



Legislation Text

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**File #: 2015-0354, Version: 1**

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**VAC 15-5116 (808 N. HIGHLAND AVENUE)**

AN ORDINANCE TO APPROVE VAC 15-5116 SUBMITTED BY JOSEF TUCKER FOR PROPERTY LOCATED AT 808 N. HIGHLAND AVENUE TO VACATE A PORTION OF AN EXISTING 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 an existing 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 portion of an existing utility easement as described in Exhibit "B" attached.

Section 2. That a copy of this Ordinance duly certified by the City Clerk along with the map attached 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 condition of approval:

Any damage to or relocation of existing utilities or facilities and any associated new easement dedication shall be at the owner/developer's expense.

**City of Fayetteville Staff Review Form**

**2015-0354**

**Legistar File ID**

**8/18/2015**

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

Jeremy Pate

7/31/2015

City Planning /  
Development Services Department

**Submitted By**

**Submitted Date**

**Division / Department**

**Action Recommendation:**

VAC 15-5116: Vacation (808 N. HIGHLAND AVE./TUCKER, 445): Submitted by JOSEF TUCKER for property located at 808 N. HIGHLAND AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.33 acres. The request is to vacate a portion of an existing utility easement.

**Budget Impact:**

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

V20140710

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

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

Approval Date: \_\_\_\_\_

Comments:



## CITY COUNCIL AGENDA MEMO

### MEETING OF AUGUST 18, 2015

**TO:** Fayetteville City Council

**THRU:** Andrew Garner, City Planning Director

**FROM:** Quin Thompson

**DATE:** June 31, 2015

**SUBJECT:** **VAC 15-5116: Vacation (808 N. HIGHLAND AVE./TUCKER, 445):** Submitted by JOSEF TUCKER for property located at 808 N. HIGHLAND AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.33 acres. The request is to vacate a portion of a utility easement.

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#### **RECOMMENDATION:**

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

#### **BACKGROUND:**

The Property is located at 808 N. Highland Ave, and contains a 2,616 square foot residence built in 1936. The property has an unused 20' utility easement on the south boundary, which was retained after an alley right-of-way vacation (Ord 3308, 1986).

The applicant is requesting to vacate an unused portion of utility easement containing 3,400 square feet.

#### **DISCUSSION:**

On July 27, 2015 the Planning Commission forwarded this item to the City Council with a recommendation for approval by a vote of 8-0-0 on the consent agenda.

#### **BUDGET/STAFF IMPACT:**

N/A

#### **Attachments:**

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



## PLANNING COMMISSION MEMO

**TO:** City of Fayetteville Planning Commission

**THRU:** Andrew Garner, Planning Director

**FROM:** Quin Thompson, Current Planner

**MEETING DATE:** ~~July 27, 2015~~ **UPDATED 7/30/2015**

**SUBJECT:** **VAC 15-5116: Vacation (808 N. HIGHLAND AVE./TUCKER, 445):**  
 Submitted by JOSEF TUCKER for property located at 808 N. HIGHLAND AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.33 acres. The request is to vacate a utility easement.

**RECOMMENDATION:**

Staff recommends forwarding **VAC 15-5116** with conditions of approval.

**BACKGROUND:**

The Property is located at 808 N Highland, and contains a 2616 square foot residence built in 1936. The property has unused 20' utility easement on the south boundary, which was retained after an alley right-of-way vacation (Ord 3308, 1986).

The surrounding zoning and land uses are depicted in *Table 1*.

**Table 1 - Surrounding Zoning and Land Use**

Direction from Site	Land Use	Zoning
North	Single-family Residential	RSF-4
South	Single-family Residential	RSF-4
East	Single-family Residential	RSF-4
West	Single-family Residential	RSF-4

*Proposal:* The applicant proposes vacation of an unused portion of platted utility easement containing approximately 3,400 square feet.

**DISCUSSION:**

This is a fully built out neighborhood, without any expectation that the easement will be needed in future.

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

**UTILITIES**

Cox Communications

AEP/SWEPCO

Source Gas

AT&T

Ozarks Electric

**RESPONSE**

No objections with conditions

No objections

No objections

No objections with conditions

No objections

**CITY OF FAYETTEVILLE**

**RESPONSE**

Water/Sewer

No objections

Transportation

No objections

**Public Comment:**

An adjoining property owner returned the comment from with no objection.

