

City of Fayetteville Staff Review Form

2014-0301

Legistar File ID

8/5/2014

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Glenn Newman

7/1/2014

Engineering /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Dedication of utility easement across city-owned property. Two new power poles need to be set in the existing greenspace behind the curb and sidewalk at the northeast corner of the City-owned parcel 765-04362-001 as shown in the exhibits, aerial, and utility plan for the Eco Downtown Development.

Budget Impact:

Account Number		Fund	
Project Number		Project Title	
Budgeted Item?	No	Current Budget	\$ -
		Funds Obligated	\$ -
		Current Balance	\$ -
Does item have a cost?	No	Item Cost	
Budget Adjustment Attached?	No	Budget Adjustment	
		Remaining Budget	\$ -

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Approval Date: _____

Comments:

PA 7/18/14

Paul a. Butler 7-21-2014

Don Man 7-22-14

ED
7/18/14
pm

ENTERED
7/18/14
PA

Ernest J. Jester

CITY COUNCIL AGENDA MEMO

MEETING OF 08/05/2014

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Jeremy Pate, Director of Development Services
Chris Brown, City Engineer

FROM: Glenn Newman, Construction & Development Manager

DATE: July 11, 2014

SUBJECT: Dedication of utility easement across city-owned property

RECOMMENDATION:

Staff recommends approval of easement which **will not decrease parking** numbers in the City-owned parking lot on the subject parcel.

BACKGROUND:

A new student housing development is proposed on a large parcel directly west of Campbell Avenue bound by Lafayette Street to the north and Watson Street to the south. This site currently consists of a large parking lot and some grass/gravel areas.

Part of the associated improvements with this development requires relocation of several electric utility lines. Several of these lines are being placed in conduits underground with some overhead re-routing required.

DISCUSSION:

As a part of the utility re-routing for this development:

Two new power poles need to be set in the existing greenspace behind the curb and sidewalk at the northeast corner of the City-owned parcel 765-04362-001 as shown in the exhibits, aerial, and utility plan.

For this work to occur, an easement is needed as shown in the attached exhibits, totaling an area of ~309 Square Feet.

BUDGET/STAFF IMPACT:

No budget impacts are associated with this request.

Attachments:

Aerial Image; Easement legal description & exhibit
Developer's Utility Plan; Staff Review Form
Email from Sharon Waters (Parking Division)

RESOLUTION NO. _____

A RESOLUTION TO AUTHORIZE THE TRANSFER OF UTILITY EASEMENTS TO SWEPCO FOR THE RELOCATION OF POWER LINES ON CITY OWNED PROPERTY NEAR THE CORNER OF W. WATSON STREET AND CAMPBELL AVENUE

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 authorizes the Mayor to execute the utility easement deed attached hereto as Exhibit "A" in favor of SWEPCO for the purpose of relocating electric power lines on property owned by the City of Fayetteville near the corner of W. Watson Street and Campbell Avenue.

PASSED and APPROVED this 5th day of August, 2014.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

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

RIGHT OF WAY AND EASEMENT

STATE OF ARKANSAS

COUNTY OF WASHINGTON

GRANTORS: CITY OF FAYETTEVILLE
113 W MOUNTAIN ST
FAYETTEVILLE, AR 72701-6083

In consideration of one dollar, paid, and other good and valuable considerations, receipt of which is acknowledged, have and by these presents do grant and convey unto GRANTEE, SOUTHWESTERN ELECTRIC POWER COMPANY, a Delaware corporation, whose address is 428 Travis St, P.O. Box 21106, Shreveport, LA 71156, its associated and allied companies and their respective successors and assigns; herein referred to as GRANTEE, a perpetual right of way and easement over and through a part of the following described property:

COUNTY PARCEL #765-04362-001
DEED 1431-652
PARKING LOT N CAMPBELL AVE & N WEST AVE PT LOTS 4, 7, 8, 15 BLOCK 6, COUNTY COURT ADDITION

AN EASEMENT OF VARYING WIDTH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL #765-04362-001; THENCE SOUTH 02°46'38" WEST A DISTANCE OF 22.29 FEET; THENCE NORTH 20°45'55" WEST A DISTANCE OF 12.98 FEET; THENCE NORTH 74°43'05" WEST A DISTANCE OF 19.05 FEET; THENCE NORTH 85°27'53" WEST A DISTANCE OF 12.03 FEET; THENCE NORTH 02°28'50" EAST A DISTANCE OF 5.70 FEET; THENCE SOUTH 87°31'10" EAST A DISTANCE OF 35.84 FEET TO THE POINT OF BEGINNING.

