City of Fayetteville Staff Review Form

2015-0248

Legistar File ID

6/2/2015

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

	1477	for Non-Agenda Item		
Jeremy Pate		5/15/2015	City Plannii Development Service	
Submitted By	<u> </u>	Submitted Date	Division / Depa	•
	Action	Recommendation	:	
AC 15-5037: Vacation (HARBOR IS roperties located at the INTERSECT		• • • • • • • • • • • • • • • • • • • •	•	
EIGHBORHOOD CONSERVATION a			• • •	
ultiple utility easements within th	e subdivisior	1.		
	В	Budget Impact:		
Account Numbe	r		Fund	
Account Numbe	r		Fund	
Account Numbe			Fund Project Title	
		Current Budge	Project Title	
Project Number		Current Budge Funds Obligated	Project Title	
Project Number		_	Project Title et \$ d \$	- -
Project Number		Funds Obligated	Project Title t \$ d \$ e \$	- - -
Project Number Budgeted Item?	NA	Funds Obligated	Project Title t \$ d \$ e \$	-
Project Number Budgeted Item? Does item have a cost?	NA	Funds Obligated Current Balance Item Cos	Project Title t \$ d \$ e \$	-

Approval Date:

Comments:

Original Contract Number:



CITY COUNCIL AGENDA MEMO

MEETING OF JUNE 2, 2015

TO: Fayetteville City Council

FROM: Andrew Garner, City Planning Director

DATE: May 15, 2015

SUBJECT: VAC 15-5037: Vacation (HARBOR ISLE & ZION RDS./WOODBURY

S/D, 137): Submitted by BLEW & ASSOCIATES for properties located at the INTERSECTION OF HARBOR ISLE & ZION ROADS. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.74 acres. The request is to vacate portions of multiple

utility easements within the subdivision.

RECOMMENDATION:

Staff and the Planning Commission recommend approval of an ordinance to vacate portions of existing utility easements.

BACKGROUND:

The subject property is located on the south side of Zion Road within the Woodbury neighborhood, across Zion Road from the Lakewood Village neighborhood. The Woodbury project was approved by City Council as a Planned Zoning District (PZD) in 2006. The PZD was a master planned development for 67 single family units, 45 multi-family units and a 1.12-acre common green with community pool in the center of the development. Easements were dedicated throughout the property and infrastructure for the project, 16 single family dwellings and the community pool were constructed several years ago. A majority of the site remains undeveloped with the exception of the infrastructure. The property was rezoned to NC, Neighborhood Conservation in 2011. On April 27, 2015 the Planning Commission approved a preliminary plat to create a 38-lot single family subdivision on the property. The applicant requests vacation of multiple easements throughout the property that were originally platted to serve the Woodbury PZD, but conflict with the larger lot subdivision currently approved. Easements proposed to be vacated are shown on the attached plans.

DISCUSSION:

On May 11, 2015 the Planning Commission forwarded this item to the City Council with a recommendation for approval by a vote of 7-0-0 on the consent agenda.

BUDGET/STAFF IMPACT:

N/A

Attachments:

- CC Ordinance
- Exhibit A
- Exhibit B
- Planning Commission Staff Report



PLANNING COMMISSION MEMO

TO:

Fayetteville Planning Commission

FROM:

Andrew Garner, City Planning Director

MEETING DATE:

May 11, 2015 Updated with Planning Commission results

SUBJECT:

VAC 15-5037: Vacation (HARBOR ISLE & ZION RDS./WOODBURY S/D, 137): Submitted by BLEW & ASSOCIATES for properties located at the INTERSECTION OF HARBOR ISLE & ZION ROADS. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.74 acres. The request is to vacate portions of multiple

utility easements within the subdivision.

RECOMMENDATION:

Staff recommends forwarding VAC 15-5037 to the City Council with a recommendation for approval.

BACKGROUND:

Background: The subject property is located on the south side of Zion Road within the Woodbury neighborhood, across Zion Road from the Lakewood Village neighborhood. The Woodbury project was approved by City Council as a Planned Zoning District (PZD) in 2006. The PZD was a master planned development for 67 single family units, 45 multi-family units and a 1.12-acre common green with community pool in the center of the development. Easements were dedicated throughout the property and infrastructure for the project, 16 single family dwellings and the community pool were constructed several years ago. A majority of the site remains undeveloped with the exception of the infrastructure. The property was rezoned to NC, Neighborhood Conservation in 2011. On April 27, 2015 the Planning Commission approved a preliminary plat to create a 38-lot single family subdivision on the property. Surrounding land use and zoning is depicted on *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
North	Single-Family Residential (Lakewood Subdivision)	RPZD, Residential Planned Zoning District
South	Woodbury neighborhood	R-PZD; NC
East	Multi-Family Residential	RMF-24, Residential multi- Family, 24 units/acre
West	Single-Family Residential	RSF-4, Residential single- Family, 4 units/acre

Proposal: The applicant requests vacation of multiple easements throughout the property that were originally platted to serve the Woodbury PZD, but conflict with the larger lot subdivision currently approved. Easements proposed to be vacated are shown on the attached plans.

