

Added at  
Agenda Session  
2-12-13

City of Fayetteville Staff Review Form

City Council Agenda Items  
and  
Contracts, Leases or Agreements

~~Mayor's Signature Only~~ *kat* 2/19/13

City Council Meeting Date  
Agenda Items Only

Matt Mihalevich

Submitted By

Engineering

Division

Development Services

Department

Action Required:

Staff requests the Mayor's signature on the attached Airspace Permit with the Arkansas State Highway and Transportation Department for the Meadow Valley Trail (Formerly U of A Farm Trail) at Porter Road and I-540.

N/A

Cost of this request

N/A

Category / Project Budget

N/A

Program Category / Project Name

N/A

Account Number

N/A

Funds Used to Date

N/A

Program / Project Category Name

N/A

Project Number

N/A

Remaining Balance

N/A

Fund Name

Budgeted Item

Budget Adjustment Attached

*[Signature]*  
Department Director

02-08-2013

Date

Previous Ordinance or Resolution # \_\_\_\_\_

*[Signature]*  
City Attorney

2-11-2013

Date

Original Contract Date: \_\_\_\_\_

Original Contract Number: \_\_\_\_\_

*Paul a. Beebe*  
Finance and Internal Services Director

2-11-2013

Date

Received in City  
Clerk's Office

02-03-13P04:51 RCVD

*[Signature]*  
Chief of Staff

2-11-13

Date

Received in  
Mayor's Office

ENTERED  
2/11/13  
PH

*Dionell Jordan*  
Mayor

2/12/13  
Date

Comments:

## CITY COUNCIL AGENDA MEMO

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**To:** Mayor

**Thru:** Don Marr, Chief of Staff  
Jeremy Pate, Development Services Director *JP*  
Chris Brown, City Engineer *CB*

**From:** Matt Mihalevich, Trails Coordinator *MM*

**Date:** February 8th, 2013

**Subject:** Airspace Permit

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### PROPOSAL:

Staff requests the Mayor's signature on the attached Airspace Permit with the Arkansas State Highway and Transportation Department for the Meadow Valley Trail (Formerly U of A Farm Trail) at Porter Road and I-540.

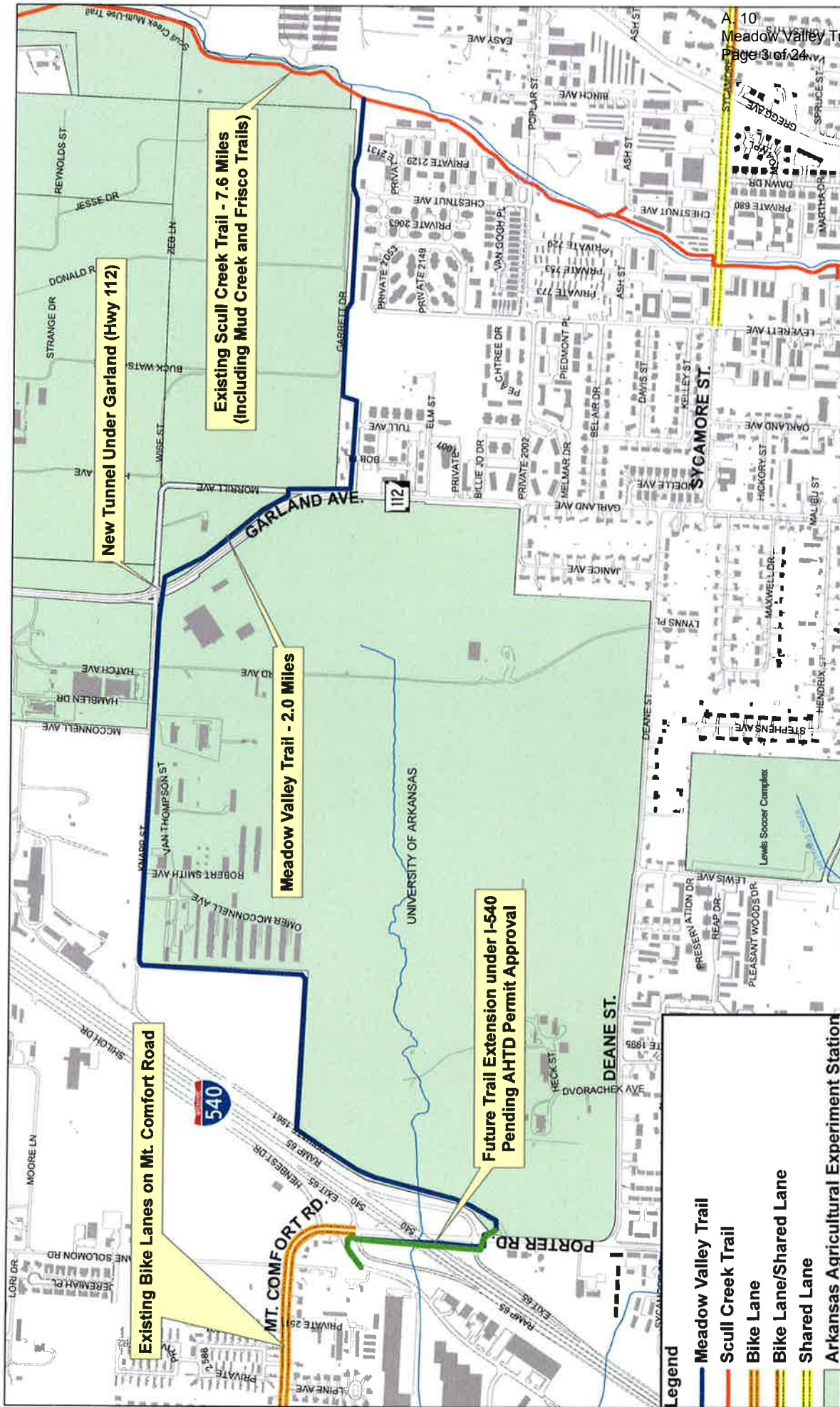
### RECOMMENDATION:

City staff has been working with the Arkansas Highway and Transportation Department (AHTD) for several years to obtain permit approval to extend the Meadow Valley Trail west and north under I-540 to connect to the bike lanes along Mt. Comfort Road and future sections of Shiloh Trail. The attached Airspace Permit is a standard requirement for AHTD when a trail crosses interstate highway property. City Attorney Kit Williams has been working with AHTD attorneys to remove language that would have required the City to keep an insurance policy to indemnify AHTD for incidents on the trail. The attached Airspace Permit represents the final language agreed upon by both Kit and the AHTD attorneys.

The Meadow Valley Trail connects to Scull Creek Trail, just north of Poplar Street and extends west along the south edge of the University of Arkansas Agricultural Experiment Station toward Garland Ave. At Garland, the trail then heads northwest through the Agri Park and safely crosses under Garland Avenue through a new tunnel. From the tunnel the trail continues west along Knapp Street, then back south to connect to Porter Road at I-540.

### BUDGET IMPACT:

None.



**Legend**

- Meadow Valley Trail
- Scull Creek Trail
- Bike Lane
- Bike Lane/Shared Lane
- Shared Lane
- Arkansas Agricultural Experiment Station

Meadow Valley Trail  
 2.0 Miles



ARKANSAS STATE HIGHWAY  
AND  
TRANSPORTATION DEPARTMENT

A. 10  
Meadow Valley Trail Airspace Permit  
Page 4 of 24

RECEIVED

FEB 7 2013

CITY OF FAYETTEVILLE  
MAYOR'S OFFICE

Scott E. Bennett  
Director  
Telephone (501) 569-2000  
Voice/TTY 711



P.O. Box 2261  
Little Rock, Arkansas 72203-2261  
Telefax (501) 569-2400  
[www.arkansashighways.com](http://www.arkansashighways.com)

February 6, 2013

Honorable Lioneld Jordan  
Mayor, City of Fayetteville  
113 West Mountain Street  
Fayetteville, AR 72701

U of A Farm Trail  
Porter Road  
Washington County  
Airspace Permit

Mayor Jordan:

Enclosed for review and signatures are two copies of the Airspace Permit necessary for the U of A Farm Trail project. Upon approval please forward both signed copies to me at the address below.

