

City Council Agenda Items
and
Contracts, Leases or Agreements

9/17/2013

City Council Meeting Date
Agenda Items Only

Jesse Fulcher
Submitted By

Planning
Division

Development Services
Department

Action Required:

VAC 13-4459: VACATION (201 W MOUNTAIN ST, 523): Submitted by WILLIAM RUDASILL, PE for property located at 201 W. MOUNTAIN STREET. The property is zoned DG, DOWNTOWN GENERAL and contains approximately 0.15 acres. The request is to vacate a portion of a right-of-way and utility easement.

Cost of this request	\$ -	Category / Project Budget	Program Category / Project Name
Account Number	\$ -	Funds Used to Date	Program / Project Category Name
Project Number	\$ -	Remaining Balance	Fund Name

Budgeted Item

Budget Adjustment Attached

[Signature]
Department Director 08-29-2013
Date

Previous Ordinance or Resolution # _____

[Signature]
City Attorney 8-29-13
Date

Original Contract Date: _____

Original Contract Number: _____

Paul A. Bisher
Finance and Internal Services Director 8-29-2013
Date

Received in City Clerk's Office. **ENTERED** 8/29/13 *[Signature]*

Don Men
Chief of Staff 8-30-13
Date

Received in Mayor's Office. **ENTERED** 8/29/13 *[Signature]*

Donald Jordan
Mayor 8/30/13
Date

Comments:



THE CITY OF FAYETTEVILLE, ARKANSAS
DEPARTMENT CORRESPONDENCE

www.accessfayetteville.org

CITY COUNCIL AGENDA MEMO

To: Mayor Jordan, City Council

Thru: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director &

From: Jesse Fulcher, Current Planner

Date: August 29, 2013

Subject: VAC 13-4459 (201 W MOUNTAIN ST/LOAFIN JOE'S)

RECOMMENDATION

The Planning Commission and staff recommend approval of an ordinance to vacate a portion of a right-of-way and utility easement.

BACKGROUND

The subject property is located at the southwest corner of Mountain Street and Church Avenue and is developed with the Loafin Joe's restaurant. Adjacent to the east side of the building (along Church Avenue), exists a 10 foot wide right-of-way and utility easement that was deeded in the 1970's. There are no utilities within the easement with the exception of an overhead power line at eastern edge of the easement. AEP Swepco will maintain 2.5 feet of the easement adjacent to the right-of-way for maintenance of their facilities. This will also provide sufficient right-of-way space for any future street improvements based on Master Street Plan requirements.

The applicant's request is to vacate the west 7.5 feet of the right-of-way and utility easement. This will allow the property owner to construct a new outdoor dining area on the east side of the building within an existing landscape bed.

DISCUSSION

On August 26, 2013, the Planning Commission forwarded this item to the City Council with a recommendation of approval with a vote of 7-0-0.

BUDGET IMPACT

None.

ORDINANCE NO.

AN ORDINANCE APPROVING VAC 13-4459 SUBMITTED BY WILLIAM RUDASILL FOR PROPERTY LOCATED AT 201 W MOUNTAIN STREET, TO VACATE A PORTION OF A RIGHT-OF-WAY AND UTILITY EASEMENT, A TOTAL OF 413 SQUARE FEET.

WHEREAS, the City Council has the authority under A.C.A. § 14-54-104 to vacate public grounds or portions thereof which are not required for corporate purposes; and

WHEREAS, the City Council has determined that the following described portion of the platted right-of-way and utility easement is not required for corporate purposes;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby vacates and abandons the following described right-of-way and utility easement in Exhibit B (attached).

Section 2: That a copy of this Ordinance duly certified by the City Clerk along with the map attached and labeled Exhibit A shall be filed in the office of the Recorder of the County and recorded in the Deed Records of the County.

Section 3: That this vacation approval is subject to the Condition of Approval and shall not be in effect until the condition is met.

“The eastern 2.5 feet of easement shall be retained and may be used in conformance with 166.12 Structures Not Allowed within Public Easements. The location of any expansion shall be reviewed by the Planning Division to ensure that adequate and safe site lines are maintained for motorists and pedestrians.”

PASSED and **APPROVED** this day of , 2013.

APPROVED:

ATTEST:

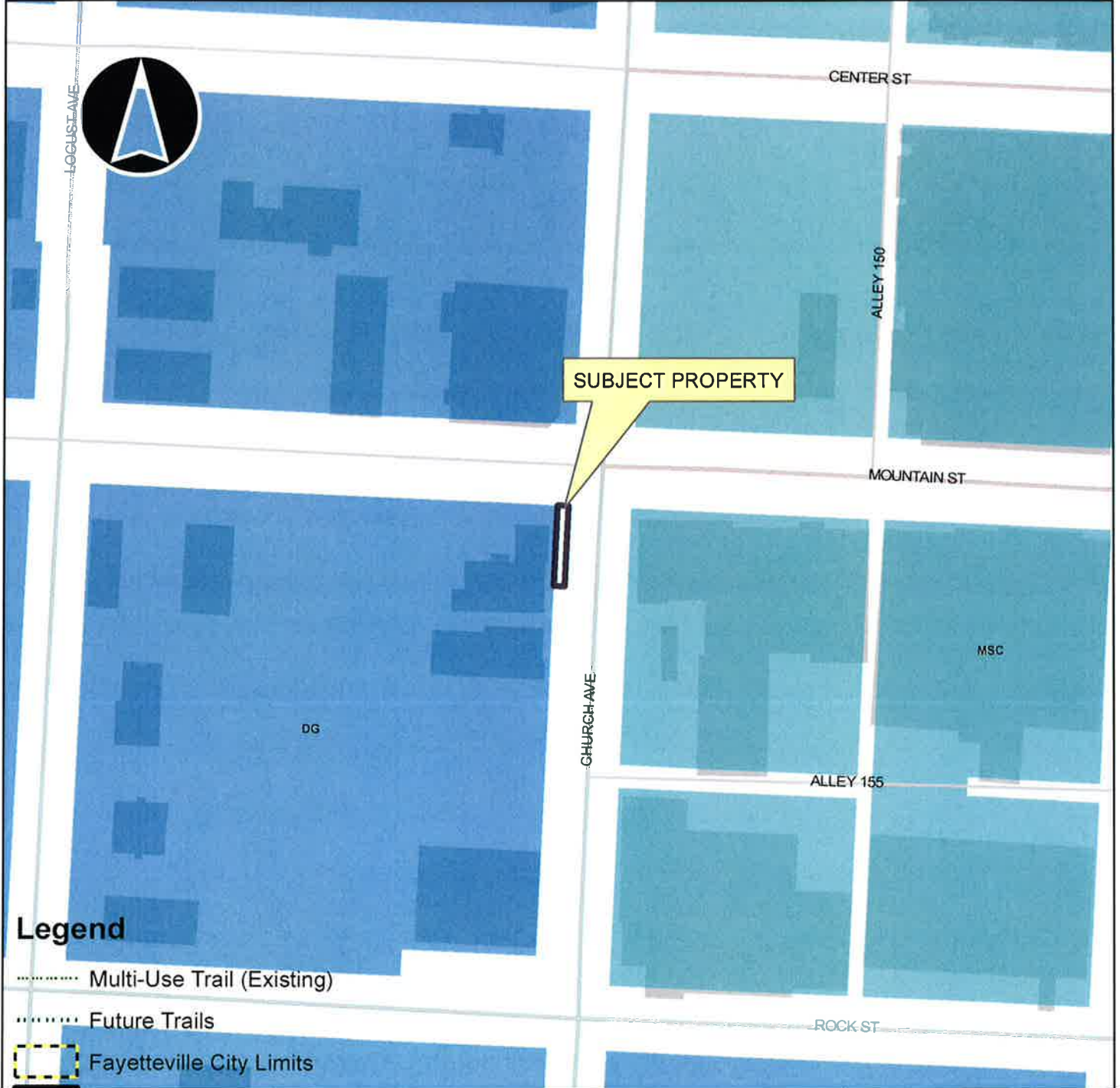
By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

