

City of Fayetteville Item Review Form

2013-0232

Legistar File Number

01/07/2014

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Andrew Garner

Submitted By

Development Services

Department

Action Required:

VAC 13-4544: Vacation (HARVEY'S HILL/CENTER AND DUNCAN, 522): Submitted by MCCLELLAND CONSULTING ENGINEERS for property located at the INTERSECTION OF WEST CENTER STREET AND SOUTH HILL AVENUE. The property is zoned RMF-40, RESIDENTIAL MULTI-FAMILY, 40 UNITS PER ACRE AND DG, DOWNTOWN GENERAL and contains approximately 2.08 acres. The request is to vacate a utility easement.

Does this item have a cost? No

Cost of this request	Category or Project Budget	Program or Project Name
Account Number	Funds Used to Date	Program or Project Category
Project Number	Remaining Balance	Fund Name
Budgeted Item? <input type="checkbox"/>	Budget Adjustment Attached? <input type="checkbox"/>	

V20130812

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Comments:

-WSP/Plz.

Alan Allen 12/19/13

Frank J. ... 12/20/13

dmw
Kuffner 12-18-13
Paul A. ... 12-19-2013
ENTERED
12/18/13

CITY COUNCIL AGENDA MEMO

To: Mayor Jordan, City Council

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

From: Andrew Garner, City Planning Director

Date: December 16, 2013

Subject: VAC 13-4544 (Harvey's Hill/Center and Duncan)

RECOMMENDATION

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

BACKGROUND

The subject property is a 25-foot general utility easement traversing east-west across property at the southwest corner of West Center Street and South Hill Avenue. The overall site contains approximately 2.08 acres and is proposed to be developed for the Harvey's Hill multi-family project (LSD 13-4524). The subject utility easement contains a sanitary sewer main that will be relocated with the Harvey's Hill development.

The applicant has submitted the required easement vacation forms to the City Utility Departments and applicable franchise utilities, with no objections. The applicant's request is to vacate the utility easement as indicated on the depicted exhibit.

DISCUSSION

On December 9, 2013, the Planning Commission forwarded this item to the City Council with a recommendation of approval with a vote of 7-0-0 on consent agenda.

BUDGET IMPACT

None.

ORDINANCE NO.

AN ORDINANCE APPROVING VAC 13-4544 SUBMITTED BY MCCLELLAND CONSULTING ENGINEERS FOR PROPERTY LOCATED AT THE INTERSECTION OF WEST CENTER STREET AND SOUTH HILL AVENUE TO VACATE A UTILITY EASEMENT

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 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 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 following conditions of approval and shall not be in effect until the conditions are met.

1. Any relocation or damage to utilities shall be at the owner/developer's expense.
2. A new sanitary sewer line shall be installed as currently proposed with the Harvey's Hill development, to provide sewer to this site. The proposed sewer line shall enter the existing manhole at no less than 90 degrees from the outgoing sewer.

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

APPROVED:

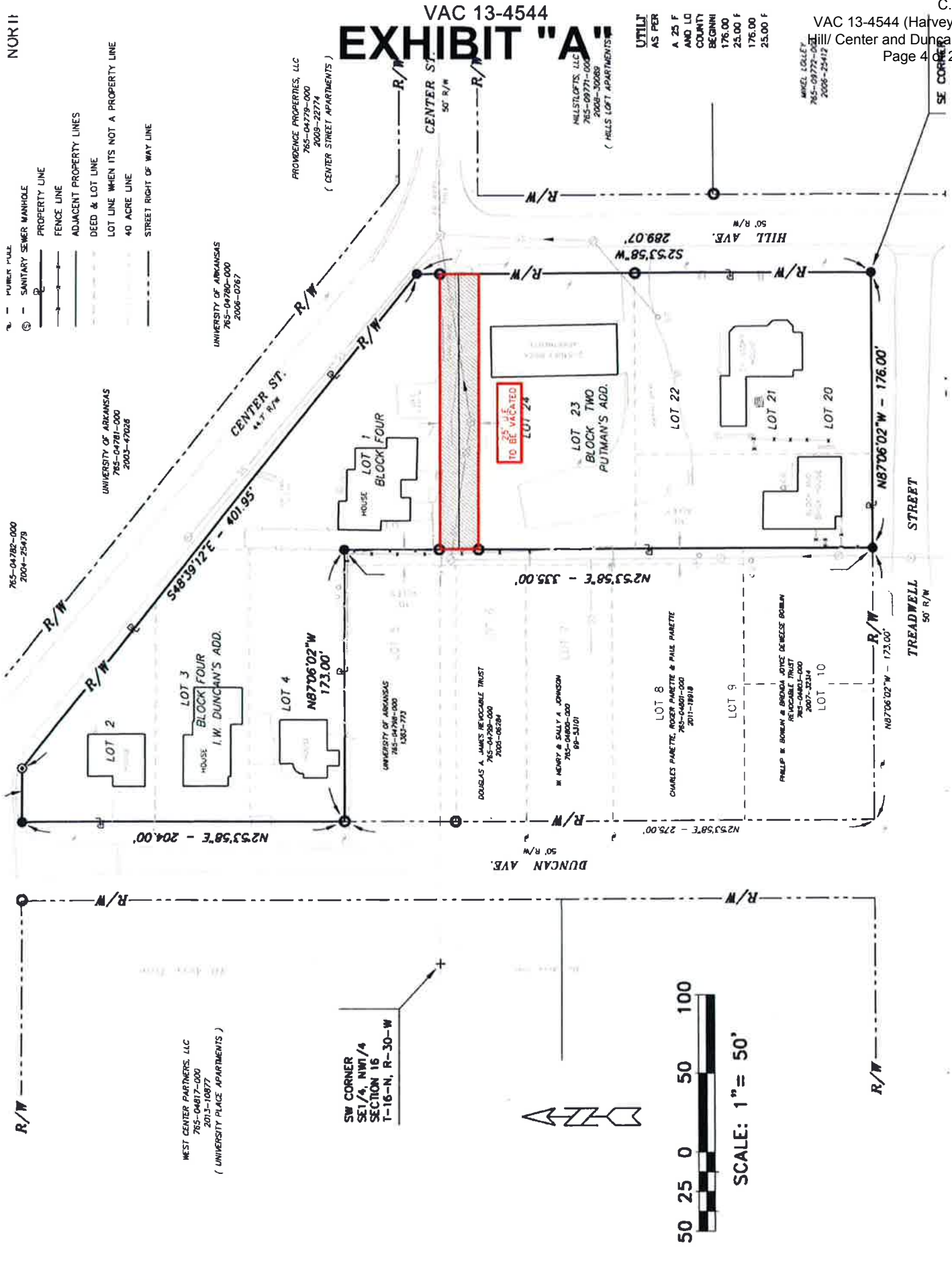
ATTEST:

By: _____
LIONELD JORDAN, Mayor

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

EXHIBIT "A"

- PUBLIC PULL
- SANITARY SEWER MANHOLE
- PROPERTY LINE
- FENCE LINE
- ADJACENT PROPERTY LINES
- DEED & LOT LINE
- LOT LINE WHEN NOT A PROPERTY LINE
- 40 ACRE LINE
- STREET RIGHT OF WAY LINE



UTILITY AS PER

A	25 F
AND	LD
COUNTY	BEG/NNH
176.00	176.00 F
25.00	25.00 F
176.00	176.00 F
25.00	25.00 F

WHEEL LOULRY
765-09777-607
2006-25412

765-04782-000
2004-25478

UNIVERSITY OF ARKANSAS
765-04781-000
2003-47026

UNIVERSITY OF ARKANSAS
765-04780-000
2006-0767

PROVIDENCE PROPERTIES, LLC
765-04779-000
2009-22774
(CENTER STREET APARTMENTS)

HILLSTLOFTS, LLC
765-09771-000
2008-30289
(HILLS LOT APARTMENTS)

LOT 2

LOT 3
HOUSE
BLOCK FOUR
I. W. DUNCAN'S ADD.

LOT 4
N87°06'02"W
173.00'

UNIVERSITY OF ARKANSAS
765-04780-000
LX61-771

DOUGLAS A. JAMES REVOCABLE TRUST
765-04780-000
2005-08284

M. HENRY & SALLY A. JOHNSON
765-04780-000
09-03101

LOT 8
CHARLES PARETTE, ROGER PARETTE & PAUL PARETTE
765-04801-000
2011-19918

PHILIP W. BOWMAN & BONNIE JAYNE DENEESE BOWMAN
REVOCABLE TRUST
765-04811-000
2007-32314

LOT 10



SCALE: 1" = 50'



WEST CENTER PARTNERS, LLC
765-04817-000
2013-10877
(UNIVERSITY PLACE APARTMENTS)

SW CORNER
SE 1/4, NW 1/4
SECTION 16
T-16-N, R-30-W

EXHIBIT "B"
VAC 13-4544

A 25 FOOT WIDE STRIP OF LAND LYING BETWEEN LOT 1 OF BLOCK 4 IN I.W. DUNCAN'S ADDITION AND LOT 24 OF BLOCK 2 IN PUTMAN'S ADDITION, TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF THE ABOVE SAID LOT 1, THENCE SOUTH 87°06'02" EAST - 176.00 FEET TO THE SE CORNER OF THE ABOVE SAID LOT 1; THENCE SOUTH 2°53'58" WEST - 25.00 FEET TO THE NE CORNER OF THE ABOVE SAID LOT 24; THENCE NORTH 87°06'02" WEST - 176.00 FEET TO THE NW CORNER OF THE ABOVE SAID LOT 24; THENCE NORTH 2°53'58" EAST - 25.00 FEET TO THE POINT OF BEGINNING.