**RECOMMENDATION:** Staff recommends forwarding VAC 15-5116 with 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. Legal Descriptions must be revised to address the City GIS Division comments before the item will be submitted to City Council.

<b>Planning Commission Action:</b> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Forwarded <input type="checkbox"/> Denied
<b>Meeting Date:</b> <u>July 27, 2015</u>
<b>Motion:</b> <input type="text" value="COOK"/>
<b>Second:</b> <input type="text" value="AUTRY"/>
<b>Vote:</b> <input type="text" value="8-0-0, ON CONSENT AGENDA"/>

**BUDGET/STAFF IMPACT:**

None.

**Attachments:**

- Cover Letter
- Petition to Vacate

- Adjacent landowners approval
- Utility Approvals
- Easement Vacation Exhibit
- Aerial Image
- One Mile Map
- Close Up Map

Dear City Staff and Planning Commission,

6/15/15

I am writing to request a vacation of the utility easement running along the south border of my property at 808 N. Highland Ave, Fayetteville, AR. I've attached a legal description and a survey, as well as the City's Utility Approval Form with my full application.

There is currently an unused 20' utility easement that remains after ordinance 3300 vacated the former Crest Lane between Highland and Pollard Avenues. That is the easement I would like vacated.

All of the utility managers and city departments have voiced approval of the vacation, so hopefully you can move to approve it also.

Please let me know if I can provide any further information. I appreciate your help in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Josef Tucker', written over a horizontal line.

Josef Tucker,  
Owner, 808 N. Highland Ave.  
479-531-7658  
[jtucker@tandtgreen.com](mailto:jtucker@tandtgreen.com)

**PETITION TO VACATE A UTILITY EASEMENT LOCATED IN  
BLOCK ELEVEN (11) IN CITY PARK ADDITION AND  
LOT FOUR (4) IN BLOCK TEN (10) OF A. L. TRENT'S REVISED PLAT**

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

We, the undersigned, being the owners of the real estate abutting the utility easement sought to be abandoned and vacated, lying in Block 11 in City Park Addition to the City of Fayetteville, a municipal corporation, and Lot Numbered Four (4) in Block Numbered Ten (10) in the A.L. Trent to the City of Fayetteville, a municipal corporation, petition to vacate an easement which is described as follows:

- A twenty-foot (20') utility easement occupying the vacated<sup>1</sup> former alleyway of Crest Lane between the two real estate properties further described below.<sup>2</sup>
  - **806 N. Highland Avenue, Fayetteville, Arkansas 72701**, more specifically described as: a part of Block 11 and a Part of the South half of that unopened portion of Crest Lane lying between Highland Avenue and Pollard Avenue as vacated and abandoned by the City of Fayetteville, Arkansas, by ordinance No. 3308 recorded in Book 1258 at page 892, records of Washington County, Arkansas, all in City Park Addition to the City of Fayetteville, Arkansas, and all together being more particularly described as follows: Beginning at the NW Comer of said Block 11; thence North 00 degrees 11 minutes 40 seconds West along the East right of way of Highland Avenue 10.00 feet to an existing iron in the center of said vacated Crest Lane 169.86 feet; thence South 89 degrees 46 minutes 05 seconds East along the center of said vacated Crest Lane 169.86 feet; thence South 00 degrees 06 minutes 39 seconds East 87.01 feet to an existing iron pipe; thence North 89 degrees 58 minutes 31 seconds West 169.73 feet to an existing iron on the West line of said Block 11; thence North 00 degrees 11 minutes 40 seconds West 77.62 feet to the point of beginning Less and except public roads and rights of way and any easements of record.
  - **808 N. Highland Avenue, Fayetteville, Arkansas 72701**, more specifically described as: Lot Numbered Four (4) in Block Numbered Ten (10) in the A.L. Trent to the City of Fayetteville, as designated upon A. L. Trent's Revised Plat of said Addition recorded as Plat No. 125 of the Plat Records in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas. And, all the North Half (N 1/2) of the unopened portion of Crest Lane lying between Highland Avenue and Pollard Avenue which lies adjacent to the South line of said Lot Numbered Four (4) as vacated and abandoned by the City of Fayetteville, Arkansas, in Ordinance No. 3308 recorded in Record Book 1258 at Page 892 of the records of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas. AND A limited easement for ingress and egress on, over and across a Part of Block 11 of City Park Addition to the City of Fayetteville, Arkansas, which is limited to and more specifically described as lands lying between the rock wall located on the Northern portion of said Block 11 and the South line of Lot Four (4) in Block Ten (10), of said A. L. Trent's Revised Plat.

