall be submitted to the Planning Department prior to any redevelopment of the property.**
- 3. Any change of use shall be subject to the Planning Department approval in the future.**

**The MAPC finds to rezone property from R-1, Single-Family Medium Density District, to RM-12, Residential Multifamily 12 units per net acre, for .95+/- acres of land located north of 804 Belt Street. The motion was seconded by Mr. Jim Little.**

**Roll Call Vote: Aye: 7 – Jimmy Cooper; Jim Little; Dennis Zolper; Kevin Bailey; Monroe Pointer; Stephanie Nelson and Jeff Steiling**

**Nay: 0**

\*\*\*\*\*



# Application for a Zoning Ordinance Map Amendment

METROPOLITAN AREA  
PLANNING COMMISSION  
Jonesboro, Arkansas

Meeting Date: \_\_\_\_\_ Date Received: \_\_\_\_\_  
Meeting Deadline: \_\_\_\_\_ Case Number: \_\_\_\_\_

## LOCATION:

Site Address: NORTH OF 804 BELT ST.

Side of Street: NORTH between N. FISHER ST. and N. ALLIS ST.

Quarter: 7 Section: 7 Township: 14N Range: 4E

Attach a survey plat and legal description of the property proposed for rezoning. A Registered Land Surveyor must prepare this plat.

## SITE INFORMATION:

Existing Zoning: R-1 Proposed Zoning: Rm-12

Size of site (square feet and acres): 41,561 Street frontage (feet): 0

Existing Use of the Site: UNDEVELOPED

Character and adequacy of adjoining streets: NONE

Does public water serve the site? NO

If not, how would water service be provided? EXTENDED FROM 804 BELT ST.

Does public sanitary sewer serve the site? NO

If not, how would sewer service be provided? TIED TO SEWER # 02-565 ON PATRICK ST.

Use of adjoining properties:

North Vacant

South Vacant/ Apartment complex

East Single home

West Vacant

Physical characteristics of the site: WOODED LOT

Characteristics of the neighborhood: Residential

*Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Area Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is on the public meeting schedule. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.*

**REZONING INFORMATION:**

The applicant is responsible for explaining and justifying the proposed rezoning. *Please prepare an attachment to this application answering each of the following questions in detail:*

- (1). How was the property zoned when the current owner purchased it? R-1
- (2). What is the purpose of the proposed rezoning? Why is the rezoning necessary?  
Current zoning doesn't allow duplexes or multi-family housing.
- (3). If rezoned, how would the property be developed and used?  
To be combined with 804 Belt st. lot. Residential duplexes to be built on lot.
- (4). What would be the density or intensity of development (e.g. number of residential units; square footage of commercial, institutional, or industrial buildings)? 8-10 Duplexes
- (5). Is the proposed rezoning consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*?  
Yes
- (6). How would the proposed rezoning be in the public interest and benefit the community?  
Additional housing.
- (7). How would the proposed rezoning be compatible with the zoning, uses, and character of the surrounding area?  
Similar site plans to surrounding area.
- (8). Are there substantial reasons why the property cannot be used in accordance with existing zoning?  
R-1 does not permit duplexes.
- (9). How would the proposed rezoning affect nearby property including impact on property value, traffic, drainage, visual appearance, odor, noise, light, vibration, hours of use or operation and any restriction to the normal and customary use of the affected property. Minimal.
- (10). How long has the property remained vacant?  
Unknown.
- (11). What impact would the proposed rezoning and resulting development have on utilities, streets, drainage, parks, open space, fire, police, and emergency medical services?  
Minimal.
- (12). If the rezoning is approved, when would development or redevelopment begin?  
Within the approved year.
- (13). How do neighbors feel about the proposed rezoning? Please attach minutes of the neighborhood meeting held to discuss the proposed rezoning or notes from individual discussions. *If the proposal has not been discussed with neighbors, please attach a statement explaining the reason. Failure to consult with neighbors may result in delay in hearing the application.*  
Notice letters sent to all neighbors with no response.
- (14). If this application is for a Limited Use Overlay (LUO), the applicant must specify all uses desired to be permitted.

**OWNERSHIP INFORMATION:**

All parties to this application understand that the burden of proof in justifying and demonstrating the need for the proposed rezoning rests with the applicant named below.

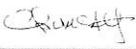
**Owner of Record:**

I certify that I am the owner of the property that is the subject of this rezoning application and that I represent all owners, including spouses, of the property to be rezoned. I further certify that all information in this application is true and correct to the best of my knowledge.

**Applicant:**

If you are not the Owner of Record, please describe your relationship to the rezoning proposal:

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State: \_\_\_\_\_ ZIP \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Facsimile: \_\_\_\_\_  
 Signature: \_\_\_\_\_

Name: McAlister Engineering PLLC.  
 Address: 4508 Stadium Blvd. Suite D  
 City, State: Jonesboro, AR ZIP 72401  
 Telephone: 870-931-1420  
 Facsimile: Clarence McAlister  
 Signature: 

**Deed:** *Please attach a copy of the deed for the subject property.*

*Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Area Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is on the public meeting schedule. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.*



**Planning Charge Sheet**

**Residential Approvals – Planning Review (select all that apply) 01-0731:**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Single Family Dwelling   | <input type="checkbox"/> Multiple Family Dwelling  | <input type="checkbox"/> Detached/Accessory Bldg     |
| <input type="checkbox"/> Single Family Additions  | <input type="checkbox"/> Single Family Alterations | <input type="checkbox"/> Swimming Pools              |
| <input type="checkbox"/> Walls, Fences, Decks Etc | <input type="checkbox"/> Multi Family Additions    | <input type="checkbox"/> Multi Family Accessory Bldg |

**Commercial Approvals – Planning Review (select all that apply) 01-0732:**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Building _____ Sqft.              | <input type="checkbox"/> Interior Alterations/Repairs | <input type="checkbox"/> Awnings/Canopies        |
| <input type="checkbox"/> Accessory Bldgs, etc.             | <input type="checkbox"/> Parking Lots                 | <input type="checkbox"/> Landfill and Extraction |
| <input type="checkbox"/> Gravel Mining                     | <input type="checkbox"/> Change of Use                | <input type="checkbox"/> Storage Tanks           |
| <input type="checkbox"/> Temp Tents, Trailers & Structures |   |  |

**Residential Zoning Districts : (Zoning Map Amendments) 01-0516:**

- Single Family Districts \_\_\_\_\_ Acres
- Multi Family Districts .95 \_\_\_\_\_ Acres \$500 Base Fee + \$95

**Non-Residential Zoning Districts : (Zoning Map Amendments) 01-0516:**

- Zoning Map Amendments \_\_\_\_\_ Acres

**Special District Applications 01-0516:**

- Village Residential Overlay
- JMA-O, Jonesboro Municipal Overlay District
- Planned Development District \_\_\_\_\_ phase (preliminary, final, modification)

**Board of Zoning Appeals Fee 01-0516:**

- Residential     Commercial     Conditional Use     Compatible Non-Conforming Use

**Subdivision Planning Fees 01-0733:**

- Minor Plats & Replats     Reviews MAPC Approval: \_\_\_\_\_ Lots \_\_\_\_\_ Acres

**On/Off-Premise Signage Permits – Planning Review 01-0734:**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Billboards                                | <input type="checkbox"/> High Rise Interstate _____ faces | <input type="checkbox"/> Bulletin Board _____ Sqft |
| <input type="checkbox"/> Construction Sign                         | <input type="checkbox"/> Ground Sign _____ Sqft           | <input type="checkbox"/> Wall & Awning _____ Sqft  |
| <input type="checkbox"/> Directional Sign _____ Sqft               | <input type="checkbox"/> Pole Sign _____ Sqft             | <input type="checkbox"/> Marquee Sign _____ Sqft   |
| <input type="checkbox"/> Promo Event                               | <input type="checkbox"/> Special Event Sign               | <input type="checkbox"/> Grand Opening Sign        |
| <input type="checkbox"/> Corner or Interior Parcel Sign _____ Sqft | Faces _____   |  |

**Zoning Sign Deposit 01-0155:**  1 \_\_\_\_\_ Number of Signs \$200 ea.

**Mapping and Duplicating Services Per Page 01-0735:**

- |   |   |  |  |
|---|---|--|--|
| <input type="checkbox"/> 8 ½" x 11" BW Copies           | <input type="checkbox"/> 8 ½" x 11" Color Map | <input type="checkbox"/> Over Size Page              | <input type="checkbox"/> Zoning Resolution |
| <input type="checkbox"/> Zoning Map 36"x50"             | <input type="checkbox"/> Land Use (36"x44")   | <input type="checkbox"/> 11"x17" Map                 |  |
| <input type="checkbox"/> Property Owner Search/Plat Map |   | <input type="checkbox"/> Zoning Certification Letter |  |

**Third Submittal Reviews:**

- Multi-Family Dwelling Review 01-0731     Commercial / Industrial Review 01-0732

Description: Rezoning R-1 to RM-16    Total Amount Due: \$795

Site: Address: 804 Belt    Tracking No.: RZ 22-09

<u>W. Wagner</u>	<u>MPearcy</u>	<u>5/12/22</u>
Customer	City Official	Date
Customer #		

THIS INSTRUMENT PREPARED BY: J. ROBIN NIX, II, ATTORNEY

## WARRANTY DEED

(CORPORATION)

KNOW ALL MEN BY THESE PRESENTS:

THAT **Bear Valley Church of Christ d/b/a Bear Valley Bible Institute of Denver**, by its designated officer, duly authorized by proper resolution of its Elders/Board, for and in consideration of the sum of \$21,000.00, and other good and valuable considerations in hand paid by the **Grantee** herein, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto **Wagner Enterprises & Investments LLC**, and unto **its successors** and assigns forever, the following described land situated in the County of Craighead, State of Arkansas, to-wit:

A part of the Southeast Quarter of the Southeast Quarter of Section 7, Township 14 North, Range 4 East, being more particularly described as follows: From the Southeast corner of the Southeast Quarter of the Southeast Quarter of said Section 7; thence South 89°34'30" West 427.00 feet along the South line of the Southeast Quarter of the Southeast Quarter of said Section 7 to a point; thence South 89°34'30" West 116.70 feet to a point; thence North 00°56'10" East 290.00 feet to the point of beginning; thence continue North 00°56'10" East 130.00 feet to a point; thence North 89°34'30" East 319.70 feet to a point; thence South 00°56'10" West 130.00 feet to a point; thence South 89°34'30" West 319.70 feet to the point of beginning proper, containing 0.954 acres, more or less.

Subject to assessments, building lines, easements, mineral reservations and/or conveyances, restrictions, and any other matters of record or fact.

NOTE: NO TITLE SEARCH WAS PERFORMED.

TO HAVE AND TO HOLD the same unto the said **Grantee** and unto **its successors** and assigns forever, with all appurtenances thereunto belonging.

And **Bear Valley Church of Christ d/b/a Bear Valley Bible Institute of Denver**, a corporation, hereby covenants with said **Grantee** that it will forever warrant and defend the title to the said lands against all claims whatsoever.

