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*Lyons & Cone, P.L.L.C.*

ATTORNEYS AT LAW  
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MIKE CONE  
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DAVID TYLER  
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June 6, 2012

**HAND DELIVERED**

Mr. Otis Spriggs  
MAPC Planning  
307 Vine St., Suite 103  
Jonesboro, AR 72401

Re: Best Conveyors, LLC - right of way  
abandonment


Dear Mr. Spriggs:

Please find enclosed the following regarding the above referenced matter:

1. Application Form;
2. Check in the amount of \$833.95 for publication costs;
3. Utility Release;
4. Vicinity Map;
5. Recorded Plat;
6. Legal Description;
7. Petition to Vacate Form;
8. Resolution; and
9. Ordinance

If you have any questions or problems or need any additional information in order to complete this application, please do not hesitate to contact me. Thank you for your cooperation.

Sincerely,

  
Jim Lyons

JL/sc

Enclosures



# Easement / Street/ Alley Abandonment

## Application Form

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

Property Information	Address <input type="text" value="630 Burke Avenue"/>		Project Information	<b>Select the property type being vacated:</b>	
	Attach legal description of property to this application. May be found on warranty deed or current survey of property.			<input type="checkbox"/> Alley	<input type="checkbox"/> Utility Easement
			<input type="checkbox"/> Cross Access Easement		

Owner	Name	<input type="text" value="Best Conveyors, LLC"/>	Phone	<input type="text" value="870-935-0970"/>	<input type="checkbox"/> Select if this is the primary contact
	Address	<input type="text" value="107 Flint Street"/>	Fax	<input type="text"/>	
	City, State, Zip	<input type="text" value="Jonesboro, AR 72401"/>	E-mail	<input type="text"/>	

Applicant/ Representative	Name	<input type="text" value="Lyons &amp; Cone, P.L.C."/>	Phone	<input type="text" value="870-972-5440"/>	<input checked="" type="checkbox"/> Select if this is the primary contact
	Address	<input type="text" value="P.O. Box 7044"/>	Fax	<input type="text" value="870-972-1270"/>	
	City, State, Zip	<input type="text" value="Jonesboro, AR 72403"/>	E-mail	<input type="text" value="jlyons@leclaw.com"/>	

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

*Lyons & Cone P.L.C.*  
✓ *[Signature]*

Date: 6/5/12

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

*Best Conveyors, LLC*  
✓ *[Signature]*  
Title: *Vice President / General Manager*

Date: 6/5/12

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

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

**PETITION TO VACATE**

PETITION TO VACATE A(N) Portion of Right-of-Way on McClure St.

LOCATED AT 630 Burke Avenue (on McClure Street) CITY OF JONESBORO, ARKANSAS.

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

We, the undersigned, being all the owners of the real estate of or adjacent (to) the portion of Right-of-Way on McClure St.  
to be vacated hereinafter sought to be abandoned and vacated, lying in Block 3 of Flint's Addition to the City of  
Jonesboro, Arkansas, a municipal corporation, petition to vacate an portion of Right-of-Way on McClure  
which is described as follows:

That part of McClure Street Right-of-Way, lying North of Burke Avenue, west of coincident with the West line of Best Diversified Products Inc. Replat of Lots 1 & 2 of Block 3 of Flint's Addition to Jonesboro, Arkansas and being more particularly described as follows:  
  
Beginning at the Southwest corner of Best Diversified Products, Inc. Replat of Lots 1 & 2 of Block 3 of Flint's Addition to Jonesboro, Arkansas, said point being the intersection of the East Right-of-Way line of McClure Street and the North Right-of-Way line of Burke Avenue; thence North 00 degrees 28'28" East, along the East Right-of-Way of McClure Street, 12.87 feet to the point of beginning proper; thence North 89 degrees 31'32" West 2.00 feet, thence North 00 degrees 28'28" East 52.13 feet; thence South 89 degrees 31'32" East 2.00 feet, to the East Right-of-Way line of McClure Street; thence South 00 degree 28'28" West along said Right-of-Way line 52.13 feet, to the point of beginning proper, containing 104.26 square feet, more or less; being subject to all right-of-way and easements of record.