PC Meeting of December 9, 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: Andrew Garner, City Planning Director
 DATE: ~~December 3, 2013~~ *Updated December 10, 2013*

VAC 13-4544: Vacation (HARVEY'S HILL/CENTER & DUNCAN, 522): Submitted by MCCLELLAND CONSULTING ENGINEERS, INC. for property located at the INTERSECTION OF WEST CENTER STREET AND SOUTH HILL AVENUE. The property is zoned RMF-40, RESIDENTIAL MULTI-FAMILY, 40 UNITS PER ACRE and DG, DOWNTOWN GENERAL and contains approximately 2.08 acres. The request is to vacate a 25-foot utility easement.

Planner: Andrew Garner

Findings:

Property and Background: The subject property is a 25-foot general utility easement traversing east-west across property at the southwest corner of West Center Street and South Hill Avenue. The overall site contains approximately 2.08 acres and is proposed to be developed for the Harvey's Hill multi-family project (LSD 13-4524). The subject utility easement contains a sanitary sewer main that will be relocated with the Harvey's Hill development. Surrounding land use and zoning is depicted in *Table 1*.

**Table 1
 Surrounding Land Use and Zoning**

Direction from Site	Land Use	Zoning
North	University of Arkansas; Multi-family Residential	RMF-40, Residential Multi-family, 40 du/acre
South	Single and Multi-family Residential	RMF-40, Residential Multi-family, 40 du/acre
East	University of Arkansas; Multi-family Residential	DG, Downtown General RMF-40, Residential Multi-family, 40 du/acre
West	West Center Multi-family development (under construction)	DG, Downtown General; RMF-40, Residential Multi-family, 24 du/acre

Request: The applicant's request is to vacate the existing 25-foot utility easement as indicated on the attached exhibit.

Easement Vacation Approval: The applicant has submitted the required easement vacation forms to the City Utility Departments and applicable franchise utilities, with no objections.

UTILITIES

RESPONSE

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

Solid Waste

No objections, subject to relocation of the sewer line

Public Comment: No public comment has been received.

Recommendation: Staff recommends forwarding **VAC 13-4544** to the City Council with a recommendation for approval subject to the following conditions:

Conditions of Approval:

1. Any relocation or damage to utilities shall be at the owner/developer's expense.
2. A new sanitary sewer line shall be installed as currently proposed with the Harvey's Hill development, to provide sewer to this site. The proposed sewer line shall enter the existing manhole at no less than 90 degrees from the outgoing sewer.

CITY COUNCIL ACTION: Required

PLANNING COMMISSION ACTION: Required

Planning Commission Action: Forwarded Denied Tabled

Date: December 9, 2013

Motion: Chesser

Second: Cook

Vote: 7-0-0

Notes: On consent agenda



1810 N. College Avenue
P.O. Box 1229
Fayetteville, AR 73703/72702-1229
479-443-2377/Fax 479-443-9241
www.mcclelland-engrs.com

October 28, 2013

RE: LSD00-4524; Harvey's Hill
Easement Vacation

Planning Commission:

As a part of the LSD occurring on the Harvey Hill property near the intersection of Center Street and Duncan Ave, I, along with the developers are seeking to vacate an existing 25' utility easement within the proposed property boundary. Please reference the survey plat provided within this easement vacation submittal package for more detailed description and location of the easement in question.

This 25' utility easement is currently home to a sanitary sewer main. In order to develop the subject property as intended, this sanitary sewer routing will be relocated from its current east/west configuration to a north/south configuration. This new sanitary sewer routing will terminate at a new proposed manhole on the southern side of Center Street. This is more specifically described in the submitted civil documents related to LSD 00-4524, Harvey's Hill.

Please don't hesitate to contact me if there are any questions or concerns at this time.