IN TESTIMONY WHEREOF, the name of the **grantor** is hereunto fixed by its designated officer this 27<sup>th</sup> day of April, 2022.

Bear Valley Church of Christ d/b/a Bear Valley Bible Institute of Denver

Dennis Petrillo  
Dennis Petrillo, President/authorized signer

ACKNOWLEDGMENT

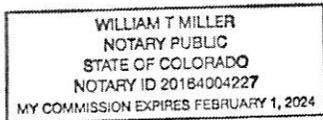
STATE OF Colorado  
COUNTY OF Denver

BE IT REMEMBERED, that on this day came before me the undersigned, a Notary Public duly commissioned qualified and acting, within and for said County and State, in person within named **Dennis Petrillo**, to me personally well known, who stated he is the President/authorized signer of **Bear Valley Church of Christ d/b/a Bear Valley Bible Institute of Denver**, and is duly authorized in his capacity to execute the foregoing instrument for and in the name and behalf of said Grantor, and further stated and acknowledged that he had signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF I have hereunto set my hand and official seal this 27 day of April, 2022.

My Commission Expires:  
February 01, 2024

[Signature]  
Notary Public



I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument.

Buyer: Weston Wagner Address: 336 Natchez Dr.  
Jonestown AR 72464

THE CITY OF JONESBORO  
300 S CHURCH ST  
JONESBORO AR 72403  
870-932-3042

Terminal ID: \*\*\*\*703      \*\*\*5  
5/12/22      2:04 PM  
CAPITAL ONE VISA - INSERT  
AID: A0000000031010  
ACCT #: \*\*\*\*\*1816

CREDIT SALE

UID: 213241751238      REF #: 4678

BATCH #: 934      AUTH #: 031469

AMOUNT

\$795.00

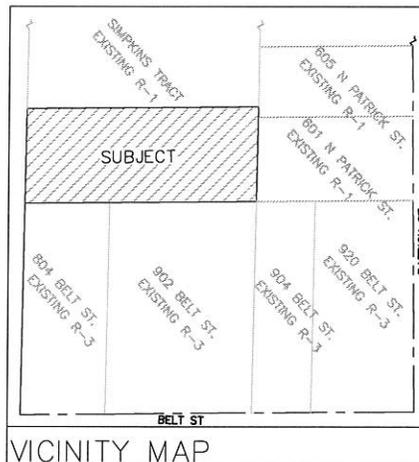
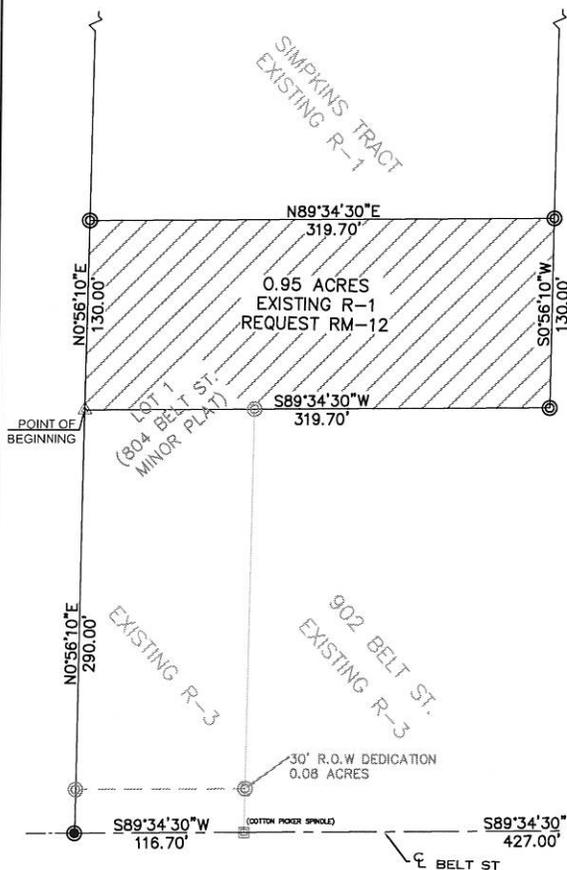
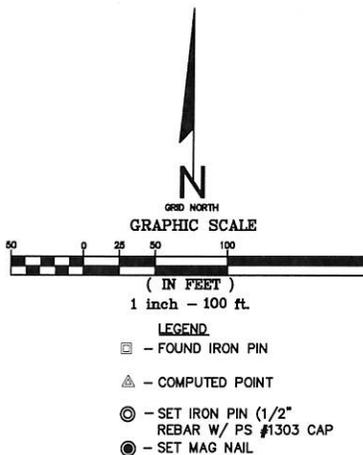
APPROVED

ARQC - CC64CCE46B2275AF

CUSTOMER COPY

**NOTES**

1. CLIENT: WESTON WAGNER
2. BASIS OF BEARING: GPS OBSERVATIONS PER NAD83, THIRD ORDER CLASS 1, ARKANSAS SPC NORTH ZONE
3. S07-T14N-R04E
4. ZONED: R1 -- REQUESTED: RM-12



**REFERENCES**

1. RECORD PLAT: FOR WHITLEY ASSOCIATES. BY: H&S HIME PROF. SURVEYING SERVICES. DATED: 07/12/2013. NAMED: LOT 1 OF NORTHSIDE SUBDIVISION, JONESBORO ARKANSAS, AND THE WEST 117 FEET OF THE SOUTH 110 FEET OF THE EAST 427 FEET OF SECTION 7, T14N, R4E, CRAIGHEAD COUNTY, ARKANSAS. FOUND IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS.
2. RECORD REZONING PLAT: FOR RANDY SIMPKINS. BY: HIME LAND SURVEYING INC. DATED: 5/17/2005. NAMED: A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, T14N, R4E JONESBORO, ARKANSAS.

**DESCRIPTION**

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 14 NORTH, RANGE 4 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 FROM THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 7; THENCE S89°34'30\"/>

**OWNERS CERTIFICATION**

I, WESTON WAGNER, HEREBY CERTIFY THAT I AM THE OWNER OF THE ABOVE DESCRIBED PROPERTY AND I HEREBY REQUEST A CHANGE IN ZONING FROM R-1 TO RM-12 FOR THE PROPERTY SHOWN HEREON.

WESTON WAGNER \_\_\_\_\_ DATE \_\_\_\_\_

**CERTIFICATION**

I HEREBY CERTIFY THAT McALISTER ENGINEERING HAS THIS DATE MADE A BOUNDARY SURVEY OF THE DESCRIBED LANDS IN COMPLIANCE WITH THE ARKANSAS MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND PLATS AND THAT ALL PROPERTY LINES AND CORNER MONUMENTS HAVE BEEN CORRECTLY ESTABLISHED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

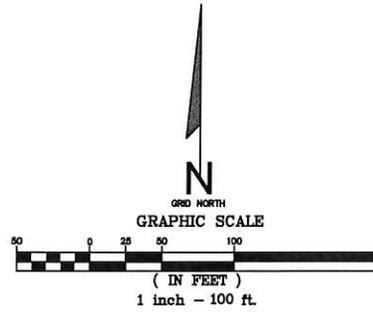
CLARENCE W. "MAC" McALISTER, PS1303

**REZONING PLAT**

NORTH 0.95 ACRES OF 804 BELT STREET MINOR PLAT	
SECTION 07, TOWNSHIP 14 NORTH, RANGE 04 EAST	
CRAIGHEAD COUNTY, ARKANSAS	
<b>McALISTER ENGINEERING, PLLC</b> CIVIL ENGINEERING AND LAND SURVEYING 4508 STADIUM BLVD. STE. D JONESBORO, AR 72401 870-931-1420	DRAWN BY: DW SCALE: 1" = 100' DATE: 19APR22 JOB #: 22113918
CHECKED BY: CM FILE: BELTZONE.DWG SHEET 1 / 1	△
500-T14N-04E-07-340-(B)-1303	

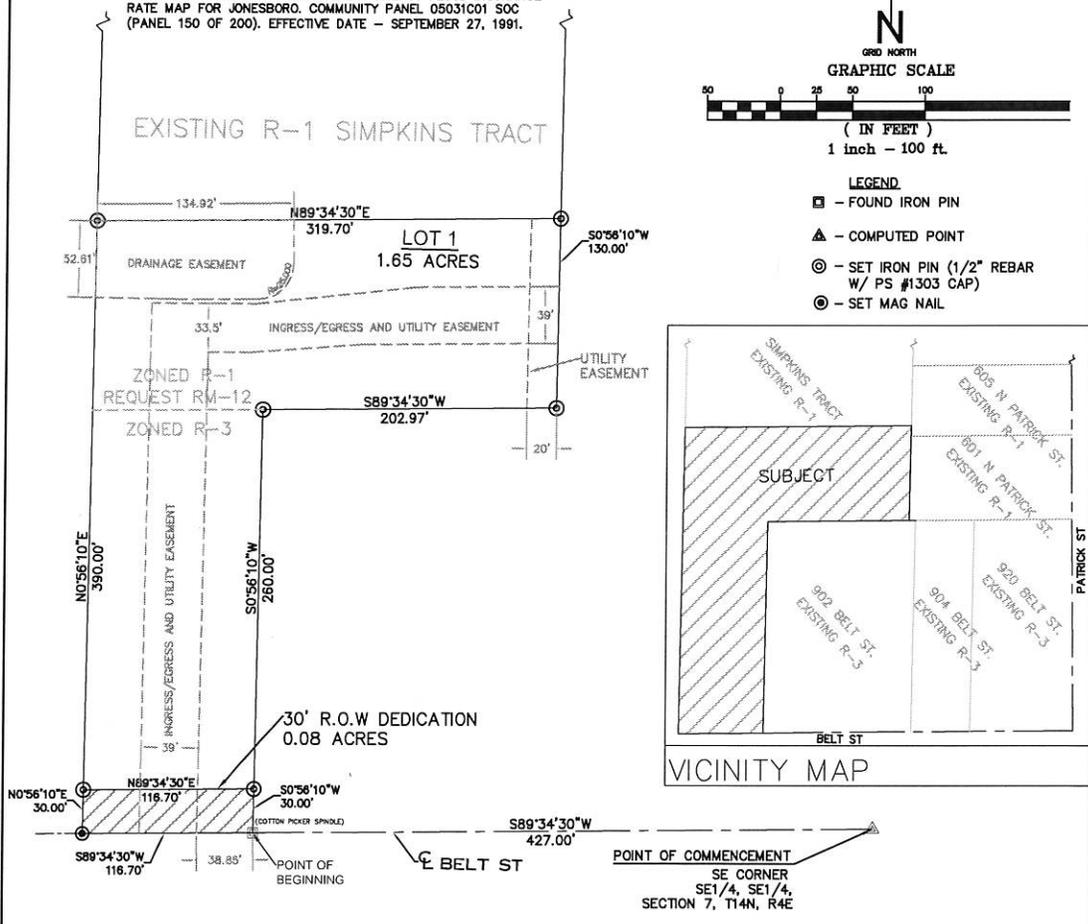
**NOTES**

1. CLIENT: WESTON WAGNER
2. BASIS OF BEARING: GPS OBSERVATIONS PER NAD83, THIRD ORDER CLASS 1, ARKANSAS SPC NORTH ZONE
3. S07-T14N-R04E
4. ZONED: R-1, REQUEST RM-12 AND R-3
5. SUBJECT PROPERTY IS LOCATED WITHIN ZONE "X" AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN, AS DESIGNATED BY FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR JONESBORO, COMMUNITY PANEL 05031C01 SOC (PANEL 150 OF 200), EFFECTIVE DATE - SEPTEMBER 27, 1991.



