



*Owned by the Citizens of Jonesboro*

January 13, 2014

City of Jonesboro  
P.O. Box 1845  
Jonesboro, AR 72403  
Attn: Donna Jackson, City Clerk

Re: Right of Way Abandonment  
Rees Road, Rees Commercial Drive 1<sup>st</sup> Addition  
Plat Book C, Page 220  
Jonesboro, Craighead County, Arkansas

Dear Donna:

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.):

Rees Road – Rees Commerce Drive 1<sup>st</sup> Addition as recorded in Plat Book C, Page 220 in the Office of the Circuit Clerk for Jonesboro, Craighead County, Arkansas.

CWL has easements, utilities and improvements located in the Existing R.O.W. However, CWL has no objection to the abandonment of the Existing R.O.W. subject to and conditioned upon the following language being included in the vacating ordinance:

Any and all easements, utilities and improvements maintained by City Water and Light currently located in the area to be vacated and/or abandoned by this ordinance (the "Existing R.O.W.") shall remain intact and unaffected by the passage of this Ordinance until such time the owner has complied with the following:

1. Dedication of a twenty (20) foot sewer easement, ten (10) feet either side of the sanitary sewer main as constructed running east and west along the north portion of the street to be abandoned (the "New Easement") and a twenty (20) foot water and electric

Ronald L. Bowen, MANAGER

**CITY WATER & LIGHT** • 400 East Monroe • P.O. Box 1289 • Jonesboro, Arkansas 72403-1289 • 870/935-5581

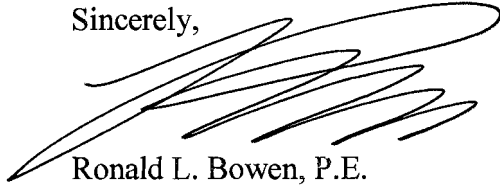
easement, ten (10) feet either side of the utilities, as constructed, running east and west along the south portion of the street to be abandoned (the "New Easement").

2. The New Easements may be conveyed by approved final and recorded plat and plans or by separate express, written easement. As required by Sections 113-49 and 113-50 of the Jonesboro Municipal Code, the Owner shall present any preliminary plat and final plat to CWL for its consideration and approval. In addition, as required by Sections 113-49 and 113-50 of the Jonesboro Municipal Code, any preliminary plat and final plat shall provide information on any existing and proposed utility locations.

Please confirm that the vacating ordinance contains provisions that preserve the Existing R.O.W. until the New Easements are properly granted.

Please feel free to contact me with any questions.

Sincerely,



Ronald L. Bowen, P.E.  
Manager, City Water & Light

RLB  
Enclosure

Cc: Otis Spriggs  
McAlister Engineering

Rec'd 11-25-13  
LRF



November 12, 2013

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

RE: Request to Abandon Right-of-Way

To whom it may concern:

This property was platted as Rees Commerce Drive 1<sup>st</sup> Addition recorded in plat book C, page 220 in the Office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

The replat of the subject property will be presented to the Metropolitan Area Planning Commission and City Council for their review. A petition, resolution, and ordinance will be presented to the City Council for their decision. A print of that plat is enclosed.

State law stipulates that the proper procedure for abandonment of an easement requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from all utility service providers agreeing with the closure before passing the required ordinance.

A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the street right of way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,

Clarence W. "Mac" McAlister, PE, PS

I, DAVID BURETT (print name), concur in the closure of the street right of way as shown on the Replat of Rees Commerce Drive 1<sup>st</sup> Addition as submitted to the City of Jonesboro for filing in the office of the Circuit Clerk for the Western District of Craighead County in Jonesboro, Arkansas.

David Burrett 12-2-2013 ENG MANAGER  
Signature (position)



To: McAlister Engineering  
From: Suddenlink Communications, Inc.  
Date: December 4, 2013  
Re: Request to Abandon Right-of-Way

Suddenlink Communications, Inc. has no objection to the closure of the street right of way as shown on the Replat of Rees Commerce Drive 1<sup>st</sup> Addition, located in Jonesboro, Craighead County, Arkansas, provided that the existing utility easements are retained and maintained.

Respectfully,

*Joey Roach*

Construction Planner  
Suddenlink Communications, Inc.

12/16/13

## UTILITY RELEASE FORM

Telecommunications Easement Abandonment Request

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

60 Foot Road Right of Way: Rees Commerce Drive First Addition recorder in plat book C, page 220 in the office of the Circuit Clerk for Craighead Count, AR, Jonesboro, AR

This area will be replaced with a 65 Foot Utility and Ingress/Egress Easement.

### UTILITY COMPANY COMMENTS:

No objections to the vacation(s) described above.

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

Objects to the vacation(s) described above, reason described below:

*Cindy Cole*

*Mgr ATT Engineering*

Signature of Utility Company Representative

*Cindy Cole*  
*Mgr ATT Eng.*  
*12-16-13*

**McALISTER ENGINEERING**  
CIVIL ENGINEERING AND LAND SURVEYING

November 12, 2013

AT&T Services Inc.  
723 S. Church St  
Jonesboro, AR 72401

RE: Request to Abandon Right-of-Way

To whom it may concern:

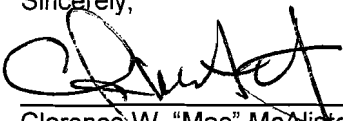
This property was platted as Rees Commerce Drive 1<sup>st</sup> Addition recorded in plat book C, page 220 in the Office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

The replat of the subject property will be presented to the Metropolitan Area Planning Commission and City Council for their review. A petition, resolution, and ordinance will be presented to the City Council for their decision. A print of that plat is enclosed.

State law stipulates that the proper procedure for abandonment of an easement requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from all utility service providers agreeing with the closure before passing the required ordinance.

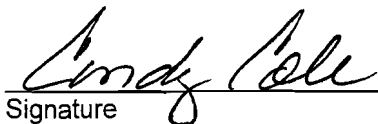
A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the street right of way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,



Clarence W. "Mac" McAlister, PE, PS

I, Cindy Cole (print name), concur in the closure of the street right of way as shown on the Replat of Rees Commerce Drive 1<sup>st</sup> Addition as submitted to the City of Jonesboro for filing in the office of the Circuit Clerk for the Western District of Craighead County in Jonesboro, Arkansas.

  
Signature

Mgr Eng Design  
(position) ATT