VAC13-4459

201 W. MOUNTAIN ST.

Close Up View



Legend

..... Multi-Use Trail (Existing)

..... Future Trails

..... Fayetteville City Limits

Overview VAC13-4459

■ Footprints 2010

■ Hillside-Hilltop Overlay District

□ Design Overlay District

□ Design Overlay District

--- Planning Area

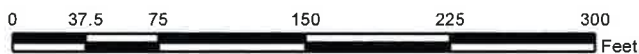


EXHIBIT "B"
VAC 13-4459

RIGHT-OF-WAY AND UTILITY EASEMENT VACATION LEGAL DESCRIPTION

THAT PORTION OF THE EASEMENT FILED FOR RECORD IN WASHINGTON COUNTY, ARKANSAS IN BOOK 958 AT PAGE 705 DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 32 BEING A POINT ON THE SOUTH RIGHT-OF-WAY OF W MOUNTAIN STREET AND THE WEST LINE OF CHURCH AVENUE AS SHOWN ON THE ORIGINAL PLAT OF THE TOWN OF FAYETTEVILLE, RUN THENCE ALONG SAID MOUNTAIN STREET R/W WEST (N89°59'09"W MEASURED) A DISTANCE OF 2.50 FEET TO THE POINT OF BEGINNING (POB) OF SAID VACATION; THENCE CONTINUING ALONG SAID R/W WEST (N89°59'09"W MEASURED) A DISTANCE OF 7.50 FEET; THENCE LEAVING SAID R/W AND RUNNING SOUTH (S00°16'18"W MEASURED) A DISTANCE OF 55.00 FEET TO THE A POINT 1 FOOT, MORE OR LESS, SOUTH OF A 1.5 FOOT HIGH BRICK WALL; THENCE WITH SAID WALL LINE EAST (N89°51'14"E MEASURED) 7.50 FEET TO A POINT 2.5 FEET OFF THE WEST R/W LINE OF CHURCH AVENUE; THENCE NORTH (N00°16'18"E MEASURED) ALONG SAID R/W A DISTANCE OF 55.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING CONTAINING 0.009 ACRES (412.5 SF), MORE OR LESS, AND LEAVING 2.5 FEET OF THE EASEMENT IN PLACE DIRECTLY ADJACENT TO CHURCH AVENUE TO MAINTAIN MINIMUM CITY REQUIRED R/W, SAID BEARINGS ARE REFERENCED FROM AN ENGINEERING SURVEY FILED FOR RECORD IN BOOK 2007 AT PAGE 1127, WASHINGTON COUNTY, ARKANSAS AND THE VACATION IS ENCOMPASSED BY THE PROPERTY DESCRIBED IN DEED OF RECORD IN BOOK 2005 AT PAGE 34587, WASHINGTON COUNTY, ARKANSAS



PC Meeting of August 26, 2013

THE CITY OF FAYETTEVILLE, ARKANSAS

125 W. Mountain St.
 Fayetteville, AR 72701
 Telephone: (479) 575-8267

PLANNING DIVISION CORRESPONDENCE

TO: Fayetteville Planning Commission
 FROM: Jesse Fulcher, Current Planner
 THRU: Jeremy Pate, Development Services Director
 DATE: ~~August 19, 2013~~ Updated August 29, 2013

VAC 13-4459: VACATION (201 W MOUNTAIN ST, 523): Submitted by WILLIAM RUDASILL, PE for property located at 201 W. MOUNTAIN STREET. The property is zoned DG, DOWNTOWN GENERAL and contains approximately 0.15 acres. The request is to vacate a portion of a right-of-way and utility easement.

Planner: Jesse Fulcher

Findings:

Property: The subject property is located at the southwest corner of Mountain Street and Church Avenue and is developed with the Loafin Joe’s restaurant. Adjacent to the east side of the building (along Church Avenue), exists a 10 foot wide right-of-way and utility easement that was deeded in the 1970’s. There are no utilities within the easement with the exception of an overhead power line at eastern edge of the easement. AEP Swepco will maintain 2.5 feet-of the easement adjacent to the right-of-way for maintenance of their facilities. This will also provide sufficient right-of-way space for any future street improvements based on Master Street Plan requirements. Surrounding land use and zoning is depicted in *Table 1*.

**Table 1
 Surrounding Land Use and Zoning**

Direction from Site	Land Use	Zoning
North	Commercial	DG, Downtown General
South	Residential	DG, Downtown General
East	Commercial	MSC, Main Street Center
West	Parking lot	DG, Downtown General

Request: The applicant’s request is to vacate the west 7.5 feet of the right-of-way and utility easement. This will allow the property owner to construct a new outdoor dining area on the east side of the building within an existing landscape bed.

Easement Vacation Approval: The applicant has submitted the required easement vacation forms to adjacent property owners and all utility companies with no objections.

UTILITIES

RESPONSE

Ozarks Electric	No Objections
Cox Communications	No Objections
Southwestern Electric Power Company	No Objections
Source Gas	No Objections
AT&T	No Objections

CITY OF FAYETTEVILLE:

RESPONSE

Water/Sewer	No Objections
Transportation	No Objections
Solid Waste	No Objections

ADJACENT PROPERTY OWNER:

RESPONSE

Michael and Julie Roetzel	No objections
City of Fayetteville	No objections

Public Comment: No public comment has been received.

Recommendation: Staff recommends forwarding VAC 13-4459 to the City Council with a recommendation for approval subject to the following conditions:

1. The remaining 2.5 feet of easement shall only be used in conformance with *166.12 Structures Not Allowed within Public Easements*.

CITY COUNCIL ACTION: Required

PLANNING COMMISSION ACTION: Required

Planning Commission Action: Forwarded Denied Tabled

Date: August 26, 2013

Motion: Cook

Second: Chesser

Vote: 7-0-0

Notes:

From the Desk of William B Rudasill, P.E.