If the City of Fayetteville has any questions or needs any additional information about this Airspace Permit please contact me.

Sincerely,

James F. Braden  
Assistant Division Head  
Right of Way Division

AHTD  
Right of Way Division  
10324 Interstate 30  
Little Rock, AR 72209  
501-569-2314  
[james.braden@ahtd.ar.gov](mailto:james.braden@ahtd.ar.gov)

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING AN AIRSPACE PERMIT AGREEMENT  
WITH THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION  
DEPARTMENT FOR THE MEADOW VALLEY TRAIL**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
FAYETTEVILLE, ARKANSAS:**

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves the Airspace Permit Agreement with the Arkansas State Highway and Transportation Department so that the Meadow Valley Trail can use highway right of way at the Porter Road exit to cross I540 and authorizes Mayor Jordan to sign this agreement. A copy of the Airspace Permit Agreement, marked Exhibit "A," is attached hereto and made a part hereof.

**PASSED and APPROVED** this 19<sup>th</sup> day of February, 2013.

APPROVED:

ATTEST:

By: \_\_\_\_\_  
**LIONELD JORDAN, Mayor**

By: \_\_\_\_\_  
**SONDRA E. SMITH, City Clerk/Treasurer**



**AIRSPACE PERMIT  
CITY OF FAYETTEVILLE**

**U of A Farm Trail  
Porter Road**

This Airspace Permit ("Permit") is based upon the authority granted the Arkansas State Highway Commission ("Commission") in Ark. Code Ann. § 27-67-304(b) (Repl. 1994), and the Arkansas State Highway and Transportation Department ("AHTD" or "Department"), pursuant to Commission Minute Order No. 2012-008, and is subject to the approval of the Federal Highway Administration ("FHWA"). The parties to this Permit are the Department and the City of Fayetteville, Arkansas ("City"). The City has requested use of certain lands owned by the Commission, more fully set forth on Attachment "A", for a purpose that does not interfere with the public use of the property for highway purposes. This Permit shall supersede and replace all terms and conditions of any previous, if any, agreement between the City and the Department governing the use of the property set forth on Attachment "A", ("Property"). **See Attachment "A" Legal Description and Right of Way Maps** attached hereto and made a part hereof. **And also See Exhibit "A" U of A Farm Trail** attached hereto and made a part hereof.

The City proposes to construct a "multi-purpose pedestrian trail", known as the U of A Farm Trail, along Interstate 540 right of way and have the trail to the City to be constructed on and near the locations set forth on Job Number 4706-4- U of A Farm Trail as Exhibit "A". The Department's District Engineer has made a preliminary determination that such use will not interfere with the public use of the property for highway purposes. However, any final determination of such issue will not be made until detailed plans and specifications of the improvements the City proposes to make have been submitted to the District Engineer for final approval. The Commission will retain all right, title, interest, supervision, and jurisdiction in and

over such lands. This Permit is a license only and does not convey or create any interest on the part of the City in the lands set forth on Exhibit "A".

In addition to the foregoing plans to construct a "multi-purpose pedestrian trail" along Interstate 540 right of way and have the trail known as the U of A Farm Trail, which was requested by the City of Fayetteville, Arkansas, this Permit is for the City of Fayetteville to construct and assume maintenance of the area of the "multi-purpose pedestrian trail" specified on the attachment as Porter Road at Interstate 540 and Arkansas Highway 16 -- Highway 112 in Washington County for the purpose of providing a "multi-purpose pedestrian trail" to the City with the U of A Farm Trail to the city.

In addition, the City understands and agrees that all costs will be borne by the City, that it will be responsible for all Federal Emergency Management Agency (FEMA) and U.S. Army Corps of Engineers (Corps), if any, permits and construction will be in accordance with the requirements contained in and on Attachment "A". The Commission will retain all right, title and interest in and to such lands. This Permit is a license only and does not convey or create any interest on the part of the City in the lands described herein.

The Department hereby authorizes, subject to final approval and concurrence by the FHWA, the Commission, the District Engineer and the City to use the property set forth on Attachment "A", ("Property") for the terms, purposes and conditions herein set forth.

1) This Permit is expressly contingent upon the approval and concurrence of the FHWA and submission of final plans and specification of the proposed improvements to the District Engineer and his issuance of a permit to the City approving its plans and authorizing it to proceed with construction of such permitted improvements.

2) This Permit shall be effective immediately upon its execution by the parties and is intended to be perpetual, beginning immediately upon its execution and subject to the terms and conditions contained herein; provided however, that either party shall have the right to terminate this Permit, with or without cause, upon sixty (60) days written notice to the other party.

3) The City shall use the Property only to construct a “multi-purpose pedestrian trail” along Interstate 540 and Porter Road right of ways, known as the U of A Farm Trail, which landscaping, irrigation, lighting and signage shall be shown on plans submitted to, and approved by the District Engineer, by his issuance of a permit therefore, or such other use as is expressly approved in advance and in writing by the District Engineer. Facilities and improvements presently in place and approved under previous agreements between the Department and the City shall be deemed approved. The City shall not use the Property in any way that interferes with the Property's use for highway purposes.

4) Notwithstanding any other provision regarding termination of this Permit, this Permit shall terminate upon five (5) days written notice to the City of Fayetteville, Arkansas, in the event that the City's use of the Property is changed without the prior written consent of the FHWA and the Department.

5) All improvements, excavation, construction, and any other condition on the Property shall comply with the then-current AHTD Standard Specifications where applicable, including those related to maintaining traffic flow and signs, and shall be subject to the approval of the AHTD District Engineer for the area. All such improvements, excavation, construction, and other conditions shall also be subject to FHWA concurrence where and if applicable.

6) No permanent or temporary improvements or alterations shall be made in, on, or upon the site without the written consent and approval of the FHWA and the District Engineer.



7) The City shall be solely and exclusively responsible for all costs associated with the removal, modification, or relocation of any utility within the Property, which is caused by the City's use of the Property.

8) The City shall be solely and exclusively responsible for payment of all taxes and assessments that may be legally assessed on the Property as a result of any Permit issued hereunder.

9) No signs, displays, or devices, may be placed within the right of way without the written consent of the District Engineer. No signs, displays, or devices, other than traffic control signs complying with the FHWA Manual on Uniform Traffic Control Devices, shall be erected on the Property unless specifically permitted by the District Engineer. All signs during the construction and maintenance on the Property shall conform to the FHWA Manual on Uniform Traffic Control Devices, as amended. This paragraph shall not be construed to allow the placement of any signs without the permission of the District Engineer.

10) The City, at its sole expense, shall keep and maintain the "multi-purpose pedestrian trail" at all times in an orderly, clean, safe, and sanitary condition. The City shall comply with all applicable federal, state, and local laws, ordinances and regulations while using, or in possession of the Property, including without limitation all environmental laws and regulations and FHWA regulations regarding the Property's use.

11) The City shall submit all construction plans for any proposed improvements on the Property for approval by the District Engineer prior to commencing any work. Any work performed by the City on the Property shall not unduly interfere with the flow of traffic.