DISCUSSION:

Vacation Approval: The applicant has submitted the required vacation forms to the City utility departments and applicable franchise utilities, with the following responses:

<u>UTILITIES</u> <u>RESPONSE</u>

Cox Communications No objections with conditions

AEP/SWEPCO No objections

Source Gas No objections with conditions

AT&T No objections with conditions

Ozarks Electric No objections

<u>CITY OF FAYETTEVILLE</u> <u>RESPONSE</u>

Water/Sewer No objections with conditions

Trash & Recycling No objections

Transportation Not applicable

Public Comment:

No public comment has been received.

Recommendation:

Staff recommends forwarding VAC 15-5037 to the City Council with a recommendation for approval subject to the following conditions:

Conditions of Approval:

- 1. Any relocation or damage to utilities and associated new easement dedication shall be at the owner/developer's expense.
- 2. Cox Communication requires that the owner/developer will need to pay relocation costs of their plant within the proposed vacation and new easement will need to be platted from Zion Road tying into the first Cox Communication pedestal location within the subdivision
- 3. The Area 1 vacation area shall remain as is for SourceGas use, and the SourceGas main located within the 20-foot utility easement between Area 6 and 7 to remain.
- 4. City water and sewer are located in some of the easements being vacated and must be killed out prior to vacation approval.

After the Planning Commission meeting the applicant provided written documentation from SourceGas agreeing to vacate all of the easements (including Area 1) as proposed with the condition that utilities in the easements to be relocated at the owner/developer's expense.

PLANNING COMMISSION ACTION

	□ Denied	□ Tabled	
Date: May 11, 2015			
Motion: Cook			
Second: Hoffman			
Vote: 7-0-0			
Notes:			
Recommend	approval; on	consent agenda.	
-			

BUDGET/STAFF IMPACT:

None

Attachments:

- Request Letter
- Petition to Vacate
- Utility Approvals
- Easement Vacation Exhibit
- One Mile Map
- Close Up Map

BLEW & ASSOCIATES, PA CIVIL ENGINEERS & LAND SURVEYORS

Charlie Zardin Blew & Associates, PA 524 West Sycamore, Suite 4 Fayetteville, Arkansas 72703

Planning Commission
City of Fayetteville
113 West Mountain Street
Fayetteville, AR 72701

SUBJECT: Woodbury Subdivision Easement Vacation

March 12, 2015

To Whom It May Concern:

The property developer, Buffington Homes, is requesting the vacation of portions of multiple Utility Easements located within Woodbury Subdivision located at N. Harbor Isle and Zion Road. These easements currently contain utilities which were installed with the Phase 1 construction of Woodbury. This subdivision is now being re-designed to create 33 buildable Single-Family Residential Lots. The existing utilities located within these easements are to be removed or relocated. The vacation of these easements would then allow for the creation of these single family lots.

Sincerely,

Charlie Zardin Blew & Associates, PA

BLEW & ASSOCIATES, PA

CIVIL ENGINEERS & LAND SURVEYORS

PETITION

PETITION TO VACATE EASEMENTS LOCATED IN WOODBURY SUBIDIVISION, CITY OF FAYETTEVILLE, ARKANSAS

The Fayetteville City Planning Commission and The Fayetteville City Council

We, the undersigned, being all the owners of the real estate abutting the easement hereinafter sought to be abandoned and vacated, lying in Woodbury Subdivision, City of Fayetteville, Arkansas, a municipal corporation, petition to vacate easements which are described as follows:

EASEMENT VACATION | DESCRIPTION:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS 886°23'57"E 653,49', N00°07'54"W 227,04', N00°06'41"W 420.56', N89°53'19"E 51.41' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE N31°02'38"W 80,56', THENCE N00°06'41"W 19,45', THENCE S31°02'38"E 101,20', THENCE S80°30'45"W 10.75' TO THE POINT OF BEGINNING. CONTAINING 909 SQUARE FEET, OR 0.02 ACRES, MORE OR LESS.

EASEMENT VACATION 2 DESCRIPTION:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH. RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS S86°23'57"E 653,49', N00°07'54"W 227,04', S86°27'13"E 241,51', N03°32'47"E 79,51' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE N03°19'46"E 20,29', THENCE N83°41'18"E 45,49', THENCE S06°18'44"E 20,00', THENCE S83°41'16"W 48.89' TO THE POINT OF BEGINNING. CONTAINING 944 SQUARE FEET, OR 0,02 ACRES, MORE OR LESS.

EASEMENT VACATION 3 DESCRIPTION:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS S86°23'57"E 653.49', N00°07'54"W 227.04', S86°27'13"E 297.49', S01°01'36"E 56,19', N88°58'24"E 47,93' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE N85°00'12"E 30,00', THENCE S04°59'48"E 148,81', THENCE N86°27'08"W 30,34', THENCE N04°59'48"W 144,30' TO THE POINT OF BEGINNING. CONTAINING 4397 SQUARE FEET, OR 0.10 ACRES, MORE OR LESS.