Sincerely,

Leslie Tabor
ltabor@mcclelland-engrs.com

PETITION TO VACATE AN EASEMENT LOCATED BETWEEN LOT 1 OF BLOCK 4 IN I.W. DUNCAN'S
ADDITION AND LOT 24 OF BLOCK 2 IN PUTMAN'S ADDITION, CITY OF FAYETTEVILLE, ARKANSAS

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

We, the undersigned, being all the owners of the real estate, being represented by the petitioner's authorized agent, abutting the EASEMENT hereinafter sought to be abandoned and vacated, lying in LOCATED BETWEEN LOT 1 OF BLOCK 4 IN I.W. DUNCAN'S ADDITION AND LOT 24 OF BLOCK 2 IN PUTMAN'S ADDITION, CITY OF FAYETTEVILLE, ARKANSAS, a municipal corporation, petition to vacate AN EASEMENT which is described as follows:

UTILITY EASEMENT DESCRIPTION
AS PER ORDINANCE NO. 3210

A 25 FOOT WIDE STRIP OF LAND LYING BETWEEN LOT 1 OF BLOCK 4 IN I.W. DUNCAN'S ADDITION AND LOT 24 OF BLOCK 2 IN PUTMAN'S ADDITION, TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF THE ABOVE SAID LOT 1, THENCE SOUTH 87°06'02" EAST - 176.00 FEET TO THE SE CORNER OF THE ABOVE SAID LOT 1; THENCE SOUTH 2°53'58" WEST - 25.00 FEET TO THE NE CORNER OF THE ABOVE SAID LOT 24; THENCE NORTH 87°06'02" WEST - 176.00 FEET TO THE NW CORNER OF THE ABOVE SAID LOT 24; THENCE NORTH 2°53'58" EAST - 25.00 FEET TO THE POINT OF BEGINNING.

That the abutting real estate affected by said abandonment of the easement are LOT 1 OF BLOCK 4 IN I.W. DUNCAN'S ADDITION AND LOT 24 OF BLOCK 2 IN PUTMAN'S ADDITION, CITY OF FAYETTEVILLE, ARKANSAS, used by the public for a period of many years, and that the public interest and welfare would not be adversely affected by the abandonment of the portion of the above described easement.

The petitioner's authorized agent prays that the City of Fayetteville, Arkansas, abandon and vacate the above described real estate, subject, however, to the existing utility easements and sewer easements as required, and that the above described real estate be used for their respective benefit and purpose as now approved by law.

The petitioner's authorized agent further prays that the above described real estate be vested in the abutting property owners as provided by law.

SM

WHEREFORE, the undersigned petitioner's authorized agent respectfully prays that the governing body of the City of Fayetteville, Arkansas, abandon and vacate the above described real estate, subject to said utility and sewer easements, and that title to said real estate sought to be abandoned be vested in the abutting 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 alley.

Dated this 3RD day of DECEMBER, 20 13.

SETH MIMS

Printed Name (Authorized Agent)


Signature



VICINITY MAP
SCALE: 1" = 1320'

LEGAL DESCRIPTION

LOTS 1, 2, 3 AND 4 IN BLOCK 4 OF L.W. DUNCAN'S ADDITION AND LOTS 20, 21, 22, 23 AND 24 IN BLOCK 5 OF DUNCAN'S ADDITION TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, ALSO INCLUDING, ALSO INCLUDING, A VACATED 25 FOOT PLATTED UNOPENED ALLEY AS DESCRIBED IN ORDINANCE NO. 3210 AND FILED IN BOOK 1187 AT PAGES 101 & 102 IN THE OFFICE OF THE CIRCUIT CLERK, WASHINGTON COUNTY, ARKANSAS.

THE ABOVE PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEING A PORTION OF THE ABOVE SAID LOT 20, THENCE NORTH 87°06'02" WEST 176.00 FEET TO THE SW CORNER OF SAID LOT 20; THENCE NORTH 23°33'58" EAST - 335.00 FEET TO THE SE CORNER OF THE ABOVE SAID LOT 4; THENCE NORTH 87°06'02" WEST - 173.00 FEET TO THE SW CORNER OF THE ABOVE SAID LOT 4; THENCE NORTH 23°33'58" EAST ALONG THE EAST RIGHT OF WAY LINE OF DUNCAN AVENUE A DISTANCE OF 204.00 FEET TO THE NW CORNER OF THE ABOVE SAID LOT 2; THENCE SOUTH 87°06'02" EAST ALONG THE SOUTH RIGHT OF WAY LINE OF CENTER STREET A DISTANCE OF 58.75 FEET; THENCE SOUTH 2°33'58" WEST CONTINUING ALONG THE SOUTH RIGHT OF WAY LINE OF CENTER STREET TO THE POINT OF BEGINNING, CONTAINING 2.00 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND/OR RIGHTS OF WAY OF RECORD.

UTILITY EASEMENT DESCRIPTION

AS PER ORDINANCE NO. 3210
A 25 FOOT WIDE STRIP OF LAND LYING BETWEEN LOT 1 OF BLOCK 4 IN L.W. DUNCAN'S ADDITION AND LOT 24 OF BLOCK 5 IN PUTMAN'S ADDITION, TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, BEGINNING AT THE SW CORNER OF THE ABOVE SAID LOT 1, THENCE SOUTH 87°06'02" EAST - 176.00 FEET TO THE NE CORNER OF THE ABOVE SAID LOT 24; THENCE NORTH 23°33'58" WEST - 176.00 FEET TO THE NW CORNER OF THE ABOVE SAID LOT 24; THENCE NORTH 87°06'02" WEST - 25.00 FEET TO THE POINT OF BEGINNING.