12) The City agrees to occupy and use the Property at its own risk and expense,

13) The City of Fayetteville does not waive its sovereign statutory immunity, but acknowledges that the City has full legal responsibility for the proper design, construction, maintenance and operation of this trail within the Arkansas Highway and Transportation Department's right-of-way for I-540. The City acknowledges that the Highway Department and Highway Commission have no duty or responsibility to users of this City trail, and therefore can have no liability related to the design, construction, maintenance or operation of this City trail. If the Arkansas Claims Commission ever grants a claim against the Highway Department or Highway Commission for an injury or other damage to a person using this Fayetteville City Trail within this Air Space Permit area, the City of Fayetteville agrees to pay this claim for the Highway Department or Highway Commission.

14) The Commission, the Department, and the FHWA, and any officer, employee or agent thereof, retain and shall have the right to enter the Property at any time without notice to the City.

15) The Commission and Department reserve, and shall have the right, at their sole discretion, to take immediate possession of the Property in case of any national or other emergency (including temporary emergencies such as weather emergencies, traffic accidents, hazardous material spills and other such events that may be hazardous or obstruct traffic), and for the protection and maintenance of the highway facility, in which event the terms of this Permit shall be suspended.

16) If the City violates any of the conditions contained in this Permit, or if the City discontinues use of the Property for more than sixty (60) days, the Department may, without notice, declare any Permit issued hereunder terminated.

17) Upon termination of this Permit (or any permit issued hereunder) for any reason, the City shall peaceably surrender the Property to the Commission in good order and repair, excepting reasonable use and wear thereof, damage by earthquake, fire, public calamity, the elements, or other unavoidable casualty. The Property shall be restored to its previous condition at the expense of the City; provided, if any improvements are not removed after thirty (30) days written notice from the Department to the City, the Department may: (a) proceed to remove the improvements and restore the Property, and the City shall pay the Department upon demand the reasonable cost of removal and restoration; or, (b) the Commission may, in its sole and absolute discretion, elect to declare the improvements property of the Commission, whereupon all right, title and interest of the City therein shall forthwith terminate and vest in the Commission. No cost shall be attributed to the FHWA under any part of this Permit.

18) This Permit may not be assigned and all obligations and duties of the City hereunder shall be considered non-delegable.

19) The City, as a part of the consideration hereof, does hereby covenant and agree that no person shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of the facilities on account of race, color, sex, national origin, or disability, and that in the construction of any improvements on, over, and under the Property, and the furnishing of services thereon, no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination on account of race, color, sex, national origin, or disability. The City further covenants that it shall use the Property in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Effectuation of Title VI of the Civil Rights Act of 1964, as amended. In

the event of breach of any of the nondiscrimination covenants, the Department shall have the right to terminate this Permit or any permit issued hereunder without further notice.

20) The Property shall retain its character as a public right of way and the City may not charge any person a fee of any kind whatsoever to enter or use the Property, nor permit or sublease the exclusive use of the Property to any individual, entity, association, or organization of any kind whatsoever. No vending shall be allowed within the area of the Property.

21) It is understood that granting of this Permit to the City of Fayetteville, Arkansas, does not impair or relinquish the Commission's right to use the Property for right of way purposes for the construction, maintenance, or reconstruction of the traffic facility, nor shall use of the land under this Permit ever be construed as abandonment by the Commission of land acquired for highway purposes. The permitted use by the City shall remain subordinate to the Commission's ownership and use of the property for highway purposes.

22) It is understood by the parties that this Permit may be executed in any number of copies, each of which shall be deemed an original.

Executed on this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**ARKANSAS STATE HIGHWAY AND  
TRANSPORTATION DEPARTMENT,  
PERMITOR**

**CITY OF FAYETTEVILLE, ARKANSAS,  
PERMITEE**

By: \_\_\_\_\_  
**Scott E. Bennett**  
**Director of Highways and Transportation**

By: \_\_\_\_\_  
**Lioneld Jordan, Mayor**

By: \_\_\_\_\_  
**Sondra Smith, City Clerk**

**ACKNOWLEDGMENT**

STATE OF ARKANSAS)  
  )ss  
COUNTY OF PULASKI)

**BE IT REMEMBERED** that on this day came before the undersigned, a Notary Public, within and for the County and State aforesaid, duly commissioned and acting, Scott E. Bennett, to me well known as the Director of Highways and Transportation, who stated that he had executed the foregoing Airspace Permit for and on behalf of the Arkansas State Highway Commission, for the consideration and purposes therein mentioned and set forth and was authorized so to act by proper resolution of the Commission in Minute Order No. 2012-008, dated the 8<sup>th</sup> day of February, 2012.

**WITNESS** my hand and seal as such Notary Public on this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

My Commission Expires: \_\_\_\_\_  
\_\_\_\_\_, Notary Public





**MULTI-PURPOSE PEDESTRIAN TRAIL  
CENTERLINE DESCRIPTION**

**AHTD JOB 4706-SEC. 4  
FED. AID PROJECT FFD-011-3(45)  
HWY. 16 – HWY. 112**


WHEREAS, the City of Fayetteville, Washington County, Arkansas, has requested an Airspace Permit to use certain highway right-of-way, located in the City of Fayetteville, and owned by the Arkansas State Highway and Transportation Department, a 22' wide easement for the purpose of constructing a 12' wide Multi-Purpose Pedestrian Trail under the I-540 bridge at Porter Road, the centerline of said Pedestrian Trail described as follows:

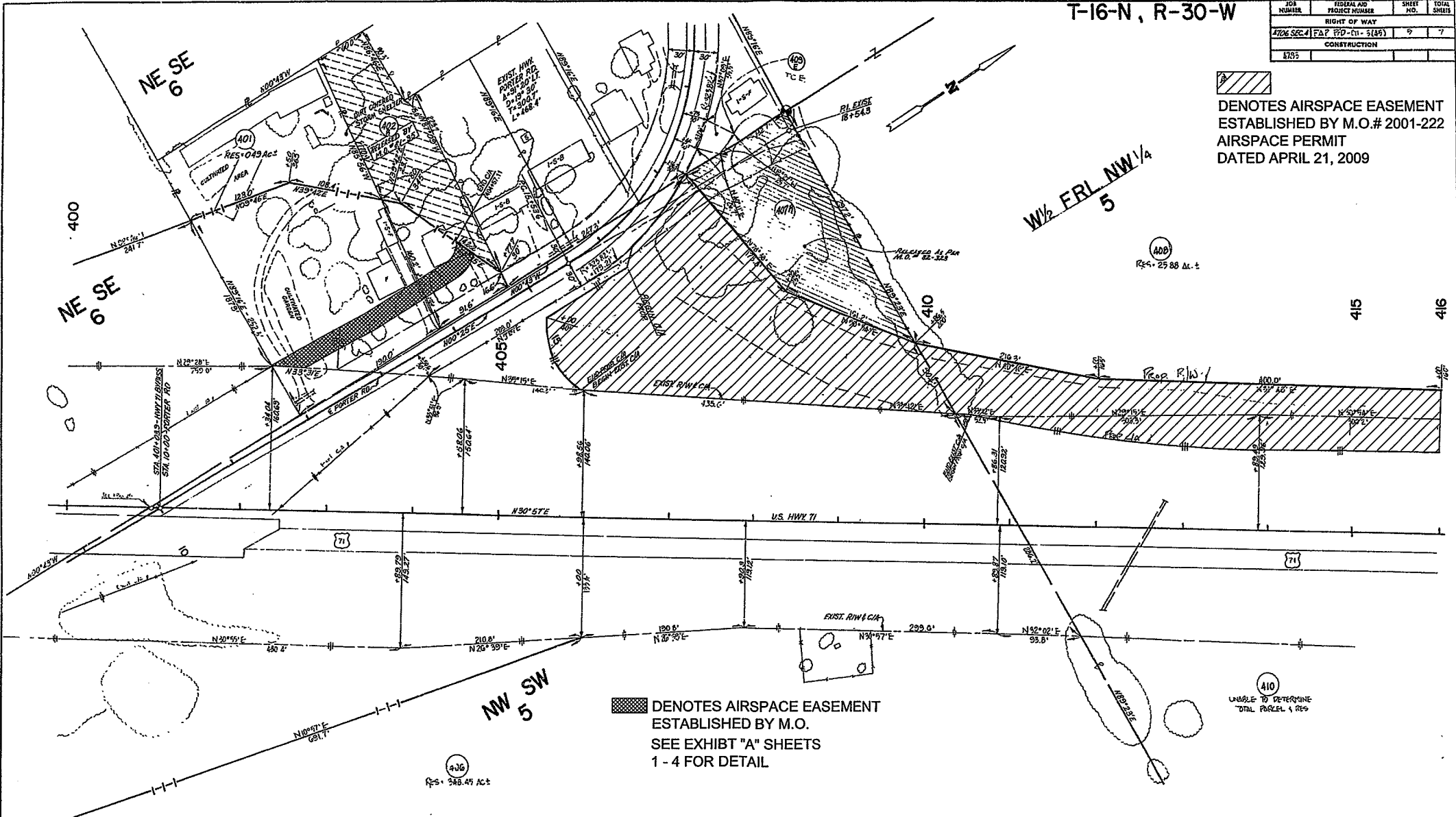
A part of the East Half (E ½) of the Southeast Quarter (SE ¼) of Section Six (6) and a part of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section Five (5), all being in Township Sixteen (16) North, Range Thirty (30) West, Washington County, Arkansas, being more particularly described as follows:

Commencing at a found aluminum AHTD right-of-way monument (stamped 2012 P.S. #1201) on the Northwestern right-of-way line of I-540 at Construction Centerline Station 403+80.00, offset 344.76 feet left as per AHTD, JOB NO. 4706, Sec. 4; thence along said right-of-way line North 66°59'07" East 91.80 feet to the POINT OF BEGINNING being at centerline Station 2+03.61 of said Multi-Purpose Pedestrian Trail, said point being at said Construction Centerline Station 404+57.11, 296.05 feet left of said Interstate 540; thence leaving said right-of-way line along said centerline of said trail on a 159°09'18" degree of curve right an arc length of 32.10 feet to Station 2+35.71; thence continuing along said centerline South 00°06'48" East 113.41 feet to Station 3+49.12; thence continuing along said centerline South 04°16'15" West 56.16 feet to Station 4+05.28; thence continuing along said centerline South 02°34'24" West 240.35 feet to Station 6+45.62; thence continuing along said centerline South 03°48'15" East 39.63 feet to Station 6+85.26; thence continuing along said centerline South 02°59'28" East 63.77 feet to Station 7+49.02; thence continuing along said centerline South 01°53'03" West 123.32 feet to Station 8+72.34; thence continuing along said centerline South 04°30'13" West 93.76 feet to Station 9+66.11; thence continuing along said centerline South 03°26'22" West 91.99 feet to Station 10+58.10; thence continuing along said centerline South 08°37'06" West 22.84 feet to Station 10+80.94; thence continuing along said centerline South 01°32'15" West 81.70 feet to Station 11+62.63; thence along said centerline on a 1145°54'56" degree of curve left an arc length of 7.99 feet to Station 11+70.62; thence continuing along said centerline North 89°59'42" East 38.03 feet to Station 12+08.65; thence along said centerline on a 286°28'44" degree curve to the right an arc length of 36.15 feet to Station 12+44.80; thence continuing along said centerline South 13°34'02" West 11.79 feet to Station 12+56.59; thence continuing along said centerline on a 103°14'08" curve to the left an arc length of 46.01 feet to the terminus at Station 13+02.57, being on the AHTD Control-of Access right-of-way line of I-540 at Construction Centerline Station 396+30.33, offset 334.88 right per said AHTD, JOB NO. 4706, Sec. 4, said terminus also being distant South 01°51'54" West 20.08 feet from a found iron pin with an AHTD right-of-way sign, said pin being at said Construction Centerline Station 396+47.05, offset 324.33 right.

T-16-N, R-30-W

|                  |                            |           |              |
|------------------|----------------------------|-----------|--------------|
| JOB NUMBER       | FEDERAL AID PROJECT NUMBER | SHEET NO. | TOTAL SHEETS |
| 4706 SEC. 4 FA P | PPD-011-3(85)              | 9         | 7            |
| CONSTRUCTION     |                            |           |              |
| 4706             |                            |           |              |

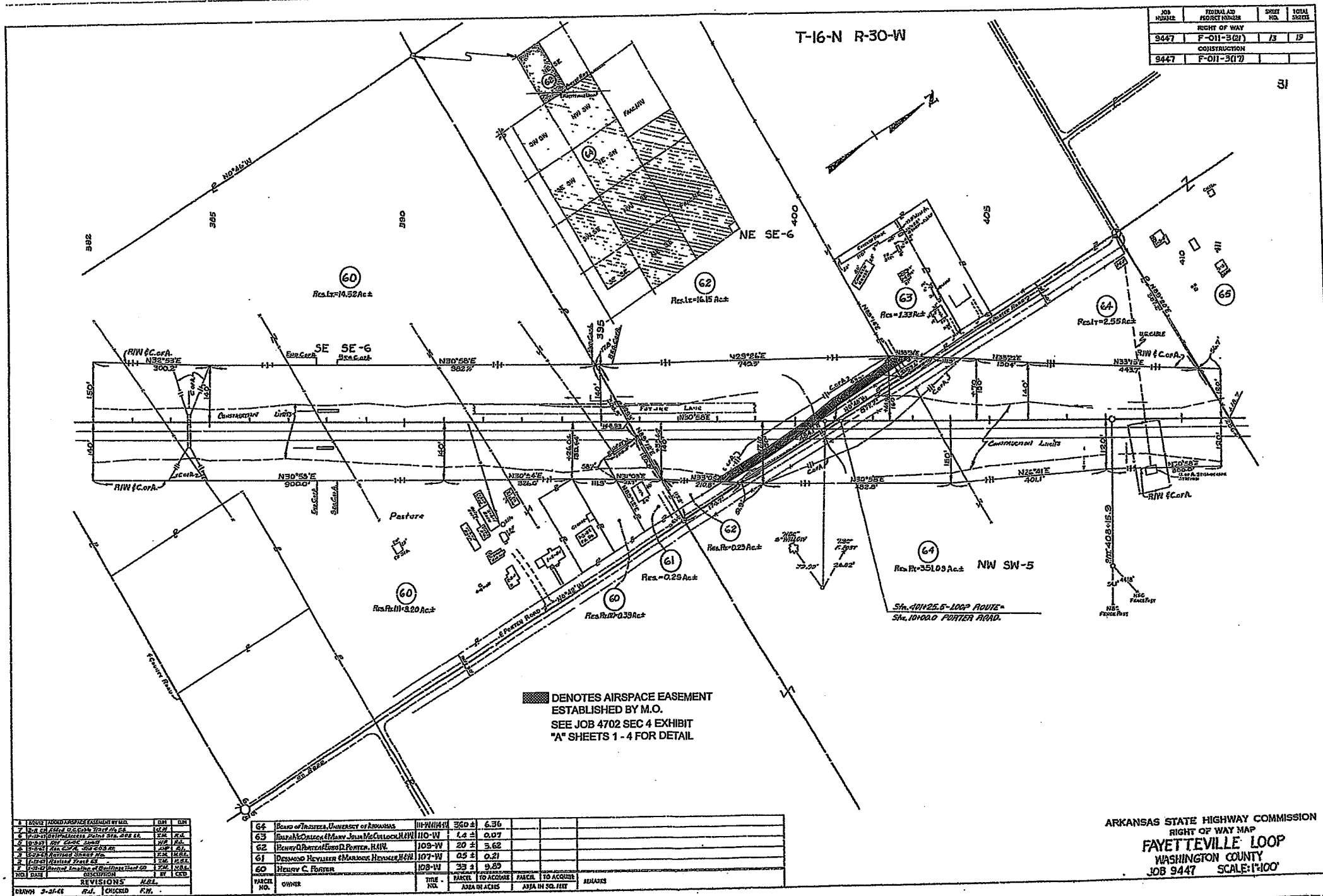
 DENOTES AIRSPACE EASEMENT ESTABLISHED BY M.O.# 2001-222 AIRSPACE PERMIT DATED APRIL 21, 2009