EASEMENT VACATION 4 DESCRIPTION:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS 886°23'57"E 653.49', N00°07'54"W 227.04', 886°27'13"E 297.49', 501°01'36"E 225.60', 586°27'08"E 213.58', N03°32'52"E 30.00' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE N47°19'45"E 28.31', THENCE N10°50'49"W 125.83', THENCE N79°09'11"E 30.00', THENCE S10°50'49"E 137.81', THENCE S47°19'45"W 22.56', THENCE N86°27'08"W 36.01' TO THE POINT OF BEGINNING. CONTAINING 4616 SQUARE FEET, OR 0.11 ACRES, MORE OR LESS.

EASEMENT VACATION 5 DESCRIPTION:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS \$86°23'57"E 653.49', \$00°07'54"W 227.04', \$86°27'13"E 297.49', \$01°01'36"E 225.60', \$86°27'08"E 370.40', \$01°36'59"E 317.66', \$88°23'01"W 40.00' FROM THE SOUTHWEST CORNER OF \$AID FORTY ACRE TRACT, AND RUNNING THENCE \$89°12'57"E 104.30', THENCE \$01°33'37"W 30.30' TO THE POINT OF BEGINNING. CONTAINING 3139 SQUARE FEET, OR 0.07 ACRES, MORE OR LESS.

EASEMENT VACATION 6 DESCRIPTION:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS 886°23′57″E 653.49′. N00°07′54″W 227.04′, 886°27′13″E 297.49′, 801°01′36″E

BLEW & ASSOCIATES, PA

CIVIL ENGINEERS & LAND SURVEYORS

225.60', S86°27'08"E 370.40', N01°36'59"E 461.83', N88°23'01"W 40.00' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE N89°12'57"W 107.00', THENCE N00°47'03"E 6.76', THENCE S78°54'34"W 40.15', THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 971.82', HAVING A CHORD BEARING AND DISTANCE OF N06°05'02"W 1.41', THENCE N75°53'33"E 32;40', THENCE N89°06'26"E 115;37', THENCE 801°36'59"W 11.60' TO THE POINT OF BEGINNING, CONTAINING 1166 SQUARE FEET, OR 0.03 ACRES, MORE OR LESS,

EASEMENT VACATION 7 DESCRIPTION:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS. TO-WIT: BEGINNING AT A POINT WHICH IS \$86°23'57"E 653,49', N00°07'54"W 227,04', \$86°27'13"E 297,49', \$01°01'36"E 225.60', \$86°27'08"E 370.40', N01°36'59"E 493.45', N88°23'01"W 40.00' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE 889°06'26"W 118.57', THENCE S75°53'33"W 32,13', THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 971.82, HAVING A CHORD BEARING AND DISTANCE OF N07°22'18"W 1.94', THENCE N77°31'43"E 51.87', THENCE 889°12'57"E 99.38', THENCE 801°36'59"W 2,09' TO THE POINT OF BEGINNING. CONTAINING 458 SQUARE FEET, OR 0.01 ACRES, MORE OR LESS.

EASEMENT VACATION 8 DESCRIPTION:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS. TO-WIT: BEGINNING AT A POINT WHICH IS S86°23'57"E 653.49', N00°07'54"W 227.04', S86°27'13"E 297.49', S01°01'36"E 225.60', S86°27'08"E 370.40', N01°36'59"E 595.86', N88°23'01"W 40.00' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE N88°04'00"W 141.00', THENCE N01°56'00"E 30.00', THENCE \$88°04'00"E 141.17', THENCE S01°36'59"W 7.95', THENCE N88°59'21"W 63.85', THENCE S01°00'39"W 20.00', THENCE S88°59'21"W 63.64', THENCE S01°36'59"E 2.05' TO THE POINT OF BEGINNING. CONTAINING 2958 SQUARE FEET, OR 0.07 ACRES, MORE OR LESS

EASEMENT VACATION 9 DESCRIPTION:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS. TO-WIT: BEGINNING AT A POINT WHICH IS 886°23'57"E 653.49', N00°07'54"W 227.04', \$86°27'13"E 297.49', \$01°01'36"E 225.60', S86°27'08"E 370.40', N01°36'59"E 677.42', N88°23'01"W 130.00' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE N86°19'49"W 50.42', THENCE N84°20'13"W 19.81', THENCE N89°06'26"E 70.09', THENCE S00°29'39"W 6.27' TO THE POINT OF BEGINNING. CONTAINING 237 SQUARE FEET, OR 0.01 ACRES, MORE OR LESS.

That the abutting real estate affected by said abandonment of the casements are Parcel #765-28348-100 & 765-28347-000 within the City of Fayetteville 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 easements.

The petitioners pray that the City of Fayetteville, Arkansas, abandon and vacate the above described real estate. and that the above described real estate be used for their respective benefit and purpose as now approved by law.

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

Dated this 18 day of MARCH, 20_15.