CERTIFICATION

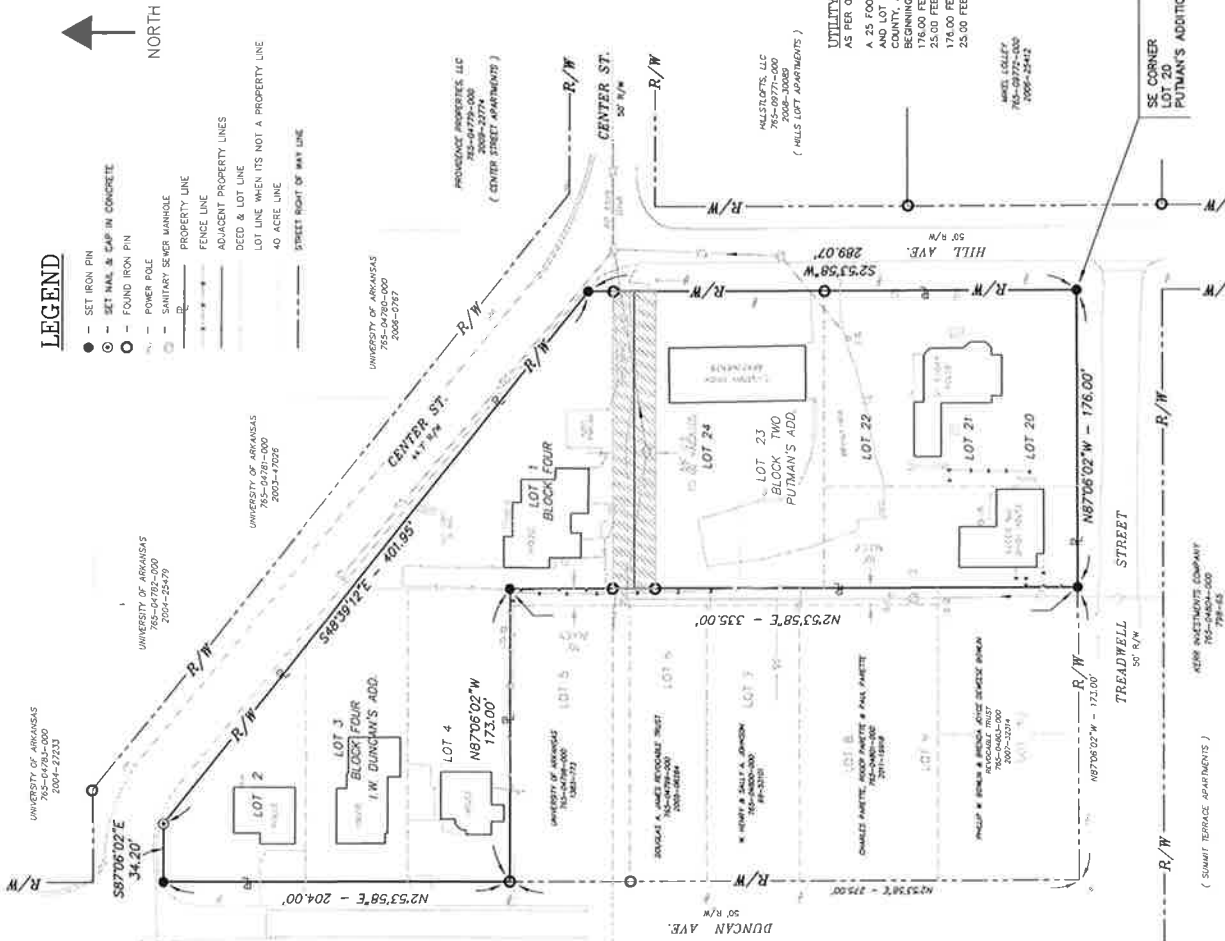
I HEREBY CERTIFY THAT THE HEREON PLATTED AND DESCRIBED SURVEY WAS COMPLETED UNDER MY SUPERVISION, THAT ALL VISIBLE ENCROACHMENTS ARE SHOWN, AND THAT THE CORNERS WERE FOUND OR SET, AS SHOWN, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND ABILITY.