 DENOTES AIRSPACE EASEMENT ESTABLISHED BY M.O. SEE EXHIBIT "A" SHEETS 1 - 4 FOR DETAIL

| NO. | DATE     | DESCRIPTION                                 | BY  | CHKD | REV | NO. | NAME                            | ACRES | AREA IN ACRES | PARCEL TO ACQUIRE | AREA IN SQ FEET | REMARKS   |
|-----|----------|---|-----|------|-----|-----|---------------------------------|-------|---------------|-------------------|-----------------|---|
| 10  | 10/10/12 | ADDED AIRSPACE EASEMENT M.O.# 2001-222      | DJH | DJH  |     | 401 | STANLEY JR & NORMA A DRAKE      | 25    | 15.2          |                   | 1,072           |   |
| 9   | 8/23/10  | REV END CIA LT TO STATION 404+57.11 BY M.O. | DJH | DJH  |     | 407 | BOARD OF TRUSTEES U.A.A         | 57    | 2.2±          |                   | 1,992           |   |
| 8   | 12/21/09 | ADDED AIRSPACE EASEMENT BY M.O.             | DJH | DJH  |     | 410 | WASHINGTON JO FAIR ASSOC        | 21    | 38.28         |                   | 1,612           | ACCESS TOWING ONLY UNABLE TO DETERMINE TOTAL PARCEL A RES |
| 7   | 12/21/09 | ADDED AIRSPACE EASEMENT BY M.O.             | DJH | DJH  |     | 405 | STANLEY JR & NORMA A DRAKE      | 30    |               |                   |                 | T.C.F. CONT. CO2 ±  |
| 6   | 12/21/09 | ADDED AIRSPACE EASEMENT BY M.O.             | DJH | DJH  |     | 406 | J.W. WISNINGER                  | 34.35 | 27.1±         |                   | 1,122           |   |
| 5   | 12/21/09 | ADDED AIRSPACE EASEMENT BY M.O.             | DJH | DJH  |     | 407 | BOARD OF TRUSTEES U.A.A         | 57    | 2.2±          |                   | 1,992           |   |
| 4   | 12/21/09 | ADDED AIRSPACE EASEMENT BY M.O.             | DJH | DJH  |     | 406 | BOARD OF TRUSTEES U.A.A         | 36.37 | 391.1±        |                   | 2,952           |   |
| 3   | 12/21/09 | ADDED AIRSPACE EASEMENT BY M.O.             | DJH | DJH  |     | 402 | JAMES LEE & ROSE MARIE WILLETTS | 26    | 0.62±         |                   | 2,202           |   |
| 2   | 12/21/09 | ADDED AIRSPACE EASEMENT BY M.O.             | DJH | DJH  |     | 401 | STANLEY JR & NORMA A DRAKE      | 25    | 15.2          |                   | 1,072           |   |

HWY 16 - HWY 112  
FAYETTEVILLE BYPASS  
ARKANSAS STATE HIGHWAY COMMISSION  
RIGHT OF WAY MAP  
4706 SEC. 4 WASHINGTON CO.  
SCALE: 1"=50'



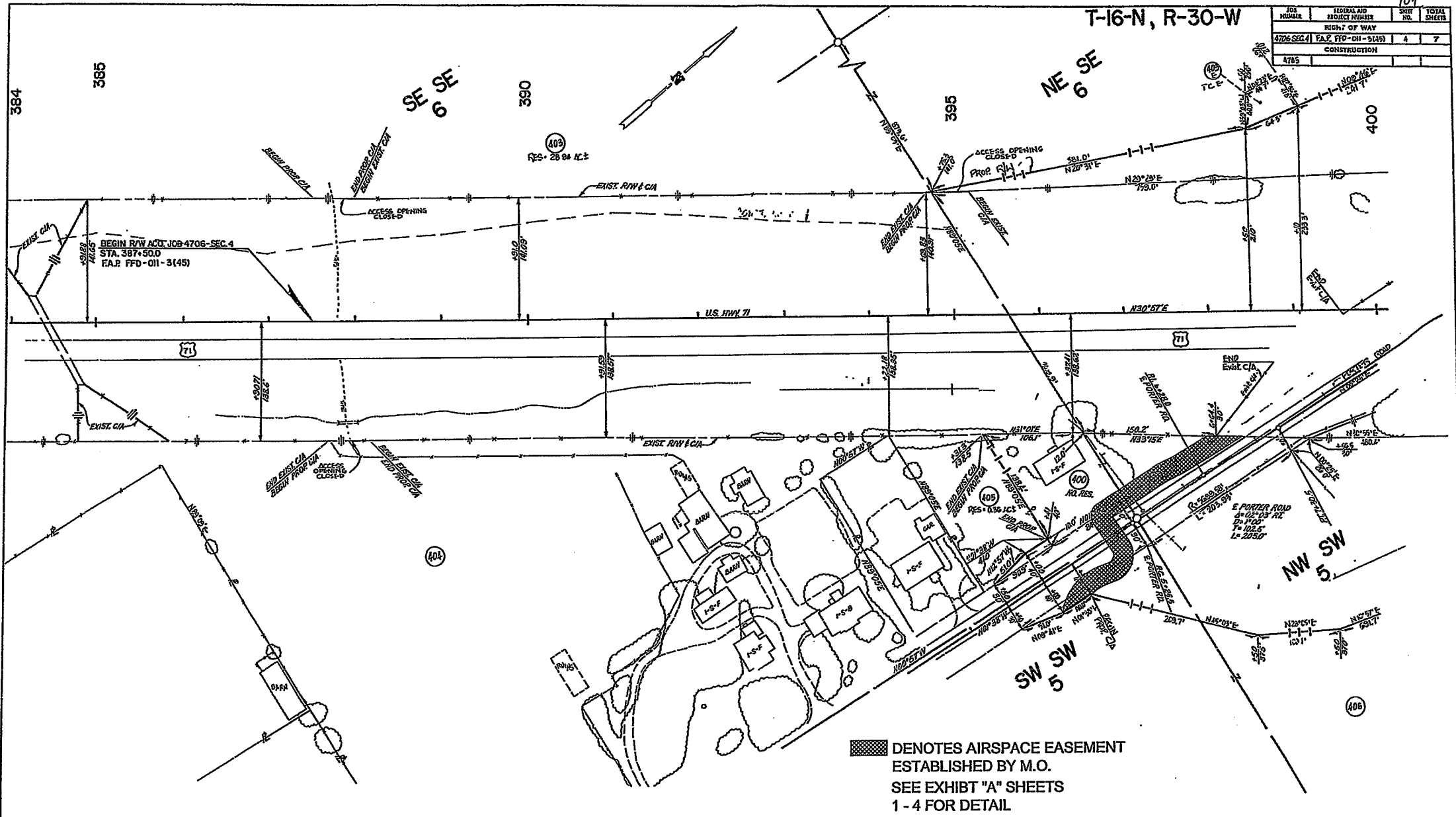
| JOB NUMBER   | FEDERAL AID PROJECT NUMBER | SHEET NO. | TOTAL SHEETS |
|--------------|----------------------------|-----------|--------------|
| 9447         | F-011-3(2)                 | 13        | 18           |
| CONSTRUCTION |                            |           |              |
| 9447         | F-011-3(17)                |           |              |