CONTAINING 309.28 SQ. FT. MORE OR LESS

SAID EASEMENT BEING ADJACENT AND CONTIGUOUS WITH THE RIGHT OF WAY OF WEST WATSON STREET ON THE NORTH SIDE AND THE RIGHT OF WAY OF CAMPBELL AVENUE ON THE EAST SIDE.

as shown on:

“Attached Exhibit A”

With the right to construct, reconstruct, repair, replace, change the size and capacity of, modify, operate, maintain, inspect, remove, a line or lines of underground and/or overhead facilities, including, but not limited to, poles, structures, wires, cables, conduits, guys, anchors, and other fixtures and equipment as the GRANTEE may from time to time require for the distribution of electric current, and other forms of energy, and for the transmission or communication of data, audio and video information. Together with the right of ingress and egress to said right of way and easement at all times with equipment and personnel across GRANTOR'S lands for the purpose of constructing, operating and maintaining said lines and related facilities and making all necessary repairs, alterations or removal of any of its property placed thereon, provided that GRANTEE shall repair, replace, or pay for actual damages which may be the result of construction, maintenance and operation of its facilities. GRANTOR shall not construct nor permit to be constructed, any structure or building of any type or nature, including swimming pools, on or adjacent to the said easement right of way that would prevent the use or endanger the said facilities or that would cause a violation of the National Electric Safety Code. In addition, the GRANTEE may trim, treat, cut down, or remove any trees, growth and vegetation without incurring damages (within the right of way or which could grow into the right of way) which may interfere with GRANTEE'S lines and other facilities.



To have and hold the above described easement and rights unto the GRANTEE, its successors and assigns, forever or until said right of way and easement is finally abandoned.

SIGNED AND DATED, this _____ day of _____, 2014.

CITY OF FAYETTEVILLE

BY: _____
SIGNATURE

PRINT NAME & TITLE

Acknowledgement

THE STATE OF ARKANSAS)
) SS
COUNTY OF WASHINGTON)