**LEGEND**

- ⊠ - FOUND IRON PIN
- ▲ - COMPUTED POINT
- ⊙ - SET IRON PIN (1/2" REBAR W/ PS #1303 CAP)
- ⊙ - SET MAG NAIL



**REFERENCES**

1. RECORD PLAT: FOR WHITLEY ASSOCIATES. BY: H&S HIME PROF. SURVEYING SERVICES. DATED: 07/12/2013. NAMED: LOT 1 OF NORTHSIDE SUBDIVISION, JONESBORO ARKANSAS, AND THE WEST 117 FEET OF THE SOUTH 110 FEET OF THE EAST 427 FEET OF SECTION 7, T14N, R4E, CRAIGHEAD COUNTY, ARKANSAS. FOUND IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS.
2. RECORD REZONING PLAT: FOR RANDY SIMPKINS. BY: HIME LAND SURVEYING INC. DATED: 5/17/2005. NAMED: A PART OF THE SOUTHEAST QUATER OF THE SOUTHEAST QUATER OF SECTION 7, T14N, R4E JONESBORO, ARKANSAS.

**DESCRIPTION**

A PART OF THE SOUTHEAST QUATER OF THE SOUTHEAST QUATER OF SECTION 7, TOWNSHIP 14 NORTH, RANGE 4 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 FROM THE SOUTHEAST CORNER OF THE SOUTHEAST QUATER OF THE SOUTHEAST QUATER OF SAID SECTION 7; THENCE S89°34'30"W 427.00 FEET ALONG THE SOUTH LINE OF THE SOUTHEAST QUATER OF THE SOUTHEAST QUATER OF SAID SECTION 7 TO THE POINT OF BEGINNING; CONTINUE THENCE S89°34'30"W 116.73 FEET TO A POINT, THENCE N00°56'10"E 30.00 FEET TO A POINT, THENCE N00°56'10"E 390.00 FEET TO A POINT, THENCE N89°34'30"E 319.70 FEET TO A POINT, THENCE S00°56'10"W 130.00 FEET TO A POINT, THENCE S89°34'30"W 202.97 FEET TO A POINT, THENCE S00°56'10"W 260.00 FEET TO A POINT, THENCE S00°56'10"W 30.00 FEET TO THE POINT OF BEGINNING, CONTAINING SOME 1.73 ACRES, MORE OR LESS.  
 SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS OF WAY OF RECORD.

**OWNERS CERTIFICATION**

I, WESTON WAGNER, HEREBY CERTIFY THAT I AM THE OWNER OF THE DESCRIBED PROPERTY HEREON AND THAT I HEREBY HAVE CAUSED THE SAME TO BE PLATTED AS SHOWN HEREON, AND HEREBY DEDICATE ALL RIGHTS OF WAY AND EASEMENTS AS SHOWN HEREON.

WESTON WAGNER \_\_\_\_\_ DATE \_\_\_\_\_

**CERTIFICATION**

I HEREBY CERTIFY THAT McALISTER ENGINEERING HAS THIS DATE MADE A BOUNDARY SURVEY OF THE DESCRIBED LANDS IN COMPLIANCE WITH THE ARKANSAS MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND PLATS AND THAT ALL PROPERTY LINES AND CORNER MONUMENTS HAVE BEEN CORRECTLY ESTABLISHED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

CLARENCE W. "MAC" McALISTER, PS1303

**804 BELT STREET MINOR PLAT**

804 BELT STREET, JONESBORO, ARKANSAS			
SECTION 07, TOWNSHIP 14 NORTH, RANGE 04 EAST			
CRAIGHEAD COUNTY, ARKANSAS			
<b>McALISTER ENGINEERING, PLLC</b> CIVIL ENGINEERING AND LAND SURVEYING 4508 STADIUM BLVD, STE D JONESBORO, AR 72401 870-931-1420	DRAWN BY: DW	CHECKED BY: CM/TM	
	SCALE: 1" = 100'		
	DATE: 14JUNE22	FILE: REPLAT MAIN_2.DWG	
	JOB #: 22113918	SHEET 1 / 1	
CLARENCE W. "MAC" McALISTER, PE, PS		500-14N-03E-0-07-340-16-1303	

OFFICIAL RECEIPT

Receipt Date 01/24/2023 11:22 AM  
Receipt Print Date 01/24/2023

Receipt # 00228707  
Batch # 00024.01.2023

CITY OF JONESBORO  
300 S. Church St. Ste 106  
PO Box 1845  
JONESBORO, AR 72403-1845  
870-932-3042

For Permit Inspections call 870-933-4602

Account/License/Permit/Category:  
CR 221.00

Detail:  
01-000-0150-00  
Proof of Publication - 804 Be  
lt 221.00

-----  
Total 221.00

Payment Information:  
Check 1268 221.00  
Change 0.00

Weston Wagner  
Customer #: 000000

Cashier: ALCooksey  
Station: ALCOOKSEY

Print Full Name	Address	Phone number	Signature
1 Millie V Brown	814 MAYS Rd JONESBORO 72405	870 919 7922	Millie V. Brown
2 Billy Brown	JONESBORO 72405 814 MAYS Rd	870 340 6130	Billy Brown
3 Charles Coltrane	300 Ho. Fisher	870-931-3178	
4 Juan R	per 805	870 273 9348	J R
5 Jourita Garcia	434 N. Allis st 72401 Jonesboro	870-882-4601	
6 Norma Mata	Jonesboro Ar. 424 N Allis st.	870-219-9339	
7 James Mata	Jonesboro Ar 424 N Allis St	870-530-3626	James
8 Jaicee Mata	724 N. Allis	" " "	Jaicee M. R.
9 Nina Steete	602 N. Patrick St	870 316-1203	Nina Steete
10 Clara Jones	602 N. Patrick St.	"	Clara Jones
11 Corina Cerecerez	905 Belt	"	Corina
12 Ernest Smith	436 N. Fisher	(870) 273-2105	Ernest Smith
13 Nancy A. Smith	436 N. Fisher		Nancy A. Smith
14 Jonio Milton	325 North Fisher	870-680-0192	Jonio Milton
15 Ms Melinda Young	325 North Fisher	870-351-4558	Melinda Young
16 Jeremy Brittany Davis	601 N. Patrick St.	573 752 0248	Brittany Davis
17 Jeremy Davis	601 N. Patrick St.	573 717 0794	Jeremy Davis
18			
19			
20			

7021 2720 0003 1545 0159

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Jonesboro, AR 72401

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Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$0.00

Return Receipt (electronic) \$0.00

Certified Mail Restricted Delivery \$0.00

Adult Signature Required \$0.00

Adult Signature Restricted Delivery \$0.00

Postage \$0.50

Total Postage and Fees \$7.35 05/10/2022

Sent To **Dingshim Investment LLC**  
 Street and Apt. No., or PO Box No. **208 State St. #01**  
 City, State, ZIP+4® **Jonesboro, AR 72401**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Return Receipt (electronic) \$0.00

Certified Mail Restricted Delivery \$0.00

Adult Signature Required \$0.00

Adult Signature Restricted Delivery \$0.00

Postage \$0.50

Total Postage and Fees \$7.35 05/10/2022

Sent To **Mabry Properties and Holdings LLC**  
 Street and Apt. No., or PO Box No. **Po Box 19503**  
 City, State, ZIP+4® **Jonesboro, AR 72403**

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Certified Mail Restricted Delivery \$0.00

Adult Signature Required \$0.00

Adult Signature Restricted Delivery \$0.00

Postage \$0.50

Total Postage and Fees \$7.35 05/10/2022

Sent To **Crowleys Ridge Development Council**  
 Street and Apt. No., or PO Box No. **2401 Fox Meadow Ln**  
 City, State, ZIP+4® **Jonesboro, AR 72404**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Jonesboro, AR 72401

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Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$0.00

Return Receipt (electronic) \$0.00

Certified Mail Restricted Delivery \$0.00

Adult Signature Required \$0.00

Adult Signature Restricted Delivery \$0.00

Postage \$0.50

Total Postage and Fees \$7.35 05/10/2022

Sent To **Jeremy Davis**  
 Street and Apt. No., or PO Box No. **601 N. Patrick St.**  
 City, State, ZIP+4® **Jonesboro, AR 72401**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Jonesboro, AR 72401

**OFFICIAL USE**

Certified Mail Fee \$3.75 0408 30

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$0.00

Return Receipt (electronic) \$0.00

Certified Mail Restricted Delivery \$0.00

Adult Signature Required \$0.00

Adult Signature Restricted Delivery \$0.00

Postage \$0.50

Total Postage and Fees \$7.35 05/10/2022

Sent To **McCluey Berl**  
 Street and Apt. No., or PO Box No. **605 N Patrick St.**  
 City, State, ZIP+4® **Jonesboro AR 72401**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Jonesboro, AR 72401

**OFFICIAL USE**

Certified Mail Fee \$3.75 0408 30

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$0.00

Return Receipt (electronic) \$0.00

Certified Mail Restricted Delivery \$0.00

Adult Signature Required \$0.00

Adult Signature Restricted Delivery \$0.00

Postage \$0.50

Total Postage and Fees \$7.35 05/10/2022

Sent To **Roger Presley**  
 Street and Apt. No., or PO Box No. **703 N Patrick St.**  
 City, State, ZIP+4® **Jonesboro AR 72401**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: ORD-23:004

**Agenda Date:**

**Version:** 1

**Status:** Third Reading

**In Control:** Finance & Administration Council Committee

**File Type:** Ordinance

AN ORDINANCE AMENDING ORDINANCE NO. 2022-15 OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS; MODIFYING THE INTEREST RATE ON THE CITY'S TAXABLE ECONOMIC DEVELOPMENT REVENUE BONDS (COLSON CASTER PROJECT), SERIES 2022B ISSUED ON APRIL 19, 2022; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

WHEREAS, the City of Jonesboro, Arkansas (the "City") is authorized under the provisions of Amendment 65 to the Arkansas Constitution and the Municipalities and Counties Industrial Development Revenue Bond Law, Ark. Code Ann. §§ 14-164-201 *et seq.* and Ark. Code Ann. §§ 14-164-701 *et seq.*, each as amended from time to time (collectively, the "Act"), to own, acquire, construct, equip and lease facilities to secure and develop industry and to assist in the financing thereof by the issuance of bonds payable from revenues derived from such facilities; and