Address: 1780 N Woolsey, Fayetteville, AR 72703 Phone: (479) 466-4655 Email: [wbrengr@yahoo.com](mailto:wbreng@yahoo.com)

Attn: Planning Board and City Council
City of Fayetteville
113 W Mountain St, Fayetteville, AR 72701

RE: Loafin' Joe's Easement Vacation Petition
201 W. Mountain St., Fayetteville, AR 72701

July 2, 2013

Dear Board and Council Members

On behalf of Joseph Weber the owner of Loafin' Joe's on the SW corner of W Mountain St and Church Ave. also known as 201 W Mountain St. here in Fayetteville, I am submitting an Easement Vacation Petition for a portion of an easement lying along the east line of his property to allow him to extend his roof lines to accommodate a covered open air patio expansion to his existing facility. The area will be contained within an existing walled area that pre-dates the easement and is currently a landscaped garden. We have worked diligently with the utility companies to accommodate their needs and have received their approvals.

A site plan and construction drawings for the proposed expansion have been enclosed for your review and to show the impact of the easement and the reasons for the need to vacate a portion of said easement. If you have any questions or need more information, please don't hesitate to call.

Respectfully



William B Rudasill, Jr.

Project Engineer

WEBER/LOFIN' JOE'S EASEMENT VACATION

LEGAL DESCRIPTION:

That portion of the easement filed for record in Washington County, Arkansas in Book 958 at Page 705 described as follows: Commencing at the Northeast Corner of said Block 32 being a point on the South Right-of-Way of W Mountain Street and the West Line of Church Avenue as shown on the Original Plat of the Town of Fayetteville, Run thence along said Mountain Street R/W West (N89°59'09"W measured) a distance of 2.50 Feet to the Point of Beginning (POB) of said vacation; thence continuing along said R/W West (N89°59'09"W measured) a distance of 7.50 Feet; thence leaving said R/W and running South (S00°16'18"W measured) a distance of 55.00 Feet to the a point 1 foot, more or less, south of a 1.5 foot high brick wall; thence with said Wall Line East (N89°51'14"E measured) 7.50 Feet to a point 2.5 feet off the West R/W line of Church Avenue; thence North (N00°16'18"E measured) along said R/W a distance of 55.00 Feet, more or less, to the Point of Beginning containing 0.009 acres (412.5 SF), more or less, and leaving 2.5 feet of the easement in place directly adjacent to Church Avenue to maintain minimum City required R/W, said bearings are referenced from an Engineering Survey filed for record in Book 2007 at Page 1127, Washington County, Arkansas and the vacation is Encompassed by the Property Described in Deed of Record in Book 2005 at Page 34587, Washington County, Arkansas

EXHIBIT
EX. EASEMENT
DOCUMENT, A
PORTION OF
WHICH IS TO
BE VACATED

FILED
FOR RECORD
78 MAR 31 PM 2:45

WASHINGTON COUNTY
ARKANSAS
ALMA KOLLMEYER
CLERK

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned grantors for the consideration of
One Dollar (\$1.00) and other good and valuable consideration
to them in hand paid by the City of Fayetteville, Arkansas,
a municipal corporation, the grantee, the receipt of which
is hereby acknowledged, does hereby grant, bargain, sell and
convey to the City of Fayetteville, Arkansas, a municipal
corporation, a perpetual easement for the purpose of constructing,
maintaining, repairing and replacing a public street and
utility lines, to-wit:

Ten feet of equal and uniform width off the East
side of the following described property, to-wit:

Lots 1 and 2 in Block 32 as designated upon the
original plat of the Town of Fayetteville - EXCEPT
8 feet off the West side of said Lot 2 -, and all
being more particularly described as follows, to-wit:
Beginning at the Northeast corner of said Block 32,
and running, thence West 100 feet to the Northeast
corner of the Paddock Lot; thence South 155 feet;
thence East 100 feet to the East line of said Block;
thence North 155 feet to the place of beginning.

TO HAVE AND TO HOLD said premises to said grantee, the
City of Fayetteville, Arkansas, for the uses and purposes
hereinbefore described.

WITNESS our hands and seals on this 27th day of
October, 1977.

Truman E. Yancey
Truman E. Yancey
Sylvia M. Yancey
Sylvia M. Yancey

ACKNOWLEDGMENT

STATE OF ARKANSAS)
COUNTY OF WASHINGTON) SS

953 705

On this 27th day of October, 1977, before me,
the undersigned Notary Public, personally appeared Truman E.
Yancey and Sylvia M. Yancey, known to me to be the grantors
in the foregoing Easement, and stated that they had executed
same for the purposes and consideration therein mentioned
and set forth.

In Witness Whereof, I hereunto set my hand this 27th
day of October, 1977.

NOTARY PUBLIC
My Commission Expires:
22 July 1978

Notary Public
Thomas W. ...

PETITION TO VACATE A PORTION OF A UTILITY/ROAD EASEMENT LOCATED IN LOT 1, BLOCK 32 OF THE ORIGINAL PLAT OF THE TOWN OF FAYETTEVILLE, CITY OF FAYETTEVILLE, WASHINGTON COUNTY ARKANSAS.

TO: The Fayetteville City Planning Commission and the Fayetteville City Council

We, the undersigned, being all the owners of the real estate encompassing a portion of the easement hereinafter sought to be abandoned and vacated, lying in Lot 1, Block 32 of the Original Plat of the Town of Fayetteville, City of Fayetteville, Washington County, Arkansas, a municipal corporation, petition to vacate a utility/road easement which is described as follows:

That portion of the easement filed for record in Washington County, Arkansas in Book 958 at Page 705 described as follows: Commencing at the Northeast Corner of said Block 32 being a point on the South Right-of-Way of W Mountain Street and the West Line of Church Avenue as shown on the Original Plat of the Town of Fayetteville, Run thence along said Mountain Street R/W West (N89°59'09"W measured) a distance of 2.50 Feet to the Point of Beginning (POB) of said vacation; thence continuing along said R/W West (N89°59'09"W measured) a distance of 7.50 Feet; thence leaving said R/W and running South (S00°16'18"W measured) a distance of 55.00 Feet to the a point 1 foot, more or less, south of a 1.5 foot high brick wall; thence with said Wall Line East (N89°51'14"E measured) 7.50 Feet to a point 2.5 feet off the West R/W line of Church Avenue; thence North (N00°16'18"E measured) along said R/W a distance of 55.00 Feet, more or less, to the Point of Beginning containing 0.009 acres (412.5 SF), more or less, and leaving 2.5 feet of the easement in place directly adjacent to Church Avenue to maintain minimum City required R/W, said bearings are referenced from an Engineering Survey filed for record in Book 2007 at Page 1127, Washington County, Arkansas and the vacation is Encompassed by the Property Described In Deed of Record in Book 2005 at Page 34587, Washington County, Arkansas;

That the public interest and welfare of the abutting real estate to the easement used by the public for many years, said properties being the remaining portions of Lot 1, Block 32 of the Original Plat of the Town of Fayetteville and the Original Church Avenue R/W Owned by the City of Fayetteville, will not be adversely affected.