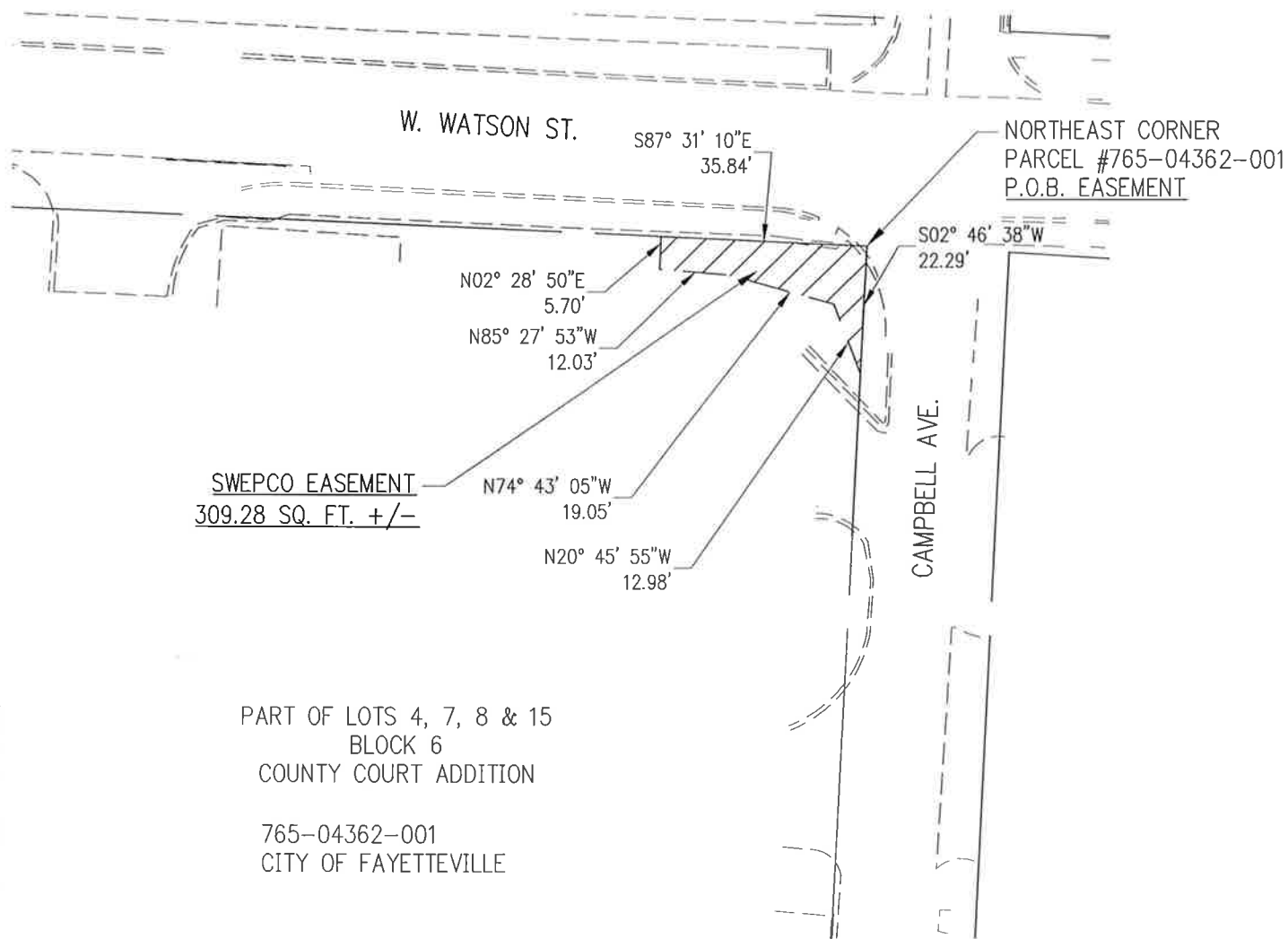
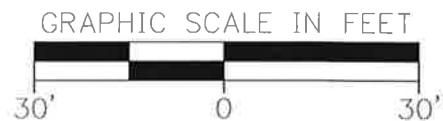
On this the _____ day of _____, 2014, before me, a Notary Public, personally appeared _____, known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged that he/she/they executed the same for the purposes herein set forth.

In witness whereof I hereunto set my hand and official seal.

Notary Public

SWEPCO Right-of-Way
101 W Township
Fayetteville, AR 72703

EXHIBIT "A"



PART OF LOTS 4, 7, 8 & 15
BLOCK 6
COUNTY COURT ADDITION

765-04362-001
CITY OF FAYETTEVILLE

SWEPSCO EASEMENT
309.28 SQ. FT. +/-

LAYOUT: —, LAST SAVED: RW5090 - 3/12/2014 3:07:37 PM
 LAST PLOTTED BY: RODNEY WOODS, 6/13/2014 1:10:43 PM ("PLOTTED BY:" VALID ON HARD COPY ONLY)

**AEP SOUTHWESTERN
ELECTRIC POWER
COMPANY**

A unit of American Electric Power

THIS EASEMENT SKETCH IS A REPRESENTATION OF THE SIZE, SHAPE, AND LOCATION OF THE EASEMENT TO WHICH IT IS ATTACHED; THIS DRAWING IS NOT A PLAT OF SURVEY.



Crafton Tull
architecture | engineering | surveying

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Rogers, Arkansas 72756

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www.craftontull.com

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PROJECT NO.:	DRAWN BY:	DATE:	SHEET:	CHECKED:
14100500 ECO	RDW	06/13/2014	1 OF 1	



**ECO DOWNTOWN
(LAFAYETTE STREET APARTMENTS)**
FAYETTEVILLE, ARKANSAS

No.	Description	Date
1	ML REVISED NOTE 19, WATER METER, 04/28/2014	
	VAULT, SS SERVICE LINE, AND DRAIN	



No.	Description	Date
15		
16		
17		
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24		

This document, and the ideas and designs incorporated herein, as an instrument of professional service, is the property of Crafton, Tull & Associates, Inc., and is not to be used, in whole or in part, for any other project, without the written authorization of Crafton, Tull & Associates, Inc.