███ DENOTES AIRSPACE EASEMENT ESTABLISHED BY M.O. SEE JOB 4702 SEC 4 EXHIBIT "A" SHEETS 1 - 4 FOR DETAIL

| NO. | DATE    | REVISIONS | BY  | CHKD |
|-----|---------|-----------|-----|------|
| 1   | 3-21-66 | REVISED   | ... | ...  |
| 2   |         | ...       | ... | ...  |
| 3   |         | ...       | ... | ...  |
| 4   |         | ...       | ... | ...  |
| 5   |         | ...       | ... | ...  |
| 6   |         | ...       | ... | ...  |
| 7   |         | ...       | ... | ...  |
| 8   |         | ...       | ... | ...  |
| 9   |         | ...       | ... | ...  |
| 10  |         | ...       | ... | ...  |

| PARCEL NO. | OWNER                                     | TITLE | AREA IN ACRES | AREA IN SQ. FEET | REMARKS |
|------------|---|-------|---------------|------------------|---------|
| 64         | Board of Trustees, University of Arkansas | 110-W | 380 ±         | 6.36             |         |
| 63         | Barth McCallister & Mary-Jane McCallister | 110-W | 1.4 ±         | 0.07             |         |
| 62         | Henry D. Porter & Elmo D. Porter, H&W     | 109-W | 20 ±          | 3.62             |         |
| 61         | Desmond Hevleser & Marjorie Hevleser, H&W | 107-W | 0.5 ±         | 0.21             |         |
| 60         | Henry C. Porter                           | 108-W | 33 ±          | 9.89             |         |

ARKANSAS STATE HIGHWAY COMMISSION  
 RIGHT OF WAY MAP  
**FAYETTEVILLE LOOP**  
 WASHINGTON COUNTY  
 JOB 9447 SCALE: 1"=100'



| JOB NUMBER                | FEDERAL AID PROJECT NUMBER | SHEET NO. | TOTAL SHEETS |
|---------------------------|----------------------------|-----------|--------------|
| 4706 SEC 4                | F.A.P. FFD-011-3(45)       | 4         | 7            |
| RIGHT OF WAY CONSTRUCTION |                            |           |              |
| 4785                      |                            |           |              |

DENOTES AIRSPACE EASEMENT ESTABLISHED BY M.O.  
 SEE EXHIBIT "A" SHEETS 1 - 4 FOR DETAIL

**HWY. 16 — HWY. 112  
 FAYETTEVILLE BYPASS**  
 ARKANSAS STATE HIGHWAY COMMISSION  
 RIGHT OF WAY MAP  
**4706 SEC. 4 WASHINGTON CO.**  
 SCALE: 1"=50'

| NO. | DATE | REVISIONS                   | BY | CHECKED | TITLE | NO.    | AREA IN ACRES | NO.   | AREA IN SQ. FEET | NO. |
|-----|------|-----------------------------|----|---------|-------|--------|---------------|-------|------------------|-----|
| AD5 |      | HENRY D. & GEORGE D. PORTER | HW |         |       | 15     | 0.28±         | 0.02± |                  |     |
| AD4 |      | HENRY D. & GEORGE D. PORTER | HW |         |       | 15     | 8.3±          |       |                  |     |
| AD3 |      | HENRY D. & GEORGE D. PORTER | HW |         |       | 13 1/2 | 30±           | 1.16± |                  |     |
| AD2 |      | HENRY D. & GEORGE D. PORTER | HW |         |       | 10 1/2 | 0.39±         | 0.39± |                  |     |
| AD1 |      | H.Q. & GEORGE D. PORTER     | HW |         |       |        |               |       |                  |     |

| NO. | DATE | REVISIONS | BY          | CHECKED    |
|-----|------|-----------|-------------|------------|
| 1   |      | AD5       | G. ANDERSON | R. JOHNSON |
| 2   |      | AD4       | G. ANDERSON | R. JOHNSON |
| 3   |      | AD3       | G. ANDERSON | R. JOHNSON |
| 4   |      | AD2       | G. ANDERSON | R. JOHNSON |
| 5   |      | AD1       | G. ANDERSON | R. JOHNSON |

# U of A Farm Trail

I-540 & Porter Road  
Airspace Easement Permit  
ARKANSAS STATE HIGHWAY &  
TRANSPORTATION DEPARTMENT

## VICINITY MAP

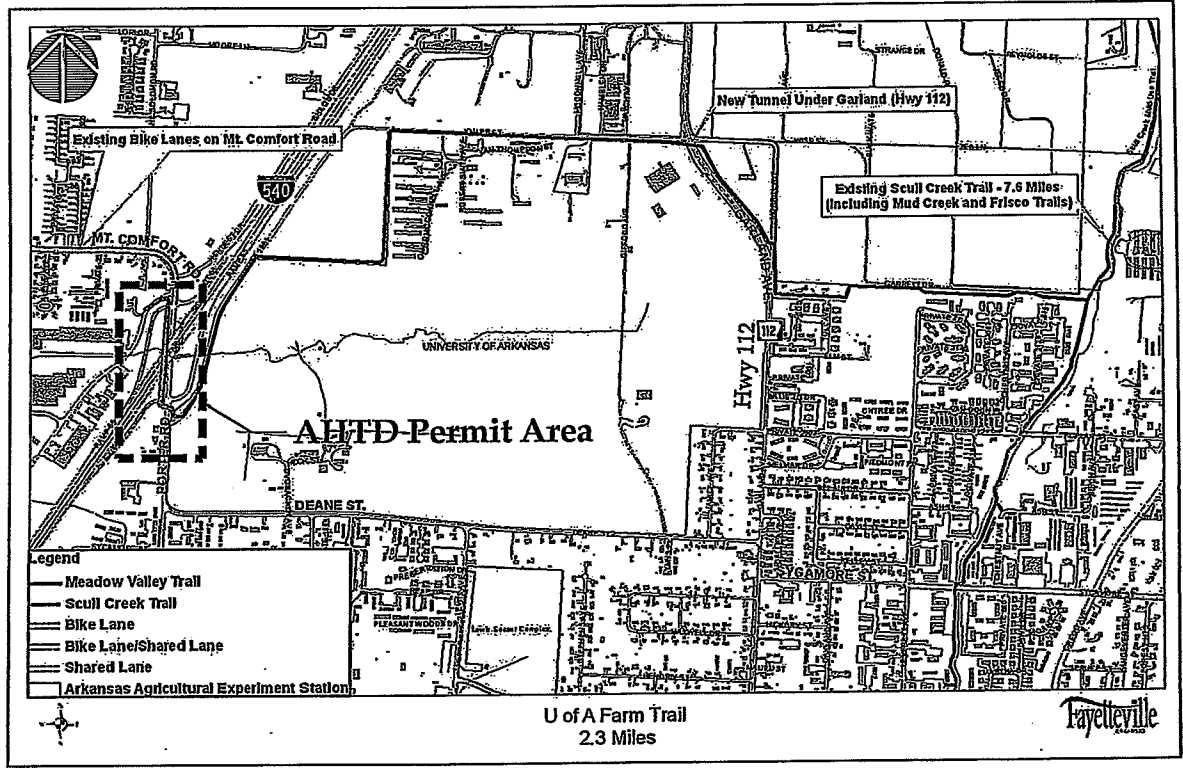


EXHIBIT A

AUGUST 3RD, 2012

CONTENTS:

- 1.) AHTD AIRSPACE EASEMENT PERMIT COVER SHEET
- 2.) AHTD AHTD AIRSPACE EASEMENT CONTROL SHEET
- 3.) SITE PLAN AHTD AIRSPACE EASEMENT STA 0+00 TO STA 7+40
- 4.) SITE PLAN AHTD AIRSPACE EASEMENT STA 7+40 TO STA 13+04



|  |   |
|--|---|
| <p>U of A Farm Trail<br/>U of A Farm Trail I-540 &amp; PORTER RD<br/>AHTD AIRSPACE EASEMENT PERMIT</p> | <p>ENGINEERING DIVISION<br/>113 W. MOUNTAIN STREET<br/>FAYETTEVILLE, ARKANSAS</p> |
| <p>DATE: 8/2/2012</p>  | <p>DATE: 8/2/2012</p>   |
| <p>1 of 4</p>  |   |
| <p>PROJECT: EASEMENT-ground</p>  |   |

Heller, Eric August 2, 2012 K:\Trails\Projects\Meadow Valley Trail\I-540 Design\EASEMENT-ground.dwg





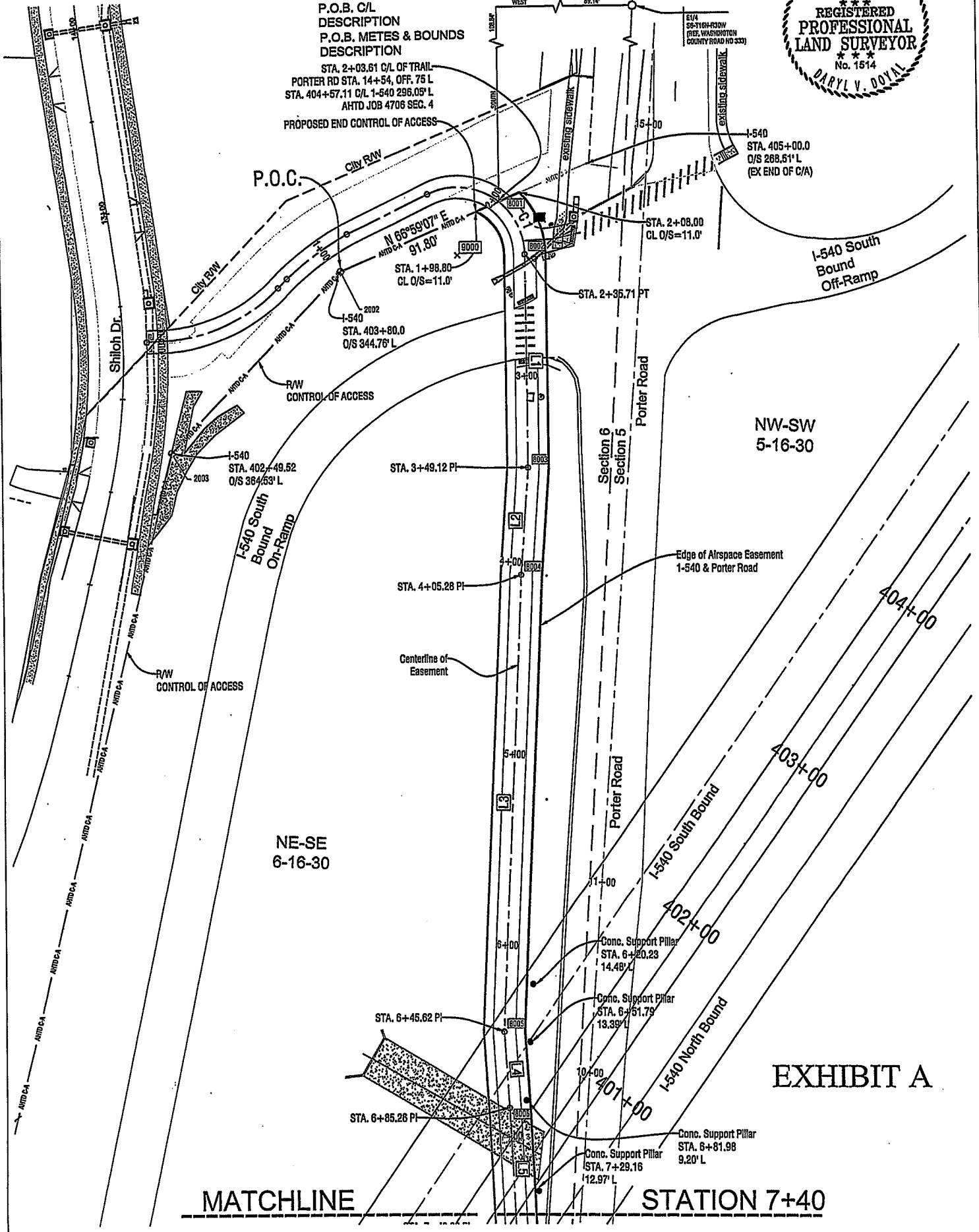
| NUMBER | DIRECTION     | DISTANCE |
|--------|---------------|----------|
| L1     | E 00°00'00" E | 112.41'  |
| L2     | S 04°16'15" W | 28.15'   |
| L3     | S 02°34'24" W | 240.33'  |
| L4     | S 03°48'15" E | 29.83'   |
| L5     | S 02°32'25" E | 23.77'   |
| L6     | S 01°53'33" W | 124.22'  |
| L7     | S 04°30'13" W | 93.23'   |
| L8     | E 03°28'22" W | 81.33'   |
| L9     | E 08°27'05" W | 22.54'   |
| L10    | S 01°22'15" W | 81.10'   |
| L11    | N 89°59'42" E | 28.00'   |
| L12    | E 13°34'02" W | 11.23'   |

| #  | DELTA ANGLE | DD - AFD   | CH DIR        | RADIUS | ARC LENGTH | CH LENGTH |
|----|-------------|------------|---------------|--------|------------|-----------|
| C1 | 51°05'10"   | 153°09'18" | S 25°32'28" E | 38.00  | 22.10      | 21.65     |
| C2 | 91°12'22"   | 114°52'45" | S 44°14'02" E | 6.00   | 7.29       | 7.17      |
| C3 | 103°34'20"  | 285°26'44" | S 38°13'08" E | 20.00  | 38.15      | 31.43     |
| C4 | 147°29'25"  | 103°14'08" | E 10°10'53" E | 55.50  | 48.01      | 44.70     |

- LEGEND**
- EXISTING PAVEMENT
  - PROPOSED 12" TRAIL CENTERLINE
  - AIRSPACE EASEMENT
  - FENCE LINE
  - AHTD RIGHT OF WAY
  - AHTD RIGHT OF WAY & CONTROL OF ACCESS
  - 40 ACRE/SECTION LINE
  - AHTD R/W MARKER
  - CONTROL SPIKE
  - SECTION CORNER
  - FOUND IRON PIN



**P.O.B. C/L DESCRIPTION**  
**P.O.B. METES & BOUNDS DESCRIPTION**  
STA. 2+03.61 C/L OF TRAIL  
PORTER RD STA. 14+54, OFF. 75 L  
STA. 404+57.11 C/L 1-540 296.05' L  
AHTD JOB 4706 SEC. 4  
**PROPOSED END CONTROL OF ACCESS**