The petitioners further pray that the above described real estate be vested in the abutting/encompassing property owners as provided by law.

WHEREFORE, the undersigned petitioners respectfully pray that the governing body of the City of Fayetteville, Arkansas, abandon and vacate the above described real estate, subject to said utility/road easements, and that title to said real estate sought to be abandoned be vested in the abutting/encompassing property owners as provided by law, and as to that particular land the owners be free from the easements of the public for the use of said easement.

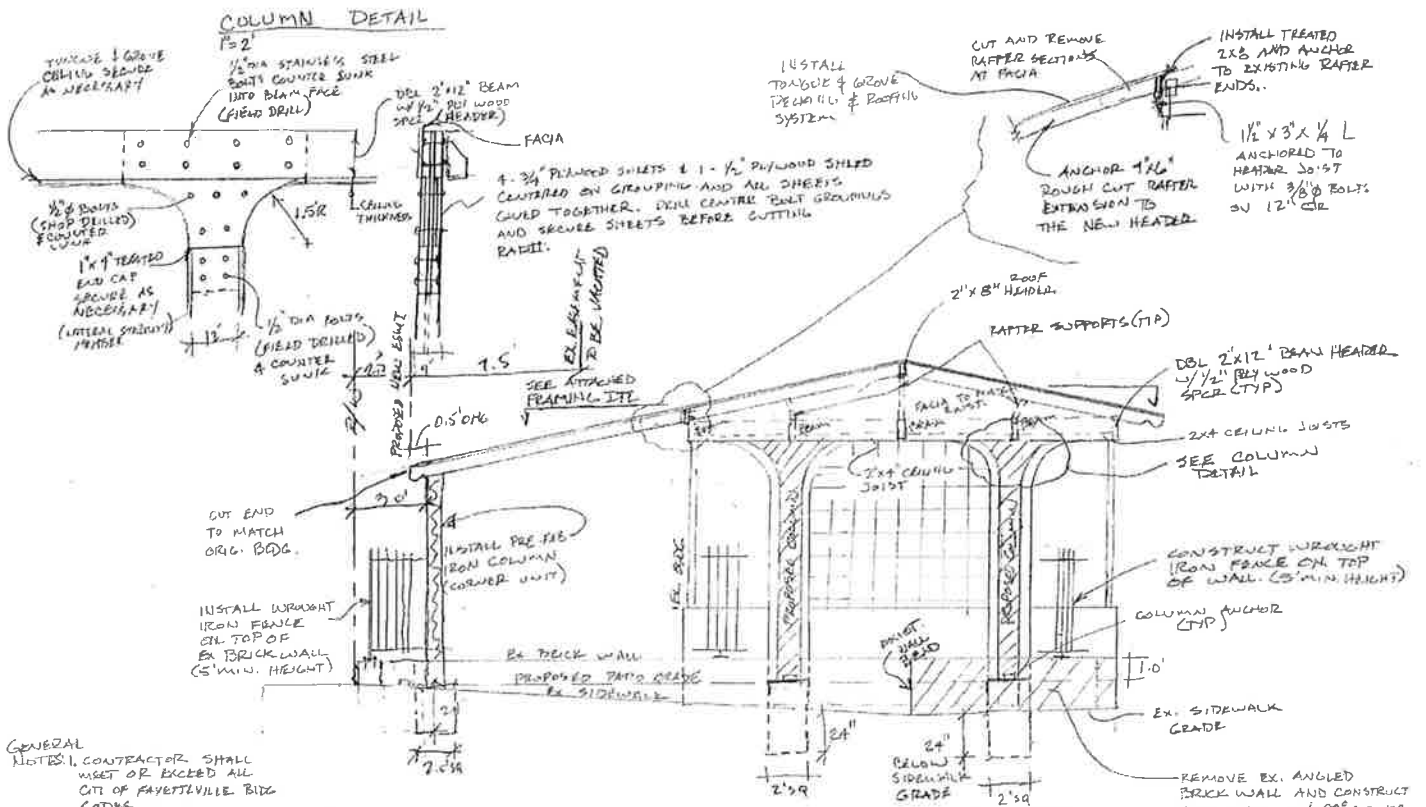
Dated this 22 day of July, 2013.

Joe Weber Printed Name

[Signature] Signature

Jennifer Weber Printed Name

[Signature] Signature



- GENERAL NOTES
1. CONTRACTOR SHALL MEET OR EXCEED ALL CITY OF FAYETTEVILLE BLDG CODES
 2. ALL CONC. SHALL BE 3000 PSI OR PROVEN AND REINFORCED WITH FIBERMESH OR WELDED W/RE OR EQ.
 3. ALL CONC. SURFACES SHALL BE SAW CUT WITH STD. JOINTING TO PREVENT CRACKING

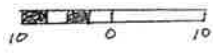
4. ALL CONC JOINTS SHALL BE SEALED WITH STD JOINT COMPOUND
5. PATIO FLOOR
 4" REIN CONC.
 2" GRAVEL BASE
 4" COMP SUB-GRADE

LOAFIN JOE'S
 NORTH ELEVATION
 1"=4'

6/20/13 ADD TO NEW ELEV
 3/12/13 REV. 1 - ADDED FENCE

MOUNTAIN STREET

NOTE:
 1. BOUNDARY INFO OBTAINED FROM ENGINEERING DIV. SURVEY FILED @ 8/2007 PG 1127 WASH. CO. ARK
 2. SITE IMPROVEMENTS FIELD MEASURED