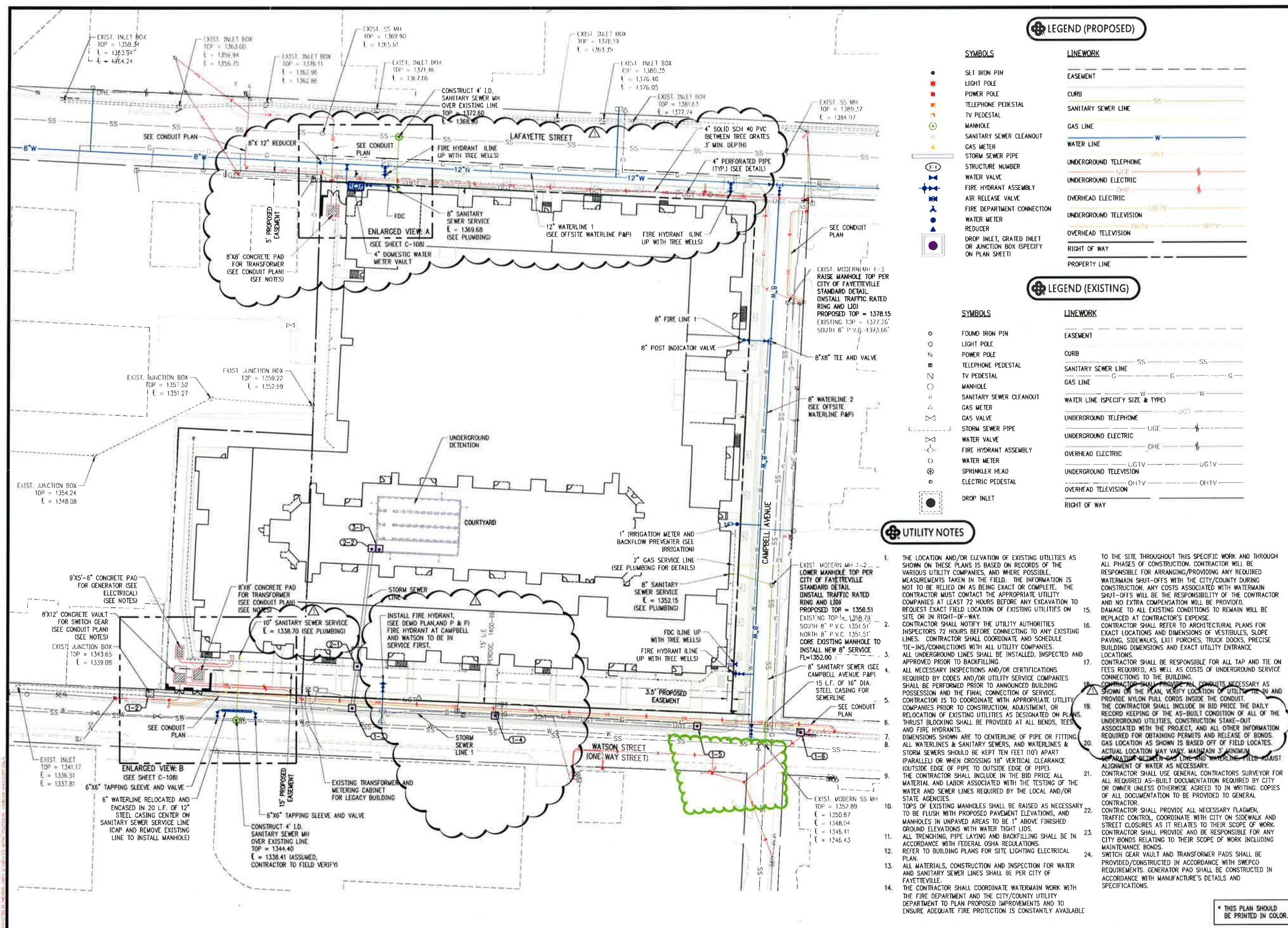
PROJECT NO. 14100500
DATE: 04/18/2014
CHECKED BY: J. ELLY