DATE: _____ SURVEYOR: _____

DATE: _____ SURVEYOR: _____

LEGEND

- SET IRON PIN
- SET NAIL & CAP IN CONCRETE
- FOUND IRON PIN
- POWER POLE
- SANITARY SEWER MANHOLE
- FENCE LINE
- ADJACENT PROPERTY LINES
- DEED & LOT LINE
- LOT LINE WHEN ITS NOT A PROPERTY LINE
- 40 ACRE LINE
- STREET RIGHT OF WAY LINE



PROPERTY INFORMATION & NOTES:

- (1) OWNERS:
LOT 1 - CLINTON BENNETT 765-0979-000
LOT 2 - WILLIAM HURON, JR 765-0926-000
LOT 3 - E. MARIE KILGORE 765-0976-000
LOT 4 - E. MARIE KILGORE #4-68637
WEST 60' OF LOTS 20, 21 & 22 - PAUL GATZ PROPERTIES 765-0976-000
EAST 115' OF LOTS 20, 21 & 22 - REYNOLDS, LLC 765-0976-000
LOTS 23 & 24 - HALL/FAYAT, LLC 765-0977-000
- (2) ZONED: ZONED CG (COMMERCIAL GENERAL) & RUF-40 (RESIDENTIAL MULTI-FAMILY - 40 UNIT PER ACRE) IS SHOWN ON THIS PLAY OF SURVEY.
- (3) ADJACENT PROPERTY OWNERS WITH THEIR ASSASSOR'S PARCEL NUMBER AND DEED REFERENCE IS SHOWN ON THIS PLAY OF SURVEY.
- (4) BASES OF BEARINGS ARE STATE PLANE COORDINATES.
- (5) ALL PUBLIC WATER LINES STREET RIGHT OF WAY TO EASEMENTS, ORDINANCES, PLANNING AND ZONING REGULATIONS OF RECORD.
- (6) FLOOD PLANE AND PORTION OF THE PROPERTY IS WITHIN A SPECIAL FLOOD HAZARD AREA AS INDICATED BY THE FLOOD INSURANCE RATE MAP (FIRM) NO. 151420210F DATED: MAY 16, 2008.
- (7) CITY ATLAS PAGE - 483 & 522

PROPERTY INFORMATION & NOTES:

- (8) ALL PUBLIC WATER LINES STREET RIGHT OF WAY TO EASEMENTS, ORDINANCES, PLANNING AND ZONING REGULATIONS OF RECORD.
- (9) THIS PROPERTY IS SUBJECT TO EASEMENTS, ORDINANCES, PLANNING AND ZONING REGULATIONS OF RECORD.

PLAT CODE - 500-16N-30W-0-16-310-72-1130

MCE McCLELLAND CONSULTING ENGINEERS, INC.
1620 BENTLEY STREET
FAYETTEVILLE, AR 72701
400 W. Markham
Fayetteville, AR 72701-2013
937.2314
937.2314

PROPERTY SURVEY
FAYETTEVILLE, ARKANSAS
CLIENT: SPECIALIZED REAL ESTATE GROUP
SPRINGDALE, ARKANSAS

DATE: 10-26-2013
SHEET NO. 11 OF 13

DATE: _____ SURVEYOR: _____

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

DATE: 10/22/13

UTILITY COMPANY ATT / SWBT

APPLICANT NAME: RETH KIMS ERGO APPLICANT PHONE: (877) 977-4433
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**):

SE Corner of Center Street & Duncan Ave

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

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:

DAMAGE TO OR NEED FOR RELOCATION OF EXISTING ATT FACILITIES
WILL BE CARED FOR AT THE OWNER OR DEVELOPER'S EXPENSE

Susan K. Clowder
Signature of Utility Company Representative

OSP DESIGN ENGINEER
Title

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

DATE: 10/21/13

UTILITY COMPANY: Cox Communications

APPLICANT NAME: SETH MIMS - SREG APPLICANT PHONE: (479) 966-4439
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**)

** SE Corner of Center Street & Duncan Ave

(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:

James Schwan
Signature of Utility Company Representative

Planner
Title

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

DATE: 10/21/13

UTILITY COMPANY: AEP/SWEPCO

APPLICANT NAME: SETH MIMS - SREG APPLICANT PHONE: (479) 966-4439
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**)

** SE Corner of Center Street & Duncan Ave

(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:

Jim Sargent
Signature of Utility Company Representative

ENGINEER I
Title

UTILITY APPROVAL FORM

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

DATE: 10/21/13

UTILITY COMPANY: Source Gas

APPLICANT NAME: SETH MIMS - SREG APPLICANT PHONE: (479) 966-4439
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**)


** SE Corner of Center Street & Duncan Ave

(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 of Utility Company Representative

Fayetteville Division Manager

Title

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

DATE: 10/21/13

UTILITY COMPANY: Fayetteville Solid Waste + Recycling

APPLICANT NAME: SETH MIMS - SREG APPLICANT PHONE: (479) 966-4439

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**)