CHais 6CKins - Simple & BAK

Printed Name

Signature

DATE: 03/18/2015
UTILITY COMPANY: AT&T
APPLICANT NAME: Blew & Associates, PA APPLICANT PHONE: 479-443-4506
REQUESTED VACATION (applicant must check all that apply):
x 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 Woodbury Subdivision located at N. Harbor Isle and Zion Road
UTILITY COMPANY COMMENTS: No objections to the vacation(s) described above, and no comments. No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)
x No objections provided the following conditions are met: IF ANY AT&T FACILITIES ARE DAMAGED OR ARE REQUIRED TO BE RELOCATED WILL BE THE RESPONSIBILITY OF THE DEVELOPER/ BUILDER
Signature of Utility Company Representative OSP MGR PLNG & ENGRG DESIGN Title

DATE: 3-18-15	
UTILITY COMPANY: OZARKS E/ECTRIC	
APPLICANT NAME: Blew & Associates, PA APPLICANT PHONE: 479-443-4506	
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	1:
General location / Address Woodbury Subdivision located at N. Harbor Isle and Zion Road	
	_
UTILITY COMPANY COMMENTS:	
No objections to the vacation(s) described above, and no comments.	
No objections to the vacation(s) described above, provided following described easements are retained (State the location, dimensions, and purpose below.)	i.
No objections provided the following conditions are met:	
mile Phicas	
Signature of Utility Company Representative	
System STAKING TECH	
Title	

DAT	E: 3/19/15
	ITY COMPANY: AEP- SWEPCO
APPI	LICANT NAME: Blew & Associates, PA APPLICANT PHONE: 479-443-4506
REQ	UESTED VACATION (applicant must check all that apply):
X	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
l hav	e been notified of the petition to vacate the following (alley, easement, right-of-way), described as follows:
Gene	eral location / Address Woodbury Subdivision located at N. Harbor Isle and Zion Road
UTII	LITY COMPANY COMMENTS:
UTII	ITY COMPANY COMMENTS:
7	No objections to the vacation(s) described above, and no comments.
	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:
	Joshu Barr
Sign	ature of Utility Company Representative
	Distribution Engineer
Title	3

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

DATE: 3/31/2015
UTILITY COMPANY: Cox Communications
APPLICANT NAME: Blew & Associates, PA APPLICANT PHONE: 479-443-4506
REQUESTED VACATION (applicant must check all that apply):
x 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 Woodbury Subdivision located at N. Harbor Isle and Zion Road
(ATTACH legal description and graphic representation of what is being vacated-SURVEY)
UTILITY COMPANY COMMENTS:
No objections to the vacation(s) described above, and no comments.
No objections to the vacation(s) described above, provided following described easements are retained (State the location, dimensions, and purpose below.)
X No objections provided the following conditions are met: Developer/Owner will need to pay relocation costs of our plant within the proposed vacation.
Will need new easement plated from Zion road ticing into our first pedestal location within subdivision
Relocation cost must be paid and cable moved before this easement can be vacated.
Signature of Utility Company Representative
CONSTRUCTION MANAGER

December 2014 Page S

DAT	E: 5/13/2015
UTIL	ITY COMPANY: SourceGas
APPI	LICANT NAME: Blew & Associates, PA APPLICANT PHONE: 479-443-4506
REQU	UESTED VACATION (applicant must check <u>all</u> 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:
Gene	ral location / Address Woodbury Subdivision located at N. Harbor Isle and Zion Road
\(\overline{\pi}\)	(ATTACH legal description and graphic representation of what is being vacated-SURVEY)
UTILI	TTY COMPANY COMMENTS:
	No objections to the vacation(s) described above, and no comments.
	No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)
X1 	No objections provided the following conditions are met: Provided that existing gas main is relocated to proposed
u	tility easement.
4	
Signati	ure of Utility Company Representative
√a. Title	reflecille Division Monager

DATE: 3/18/15	
UTILITY COMPANY: C o F- Solic	Waste
APPLICANT NAME: Blew & Associates, PA	APPLICANT PHONE: 479-443-4506
REQUESTED VACATION (applicant must check al	!! that apply):
图 Utility Easement	
Right-of-way for alley or streets and all utility	y easements located within the vacated right- of- way.
Alley	
□ Street right-of-way	
I have been notified of the petition to vacate the follow	ving (alley, easement, right-of-way), described as follows:
General location / Address Woodbury Subdivi	sion located at N. Harbor Isle and Zion Road
☑ (ATTACH legal description and graphic rep	resentation of what is being vacated-SURVEY)
UTILITY COMPANY COMMENTS:	
>> . No objections to the vacation(s) described about	ove, and no comments.
No objections to the vacation(s) described about (State the location, dimensions, and purpose by	ove, provided following described easements are retained. pelow.)
No objections provided the following condition	ons are met:
, 11	
01/1.1	
Signature of Utility Company Representative	
Commercial Scles Kep	

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

DATE:	3-18-2015
UTILIT	Y COMPANY: City of Fayetterille Transportation Divisia
APPLIC	CANT NAME: Blew & Associates, PA APPLICANT PHONE: 479-443-4506
REQUE	STED VACATION (applicant must check <u>all</u> that apply):
X	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 b	een notified of the petition to vacate the following (alley, easement, right-of-way), described as follows:
Genera	l location / Address Woodbury Subdivision located at N. Harbor Isle and Zion Road
X	(ATTACH legal description and graphic representation of what is being vacated-SURVEY)
UTILIT	TY COMPANY COMMENTS:
X	No objections to the vacation(s) described above, and no comments.
T.	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:
Signatu	Keith Shreve
	issistant Transportation Manager
Little	