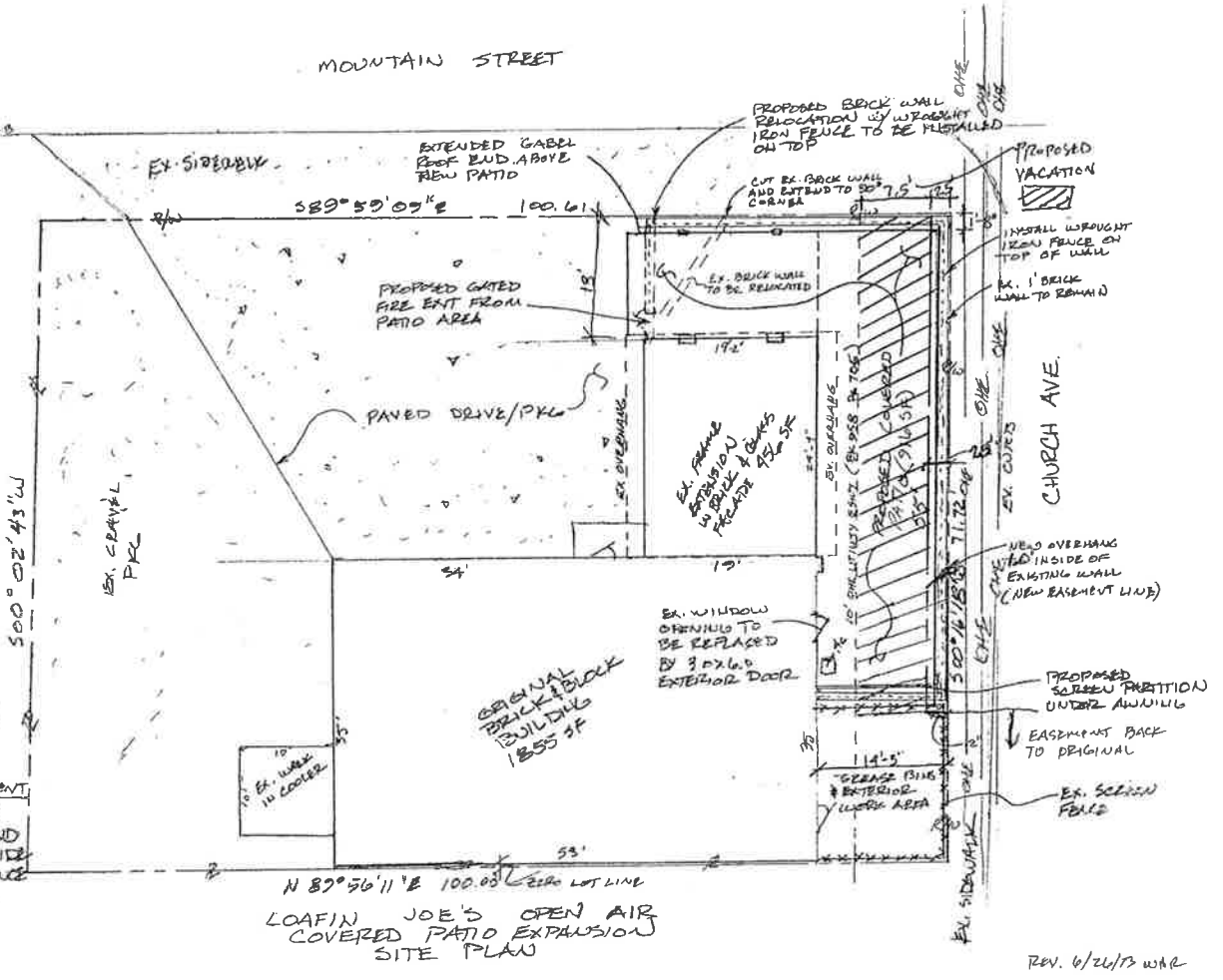
OWNER: JOE WEBER
 201 W. MOUNTAIN ST.
 PAYETTEVILLE, AR 72701

AGENT: WILLIAM RUDASILL
 PER 7300 PH 419-467-7655

ZONING: DOWNTOWN GENERAL

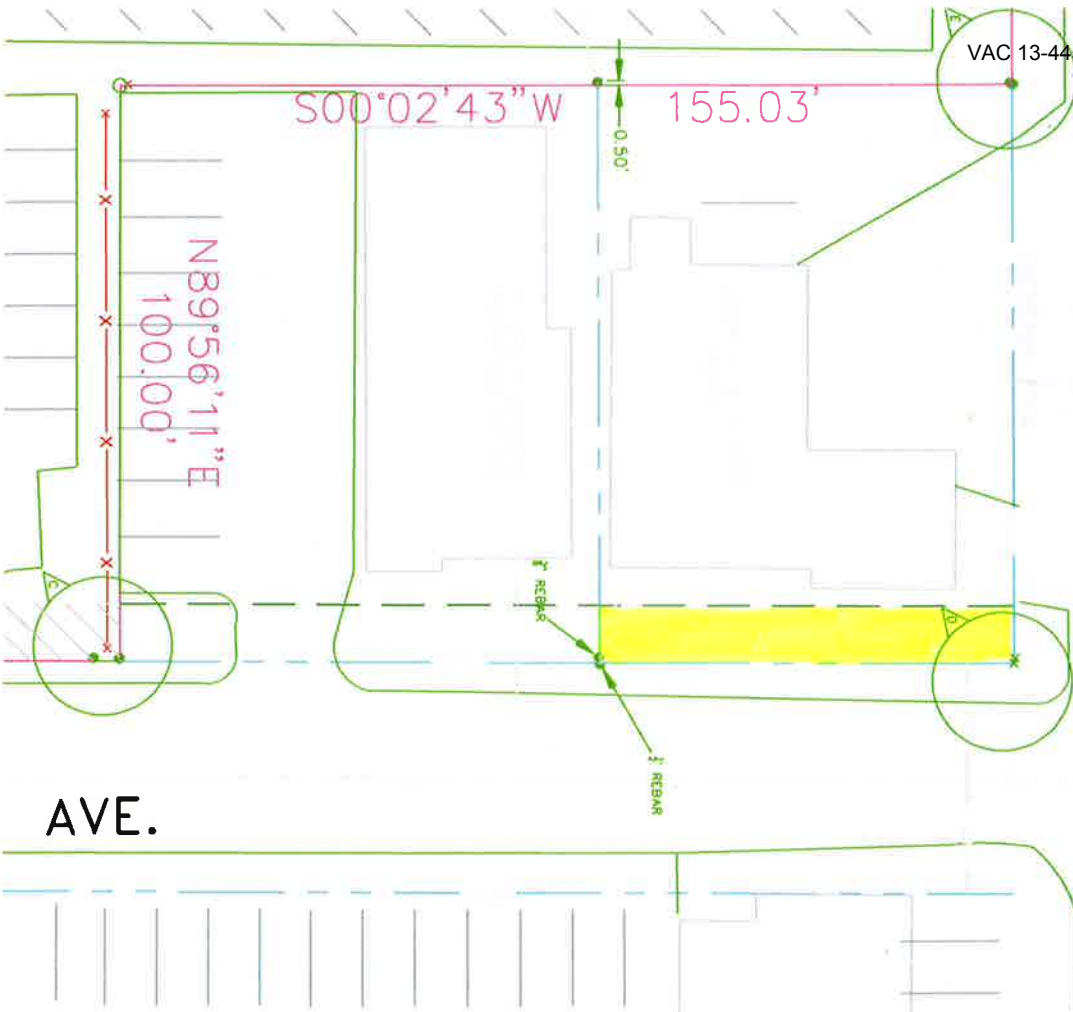
SET BACKS:
 FRONT: BID TO (25 TO 0')
 SIDE: ZERO

EASEMENT ENCROACHMENT
 SUEPICO HAS INSPECTED PROPOSED EXPANSION AND LINE CLEARANCES PROVIDE ADEQUATE MAINTENANCE SPACE FOR EX LINE NO CONFLICT WITH PROPOSED EXP.