<sup>1</sup> City of Fayetteville Ordinance #3308 (Book 1258-892) vacated Crest Lane.

<sup>2</sup> See also attached documents.



**ADJACENT PROPERTY OWNER NOTIFICATION FORM**

**FOR RIGHT- OF- WAY, ALLEY, AND  
EASEMENT VACATION REQUESTS**

Date: 8/15  
Address / location of vacation: 808 N. Highland Ave  
Adjacent property address: 806 N. Highland Ave  
Lot: 4 Block: 10 Subdivision: City Park - A.L. Trents

**REQUESTED VACATION:**

I have been notified of the petition to vacate the following (alley, easement, right-of-way), described as follows:  
808 N. Highland Ave - See attached  
*(Include legal description and graphic representation of what is being vacated)*

**ADJACENT PROPERTY OWNERS COMMENTS:**

- I have been notified of the requested vacation and decline to comment.
- I do not object to the vacation described above.
- I do object to the requested vacation because:

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Project Name  
Thomas R Bulger

Name of Adjacent Property Owner (printed)

  
Signature of Adjacent Property Owner

Applicant Name

UTILITY APPROVAL FORM

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

DATE: 5/22/15

UTILITY COMPANY: City of Fayetteville - Utilities

APPLICANT NAME: Josef Tucker APPLICANT PHONE: 479-531-7658

jtucker@tandtgreen.com

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 Easement between 808 & 806 N. Highland Fayetteville, AR

(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.)

\_\_\_\_\_

No objections provided the following conditions are met:

\_\_\_\_\_

[Signature] 15 JUNE 2015  
Signature of Utility Company Representative

DIRECTOR OF UTILITIES  
Title

CITY OF FAYETTEVILLE

UTILITY APPROVAL FORM

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

DATE: 5/22/15

UTILITY COMPANY: Cox Communications

APPLICANT NAME: Josef Tucker

APPLICANT PHONE: 479-531-7658

jtucker@tandtgreen.com

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 Easement between 808 & 806 N. Highland  
Fayetteville, AR

(*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.)

No objections provided the following conditions are met:  
Any damage to or relocation of our existing facilities will be at the owners/developers expense.

  
\_\_\_\_\_  
Signature of Utility Company Representative

CONSTRUCTION MANAGER  
\_\_\_\_\_  
Title

UTILITY APPROVAL FORM

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

DATE: 5/22/15

UTILITY COMPANY: Source Gas

APPLICANT NAME: Josef Tucker

APPLICANT PHONE: 479-531-7658

jtucker@tandtgreen.com

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 Easement between 808 & 806 N. Highland  
Fayetteville, AR

(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.)

No objections provided the following conditions are met:

Bruce A. Duff

Signature of Utility Company Representative

Supervisor - Division Operations

Title

**UTILITY APPROVAL FORM**

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

DATE: 5/22/15

UTILITY COMPANY: Oranhs Electric

APPLICANT NAME: Josef Tucker APPLICANT PHONE: 479-531-7658

jtucker@tandtgreen.com

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 Easement between 808 & 806 N. Highland  
Fayetteville, AR

(*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.)

\_\_\_\_\_  
\_\_\_\_\_

No objections provided the following conditions are met:

\_\_\_\_\_  
\_\_\_\_\_

Greg McGee  
Signature of Utility Company Representative

Lead Staking Tech  
Title

UTILITY APPROVAL FORM

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

DATE: 5/22/15  
UTILITY COMPANY: AT&T  
APPLICANT NAME: Josef Tucker APPLICANT PHONE: 479-531-7658  
jtucker@tandtgreen.com

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 Easement between 808 & 806 N. Highland  
Fayetteville, AR


(*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.)

\_\_\_\_\_  
\_\_\_\_\_

No objections provided the following conditions are met:  
If any AT&T facilities are required to be relocated due to the easement vacancy will be the  
responsibility of the developer/ property owner.

  
Signature of Utility Company Representative

MGR OSP Plng & Engrg Design  
Title



UTILITY APPROVAL FORM

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

DATE: 5/22/15

UTILITY COMPANY: AEP Swepco

APPLICANT NAME: Josef Tucker

APPLICANT PHONE: 479-531-7658  
jtucker@tandtgreen.com

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 Easement between 808 & 806 N. Highland  
Fayetteville, AR

(*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.)