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

DATE:	8 APR 2015		
UTILIT	Y COMPANY: CITY OF FAYETTEVILLE		
APPLICANT NAME: Blew & Associates, PA APPLICANT PHONE: 479-443-4506			
REQUE	STED VACATION (applicant must check all that apply):		
x	Utility Easement		
	Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.		
Ξ	Alley		
=	Street right-of-way		
I have b	een notified of the petition to vacate the following (alley, easement, right-of-way), described as follows:		
General	location / Address Woodbury Subdivision located at N. Harbor Isle and Zion Road		
UTILIT	Y COMPANY COMMENTS:		
Ξ	No objections to the vacation(s) described above, and no comments.		
<u> </u>	No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)		
BEING Signature			

December 2014 Page 5

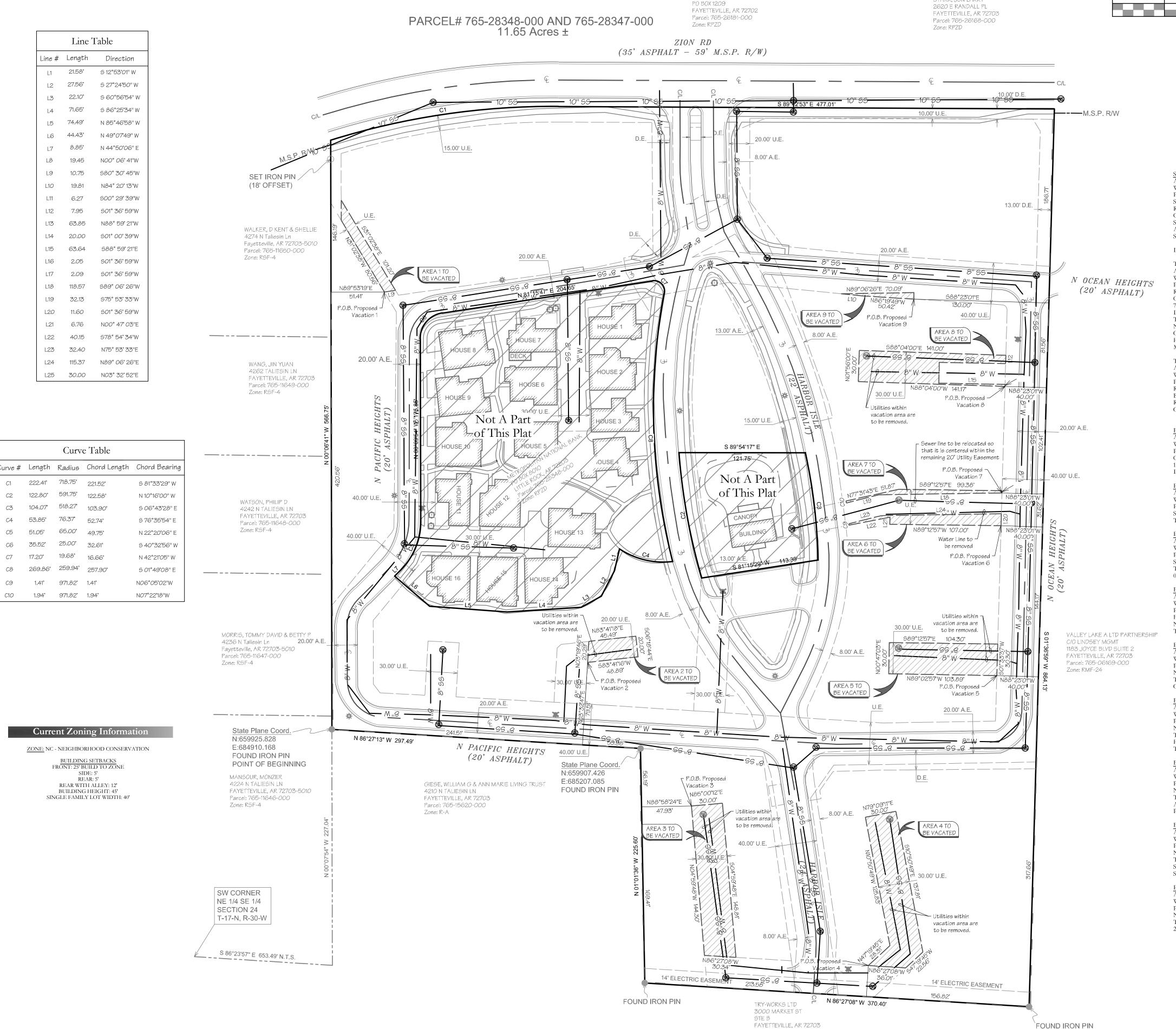
EASEMENT VACATION PLAT

Parcel: 765-15628-000

Zone: R-A

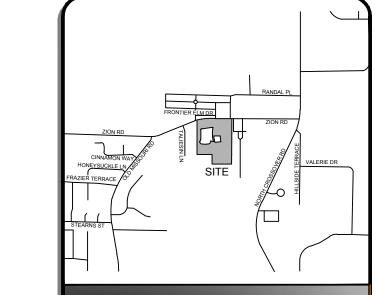
LAKEWOOD SUBDIVISION PROPERTY

OWNERS ASSO INC









Vicinity Map

BOUNDARY LINE

--- RIGHT-OF-WAY

— — — UTILITY EASEMENT

—— W —— WATER LINE

—— SS —— SEWER LINE

— — — ACCESS EASEMENT

—— FENCE

CENTERLINE OF ROAD

S SANITARY SEWER

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS S86°23'57"E 653.49' AND N00°07'54"W 227.04' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, SAID POINT BEING A FOUND IRON PIN. AND RUNNING THENCE N00°06'41"W 566.75' TO THE SOUTH RIGHT-OF-WAY OF ZION ROAD, THENCE ALONG A CURVE TO THE RIGHT, WITH AN ARC LENGTH OF 222.41', A RADIUS OF 718.75', A CHORD BEARING OF N81°33'29"E, AND A CHORD LENGTH OF 221.52', THENCE S89°42'53"E 477.01', THENCE LEAVING SAID RIGHT-OF-WAY S01°36'59"W 864.13' TO A FOUND IRON PIN, THENCE N86°27'08"W 370.40' TO A FOUND IRON PIN, THENCE N01°01'36"W 225.60' TO A FOUND IRON PIN, THENCE N86°27'13"W 297.49', TO THE POINT OF BEGINNING. CONTAINING 11.65 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

LESS AND EXCEPT THE FOLLOWING 2 TRACTS:

GRAPHIC SCALE

(IN FEET 1 inch = 50 ft

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N86°27'08"W 331.98', N00°20'11"E 406.89' FROM THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 76.37', HAVING A CHORD BEARING AND DISTANCE OF N76°35'54"W 52.74', THENCE S12°53'01"W 21.58', THENCE S27°24'50"W 27.56', THENCE S60°56'54"W 22.10', THENCE S86°25'34"W 71.65', THENCE N85°46'58"W 74.49', THENCE N49°07'49"W 44.43', THENCE N44°50'06"E 8.85', THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 65.00', HAVING A CHORD BEARING AND DISTANCE OF N22°20'06"E 49.75', THENCE N00°09'54"W 175.85', THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 