LOAFIN JOE'S OPEN AIR COVERED PATIO EXPANSION SITE PLAN

REV. 6/26/13 WAR



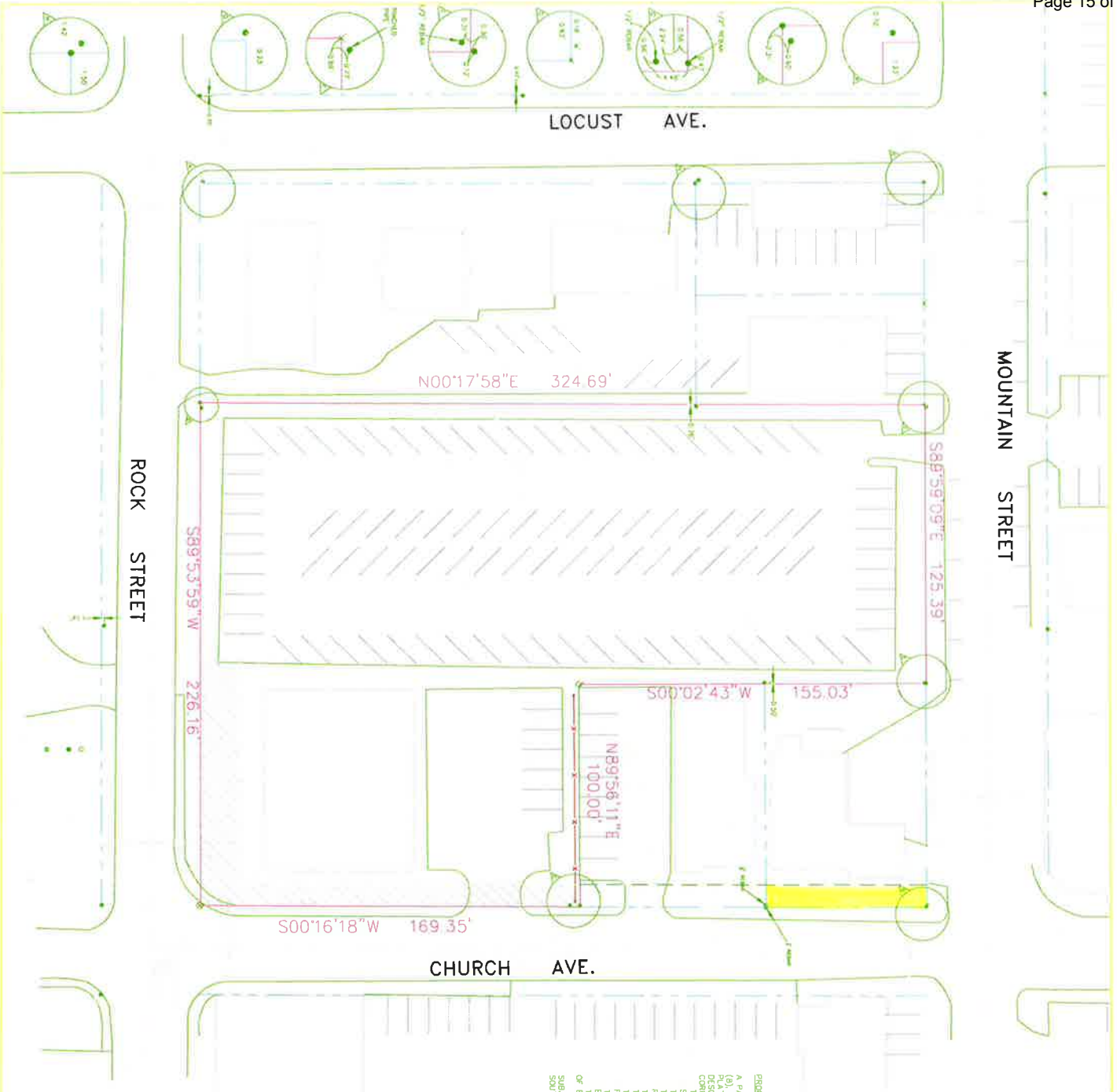
AVE.



PROPERTY DESCRIPTION

A PART OF LOTS ONE (1), TWO (2), THREE (3), FOUR (4), SEVEN (7), EIGHT (8), NINE (9), NINE-A (9A) OF BLOCK THIRTY-TWO (32) OF THE TOWN PLAT TO THE CITY OF FAYETTEVILLE, ARKANSAS, MORE PARTICULARLY DESCRIBED AS BEGINNING AT A FOUND RAILROAD SPIKE AT THE SOUTHEAST CORNER OF SAID BLOCK 32.
 THENCE ALONG THE SOUTH LINE OF SAID BLOCK 32
 589.53'59" W 226.16 FEET TO A FOUND IRON PIN;
 THENCE LEAVING SAID SOUTH LINE N00°17'58"E 324.69 FEET TO AN 'X' IN CONCRETE, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY OF MOUNTAIN STREET;
 THENCE ALONG SAID RIGHT-OF-WAY S89°59'09"E 125.39 FEET TO A POINT;
 THENCE LEAVING SAID RIGHT-OF-WAY S00°02'43"W 155.03 FEET TO A SET IRON PIN;
 THENCE N89°56'11"E 100.00 FEET TO A FOUND IRON PIN ON THE EAST LINE OF SAID BLOCK 32;
 THENCE ALONG SAID EAST LINE S00°16'18"W 169.35 FEET TO THE POINT OF BEGINNING, CONTAINING 1.327 ACRES, MORE OR LESS.

SUBJECT TO: A DEDICATED STREET RIGHT-OF-WAY ON THE EAST SIDE AND SOUTH SIDE.



PROPERTY DESCRIPTION
 A PART OF LOTS ONE (1), TWO (2), THREE (3), FOUR (4), SEVEN (7), EIGHT (8), NINE (9), NINE-A (9A) OF BLOCK THIRTY-TWO (32) OF THE TOWN OF FAYETTEVILLE, ARKANSAS, MORE OR LESS, ACCORDING TO THE PLAN OF THE SPLIT OF SAID BLOCK THIRTY-TWO (32) OF THE TOWN OF FAYETTEVILLE, ARKANSAS, MORE OR LESS, AS SHOWN ON THE EAST CORNER OF SAID BLOCK 32.
 HENCE ALONG THE SOUTH LINE OF SAID BLOCK 32
 S89°59'09" W 226.16 FEET TO A FOUND IRON PIN ON THE SOUTH SIDE OF SAID BLOCK 32
 TO AN "X" IN CONCRETE, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY OF MOUNTAIN STREET.
 HENCE ALONG SAID RIGHT-OF-WAY S89°59'09" E 125.39 FEET
 HENCE LEAVING SAID RIGHT-OF-WAY S00°02'43" W 155.03 FEET TO A SET IRON PIN.
 HENCE ANGERSIVE 100.00 FEET TO A FOUND IRON PIN ON THE SOUTH SIDE OF SAID BLOCK 32.
 HENCE ALONG SAID EAST LINE S00°16'18" W 169.35 FEET TO THE POINT OF BEGINNING, CONTAINING 1.327 ACRES, MORE OR LESS SUBJECT TO A DEDICATED STREET RIGHT-OF-WAY ON THE EAST SIDE AND SOUTH SIDE.