WHEREAS, the City in its Ordinance No. 2022-15, duly adopted March 15, 2022 (the "Original Ordinance"), approved the issuance of three series of taxable economic development revenue bonds under the provisions of the Act, comprising (i) not to exceed \$11,000,000 Taxable Economic Development Revenue Bonds (ADFA/AEDC Guaranty Programs) (Colson Caster Project) Series 2022A, (ii) not to exceed \$4,000,000 Taxable Economic Development Revenue Bonds (Colson Caster Project) Series 2022B (the "Series B Bonds") and (iii) not to exceed \$9,000,000 Taxable Economic Development Revenue Bonds (Colson Caster Project) Series 2022C, each issued pursuant to the terms of a Trust Indenture dated as of April 19, 2022, entered into between the City and First Security Bank (the "Trustee"); and

WHEREAS, the Original Ordinance included an interest rate for the Series B Bonds that was re-negotiated after the Original Ordinance was approved and the Original Ordinance needs to be amended to correctly state the interest rate for the Series B Bonds.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS:**

**Section 1. Amendment to Section 1(a)(ii) of the Original Ordinance.** That Section 1(a)(ii) of the Original Ordinance be deleted in its entirety and replaced with the following:

"(ii) The Series B Bonds shall be issued in an aggregate principal amount not to exceed Four Million and 00/100 Dollars (\$4,000,000.00), and the Series B Bonds shall be sold to the Series B Purchaser for a price of par plus the cost of issuance upon the terms and conditions set forth in the Letter of Offer and Representations. The Series B Bonds shall mature not later than December 31, 2037, and bear an interest rate or rates of 5.750% until April 1, 2027, thereafter, the interest rate will be adjusted annually on each April 1 to the Wall Street Journal Prime Rate plus 2.25%, but shall not

exceed a maximum of 10.75%. The Wall Street Journal Prime Rate is the interest rate published by the *Wall Street Journal* representing the base rate on corporate loans posted by at least 70% of the 10 largest U.S. banks, or, in the event such rate is no longer published by *The Wall Street Journal*, such other comparable reference or benchmark rate of interest that is reasonably established by the Trustee as its index rate to be in effect from time to time, whether or not such rate is otherwise published.”

**Section 2. Ratification.** All other terms and provisions of the Original Ordinance not modified herein are hereby ratified and shall remain in full force and effect.

**Section 3. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase or word in this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this ordinance, which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of this ordinance.

**Section 4. Repealer.** All ordinances or resolutions of the City, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO. 2022-15 OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS; MODIFYING THE INTEREST RATE ON THE CITY'S TAXABLE ECONOMIC DEVELOPMENT REVENUE BONDS (COLSON CASTER PROJECT), SERIES 2022B ISSUED ON APRIL 19, 2022; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

WHEREAS, the City of Jonesboro, Arkansas (the "City") is authorized under the provisions of Amendment 65 to the Arkansas Constitution and the Municipalities and Counties Industrial Development Revenue Bond Law, Ark. Code Ann. §§ 14-164-201 *et seq.* and Ark. Code Ann. §§ 14-164-701 *et seq.*, each as amended from time to time (collectively, the "Act"), to own, acquire, construct, equip and lease facilities to secure and develop industry and to assist in the financing thereof by the issuance of bonds payable from revenues derived from such facilities; and

WHEREAS, the City in its Ordinance No. 2022-15, duly adopted March 15, 2022 (the "Original Ordinance"), approved the issuance of three series of taxable economic development revenue bonds under the provisions of the Act, comprising (i) not to exceed \$11,000,000 Taxable Economic Development Revenue Bonds (ADFA/AEDC Guaranty Programs) (Colson Caster Project) Series 2022A, (ii) not to exceed \$4,000,000 Taxable Economic Development Revenue Bonds (Colson Caster Project) Series 2022B (the "Series B Bonds") and (iii) not to exceed \$9,000,000 Taxable Economic Development Revenue Bonds (Colson Caster Project) Series 2022C, each issued pursuant to the terms of a Trust Indenture dated as of April 19, 2022, entered into between the City and First Security Bank (the "Trustee"); and

WHEREAS, the Original Ordinance included an interest rate for the Series B Bonds that was re-negotiated after the Original Ordinance was approved and the Original Ordinance needs to be amended to correctly state the interest rate for the Series B Bonds.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS:**

**Section 1. Amendment to Section 1(a)(ii) of the Original Ordinance.** That Section 1(a)(ii) of the Original Ordinance be deleted in its entirety and replaced with the following:

“(ii) The Series B Bonds shall be issued in an aggregate principal amount not to exceed Four Million and 00/100 Dollars (\$4,000,000.00), and the Series B Bonds shall be sold to the Series B Purchaser for a price of par plus the cost of issuance upon the terms and conditions set forth in the Letter of Offer and Representations. The Series B Bonds shall mature not later than December 31, 2037, and bear an interest rate or rates of 5.750% until April 1, 2027, thereafter, the interest rate will be adjusted annually on each April 1 to the Wall Street Journal Prime Rate plus 2.25%, but shall not exceed a maximum of 10.75%. The Wall Street Journal Prime Rate is the interest rate published by the *Wall Street Journal* representing the base rate on corporate loans posted by at least 70% of the 10 largest U.S. banks, or, in the event such rate is no longer published by *The Wall Street Journal*, such other comparable reference or benchmark rate of interest that is

reasonably established by the Trustee as its index rate to be in effect from time to time, whether or not such rate is otherwise published.”

**Section 2. Ratification.** All other terms and provisions of the Original Ordinance not modified herein are hereby ratified and shall remain in full force and effect.

**Section 3. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase or word in this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this ordinance, which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of this ordinance.

**Section 4. Repealer.** All ordinances or resolutions of the City, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

APPROVED:

\_\_\_\_\_  
HAROLD COPENHAVER, MAYOR

ATTEST:

\_\_\_\_\_  
APRIL LEGGETT, CITY CLERK

( S E A L )



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Signature Copy

Ordinance: O-EN-014-2022

File Number: ORD-22:015

Enactment Number: O-EN-014-2022

**AN ORDINANCE TO AUTHORIZE THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS UNDER THE MUNICIPALITIES AND COUNTIES INDUSTRIAL DEVELOPMENT REVENUE BOND LAW FOR THE PURPOSE OF SECURING AND DEVELOPING INDUSTRY; TO AUTHORIZE THE SALE OF THE BONDS AND THE APPROVAL OF BOND PURCHASE AGREEMENTS, A PAYMENT IN LIEU OF TAXES AGREEMENT AND RELATED AGREEMENTS; TO AUTHORIZE THE EXECUTION AND DELIVERY OF TRUST INDENTURES SECURING THE BONDS; TO AUTHORIZE AND PRESCRIBE CERTAIN MATTERS PERTAINING TO THE PROJECT, THE ACQUISITION, CONSTRUCTION, AND EQUIPPING THEREOF, AND THE FINANCING THEREOF; TO AUTHORIZE THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT RELATING TO THE PROJECT; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Jonesboro, Arkansas (the “City”) is authorized under the provisions of Amendment 65 to the Arkansas Constitution and the Municipalities and Counties Industrial Development Revenue Bond Law, Ark. Code Ann. §§ 14-164-201 *et seq.* and Ark. Code Ann. §§ 14-164-701 *et seq.*, each as amended from time to time (collectively, the “Act”), to own, acquire, construct, equip, and lease facilities to secure and develop industry and to assist in the financing thereof by the issuance of bonds payable from the revenues derived from such facilities; and

**WHEREAS**, Colson Caster LLC or its affiliate (the “Company”) has evidenced its interest in acquiring, constructing, and equipping an industrial facility in the City if permanent financing can be provided through the issuance of revenue bonds under the authority of the Act; and

**WHEREAS**, the City has agreed to cooperate with the Company in the acquisition, construction, and equipping of an industrial facility in the City and to finance the acquisition and construction of manufacturing facilities, infrastructure and improvements and the acquisition and installation of facilities and equipment for the development, manufacture, warehousing and distribution of casters and wheels to be located at 2121 Barnhill Road, Jonesboro, Arkansas (the “Project”) relating to the operations of the Company; and

**WHEREAS**, to provide permanent financing of the Project costs, necessary costs and expenditures incidental thereto, and the cost of the issuance of bonds, the City will issue its taxable economic development revenue bonds under the provisions of the Act in one or more series, in the aggregate principal amount of not to exceed \$24,000,000.00, to be comprised of (i) not to exceed \$11,000,000.00 taxable economic development revenue bonds issued pursuant to the Act and guaranteed (the “Guaranties”) by the Arkansas Development Finance Authority (“ADFA”) and the Arkansas Economic Development Commission (“AEDC”) and designated as the “City of Jonesboro, Arkansas Taxable Economic Development Revenue Bonds (ADFA/AEDC Guaranty Programs) (Colson Caster Project), Series 2022A (the “Series A Bonds”), (ii) not to exceed \$4,000,000.00 taxable economic development

revenue bonds issued pursuant to the Act and designated as the “City of Jonesboro, Arkansas Taxable Economic Development Revenue Bonds (Colson Caster Project), Series 2022B (the “Series B Bonds”), and (iii) not to exceed \$9,000,000.00 taxable economic development revenue bonds issued pursuant to the Act and designated as the “City of Jonesboro, Arkansas Taxable Economic Development Revenue Bonds (Colson Caster Project), Series 2022C (the “Series C Bonds” and together with the Series A Bonds and the Series C Bonds, the “Bonds”); and

**WHEREAS**, the Series A Bonds and Series B Bonds will be issued pursuant to the provisions of a Trust Indenture (the “Series A and B Indenture”) and the Series C Bonds will be issued pursuant to the provisions of a Trust Indenture (the “Series C Indenture” and with the Series A & B Indenture, the “Indentures”) to be entered into between the City and a trustee (the “Trustee”) to be selected upon the mutual agreement of the City and the Company; and

**WHEREAS**, the City and the Company intend to enter into a Lease Agreement (the “Lease Agreement”) relating to the real and personal property constituting the Project, which contemplates that the Project will be leased to the Company, with an option to purchase for a nominal price, and the rental payments therefor together with other moneys available shall be sufficient to pay debt service on the Bonds and all related costs; and

**WHEREAS**, the Series A Bonds will be sold to Crews & Associates, Inc. (the “Underwriter”) pursuant to a Bond Purchase Agreement (the “Series A Purchase Agreement”) between the City, the Company and the Underwriter; and

**WHEREAS**, in order to market the Series A Bonds and determine the total principal amount of the Series A Bonds, the Underwriter requires an Official Statement (and a Preliminary Official Statement) (collectively, the “Official Statement”) in a form deemed final pursuant to Rule 15c2-12 of the Securities and Exchange Commission, as described in the Series A Purchase Agreement; and