** SE Corner of Center Street & Duncan Ave

(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 Pugh

Signature of Utility Company Representative

Waste Reduction Coordinator

Title

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

DATE: 10/21/13

UTILITY COMPANY: City of Fayetteville - Water & Sewer

APPLICANT NAME: SETH MIMS - SREG APPLICANT PHONE: (479) 966-4439
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**)

** SE Corner of Center Street & Duncan Ave

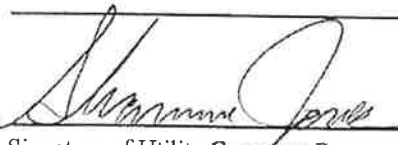
(ATTACH legal description and graphic representation of what is being vacated-SURVEY)

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:

A new sanitary sewer shall be installed as proposed to provide sewer service to the site. The proposed sewer shall enter the existing manhole at no less than 90 degrees from the outgoing sewer.


Signature of Utility Company Representative

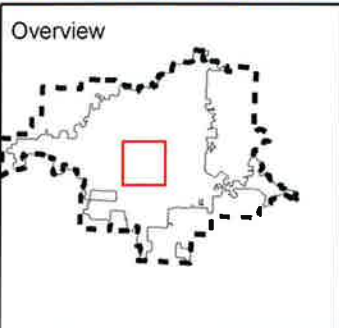
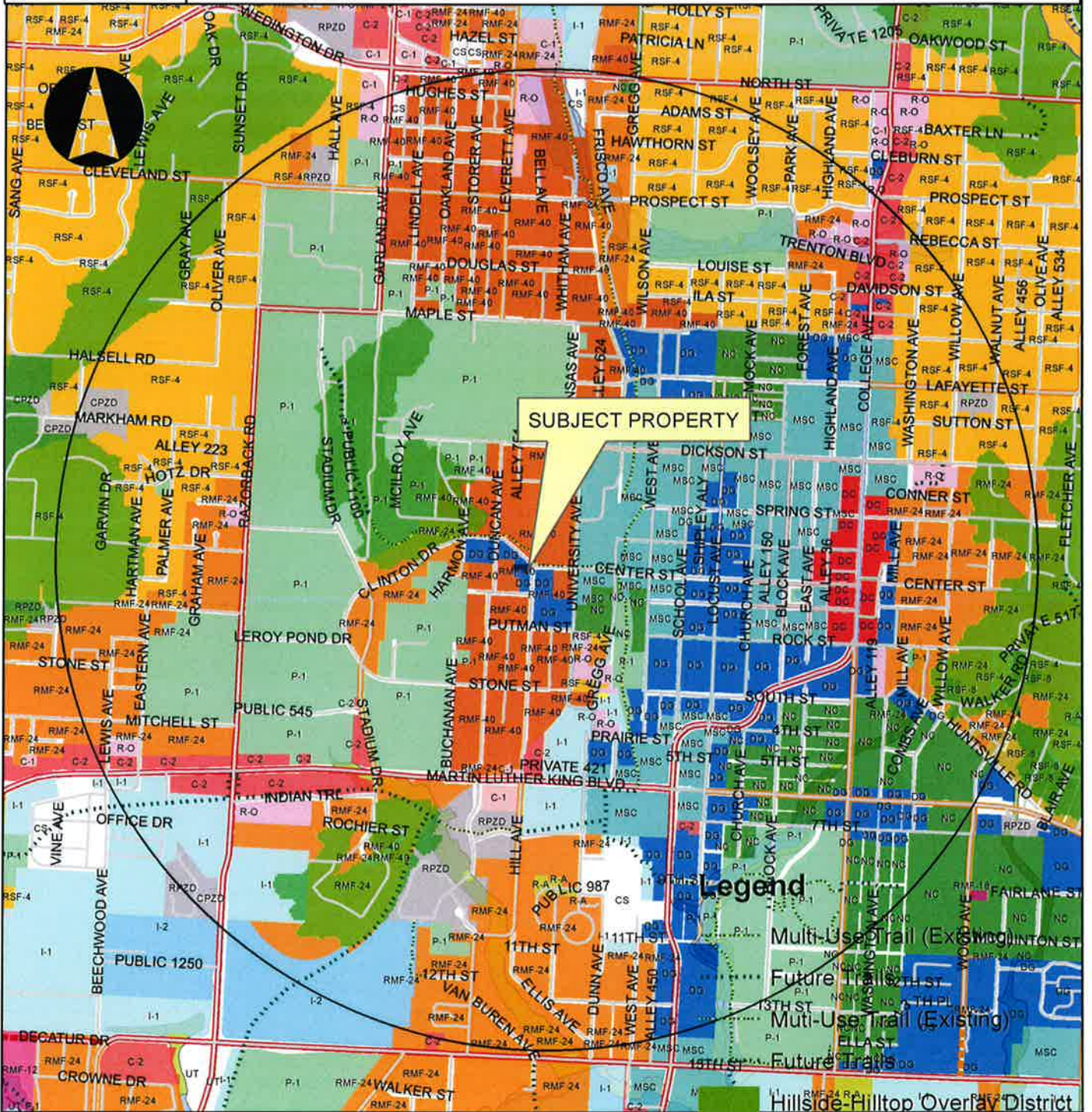
Utilities Engineer

