



Legislation Details (With Text)

**File #:** RES-22:236    **Version:** 1    **Name:** SET A PUBLIC HEARING REGARDING THE ABANDONMENT OF A UTILITY EASEMENT AND A DRAINAGE EASEMENT LOCATED WITHIN LOTS 1 AND 2 OF THE CAVENAUGH AUTO GROUP MINOR PLAT IN JONESBORO, ARKANSAS AS REQUESTED BY CAVENAUGH PROPERTIES, LLC.

**Type:** Resolution    **Status:** Passed

**File created:** 12/1/2022    **In control:** City Council

**On agenda:** 12/6/2022    **Final action:** 12/6/2022

**Title:** A RESOLUTION TO SET A PUBLIC HEARING REGARDING THE ABANDONMENT OF A UTILITY EASEMENT AND A DRAINAGE EASEMENT LOCATED WITHIN LOTS 1 AND 2 OF THE CAVENAUGH AUTO GROUP MINOR PLAT IN JONESBORO, ARKANSAS AS REQUESTED BY CAVENAUGH PROPERTIES, LLC.

**Sponsors:**

**Indexes:** Abandonment, Drainage Easement, Utility Easement

**Code sections:**

**Attachments:** 1. petition, 2. Letters Drainage Easement, 3. Letters Utility Easement, 4. CWL Letter 12012022, 5. Revised Ordinance 12022022

Date	Ver.	Action By	Action	Result
12/6/2022	1	City Council	Passed	Pass

A RESOLUTION TO SET A PUBLIC HEARING REGARDING THE ABANDONMENT OF A UTILITY EASEMENT AND A DRAINAGE EASEMENT LOCATED WITHIN LOTS 1 AND 2 OF THE CAVENAUGH AUTO GROUP MINOR PLAT IN JONESBORO, ARKANSAS AS REQUESTED BY CAVENAUGH PROPERTIES, LLC.

WHEREAS, the property owners have filed a petition with the City Clerk of the City Jonesboro, Arkansas requesting that a utility easement and a drainage easement located within Lots I and 2 of the Cavanaugh Auto Group Minor Plan in Jonesboro, Arkansas be abandoned as described as follows:

DESCRIPTION - UTILITY EASEMENT

A UTILITY EASEMENT 20 FEET IN WIDTH LOCATED IN LOTS 1 AND 2 OF THE CAVENAUGH AUTO GROUP MINOR PLAT AS RECORDED AT 2022R-022522 IN THE PUBLIC RECORDS FOR CRAIGHEAD COUNTY AT JONESBORO, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 2 OF SAID CAVENAUGH AUTO GROUP MINOR PLAT, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY OF ARKANSAS HIGHWAY NO. 1 (STADIUM BLVD.), THENCE SOUTH 01°10'18" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 78.73 FEET TO A POINT, THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01°10'18" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 20 FEET TO A POINT; THENCE SOUTH 89°46'36" WEST, DEPARTING SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 760.29 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF MALIBU DRIVE;

THENCE NORTH 00°54'50" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY OF MALIBU DRIVE, A DISTANCE OF 20 FEET TO A POINT; THENCE NORTH 89°46'36" EAST, DEPARTING SAID RIGHT-OF-WAY OF MALIBU DRIVE, A DISTANCE OF 350.38 FEET TO A POINT; THENCE NORTH 00°53'58" EAST, A DISTANCE OF 297.76 FEET TO A POINT; THENCE NORTH 89°44'42" EAST, A DISTANCE OF 20.00 FEET TO A POINT; THENCE SOUTH 00°53'58" WEST, A DISTANCE OF 297.77 FEET TO A POINT; THENCE NORTH 89°46'36" EAST, A DISTANCE OF 390.00 FEET TO THE POINT OF BEGINNING;

CONTAINING IN ALL SOME 21,161 SQ. FT. OR 0.486 ACRES, MORE OR LESS.

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

AND

DESCRIPTION - DRAINAGE EASEMENT

A DRAINAGE EASEMENT 10 FEET IN WIDTH LOCATED IN LOT 2 OF THE CAVENAUGH AUTO GROUP MINOR PLAT AS RECORDED AT 2022R-022522 IN THE PUBLIC RECORDS FOR CRAIGHEAD COUNTY AT JONESBORO, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 2 OF SAID CAVENAUGH AUTO GROUP MINOR PLAT, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY OF ARKANSAS HIGHWAY NO. 1 (STADIUM BLVD.), THENCE SOUTH 01°10'18" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 88.73 FEET TO A POINT, THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01°10'18" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 10 FEET TO A POINT; THENCE SOUTH 89°46'36" WEST, DEPARTING SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 760.29 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF MALIBU DRIVE; THENCE NORTH 00°54'50" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY OF MALIBU DRIVE, A DISTANCE OF 10 FEET; THENCE NORTH 89°46'36" EAST, DEPARTING SAID RIGHT-OF-WAY OF MALIBU DRIVE, A DISTANCE OF 760.29 FEET TO THE POINT OF BEGINNING;

CONTAINING IN ALL SOME 7,600 SQ. FT. OR 0.175 ACRES, MORE OR LESS.

SUBJECT TO ALL RESTRICTIONS, RESERVATIONS, EASEMENTS AND RIGHT-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 easement 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 utility easement and a drainage easement located within Lots land 2 of the Cavanaugh Auto Group Minor Plat in Jonesboro, Arkansas mentioned above and this matter will be heard

before the City Council on December 20, 2022 at 5:25 p.m. in the Council Chambers, 300 South Church, Jonesboro, Arkansas.

PASSED AND APPROVED THIS 6TH DAY OF DECEMBER, 2022.