35.52, HAVING A CHORD BEARING AND DISTANCE OF N40°32'56"E 32.61', THENCE N81°15'47"E 204.65', THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 10.00', HAVING A CHORD BEARING AND DISTANCE OF \$42°21'05"E 16.66', THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 597.79', HAVING A CHORD BEARING AND DISTANCE OF S01°49'08"E 257.90' TO THE POINT OF BEGINNING. CONTAINING 1.53 ACRES. MORE OR LESS.

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N86°27'08"W 191.91', N00°20'11"E 417.07' FROM THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE S81°15'29"W 113.39', THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 591.75', HAVING A CHORD BEARING AND DISTANCE OF N10°16'00"W 122.58', THENCE S89°54'17"E 121.75', THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 518.27', HAVING A CHORD BEARING AND DISTANCE OF S06°43'28"E 103.90' TO THE POINT OF BEGINNING. CONTAINING 0.31 ACRES, MORE OR LESS.

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS S86°23'57"E 653.49', N00°07'54"W 227.04', N00°06'41"W 420.56', N89°53'19"E 51.41' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE N31°02'38"W 80.56', THENCE N00°06'41"W 19.45', THENCE S31°02'38"E 101.20', THENCE S80°30'45"W 10.75' TO THE POINT OF BEGINNING. CONTAINING 909 SQUARE FEET, OR 0.02 ACRES, MORE OR

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS S86°23'57"E 653.49', N00°07'54"W 227.04', S86°27'13"E 241.51', N03°32'47"E 79.51' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE N03°19'46"E 20.29', THENCE N83°41'18"E 45.49', THENCE S06°18'44"E 20.00', THENCE S83°41'16"W 48.89' TO THE POINT OF BEGINNING. CONTAINING 944 SQUARE FEET, OR 0.02 ACRES, MORE OR LESS.

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT POINT WHICH IS 886°23'57"E 653.49', N00°07'54"W 227.04', 886°27'13"E 297.49', 801°01'36"E 56.19', N88°58'24"E 47.93' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE N85°00'12"E 30.00', THENCE S04°59'48"E 148.81', THENCE N86°27'08"W 30.34', THENCE N04°59'48"W 144.30' TO THE POINT OF BEGINNING. CONTAINING 4397 SQUARE FEET, OR

EASEMENT VACATION 4 DESCRIPTION:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS 886°23'57"E 653.49', N00°07'54"W 227.04', 886°27'13"E 297.49', 801°01'36"E 225.60', 886°27'08"E 213.58', N03°32'52"E 30.00' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE N47°19'45"E 28.31', THENCE N10°50'49"W 125.83', THENCE N79°09'11"E 30.00', THENCE S10°50'49"E 137.81', THENCE S47°19'45"W 22.56', THENCE N86°27'08"W 36.01' TO THE POINT OF BEGINNING. CONTAINING 4616 SQUARE FEET, OR 0.11 ACRES, MORE OR LESS.