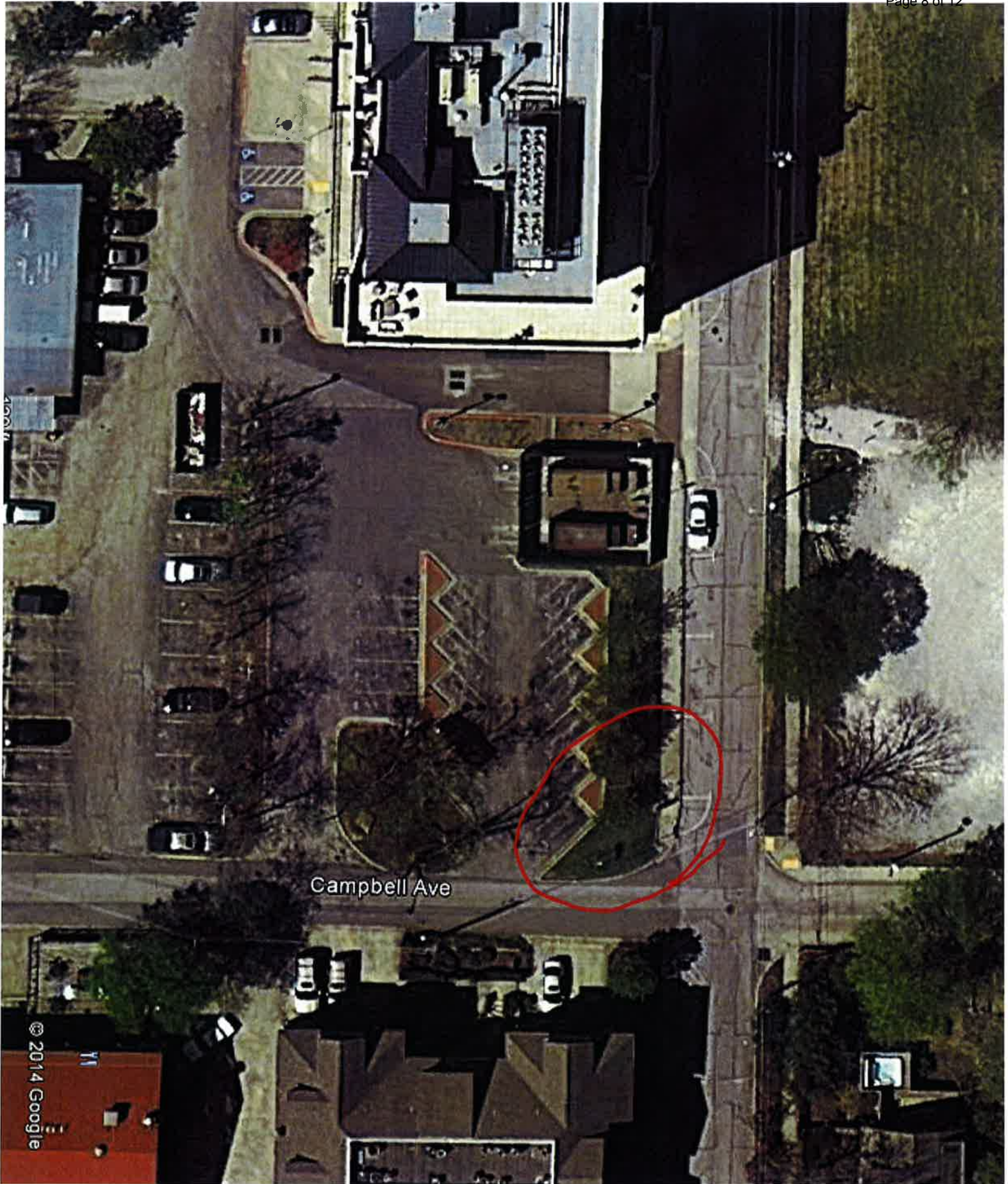
STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
No. 14032
CRAFTON TULL & ASSOCIATES, INC.

CD PERMIT SET

UTILITY PLAN

C-107 R-1





Campbell Ave

Granderson, Corey

From: Waters, Sharon
Sent: Tuesday, June 17, 2014 3:50 PM
To: Granderson, Corey; Jonathan Ely
Cc: Carl Husmann; Newman, Glenn; Brown, Chris
Subject: RE: ECO Downtown Easement Request

Corey,

I have no problem with this utility easement as long as it does not remove any parking spaces.