UTILITY APPROVAL FORM

**FOR RIGHT- OF- WAY, ALLEY, AND
UTILITY EASEMENT VACATIONS**

DATE: 5/17/11

UTILITY COMPANY: AT&T

APPLICANT NAME: JOE W. BELL APPLICANT PHONE: 479-500-0044

REQUESTED VACATION (*applicant must check all that apply*):

Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address (referring to attached document- must be completed**)

** 201 W MOUNTAIN ST. FAYETTEVILLE, AR 72701

(ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

No objections to the vacation(s) described above.

No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

ANY RELOCATION OF OR DAMAGE TO EXISTING AT&T FACILITIES
WITHIN THE VACATED AREA WILL BE CARED FOR AT THE PROPERTY
OWNER'S EXPENSE

Susan K Clouser
Signature of Utility Company Representative

OSP DESIGN ENGINEER
Title

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND
UTILITY EASEMENT VACATIONS

DATE: 5/21/2013

UTILITY COMPANY: COX COMMUNICATIONS

APPLICANT NAME: _____ APPLICANT PHONE: 177 222 2222

REQUESTED VACATION (applicant must check all that apply):

Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right-of-way.

Alley

Street right-of-way

I have been notified of the petition to vacate the following (alley, easement, right-of-way), described as follows:

General location / Address (referring to attached document- must be completed)**

** 12345 Main Street, Suite 100, Anytown, CA 90210

(ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

No objections to the vacation(s) described above.

No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

Existing aerial facilities along Church Avenue must remain within a utility easement.

No objections provided the following conditions are met:

Chad A. [Signature]
Signature of Utility Company Representative

NWA Construction Planner
Title

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 5/20/2013

UTILITY COMPANY: AEP / SWEP CO

APPLICANT NAME: JOE WEBER APPLICANT PHONE: 479-200-0044
REQUESTED VACATION (*applicant must check all that apply*):

Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address (referring to attached document- must be completed**)

** 201 W. MOUNTAIN ST, FAYETTEVILLE, AR 72701

(ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

No objections to the vacation(s) described above.

No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

John Buzyn
Signature of Utility Company Representative

Dist. Engineer
Title

UTILITY APPROVAL FORM
FOR RIGHT- OF- WAY, ALLEY, AND
UTILITY EASEMENT VACATIONS

DATE: 5 11 11

UTILITY COMPANY: SOURCE GAS

APPLICANT NAME: JOE WILSON APPLICANT PHONE: 479-200-0041
REQUESTED VACATION (*applicant must check all that apply*):

Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address (referring to attached document- must be completed**)

** 201 W. MOUNTAIN ST. FRISCO, AR 72701

(ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

No objections to the vacation(s) described above.

No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

[Signature]
Signature of Utility Company Representative

Sr. Director, Asset Management
Title

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND
UTILITY EASEMENT VACATIONS

DATE: 5/10/2012

UTILITY COMPANY: OZARK ELECTRIC

APPLICANT NAME: JOE WALKER APPLICANT PHONE: 477-500-0044
REQUESTED VACATION (applicant must check all that apply):

Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

Street right-of-way

I have been notified of the petition to vacate the following (alley, easement, right-of-way), described as follows:

General location / Address (referring to attached document- must be completed**)

** 201 W Mountain St, Fayetteville, AR 72701

(ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

No objections to the vacation(s) described above. This is in AEP Territory

No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

[Signature]
Signature of Utility Company Representative

Lead Staking Tech
Title

UTILITY APPROVAL FORM

**FOR RIGHT- OF- WAY, ALLEY, AND
UTILITY EASEMENT VACATIONS**

DATE: _____

UTILITY COMPANY: FAYETTEVILLE WATER & SEWER

APPLICANT NAME: JOE J. JONES APPLICANT PHONE: 479-500-0541

REQUESTED VACATION (*applicant must check all that apply*):

Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address (referring to attached document- must be completed**)

** 417 W. MOUNTAIN ST. FAYETTEVILLE, AR 71601

(ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

No objections to the vacation(s) described above.

No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Joe J. Jones
Signature of Utility Company Representative

Utilities Engineer
Title

UTILITY APPROVAL FORM

**FOR RIGHT- OF- WAY, ALLEY, AND
UTILITY EASEMENT VACATIONS**

DATE: 5/10/2011

UTILITY COMPANY: FAYETTEVILLE SOLID WASTE

APPLICANT NAME: JOE W. WELLS APPLICANT PHONE: 479-200-0044

REQUESTED VACATION (*applicant must check all that apply*):

Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address (referring to attached document- must be completed**)

** 301 W. MOUNTAIN ST. FROM I-49, AL. 70001

(ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

No objections to the vacation(s) described above.

No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Brian Duff
Signature of Utility Company Representative

Waste Reduction Coordinator
Title

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: _____

UTILITY COMPANY: FAYETTEVILLE TRANSPORTATION

APPLICANT NAME: JOE WILSON APPLICANT PHONE: 479-800-0044

REQUESTED VACATION (applicant must check all that apply):

Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address (referring to attached document- must be completed**)

** 201 W. MOUNTAIN ST. FAYETTEVILLE, AR 72701

(ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

No objections to the vacation(s) described above.

No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

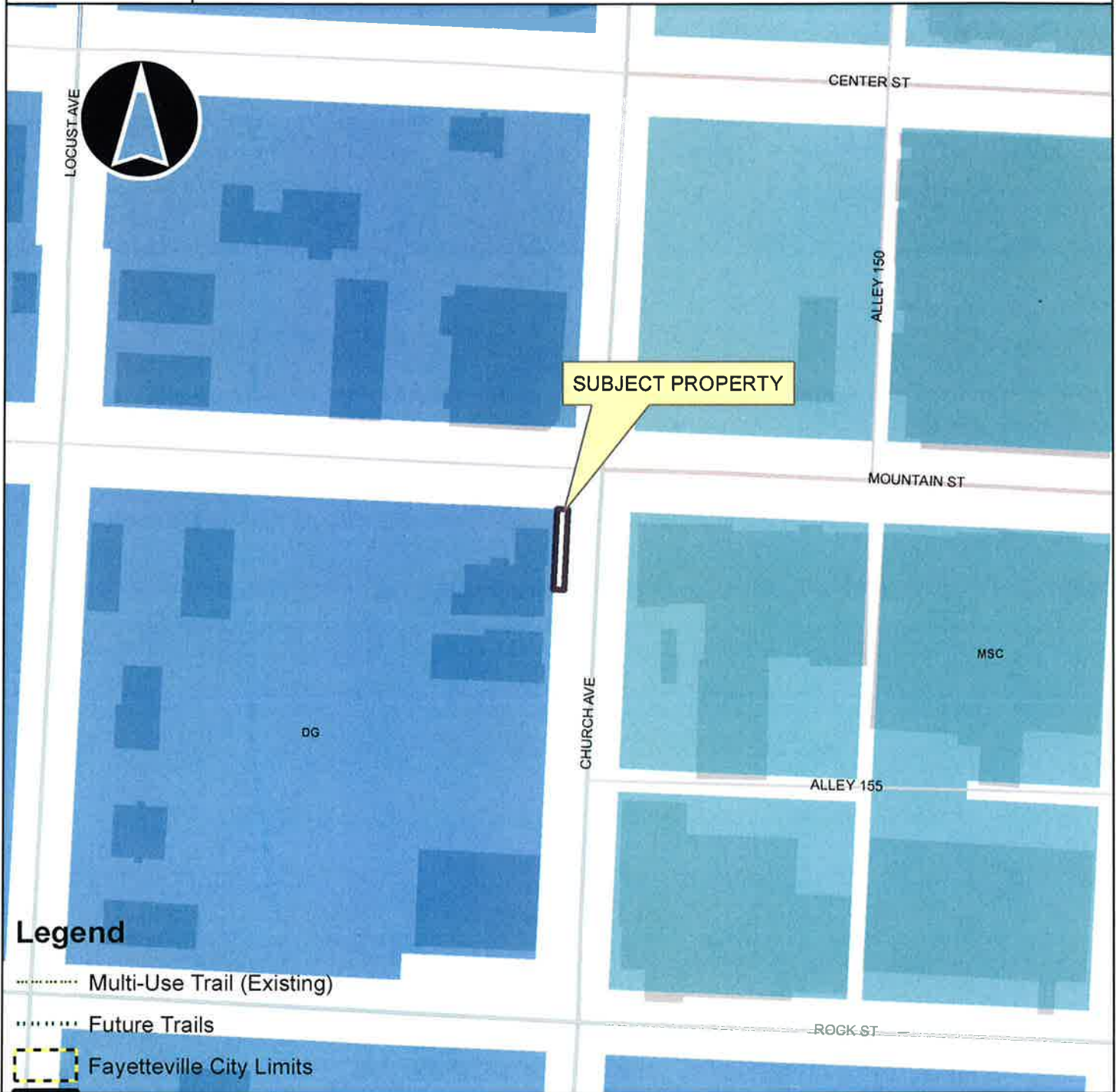
[Signature]
Signature of Utility Company Representative