EASEMENT VACATION 5 DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS S86°23'57"E 653.49', N00°07'54"W 227.04', S86°27'13"E 297.49', S01°01'36"E 225.60', S86°27'08"E 370.40', N01°36'59"E 317.66', N88°23'01"W 40.00' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE N89°02'57"W 103.89', THENCE N00°47'03"E 30.00', THENCE S89°12'57"E 104.30', THENCE S01°33'37"W 30.30' TO THE POINT OF BEGINNING. CONTAINING 3139 SQUARE FEET, OR 0.07 ACRES, MORE OR LESS.

EASEMENT VACATION 6 DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS \$86°23'57"E 653.49', \$\text{N00}^07'54"W 227.04', \$86°27'13"E 297.49', \$01^01'36"E 225.60', \$86^27'08"E 370.40', \$\text{N01}^036'59"E 461.83', N88°23'01"W 40.00' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT. AND RUNNING THENCE N89°12'57"W 107.00'. THENCE N00°47'03"E 6.76', THENCE S78°54'34"W 40.15', THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 971.82', HAVING A CHORD BEARING AND DISTANCE OF N06°05'02"W 1.41', THENCE N75°53'33"E 32.40', THENCE N89°06'26"E 115.37' THENCE S01°36'59"W 11.60' TO THE POINT OF BEGINNING. CONTAINING 1166 SQUARE FEET, OR 0.03 ACRES, MORE OR LESS.

EASEMENT VACATION 7 DESCRIPTION:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS \$86°23'57"E 653.49', \$\text{N00}^07'54"W 227.04', \$86°27'13"E 297.49', \$\text{S01}^001'36"E 225.60', \$86^027'08"E 370.40', \$\text{N01}^036'59"E 493.45', N88°23'01"W 40.00' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE S89°06'26"W 118.57', THENCE S75°53'33"W 32.13', THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 971.82, HAVING A CHORD BEARING AND DISTANCE OF N07°22'18"W 1.94', THENCE N77°31'43"E 51.87', THENCE S89°12'57"E 99.38', THENCE S01°36'59"W 2.09' TO THE POINT OF BEGINNING. CONTAINING 458 SQUARE FEET, OR 0.01 ACRES, MORE OR LESS.

EASEMENT VACATION 8 DESCRIPTION:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS 886°23'57"E 653.49', N00°07'54"W 227.04', \$86°27'13"E 297.49', \$01°01'36"E 225.60', \$86°27'08"E 370.40', N01°36'59"E 595.86', N88°23'01"W 40.00' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE N88°04'00"W 141.00', THENCE N01°56'00"E 30.00', THENCE S88°04'00"E 141.17', THENCE S01°36'59"W 7.95', THENCE N88°59'21"W 63.85', THENCE S01°00'39"W 20.00', THENCE S88°59'21"W 63.64', THENCE S01°36'59"E 2.05' TO THE POINT OF BEGINNING. CONTAINING 2958 SQUARE FEET, OR 0.07 ACRES, MORE OR LESS.

EASEMENT VACATION 9 DESCRIPTION

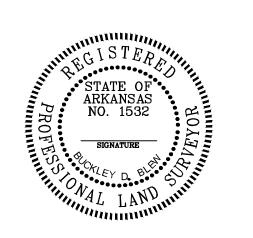
A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS S86°23'57"E 653.49'. N00°07'54"W 227.04'. S86°27'13"E 297.49'. S01°01'36"E 225.60'. S86°27'08"E 370.40'. N01°36'59"E 677.42'. N88°23'01"W 130.00' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE N86°19'49"W 50.42', THENCE N84°20'13"W 19.81', THENCE N89°06'26"E 70.09', THENCE S00°29'39"W 6.27' TO THE POINT OF BEGINNING. CONTAINING 237 SQUARE FEET, OR 0.01 ACRES, MORE OR LESS.

Legend of Symbols & Abbrevia

CERTIFICATE OF DEDICATION: WE, THE UNDERSIGNED OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREON, DO HEREBY DEDICATE TO THE PUBLIC ALL STREETS, ALLEYS, PARKS, AND OTHER PUBLIC LANDS SHOWN UPON THIS PLAT AND DO HEREBY ESTABLISH THE EASEMENTS SHOWN UPON THIS PLAT. SAID EASEMENTS SHALL BE FOR THE BENEFIT OF THE CITY OF BENTONVILLE AND AL UTILITY COMPANIES, INCLUDING CABLE TELEVISION COMPANIES AND SAID EASEMENTS SHALL BE FOR THE PURPOSE OF CONSTRUCTING MAINTAINING, REPAIRING, AND REPLACING UTILITY LINES, CABLE TELEVISION COMPANIES AND SAID EASEMENTS SHALL BE FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, REPAIRING, AND REPLACING UTILITY LINES, CABLE TELEVISION LINES, AND DRAINAGE STRUCTURES, THE CITY OF BENTONVILLE, ALL UTILITY COMPANIES, AND ALL CABLE TELEVISIO COMPANIES SHALL HAVE THE RIGHT OF INGRESS

OWNER	DATE
OWNER	DATE

AND EGRESS TO SAID EASEMENTS.