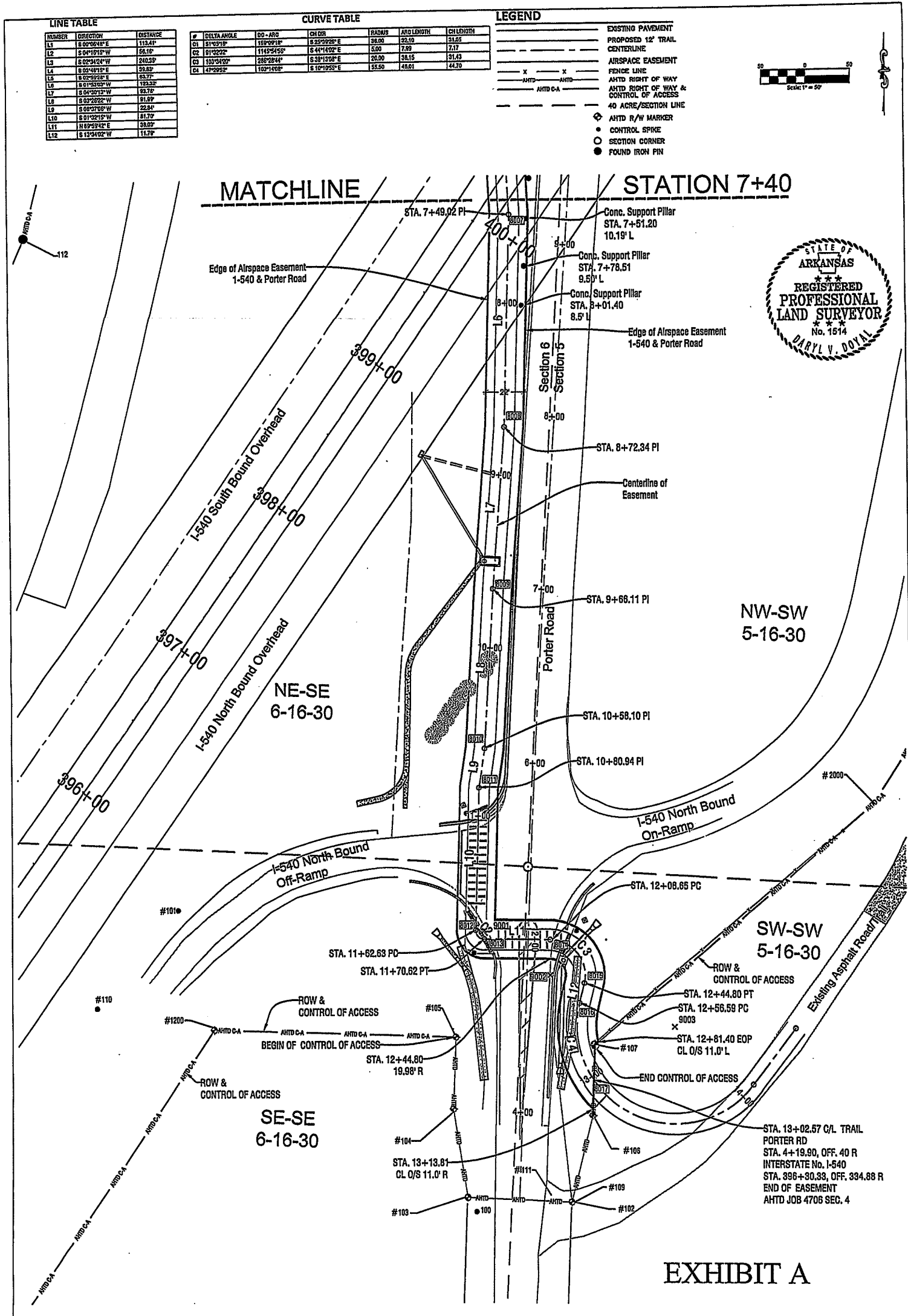


**EXHIBIT A**

**MATCHLINE**

**STATION 7+40**

|   |   |  |   |
|---|---|--|---|
| <p>DATE: 8/2/2012<br/>PAGE: 3 OF 4<br/>PROJECT: EASEMENT-ground</p> | <p><b>Fayetteville</b><br/>ENGINEERING DIVISION<br/>113 W. MOUNTAIN STREET<br/>AR, 72701-1515</p> | <p><b>MEADOW VALLEY TRAIL</b><br/>U of A Farm Trail I-540 &amp; PORTER RD<br/>AIRSPACE EASEMENT STA 0+00 TO 7+00</p> | <p>DATE: 8/2/2012<br/>DRAWN BY: ETH<br/>CHECKED BY: MM<br/>FILE NAME: EASEMENT-ground.dwg</p> |
|---|---|--|---|



**LINE TABLE**

| NUMBER | DIRECTION     | DISTANCE |
|--------|---------------|----------|
| L1     | S 00°00'00" E | 113.41'  |
| L2     | S 04°18'15" W | 56.16'   |
| L3     | S 02°34'24" W | 240.33'  |
| L4     | S 05°48'15" E | 33.85'   |
| L5     | S 25°30'00" E | 15.77'   |
| L6     | S 01°53'00" W | 123.32'  |
| L7     | S 04°30'15" W | 82.70'   |
| L8     | S 03°28'22" W | 81.87'   |
| L9     | S 08°27'00" W | 52.54'   |
| L10    | S 01°20'15" W | 81.79'   |
| L11    | N 10°54'42" E | 38.00'   |
| L12    | S 15°34'02" W | 11.77'   |

**CURVE TABLE**

| #  | DELTA ANGLE | DC - APO   | CH DB         | RADIUS | ARC LENGTH | CH LENGTH |
|----|-------------|------------|---------------|--------|------------|-----------|
| C1 | 81°50'15"   | 189°09'18" | S 25°30'00" E | 36.00  | 22.10      | 31.63     |
| C2 | 81°02'30"   | 114°25'45" | S 44°14'02" E | 15.00  | 7.89       | 7.17      |
| C3 | 103°34'20"  | 282°28'44" | S 39°15'00" E | 50.00  | 38.15      | 31.43     |
| C4 | 47°29'52"   | 152°14'08" | S 10°19'55" E | 55.50  | 48.01      | 44.70     |

- LEGEND**
- EXISTING PAVEMENT
  - PROPOSED 12' TRAIL CENTERLINE
  - AIRSPACE EASEMENT
  - FENCE LINE
  - AHTD RIGHT OF WAY
  - AHTD RIGHT OF WAY & CONTROL OF ACCESS
  - 40 ACRE/SECTION LINE
  - AHTD R/W MARKER
  - CONTROL SPIKE
  - SECTION CORNER
  - FOUND IRON PIN



**EXHIBIT A**

|   |  |  |   |
|---|--|--|---|
| <p>DATE: 8/2/2012<br/>DRAWN BY: 4 OF 4<br/>EASEMENT-ground</p>  | <p><b>Fayetteville</b><br/>ENGINEERING DIVISION<br/>113 W. MOUNTAIN STREET</p> | <p><b>MEADOW VALLEY TRAIL</b><br/>U of A Farm Trail I-540 &amp; PORTER RD<br/>AHTD AIRSPACE EASEMENT STA 7+00 TO 13+04</p> | <p>PROJECT NO: 4706<br/>DRAWN BY: ETH<br/>DESIGNED BY: MAA<br/>FILE NAME: EASEMENT-ground.dwg</p> |
| <p>Heller, Eric August 2, 2012 K:\Trails\Projects\Meadow Valley Trail\I-540 Design\EASEMENT\EASEMENT-ground.dwg</p> |  |  |   |