Thank you and have a great day!

Sharon Waters

Parking & Telecommunications Manager
City of Fayetteville, Arkansas
T 479-575-8280 | M 479-601-2455

[Website](#) | [Facebook](#) | [Twitter](#) | [Youtube](#)

From: Granderson, Corey
Sent: Wednesday, June 11, 2014 4:50 PM
To: Waters, Sharon; Jonathan Ely
Cc: Carl Husmann; Newman, Glenn; Brown, Chris
Subject: ECO Downtown Easement Request

Sharon,

Please see email chain below. Jonathan is working on acquiring the Mayor's signature for a utility easement across a portion of city property. The easement is for an electric line relocation. Southwest corner of Campbell and Watson next to Legacy Building.

The property is used for parking so I wanted to ask for your blessing. If you have no objections, could you please provide written support (email is fine) for this easement?

If you would like to see additional documents besides the snapshot below I'm confident Jonathan can get you anything you need to make your decision.

Please let me know if I can help clarify anything in my request.

Thanks for your time!

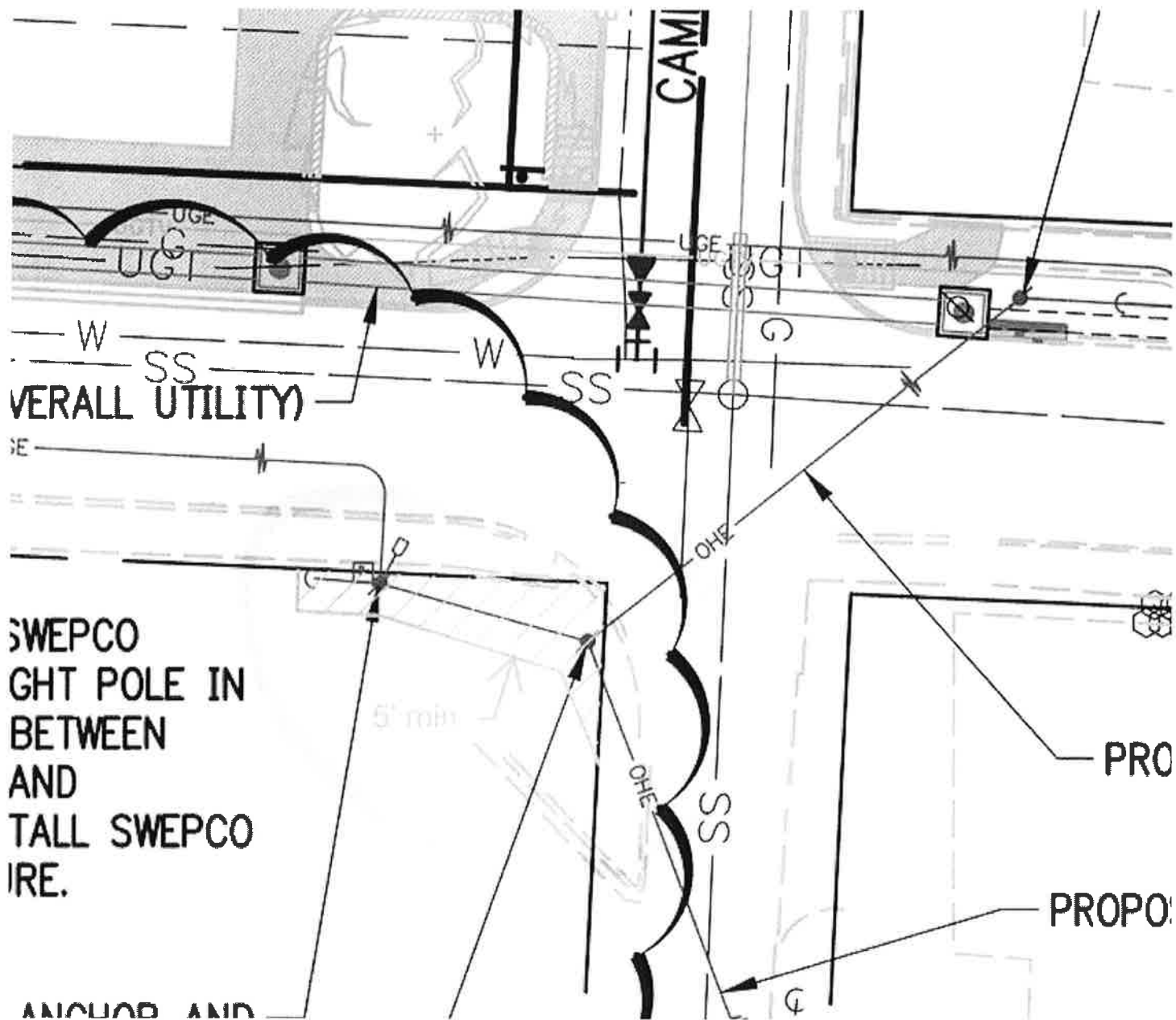
Corey

From: Jonathan Ely [<mailto:Jonathan.Ely@craftontull.com>]
Sent: Tuesday, June 10, 2014 2:54 PM
To: jhsargent@aep.com

Jim,
Please see sketch below in light blue. Does this look sufficient to cover your needs?

Corey, Glenn-
I think last I heard this parking lot at the southwest corner of Campbell and Watson is owned/managed by the parking division? Is that correct? I guess the biggest question is who do we need to talk to about approving an easement in this location?

Thanks,
Jonathan





Jonathan Ely, P.E., LEED AP
Project Manager

Direct: 479-878-2432 | Fax: 479-631-6224 | Mobile: 479-586-5647
901 N. 47th Street, Suite 200 | Rogers, AR 72756 | www.craftontull.com

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From: Carl Husmann [<mailto:Carl.Husmann@tdc-properties.com>]
Sent: Tuesday, June 10, 2014 2:47 PM
To: gnewman@fayetteville-ar.gov; Granderson, Corey
Cc: jhsargent@aep.com; Jonathan Ely
Subject: RE: LSA

Jonathan will be drawing up a diagram for everyone. Have out in day or two. Thanks.