BLEW & ASSOCIATES, PA

CIVIL ENGINEERS & LAND SURVEYORS

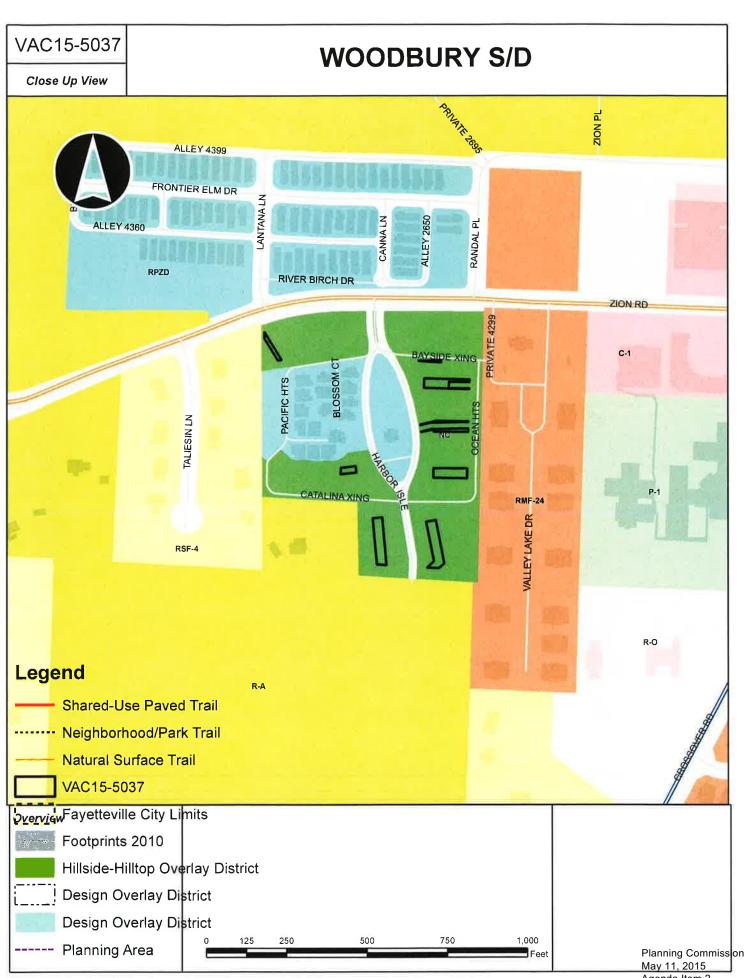
524 W. SYCAMORE ST, SUITE 4 FAYETTEVILLE, ARKANSAS 72703 OFFICE: 479.443.4506 FAX: 479.582.1883 www.BLEWINC.com

Certificate of Authorization № 1534

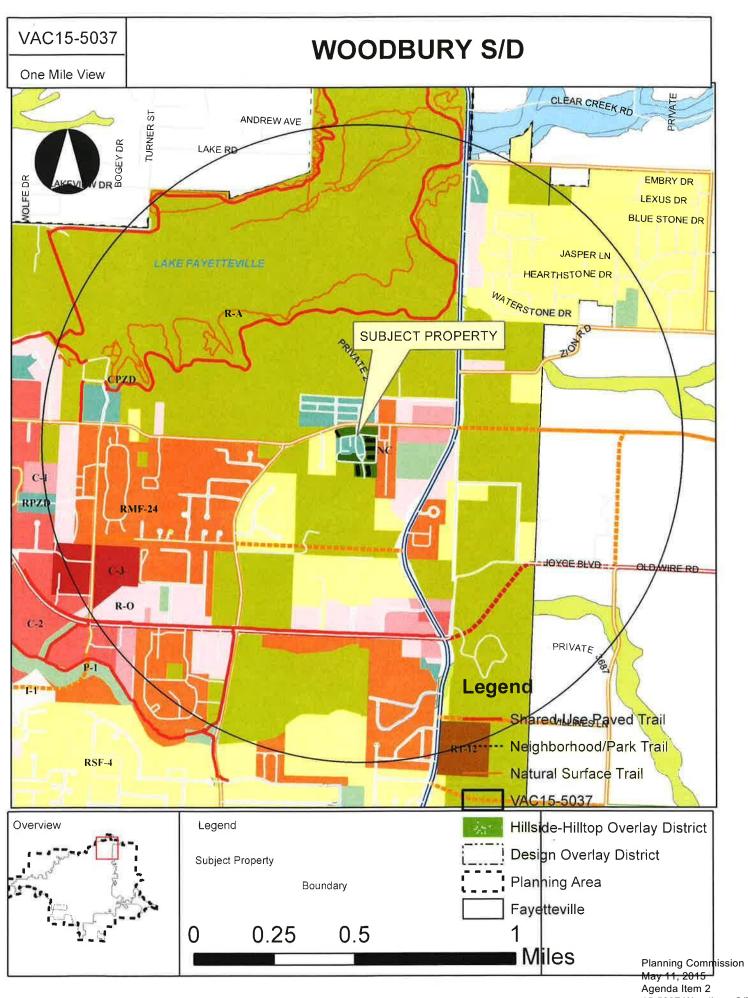
DRAWN BY & DATE: C. Zardin 2015-03-16	REVIEWED BY: B.D.B.	SURVEYED BY: D.RH.M
COUNTY & STATE: Washington County, AR	JOB NUMBER:	14-75

Section 24, Township 17 North, Range 30 West

BUFFINGTON HOMES



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