Legal Description

That the real estate affected by said abandonment of the portion of right-of-way of McClure St. is                     

Location In Block 3 of Flint's Addition to the City of Jonesboro, Arkansas, a certified copy of the original plat located in the Circuit Clerk's Office for the County of Craighead, State of Arkansas, is attached hereto, and made a part hereof as though set out herein word for word.

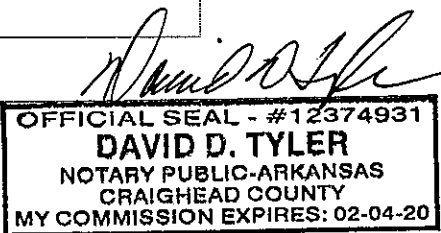
Petitioners state that the above described real estate will not adversely affect the public interest and welfare and would also not be adversely affected by the abandonment of the above described portion of right-of-way on McClure St.

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

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

Dated this 5th day of June, 20 12

Best Conveyors, LLC by Scott Bridger  
Printed Name Signature  
Scott Bridger Scott Bridger  
Printed Name Signature



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# UTILITY RELEASE FORM

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

Utility Company

City Water and Light Plant of Jonesboro, Arkansas

Date

05/29/2012

Requested Vacation

of portion of right-of-way on McClure

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

portion of right-of-way on McClure St.

Legal Description

That part of McClure Street Right-of-Way, lying North of Burke Avenue, west of coincident with the West line of Best Diversified Products Inc. Replat of Lots 1 & 2 of Block 3 of Flint's Addition to Jonesboro, Arkansas and being more particularly described as follows:

Beginning at the Southwest corner of Best Diversified Products, Inc. Replat of Lots 1 & 2 of Block 3 of Flint's Addition to Jonesboro, Arkansas, said point being the intersection of the East Right-of-Way line of McClure Street and the North Right-of-Way line of Burke Avenue; thence North 00 degrees 28' 28" East, along the East Right-of-Way of McClure Street, 12.87 feet to the point of beginning proper; thence North 89 degrees 31' 32" West 2.00 feet, thence North 00 degrees 28' 28" East 52.13 feet; thence South 89 degrees 31' 32" East 2.00 feet, to the East Right-of-Way line of McClure Street; thence South 00 degree 28' 28" West along said Right-of-Way line 52.13 feet, to the point of beginning proper, containing 104.26 square feet, more or less; being subject to all right-of-way and easements of record.

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

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

Describe reasons for objection or easements to be retained

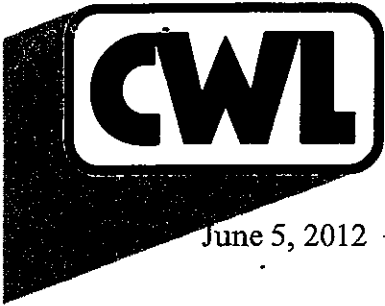
Signature of Utility Company Representative

*Ron Bowen*

Title

*MANAGER*

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



*Owned by the Citizens of Jonesboro*

June 5, 2012

City of Jonesboro  
307 Vine St.  
Jonesboro, AR 72403  
Attn: Otis Spriggs, City Planning Director

Re: Road Right of Way Abandonment  
A portion of McClure Street  
Jonesboro, Craighead County, Arkansas

Dear Otis:

City Water and Light has no objection to the abandonment of the street right of way of the following property: That part of McClure Street Right-of-Way, lying north of Burke Avenue; west of coincident with the west line of Best Diversified Products Inc. Replat of Lots 1 & 2 of Block 3 of Flint's Addition to Jonesboro, Arkansas, and being more particularly described as follows: Beginning at the Southwest Corner of Best Diversified Products, Inc. Replat of Lots 1 & 2 of Block 3 of Flint's Addition to Jonesboro, Arkansas, said point being the intersection of the East Right-of-Way line of McClure Street and the North Right-of-Way line of Burke Avenue; thence North 00° 28' 28" East along the East Right-of-Way of McClure Street, 12.87 feet to the point of beginning proper, thence North 89° 31' 32" West 2.00 feet, thence North 00° 28' 28" East 52.13 feet; thence South 89° 31' 32" East 2.00 feet to the east right-of-way line of McClure Street; thence South 00° 28' 28" West along said Right-of-Way line 52.13 feet, to the point of beginning proper, containing 104.26 square feet, more or less; being subject to all right-of-way and easements of record.

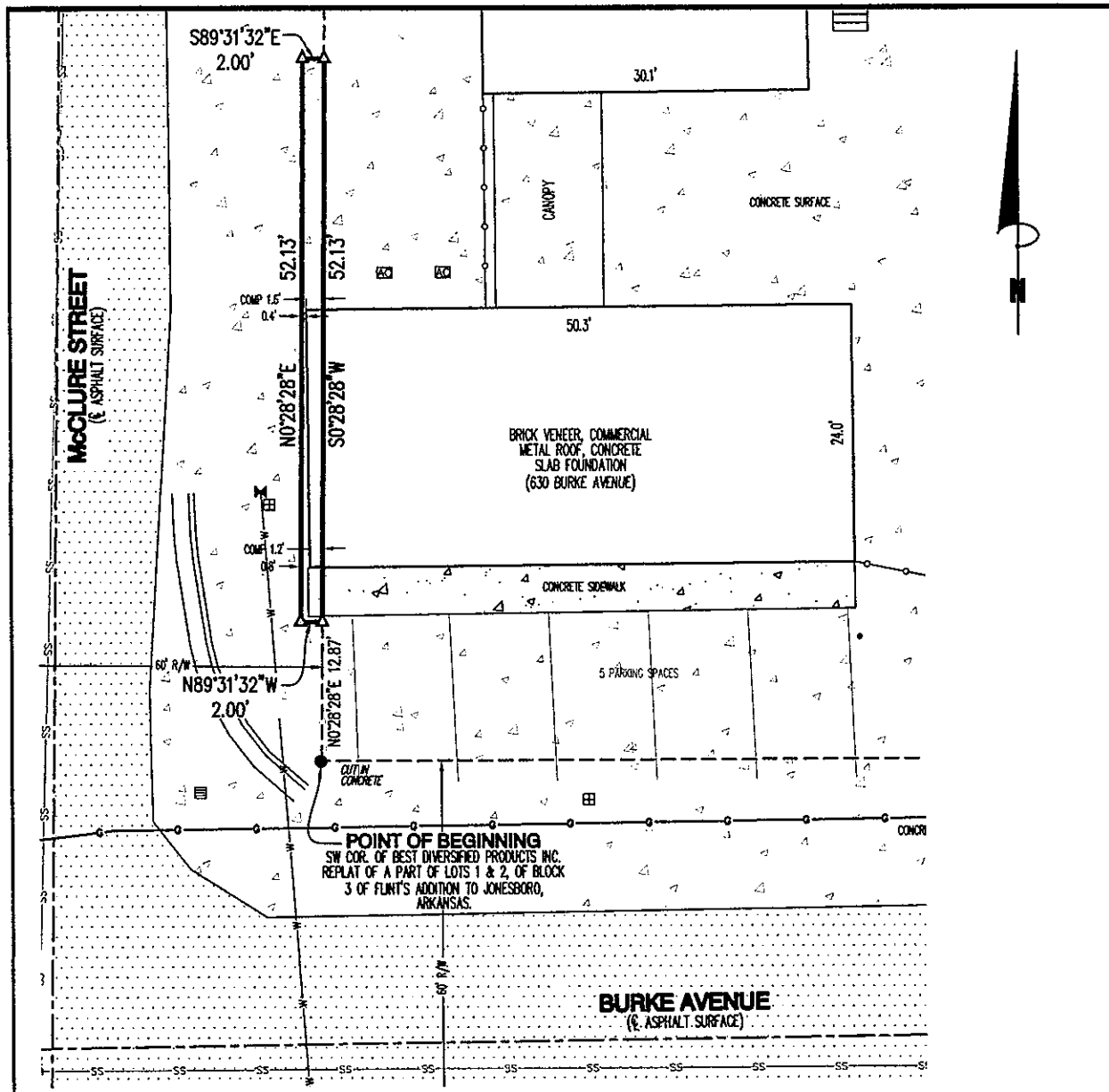
Please call if you have questions or concerns.