From: Carl Husmann
Sent: Tuesday, June 10, 2014 2:11 PM
To: Newman, Glenn (gnewman@fayetteville-ar.gov); Granderson, Corey
Cc: Jim (jhsargent@aep.com)
Subject: RE: LSA

Glenn,
Jim is asking where we stand on getting approvals / final okay from city to make the changes along SW corner of W. Watson and Campbell concerning relocation of poles and couple other items. I believe we left it that someone in PW was going to check concerning easement? Do you recall and what can we do to finalize? I asking Jim for final cost and he's wanting to make sure we're good as Jonathan drew.

Thanks.

From: James Sargent [<mailto:jhsargent@aep.com>]
Sent: Tuesday, June 10, 2014 2:01 PM
To: Carl Husmann
Subject: RE: LSA

The other item I was thinking of was the easement from the City of Fayetteville to place facilities in their parking lot on the southwest corner of Campbell and Watson.

Thanks,

Jim Sargent

From: Carl Husmann [<mailto:Carl.Husmann@tdc-properties.com>]
Sent: Tuesday, June 10, 2014 1:57 PM
To: James Sargent
Subject: Re: LSA

Only item I'm aware of is getting Lloyd's easement. What else?

Sent from my iPhone

On Jun 10, 2014, at 1:50 PM, "James Sargent" <jhsargent@aep.com> wrote:

I have not worked up a cost for SWEPCO's relocation yet. I was waiting until we felt very confident that the proposed relocation was going to be acceptable to the developer, the City of Fayetteville, and adjoining property owners. Have you received confirmation or approval that our proposed relocation would be acceptable? If you have, then I will proceed with the design to get the cost calculated.

Thanks,

Jim Sargent, PE
(479) 973-2334

From: Carl Husmann [<mailto:Carl.Husmann@tdc-properties.com>]
Sent: Tuesday, June 10, 2014 1:27 PM
To: James Sargent
Subject: LSA

This is an EXTERNAL email. STOP. THINK before you CLICK links or OPEN attachments.

Do you have a cost worked up so we can get paperwork complete?

Carl Husmann
Pre-Construction Manager

direct 832-209-1215 | mobile 713-201-2253 | fax 832-209-1235
3411 Richmond Avenue | Suite 200 | Houston, Texas | 77046
Carl.Husmann@tdc-properties.com