**WHEREAS**, the Series A Bonds will be special obligations of the City payable solely from moneys derived from payments by the Company to the City pursuant to the Lease Agreement on a parity basis with the Series B Bonds and any payments made by ADFA and AEDC under the Guaranties; and

**WHEREAS**, the Series B Bonds will be placed with “accredited investors” and/or “qualified institutional buyers” (as such terms are defined in the Securities Act of 1933 and related regulations) (the “Series B Purchaser”) by Crews & Associates, Inc. (the “Placement Agent”) pursuant to the terms of a Letter of Offer and Representations (the “Letter of Offer and Representations”) between the City and the Purchaser; and

**WHEREAS**, the Series B Bonds will be special obligations of the City payable solely from moneys derived from payments by the Company to the City pursuant to the Lease Agreement on a parity basis with the Series A Bonds and a valid first priority mortgage on the Project pursuant to a Mortgage, Security Agreement and Fixture Filing (the “Mortgage”), a valid first priority leasehold mortgage on the Company’s leasehold interest in the Project, a valid first priority security interest in all machinery, equipment, furnishings, and personal property included within the Project pursuant to a Security Agreement (the “Security Agreement”) and an assignment of any and all rents and leases on the Project pursuant to an Assignment of Rents and Leases (the “Assignment of Rents and Leases” and together with the Mortgage and Security Agreement, the “Security Documents”), granted by the Company in favor of the Collateral Agent (defined below). The Series B Bonds and the Guaranties are secured by the Security Documents on a parity basis; and

**WHEREAS**, ADFA, AEDC, the City, the Trustee, the Company and the Series B Purchaser will enter into an intercreditor agreement (the “Intercreditor Agreement”) pursuant to which ADFA, AEDC and

the Series B Purchaser will share on a ratable basis the Security Documents as pledged on a parity basis for the Series B Bonds and the Guaranties and a collateral agent (the "Collateral Agent") will be appointed upon mutual agreement of the parties thereto to act on behalf of ADFA, AEDC and the Series B Purchaser; and

**WHEREAS**, the City proposes to sell the Series C Bonds to an affiliate of the Company (the "Series C Purchaser") pursuant to Bond Purchase Agreement (the "Series C Purchase Agreement") by and between the City and the Series C Purchaser; and

**WHEREAS**, the Series C Bonds will be special obligations of the City payable solely from moneys derived from payments by the Company to the City pursuant to the Lease Agreement on a subordinate basis with the Series A Bonds and the Series B Bonds; and

**WHEREAS**, to induce the City to proceed with the issuance of the Bonds for the purpose indicated, which will inure to the benefit of the Company, the City and the Company will enter into a Payment in Lieu of Taxes Agreement (the "PILOT Agreement"); and

**WHEREAS**, the City caused a form of a notice of public hearing to be published on November 20, 2020, and the City hereby ratifies the form of notice published; and

**WHEREAS**, an open public hearing on the question of the issuance of the Bonds was held before the City Council on December 1, 2020 following publication of notice of the hearing and that having heard all persons desiring to be heard in the matter, the City has taken under advisement the comments and statements of such persons, and declared the public hearing duly closed; and

**WHEREAS**, the completion of the Project will furnish additional employment and other benefits to and be in the best interest of the City and its residents.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS:**

**Section 1.** There be, and there is hereby, authorized and directed the following:

(a)(i) The Series A Bonds shall be issued in an aggregate principal amount not to exceed Eleven Million and 00/100 Dollars (\$11,000,000.00), and the Series A Bonds shall be issued in the forms and denominations, shall be dated, shall be numbered, and shall be subject to redemption prior to maturity all upon the terms and conditions set forth in the Series A and B Indenture. The Series A Bonds shall mature not later than December 31, 2037, and bear interest at a rate or rates not to exceed six and three-quarters percent (6.75%) per annum.

(ii) The Series B Bonds shall be issued in an aggregate principal amounts not to exceed Four Million and 00/100 Dollars (\$4,000,000.00), and the Series B Bonds shall be sold to the Series B Purchaser for a price of par plus the costs of issuance upon the terms and conditions set forth in the Letter of Offer and Representations. The Series B Bonds shall mature not later than December 31, 2037, and bear interest at a rate or rates not to exceed six and three-quarters percent (6.75%) per annum.

(iii) The Series C Bonds shall be issued in an aggregate principal amount not to exceed Nine Million and 00/100 Dollars (\$9,000,000.00), and the Series C Bonds shall be sold to the Series C Purchaser for a price of par plus the costs of issuance upon the terms and conditions set forth in the Series C Purchase Agreement. The Series C Bonds shall mature not later than December 31, 2042, and bear interest at a rate or rates not to exceed six and three-quarters percent (6.75%) per annum.

(b) The Bonds shall bear interest at the rate or rates per annum as set forth in the Indentures, so long as no rate exceeds the maximum permitted by law. The Bonds shall mature (or be subject to mandatory sinking fund redemption) on the date or dates and in the principal amount or amounts as set forth in the Indentures, so long as the final maturity of the Bonds is not greater than 20 years from their date of

issuance. The Bonds shall be issued in the forms and denominations, shall be dated, shall be numbered, and shall be subject to redemption prior to maturity all upon the terms and conditions set forth in the Indentures.

(c) The acquisition, construction, and equipping of the Project, and, in connection therewith, the execution of any necessary architectural, engineering, or construction contracts or the acceptance of an assignment of any such contracts previously executed by the Company for the construction and equipping of the Project on behalf of the City is hereby authorized and directed.

**Section 2.** (a) The Series A Bonds shall be sold to the Underwriter for a purchase price negotiated with the Company, plus original issue premium or minus original issue discount, if any, plus accrued interest, if any, from the date of the Series A Bonds to the date of delivery, and upon the terms and conditions set forth in the Series A Purchase Agreement. There be, and there is hereby, authorized and directed the execution and delivery of the Series A Purchase Agreement, and the Mayor and City Clerk are hereby authorized to execute, acknowledge, and deliver the Series A Purchase Agreement for and on behalf of the City. The Series A Purchase Agreement is hereby approved in substantially the form submitted to this meeting (and a copy of such Series A Purchase Agreement is on file with the City Clerk and available for inspection by any interested person), and the Mayor is hereby authorized to confer with the Company and the Underwriter in order to complete the Series A Purchase Agreement in substantially the form submitted to this meeting, with such changes as shall be approved by the Mayor, his execution to constitute conclusive evidence of such approval.

There is hereby authorized the preparation and distribution to various prospective and actual purchasers of the Series A Bonds of the Official Statement describing the Series A Bonds and their security and setting forth such other information as may be determined to be necessary or desirable. The Mayor is hereby authorized to execute such Official Statement on behalf of the City in substantially the form submitted to this meeting (and a copy of such Official Statement is on file with the City Clerk and available for inspection by any interested person), with such changes as shall be approved by the Mayor, his execution to constitute conclusive evidence of such approval.

(b) The Series B Bonds will be privately placed with the Series B Purchaser for the purchase price of par plus costs of issuance pursuant to the terms of the Letter of Offer and Representations. There be, and there is hereby, authorized and directed the execution and delivery of the Letter of Offer and Representations, and the Mayor and City Clerk are hereby authorized to execute, acknowledge, and deliver the Letter of Offer and Representations for and on behalf of the City. The Letter of Offer and Representations is hereby approved in substantially the form submitted to this meeting (and a copy of such Letter of Offer and Representations is on file with the City Clerk and available for inspection by any interested person), and the Mayor is hereby authorized to confer with the Company and the Series B Purchaser in order to complete the Letter of Offer and Representations in substantially the form submitted to this meeting, with such changes as shall be approved by the Mayor, his execution to constitute conclusive evidence of such approval.

(c) The Series C Bonds shall be sold to the Series C Purchaser for a price of par plus the costs of issuance upon the terms and conditions set forth in the Series C Purchase Agreement. There be, and there is hereby, authorized and directed the execution and delivery of the Series C Purchase Agreement, and the Mayor and City Clerk are hereby authorized to execute, acknowledge, and deliver the Series C Purchase Agreement for and on behalf of the City. The Series C Purchase Agreement is hereby approved in substantially the form submitted to this meeting (and a copy of such Series C Purchase Agreement is on file with the City Clerk and available for inspection by any interested person), and the Mayor is hereby authorized to confer with the Company and the Series C Purchaser in order to complete

the Series C Purchase Agreement in substantially the form submitted to this meeting, with such changes as shall be approved by the Mayor, his execution to constitute conclusive evidence of such approval.

(d) That to further prescribe the terms and conditions upon which the Bonds are to be executed, authenticated, issued, accepted, held and secured, the Mayor is hereby authorized and directed (when requested to do so by the Company) to execute and acknowledge the Indentures, and the City Clerk is hereby authorized and directed to execute and acknowledge the Indentures and to affix the seal of the City thereto, and the Mayor and City Clerk are hereby authorized and directed to cause the Indentures to be accepted, executed and acknowledged by the Trustee. The Indentures are hereby approved in substantially the forms submitted to this meeting (and a copy of such Indentures are on file with the City Clerk and available for inspection by any interested person), and the Mayor is hereby authorized to confer with the Trustee and the Company in order to complete the Indentures in substantially the forms submitted to this meeting with such changes as shall be approved by the Mayor, his execution to constitute conclusive evidence of such approval.

**Section 3.** There be, and there is hereby, authorized and directed the execution and delivery of the Lease Agreement, and the Mayor and City Clerk are hereby authorized to execute, acknowledge, and deliver the Lease Agreement for and on behalf of the City. The Lease Agreement is hereby approved in substantially the form submitted to this meeting (and a copy of such Lease Agreement is on file with the City Clerk and available for inspection by any interested person), and the Mayor is hereby authorized to confer with the Company, in order to complete the Lease Agreement in substantially the form submitted to this meeting, with such changes as shall be approved by the Mayor, his execution to constitute conclusive evidence of such approval.

**Section 4.** There be, and there is hereby, authorized and directed the execution and delivery of the Intercreditor Agreement; and the Mayor and City Clerk are hereby authorized to execute, acknowledge, and deliver the Intercreditor Agreement for and on behalf of the City. The Intercreditor Agreement is hereby approved in substantially the form submitted to this meeting (and a copy of such Intercreditor Agreement is on file with the City Clerk and available for inspection by any interested person), and the Mayor is hereby authorized to confer with the Company, in order to complete the Intercreditor Agreement in substantially the form submitted to this meeting, with such changes as shall be approved by the Mayor, his execution to constitute conclusive evidence of such approval.

**Section 5.** In connection with the issuance of the Bonds, there be, and there is hereby, authorized and directed the execution and delivery of the PILOT Agreement, and the Mayor and City Clerk are hereby authorized to execute, acknowledge, and deliver the PILOT Agreement for and on behalf of the City. The PILOT Agreement is hereby approved in substantially the form submitted to this meeting (and a copy of such PILOT Agreement is on file with the City Clerk and available for inspection by any interested person), and the Mayor is hereby authorized to confer with the Company, in order to complete the PILOT Agreement in substantially the form submitted to this meeting, with such changes as shall be approved by the Mayor, his execution to constitute conclusive evidence of such approval.