Respectfully,

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

Ronald L. Bowen  
Manager, City Water & Light

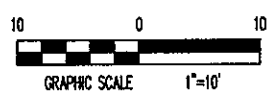
CC: Donna Jackson  
P.O. Box 1845  
Jonesboro, AR 72403



**PARTIAL RIGHT-OF-WAY ABANDONMENT:**

THAT PART OF McCLURE STREET RIGHT-OF-WAY, LYING NORTH OF BURKE AVENUE, WEST OF AND COINCIDENT WITH THE WEST LINE OF BEST DIVERSIFIED PRODUCTS INC. REPLAT OF A PART OF LOTS 1 & 2, OF BLOCK 3 OF FLINT'S ADDITION TO JONESBORO, ARKANSAS; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF BEST DIVERSIFIED PRODUCTS INC. REPLAT OF A PART OF LOTS 1 & 2, OF BLOCK 3 OF FLINT'S ADDITION TO JONESBORO, ARKANSAS, SAID POINT BEING THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF McCLURE STREET AND THE NORTH RIGHT-OF-WAY LINE OF BURKE AVENUE; THENCE NORTH 00°28'28" EAST, ALONG THE EAST RIGHT-OF-WAY LINE OF McCLURE STREET, 12.87 FEET, TO THE POINT OF BEGINNING PROPER; THENCE NORTH 89°31'32" WEST 2.00 FEET; THENCE NORTH 00°28'28" EAST 52.13 FEET; THENCE SOUTH 89°31'32" EAST 2.00 FEET, TO THE EAST RIGHT-OF-WAY LINE OF McCLURE STREET; THENCE SOUTH 00°28'28" WEST, ALONG SAID RIGHT-OF-WAY LINE, 52.13 FEET, TO THE POINT OF BEGINNING PROPER; CONTAINING 104.26 SQUARE FEET, MORE OR LESS, BEING SUBJECT TO ALL RIGHT-OF-WAY AND EASEMENTS OF RECORD.



**PRELIMINARY**

**SURVEYOR'S EXHIBIT**

THAT PART OF McCLURE STREET RIGHT-OF-WAY, LYING NORTH OF BURKE AVENUE, WEST OF AND COINCIDENT WITH THE WEST LINE OF BEST DIVERSIFIED PRODUCTS INC. REPLAT OF A PART OF LOTS 1 & 2, OF BLOCK 3 OF FLINT'S ADDITION TO JONESBORO, ARKANSAS

**HAYWOOD, KENWARD, BARE & ASSOCIATES, INC.**  
 CIVIL ENGINEERING - SURVEYING - PLANNING  
 1801 LATOURETTE DRIVE  
 JONESBORO, ARKANSAS 72404  
 TEL. 870-932-2018 FAX 870-932-1076

REVISIONS	
DATE	DESCRIPTION
SURVEY INDEX CODE	
PROJECT NO. B026-0002-28	
DRAWN BY JHB	CHECKED BY
SHEET 1 OF 1	SCALE 1"=10'
DATE 05/3/12	DRAWING NO. 31-65

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CLIENT  
**BEST CONVEYORS,**