Title

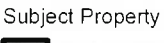
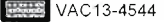

VAC13-4544



CENTER AND DUNCAN

One Mile View



Legend

-  Subject Property
-  VAC13-4544
-  Boundary

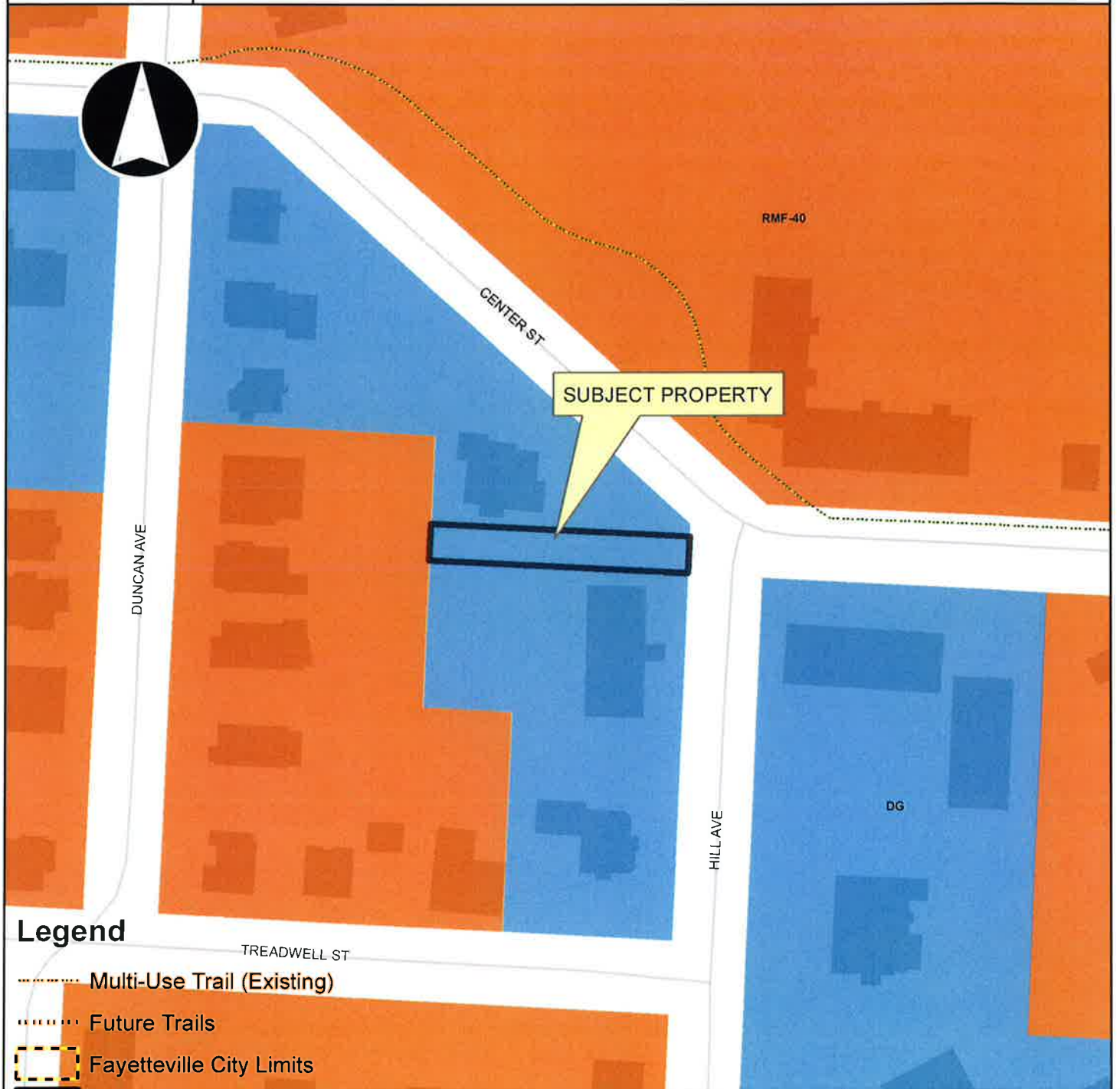
-  VAC13-4544
-  Design Overlay District
-  Planning Area
-  Fayetteville

0 0.25 0.5 1 Miles

VAC13-4544

CENTER AND DUNCAN

Close Up View



Legend

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

Overview VAC13-4544

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