**Section 6.** The Mayor and City Clerk, for and on behalf of the City, are hereby authorized and directed to do any and all things necessary to effect (i) the execution of the Lease Agreement, (ii) the performance of the City's obligations under the Lease Agreement, (iii) the execution and delivery of the Indentures, (iv) the performance of all obligations of the City under and pursuant to the Indentures, (v) the execution and delivery of the Bonds, (vi) the execution and delivery of the Official Statement, (vii) the execution and delivery of the Intercreditor Agreement, (viii) the performance of the City's obligations under the Intercreditor Agreement, (ix) the execution and delivery of the PILOT Agreement, (x) the performance

of the City's obligations under the PILOT Agreement, (xii) the execution and delivery of the Series A Purchase Agreement, (xiii) the performance of the City's obligations under the Series A Purchase Agreement, (xiv) the execution and delivery of the Letter of Offer and Representations, (xv) the performance of the City's obligations under the Letter of Offer and Representations, (xvi) the execution and delivery of the Series C Purchase Agreement, (xvii) the performance of the City's obligations under the Series C Purchase Agreement, and (xviii) the performance of all other acts of whatever nature necessary to effect and carry out the authority conferred by this Ordinance. The Mayor and the City Clerk are further authorized and directed, for and on behalf of the City, in connection with the issuance of the Bonds and in connection with on-going rights and obligations that arise after issuance and prior to maturity of the Bonds, to execute all papers, documents, certificates, and other instruments that may be required for the carrying out of such authority or to evidence the exercise thereof, including, but not limited to, the execution of a Home Office Payment Agreement, a Memorandum of Lease, Delivery Instructions and other closing certificates.

**Section 7.** The Project involves the acquisition, constructing, and equipping of a complex industrial project, requiring highly specialized work and specialized types of machinery and equipment. In compliance with Ark. Code. Ann. § 14-164-204, it has been and is hereby determined by the City Council that competitive bidding be, and the same is hereby, waived as to this particular industrial project. This action is taken by the City Council pursuant to applicable laws of the State of Arkansas, including particularly the Act.

**Section 8.** All actions heretofore taken by the City, the Company, the Underwriter, the Placement Agent, the Series B Purchaser and the Series C Purchaser in connection with the issuance, offer and sale of the Bonds and the development and completion of the Project are hereby in all respects ratified and approved.

**Section 9.** *Severability.* In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this ordinance, which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of this ordinance.

**Section 10.** *Repealer.* All ordinances or resolutions of the City in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND APPROVED THIS 15TH DAY OF MARCH 2022.



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Text File

File Number: ORD-23:005

**Agenda Date:**

**Version:** 2

**Status:** Third Reading

**In Control:** Finance & Administration Council Committee

**File Type:** Ordinance

AN ORDINANCE AMENDING ORDINANCES NO. 1657 AND 1717 OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS; CHANGING THE NAME OF THE PUBLIC FACILITIES BOARD CREATED IN SUCH ORDINANCE TO THE “CITY OF JONESBORO, ARKANSAS PUBLIC FACILITIES BOARD”; EXPANDING THE POWERS OF SAID PUBLIC FACILITIES BOARD TO INCLUDE THE ENTIRE SCOPE OF AUTHORITY AND POWERS INCLUDED IN THE PUBLIC FACILITIES BOARDS ACT; PRESCRIBING OTHER MATTERS RELATING THERETO.

WHEREAS, the City of Jonesboro, Arkansas (the “City”), pursuant to the provisions of the Public Facilities Boards Act, being Act No. 142 of the Act of the General Assembly of the State of Arkansas for the year 1975, codified as §§ 14-137-101, *et seq.*, as the same has been and may be amended or supplemented (the “Act”), is authorized to establish public facilities boards for the purposes set forth in the Act; and

WHEREAS, the City in its Ordinance No. 1657, duly adopted October 16, 1978, created the City of Jonesboro, Arkansas Residential Housing Facilities Board (the “Board”) pursuant to the provisions of the Act for the purpose of assisting in the financing of residential housing facilities; and

WHEREAS, the City in its Ordinance No. 1717, duly adopted April 7, 1980, amended Ordinance No. 1657 for the purpose of expanding the powers of the Board to allow the Board to assist in the financing of health care facilities; and

WHEREAS, the Act authorizes a municipality to create one or more public facilities boards and to empower each board to own, acquire, construct, reconstruct, extend, equip, improve, operate, maintain, sell, lease, contract concerning, or otherwise deal in or dispose of health care facilities, emergency medical health care facilities, residential housing facilities, off-street parking facilities, recreational and tourist facilities, waterworks facilities, sewer facilities, facilities for securing or developing industry, energy facilities, hydroelectric power projects, education facilities, other capital improvement facilities, or any combination of such facilities, or any interest in such facilities including, without limitation, leasehold interests in and mortgages on such facilities (each as defined in the Act and collectively referred to as, “Public Facilities Projects”); and

WHEREAS, the City finds that it is in the best interest of its citizens to amend and modify Ordinance No. 1657 and Ordinance No. 1717 to empower the Board with the full scope of authority permitted

by the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS:

Section 1. Findings. Section 1 of Ordinance No. 1657, as previously amended by Ordinance No. 1717, is hereby further amended by adding the following additional sub-sections: Section 1. Findings. The City Council of the City hereby finds and determines:

\* \* \*

“(i) It is in the best interest of the citizens of the City not to limit the powers granted to the Board by the City and to fully empower the Board to the extent permitted by the Act.

(j) It is in the best interest of the citizens of the City to empower the Board to support and facilitate the accomplishment of Public Facilities Projects within or near or partly within and partly near the corporate boundaries of the City.

(k) The providing of financial assistance in order to enable the owning, acquiring, constructing, reconstructing, extending, equipping, improving, operating, maintaining, selling, leasing, contract concerning, or otherwise dealing in or disposing of Public Facilities Projects within or near or partly within and partly near the City is a proper public purpose as declared by the Act and as determined by the City Council of the City.”

Section 2. Creation of Board. Section 2 of Ordinance No. 1657, as previously amended by Ordinance No. 1717, is hereby amended and restated to read as follows:

“Pursuant to the authority of the Act there is hereby created and established the “City of Jonesboro, Arkansas Public Facilities Board” (hereinafter referred to as the “Board”) with authority to own, acquire, construct, reconstruct, extend, equip, improve, operate, maintain, sell, lease, contract concerning, or otherwise deal in or dispose of health care facilities, emergency medical health care facilities, residential housing facilities, off-street parking facilities, recreational and tourist facilities, waterworks facilities, sewer facilities, facilities for securing or developing industry, energy facilities, hydroelectric power projects, education facilities, other capital improvement facilities, or any combination of such facilities, or any interest in such facilities including, without limitation, leasehold interests in and mortgages on such facilities (each as defined in the Act and collectively referred to as, “Public Facilities Projects”) within or near or partly within and partly near the City.”

Section 3. Powers. Section 4 of Ordinance No. 1657, as previously amended by Ordinance No. 1717, is hereby amended and restated to read as follows:

“The Board hereby is empowered specifically:

(i) to own, acquire, construct, reconstruct, extend, equip, improve, operate, maintain, sell, lease, contract concerning, or otherwise deal in or dispose of health care facilities, emergency medical

health care facilities, residential housing facilities, off-street parking facilities, recreational and tourist facilities, waterworks facilities, sewer facilities, facilities for securing or developing industry, energy facilities, hydroelectric power projects, education facilities, other capital improvement facilities, or any combination of such facilities, or any interest in such facilities including, without limitation, leasehold interests in and mortgages on such facilities (each as defined in the Act) within or near or partly within and partly near the City;

(ii) to make loans to mortgage lenders, defined as all banks or trust companies, industrial loan institutions, credit unions, mortgage banking firms, national banking associations, savings and loan associations and investment banking firms that maintain a principal office or place of business in the state, and all insurance companies authorized to do business in the state, on condition that the mortgage lenders use the proceeds of each loan to provide financing for either healthcare facilities, emergency medical health care facilities, residential housing facilities, off-street parking facilities, recreational and tourist facilities, waterworks facilities, sewer facilities, facilities for securing or developing industry, energy facilities, educational facilities, hydroelectric power projects, other capital improvement facilities, or any combination of such facilities;

(iii) (1) to have perpetual succession as a body politic and corporate and to adopt bylaws for the regulation of its affairs and the conduct of its business; (2) to adopt an official seal and alter it at pleasure; (3) to maintain an office at such place in the City as it may designate; (4) to sue and be sued in its own name; (5) to fix, charge, and collect rents, fees, and charges for the use of any Public Facilities Project; (6) to employ and pay compensation to such employees and agents, including attorneys, consulting engineers, architects, surveyors, accountants, financial experts, and such other employees and agents as may be necessary in its judgment, and to fix their compensation; (7) to accomplish Public Facilities Projects as authorized by the Act and this Ordinance; (8) to do any and all other acts and things in the Act authorized or required to be done, whether or not included in the powers identified in this Ordinance; (9) to lend money, directly or indirectly, for the financing of the construction, acquisition, and equipment of all or a portion of a Public Facilities Project; (10) to invest money, including a major portion of the proceeds of any issue of bonds for the term of the bonds or a shorter period, in consideration of a contract to make payment or payments to provide for the payment of the principal, premium, if any, and interest on the bonds when due; (11) in the acquisition, construction, and equipment of, and in the operation of, hydroelectric power projects: (A) to contract with any regulated public utility for the supplying of electrical energy produced by any such project, upon terms acceptable to the board; and (B) to apply to the appropriate agencies of the state, the United States, or any state thereof, and to any other proper agency for such licenses, permits, certificates, or approvals as may be necessary, and to obtain, hold, and use the licenses, permits, certificates, and approvals; provided, however, nothing contained in this Ordinance shall be construed to require the Board to obtain any license, certificate, permit, or approval from the Arkansas Public Service Commission; and (12) to do any and all other things necessary or convenient to accomplish the purposes of the Act or this Ordinance; and.

(iv) to do any and all other acts and things and perform such other acts as are now or may in the future (1) be authorized by the General Assembly of the State of Arkansas, whether through amendments and supplements to the Act or through separate and distinct legislative enactments, (2) be necessary or convenient to accomplish the Public Facilities Projects for which it is authorized by this

Ordinance and authorized or required by the Act, and (3) be necessary or convenient to accomplish the purposes for which the Board has been created.”

Section 4. Issuance of Bonds. Section 5 of Ordinance No. 1657, as previously amended by Ordinance No. 1717, is hereby amended and restated to read as follows:

“The Board is authorized to issue revenue bonds, from time to time, and to use the proceeds, either alone or together with other available funds and revenues, to accomplish the purposes for which the Board is created and specifically to the accomplishment of all or a portion of Public Facilities Projects. Such revenue bonds shall be obligations only of the Board and shall not constitute an indebtedness for which the faith and credit of the City or any of its revenues are pledged. The principal and interest on the bonds shall be payable from and secured by a pledge of (i) revenues derived from Public Facilities Projects, financed in whole or in part, from bond proceeds and as authorized by, and in accordance with the provisions of the Act, and (ii) such other collateral, revenues, and/or available funds as may properly be pledged under the Act and as the Board in its discretion may determine. The Board shall have, with respect to the issuance of bonds authorized to be issued by it, all authority and power with respect thereto set forth and contained in the Act.”