ASSISTANT TRANSPORTATION MANAGER
Title

VAC13-4459

201 W. MOUNTAIN ST.

Close Up View



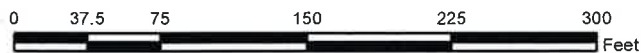
Legend

- Multi-Use Trail (Existing)
- Future Trails
- Fayetteville City Limits

Overview

VAC13-4459

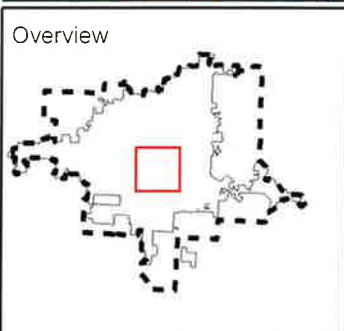
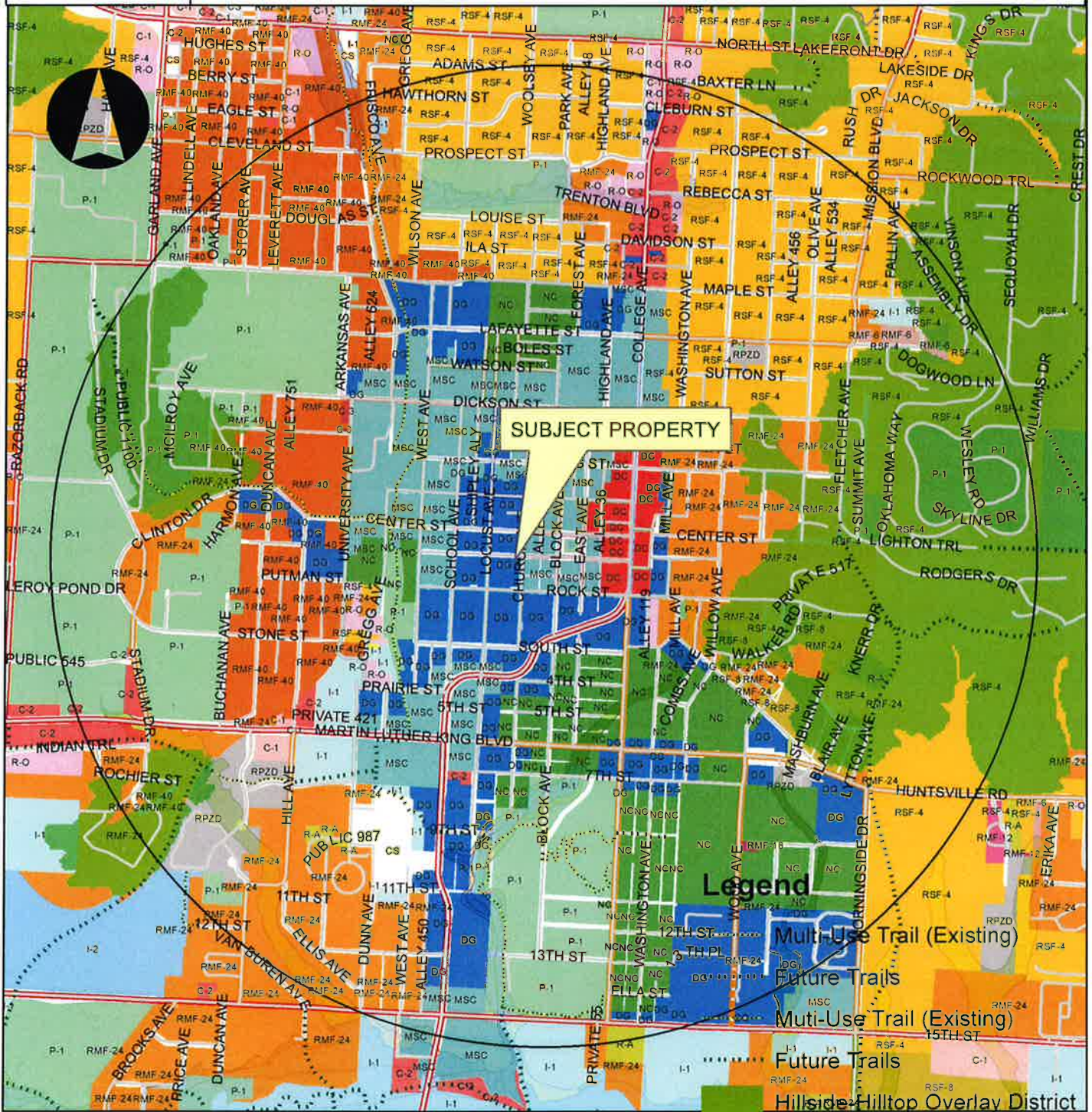
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



VAC13-4459

201 W. MOUNTAIN ST.

One Mile View



<p>Legend</p> <p>Subject Property</p> <p>VAC13-4459</p>	<p>Boundary</p>	<p>VAC 13-4459</p> <p>Design Overlay District</p> <p>Planning Area</p> <p>Fayetteville</p>
<p>0 0.25 0.5 1 Miles</p>		