Section 5. Severability. If any provisions of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 6. General Repeal. All Ordinances of the City, or parts thereof, in conflict with this Ordinance are hereby repealed to the extent of such conflict.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCES NO. 1657 AND 1717 OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS; CHANGING THE NAME OF THE PUBLIC FACILITIES BOARD CREATED IN SUCH ORDINANCE TO THE “CITY OF JONESBORO, ARKANSAS PUBLIC FACILITIES BOARD”; EXPANDING THE POWERS OF SAID PUBLIC FACILITIES BOARD TO INCLUDE THE ENTIRE SCOPE OF AUTHORITY AND POWERS INCLUDED IN THE PUBLIC FACILITIES BOARDS ACT; PRESCRIBING OTHER MATTERS RELATING THERETO.

WHEREAS, the City of Jonesboro, Arkansas (the “City”), pursuant to the provisions of the Public Facilities Boards Act, being Act No. 142 of the Act of the General Assembly of the State of Arkansas for the year 1975, codified as §§ 14-137-101, *et seq.*, as the same has been and may be amended or supplemented (the “Act”), is authorized to establish public facilities boards for the purposes set forth in the Act; and

WHEREAS, the City in its Ordinance No. 1657, duly adopted October 16, 1978, created the City of Jonesboro, Arkansas Residential Housing Facilities Board (the “Board”) pursuant to the provisions of the Act for the purpose of assisting in the financing of residential housing facilities; and

WHEREAS, the City in its Ordinance No. 1717, duly adopted April 7, 1980, amended Ordinance No. 1657 for the purpose of expanding the powers of the Board to allow the Board to assist in the financing of health care facilities; and

WHEREAS, the Act authorizes a municipality to create one more public facilities boards and to empower each board to own, acquire, construct, reconstruct, extend, equip, improve, operate, maintain, sell, lease, contract concerning, or otherwise deal in or dispose of health care facilities, emergency medical health care facilities, residential housing facilities, off-street parking facilities, recreational and tourist facilities, waterworks facilities, sewer facilities, facilities for securing or developing industry, energy facilities, hydroelectric power projects, education facilities, other capital improvement facilities, or any combination of such facilities, or any interest in such facilities including, without limitation, leasehold interests in and mortgages on such facilities (each as defined in the Act and collectively referred to as, “Public Facilities Projects”); and

WHEREAS, the City finds that it is in the best interest of its citizens to amend and modify Ordinance No. 1657 and Ordinance No. 1717 to empower the Board with the full scope of authority permitted by the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS:

Section 1. Findings. Section 1 of Ordinance No. 1657, as previously amended by Ordinance No. 1717, is hereby further amended by adding the following additional sub-sections:

Section 1. Findings. The City Council of the City hereby finds and determines:

\* \* \*

“(i) It is in the best interest of the citizens of the City not to limit the powers granted to the Board by the City and to fully empower the Board to the extent permitted by the Act.

(j) It is in the best interest of the citizens of the City to empower the Board to support and facilitate the accomplishment of Public Facilities Projects within or near or partly within and partly near the corporate boundaries of the City.

(k) The providing of financial assistance in order to enable the owning, acquiring, constructing, reconstructing, extending, equipping, improving, operating, maintaining, selling, leasing, contract concerning, or otherwise dealing in or disposing of Public Facilities Projects within or near or partly within and partly near the City is a proper public purpose as declared by the Act and as determined by the City Council of the City.”

Section 2. Creation of Board. Section 2 of Ordinance No. 1657, as previously amended by Ordinance No. 1717, is hereby amended and restated to read as follows:

“Pursuant to the authority of the Act there is hereby created and established the “City of Jonesboro, Arkansas Public Facilities Board” (hereinafter referred to as the “Board”) with authority to own, acquire, construct, reconstruct, extend, equip, improve, operate, maintain, sell, lease, contract concerning, or otherwise deal in or dispose of health care facilities, emergency medical health care facilities, residential housing facilities, off-street parking facilities, recreational and tourist facilities, waterworks facilities, sewer facilities, facilities for securing or developing industry, energy facilities, hydroelectric power projects, education facilities, other capital improvement facilities, or any combination of such facilities, or any interest in such facilities including, without limitation, leasehold interests in and mortgages on such facilities (each as defined in the Act and collectively referred to as, “Public Facilities Projects”) within or near or partly within and partly near the City.”

Section 3. Powers. Section 4 of Ordinance No. 1657, as previously amended by Ordinance No. 1717, is hereby amended and restated to read as follows:

“The Board hereby is empowered specifically:

(i) to own, acquire, construct, reconstruct, extend, equip, improve, operate, maintain, sell, lease, contract concerning, or otherwise deal in or dispose of health care facilities, emergency medical health care facilities, residential housing facilities, off-street parking facilities, recreational and tourist facilities, waterworks facilities, sewer facilities, facilities for securing or developing industry, energy facilities, hydroelectric power projects, education facilities, other capital

improvement facilities, or any combination of such facilities, or any interest in such facilities including, without limitation, leasehold interests in and mortgages on such facilities (each as defined in the Act) within or near or partly within and partly near the City;

(ii) to make loans to mortgage lenders, defined as all banks or trust companies, industrial loan institutions, credit unions, mortgage banking firms, national banking associations, savings and loan associations and investment banking firms that maintain a principal office or place of business in the state, and all insurance companies authorized to do business in the state, on condition that the mortgage lenders use the proceeds of each loan to provide financing for either healthcare facilities, emergency medical health care facilities, residential housing facilities, off-street parking facilities, recreational and tourist facilities, waterworks facilities, sewer facilities, facilities for securing or developing industry, energy facilities, educational facilities, hydroelectric power projects, other capital improvement facilities, or any combination of such facilities;

(iii) (1) to have perpetual succession as a body politic and corporate and to adopt bylaws for the regulation of its affairs and the conduct of its business; (2) to adopt an official seal and alter it at pleasure; (3) to maintain an office at such place in the City as it may designate; (4) to sue and be sued in its own name; (5) to fix, charge, and collect rents, fees, and charges for the use of any Public Facilities Project; (6) to employ and pay compensation to such employees and agents, including attorneys, consulting engineers, architects, surveyors, accountants, financial experts, and such other employees and agents as may be necessary in its judgment, and to fix their compensation; (7) to accomplish Public Facilities Projects as authorized by the Act and this Ordinance; (8) to do any and all other acts and things in the Act authorized or required to be done, whether or not included in the powers identified in this Ordinance; (9) to lend money, directly or indirectly, for the financing of the construction, acquisition, and equipment of all or a portion of a Public Facilities Project; (10) to invest money, including a major portion of the proceeds of any issue of bonds for the term of the bonds or a shorter period, in consideration of a contract to make payment or payments to provide for the payment of the principal, premium, if any, and interest on the bonds when due; (11) in the acquisition, construction, and equipment of, and in the operation of, hydroelectric power projects: (A) to contract with any regulated public utility for the supplying of electrical energy produced by any such project, upon terms acceptable to the board; and (B) to apply to the appropriate agencies of the state, the United States, or any state thereof, and to any other proper agency for such licenses, permits, certificates, or approvals as may be necessary, and to obtain, hold, and use the licenses, permits, certificates, and approvals; provided, however, nothing contained in this Ordinance shall be construed to require the Board to obtain any license, certificate, permit, or approval from the Arkansas Public Service Commission; and (12) to do any and all other things necessary or convenient to accomplish the purposes of the Act or this Ordinance; and.

(iv) to do any and all other acts and things and perform such other acts as are now or may in the future (1) be authorized by the General Assembly of the State of Arkansas, whether through amendments and supplements to the Act or through separate and distinct legislative enactments, (2) be necessary or convenient to accomplish the Public Facilities Projects for which it is authorized by this Ordinance and authorized or required by the Act, and (3) be necessary or convenient to accomplish the purposes for which the Board has been created.”

Section 4. Issuance of Bonds. Section 5 of Ordinance No. 1657, as previously amended by Ordinance No. 1717, is hereby amended and restated to read as follows:

“The Board is authorized to issue revenue bonds, from time to time, and to use the proceeds, either alone or together with other available funds and revenues, to accomplish the purposes for which the Board is created and specifically to the accomplishment of all or a portion of Public Facilities Projects. Such revenue bonds shall be obligations only of the Board and shall not constitute an indebtedness for which the faith and credit of the City or any of its revenues are pledged. The principal and interest on the bonds shall be payable from and secured by a pledge of (i) revenues derived from Public Facilities Projects, financed in whole or in part, from bond proceeds and as authorized by, and in accordance with the provisions of the Act, and (ii) such other collateral, revenues, and/or available funds as may properly be pledged under the Act and as the Board in its discretion may determine. The Board shall have, with respect to the issuance of bonds authorized to be issued by it, all authority and power with respect thereto set forth and contained in the Act.”

Section 5. Severability. If any provisions of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 6. General Repeal. All Ordinances of the City, or parts thereof, in conflict with this Ordinance are hereby repealed to the extent of such conflict.

PASSED: \_\_\_\_\_, 2023.

APPROVED:

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MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

(SEAL)

ORDINANCE NO. 1717

AN ORDINANCE AMENDING ORDINANCE NO. 1657 OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS; CHANGING THE NAME OF THE FACILITIES BOARD CREATED IN SUCH ORDINANCE TO THE "CITY OF JONESBORO, ARKANSAS RESIDENTIAL HOUSING AND HEALTH CARE FACILITIES BOARD"; EXPANDING THE POWERS OF SAID FACILITIES BOARD PURSUANT TO THE PROVISIONS OF ACT NO. 142 OF THE ACTS OF ARKANSAS; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Jonesboro, Arkansas (the "City"), pursuant to the provisions of Act No. 142 of the Act of the General Assembly of the State of Arkansas for the year 1975, as amended (the "Act"), is authorized to establish public facilities boards for the purposes set forth in the Act, which includes assisting in the financing of residential housing facilities and health care facilities within or near the City; and

WHEREAS, the City in its Ordinance No. 1657, duly adopted October 16, 1978, created the City of Jonesboro, Arkansas Residential Housing Facilities Board pursuant to the provisions of the Act for the purpose of assisting in the financing of residential housing facilities; and

WHEREAS, the providing of adequate health care facilities will be aided by expanding the powers of the City of Jonesboro, Arkansas Residential Housing Facilities Board to allow it to assist in the financing of such health care facilities; and

WHEREAS, funds may be obtained by a public facilities board on such terms and under such conditions as will materially assist in obtaining financing under conditions more favorable than would otherwise be available, thus insuring the availability of adequate health care facilities to the public at the lowest possible cost, thereby benefiting the public in general and the citizens and residents of the City in particular.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS:

Section 1. Findings. Section 1 of Ordinance No. 1657 is hereby amended by adding the following additional subsections:

"(f) There exists within and near the City a shortage of adequate health care facilities to adequately provide for the health care needs of the citizens and residents of the City which cannot reasonably be met by presently available health care facilities.

"(g) The availability of financing to assist in the constructing, acquiring or equipping of health care facilities will be aided by the expansion of the powers of the public facilities board created by the City Council in its Ordinance No. 1657, pursuant to the provisions of the Act.

"(h) The providing of financial assistance in order to enable the constructing, acquiring or equipping of health care facilities within or near the City is a proper public purpose as declared by the Act and this determination of the City Council of the City."

Section 2. Creation of Board. Section 2 of Ordinance No. 1657 is hereby amended to read as follows:

"Pursuant to the authority of the Act there is hereby created and established the "City of Jonesboro, Arkansas Residential Housing and Health Care Facilities Board" (hereinafter referred to as the "Board") with authority as hereinafter provided (i) to accomplish, finance, contract and make or purchase mortgage loans concerning residential housing facilities, and otherwise act in such manner as may be permitted by the Act to provide decent, safe and sanitary residential housing facilities within or near the City and (ii) to accomplish, finance, contract concerning and otherwise deal with or dispose of health care facilities, and otherwise act in such manner as may be permitted by the Act to provide adequate health care facilities within or near the City."

Section 3. Powers. Section 4 of Ordinance No. 1657 is hereby amended to read as follows:

"The Board is empowered, from time to time, (i) to loan, acquire, construct, reconstruct, extend equip, improve, sell, lease, and contract concerning (which shall include the purchase of mortgage

loans and the making of loans to mortgage lenders) residential housing facilities as shall be determined by the Board to be necessary to effect the purposes of this Ordinance to provide decent, safe and sanitary residential housing facilities within or near the City and (ii) to own, acquire, construct, reconstruct, equip, improve, sell, lease and contract concerning health care facilities as shall be determined by the Board to be necessary to effect the purposes of this Ordinance to provide adequate health care facilities within or near the City. The Board shall require that a majority of the funds made available for the purchase of mortgages or making loans to mortgage lenders shall be used for residential housing facilities located within the corporate limits of the City as now existing or as may hereafter be extended. In addition, the Board shall have each of the powers set forth in Section 7 of the Act, as amended, and appropriate to the purposes for which the Board is created. The Board may enter into such contractual or cooperative agreements with such persons as may, in its discretion, be advisable to accomplish the purposes of this Ordinance, including without limitation, departments, agencies or instrumentalities of the United States of America, the State of Arkansas or the City, e. g. the Department of Housing and Urban Development, the Federal Housing Administration, and the Arkansas Housing Development Agency.

Section 4. Issuance of Bonds. Section 5 of Ordinance No. 1657 is hereby amended to read as follows:

"The Board is authorized to issue revenue bonds, from time to time, and to use the proceeds, either alone or together with other available funds and revenues, to accomplish the purposes for which the Board is created as the same relate to the providing of decent, safe and sanitary residential housing facilities or adequate health care facilities. Such revenue bonds shall be obligations only of the Board and shall not constitute an indebtedness for which the faith and credit of the City or any of its revenues are pledged, and the principal and interest on the bonds shall be payable from and secured by a pledge of revenues derived from residential housing facilities or health care facilities, respectively, financed in whole or in part, from bond proceeds and as authorized

by, and in accordance with the provisions of the Act, together with such other collateral as may properly be pledged under the Act and as the Board in its discretion may determine."

Section 5. Severability. If any provisions of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 6. General Repeal. All Ordinances of the City, or parts thereof, in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 7. Emergency. It is hereby found and determined that there is an immediate and urgent need for the providing of adequate health care facilities for the citizens and residents of the City and the expansion of the purposes and powers of the Board and the exercise of the duties and powers provided in this Ordinance are necessary to the preservation of the public peace, health and safety. Therefore, an emergency is declared to exist and this Ordinance shall be in full force and effect from and after its passage.

PASSED: April 7, 1980.

APPROVED:

Neil J. Stallings  
MAYOR

ATTEST:

Shirley Powell  
CITY CLERK

(S E A L)

ORDINANCE NO. 1657

AN ORDINANCE CREATING THE CITY OF JONESBORO, ARKANSAS RESIDENTIAL HOUSING FACILITIES BOARD PURSUANT TO THE PROVISIONS OF ACT NO. 142 OF THE ACTS OF ARKANSAS OF 1975; APPOINTING THE INITIAL MEMBERS THEREOF; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Jonesboro, Arkansas (the "City"), pursuant to the provisions of Act No. 142 of the Acts of the General Assembly of the State of Arkansas for the year 1975 (the "Act"), is authorized to establish public facilities boards for the purposes set forth in the Act, which includes assisting in the financing of residential housing facilities within or near the City, and

WHEREAS, the providing of decent, safe and sanitary residential housing facilities will be aided by the creation of a public facilities board to assist in the financing of residential housing facilities, and

WHEREAS, funds may be obtained by a public facilities board on such terms and under such conditions as will materially assist persons of low and moderate income to obtain financing of residential housing facilities under conditions more favorable than would otherwise be available:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS:

Section 1. Findings. The City Council of the City hereby finds and determines:

(a) There exists within and near the City a shortage of decent, safe and sanitary residential housing facilities available for rehabilitation, construction or purchase on terms that persons and families of low and moderate income can afford to pay.

(b) Existing economic conditions including high rates of interest on residential mortgage loans, and a shortage of funds within lending institutions in the State of Arkansas for residential mortgage loans are operating (i) to further restrict the rehabilitation, construction and purchase of residential housing by persons of low and moderate income at reasonably affordable

costs, (ii) to create unemployment and hardship within the residential construction industry, adversely affecting residents of the City and (iii) to reduce and limit the value of property within the City, all of which adversely affect the City's tax revenues and which, if not alleviated, will lead to further urban blight and decay and result in disproportionately large expenditures for services by the City.

(c) The availability of mortgage financing to assist such persons and families in the rehabilitation, construction or purchase of decent, safe and sanitary residential housing facilities will be aided by the providing of funds for mortgage financing of residential housing facilities by the creation of a public facilities board pursuant to the provisions of the Act.

(d) The providing of financial assistance in order to enable persons and families of low and moderate income to finance the costs of decent, safe and sanitary residential housing facilities is a proper public purpose as declared by the Act, and this determination of the City Council of the City.

(e) The public purpose of financing residential housing facilities may best be served by establishing a public facilities board to purchase mortgages on such residential housing facilities as provided in the Act.

Section 2. Creation of Board. Pursuant to the authority of the Act there is hereby created and established the "City of Jonesboro, Arkansas Residential Housing Facilities Board" (hereinafter referred to as the "Board") with authority as hereinafter provided to accomplish, finance, contract and make or purchase mortgage loans concerning residential housing facilities, and otherwise act in such manner as may be permitted by the Act to provide decent, safe and sanitary residential housing facilities within or near the City.

Section 3. Members of the Board; Term of Office. The Board shall consist of five persons. The initial members shall be appointed by the Mayor of the City to serve for terms of one, two, three, four, and five years, respectively. Successor members shall be selected as

provided in the Act. The members of the Board shall be residents of the City and shall take and file with the City Clerk the oath of office prescribed by the Act. The initial members of the Board, each of whom is a resident of the City, and their respective terms of office shall be:

<u>Member</u>	<u>Term</u>
<i>Fred Sacus</i>	One Year
<i>Randall Shmalt</i>	Two Years
<i>Glenn Highfill</i>	Three Years
<i>Charles Schuff</i>	Four Years
<i>Neil Davis</i>	Five Years

As soon as practicable after the enactment of this Ordinance each member of the Board shall qualify by taking and filing with the City Clerk the oath of office as prescribed by the Act.

Section 4. Powers. The Board is empowered, from time to time, to loan, acquire, construct, reconstruct, extend, equip, improve, sell, lease, and contract concerning (which shall include the purchase of mortgage loans and the making of loans to mortgage lenders) residential housing facilities as shall be determined by the Board to be necessary to effect the purposes of this Ordinance to provide decent, safe and sanitary residential housing facilities within or near the City. The Board shall require that a majority of the funds made available for the purchase of mortgages or making loans to mortgage lenders shall be used for residential housing facilities located within the corporate limits of the City as now existing or as may hereafter be extended. In addition, the Board shall have each of the powers set forth in Section 7 of the Act, as amended, and appropriate to the purposes for which the Board is created. The Board may enter into such contractual or cooperative agreements with such persons as may, in its discretion, be advisable to accomplish the purposes of this Ordinance, including without limitation, departments, agencies or instrumentalities of the United States of America, the State of Arkansas or the City, e.g. the Department of Housing and Urban Development, the Federal Housing Administration, the Arkansas Housing Development Agency, and the Jonesboro Housing Authority.

Section 5. Issuance of Bonds. The Board is authorized to issue revenue bonds, from time to time, and to use the proceeds, either alone or together with other available funds and revenues, to accomplish the purposes for which the Board is created as the same relates to the providing of decent, safe and sanitary residential housing facilities. Such revenue bonds shall be obligations only of the Board and shall not constitute an indebtedness for which the faith and credit of the City or any of its revenues are pledged, and the principal and interest on the bonds shall be payable from and secured by a pledge of revenues derived from residential housing facilities financed, in whole or in part, from bond proceeds and as authorized by, and in accordance with the provisions of the Act, together with such other collateral as may properly be pledged under the Act and as the Board in its discretion may determine.

Section 6. Organization; Reports. As soon as practicable after the adoption of this Ordinance the Board shall meet and elect such officers as shall be required by the Act. The Board may adopt such by-laws and other rules and regulations as shall be necessary for the conduct of its business and consistent with the provisions of the Act. The Board shall cause to be filed with the City Clerk of the City the annual report described in Section 18 of the Act.

Section 7. Excess Revenues. Any revenue of the Board accumulated in excess of the amount necessary to accomplish the purposes for which the Board is created and to comply with all covenants and agreements of the Board in connection with any outstanding bond or other obligation shall be reported to the City Council of the City which may direct the payment of such excess revenues into the general fund of the City.

Section 8. Severability. If any provisions of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 9. General Repeal. All Ordinances of the City, or parts thereof, in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 10. Emergency. It is hereby found and determined that there is an immediate and urgent need for the providing of decent, safe and sanitary housing for persons of low and moderate income in or near the City and providing of financial assistance to such persons, and that the creation of the Board and the exercise of the duties and powers provided in this Ordinance are necessary to the preservation of the public peace, health and safety. Therefore, an emergency is declared to exist and this Ordinance shall be in full force and effect from and after its passage.

PASSED: Oct 16, 1978.

APPROVED:

Neil J. Stallings  
Mayor

ATTEST:

Shirley Powell  
City Clerk

(S E A L)