\_\_\_\_\_

No objections provided the following conditions are met:

\_\_\_\_\_

Trang L  
Signature of Utility Company Representative

DISTRIBUTION ENGINEER  
Title

**UTILITY APPROVAL FORM**

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

DATE: 5/22/15  
UTILITY COMPANY: City of Fayetteville, Transportation  
APPLICANT NAME: Josef Tucker APPLICANT PHONE: 479-531-7658  
jtucker@tandtgreen.com

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 Easement between 808 & 806 N. Highland  
Fayetteville, AR

(*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.)

\_\_\_\_\_

\_\_\_\_\_

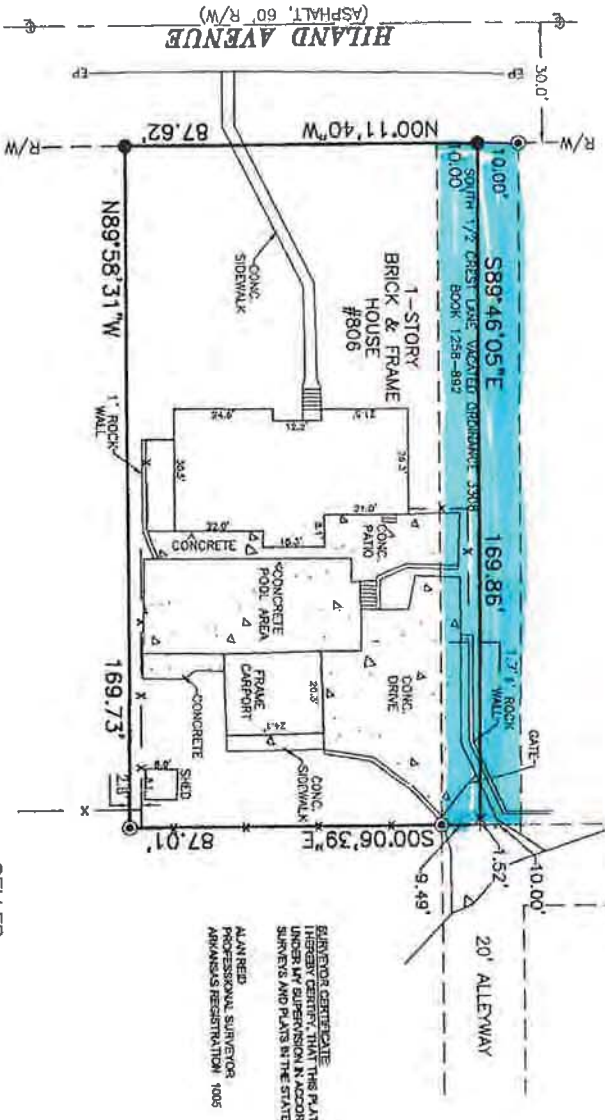
No objections provided the following conditions are met:

\_\_\_\_\_

\_\_\_\_\_

*Quinn Smith*  
Signature of Utility Company Representative  
*Assistant Transportation Manager*  
Title





**PLAT NOTES**

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT purport to reflect any of the following which may be applicable to the SUBJECT REAL ESTATE:

- EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY, RESTRICTIVE COVENANTS, covenants, restrictions or other land use restrictions, AND ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH WOULD REVEAL.
- THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDED THE SEAL AND SIGNATURE OF THE SURVEYOR.
- THIS SURVEY MEETS OR EXCEEDS THE CURRENT MICHIGAN MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND PLATS.
- DECIAM 19 IS MADE TO THE ORIGINAL PURCHASER OF THE SURVEY, IT IS NOT TRANSMISSIBLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY.

ENGINEER CERTIFICATE  
 I HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF A SURVEY PERFORMED UNDER MY SUPERVISION IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND PLATS IN THE STATE OF ARKANSAS.

ALAN REID  
 PROFESSIONAL SURVEYOR  
 ARKANSAS REGISTRATION 1008

**SELLER:**  
 LEAH COCHRAN

**BUYER:**  
 ERIC HANSEN

**ADDRESS:**  
 806 HIGHLAND AVENUE  
 FAYETTEVILLE, ARKANSAS

**Alan Reid & Associates**  
 118 South College Avenue  
 Fayetteville, Arkansas 72701  
 (479) 444-8784

- RIGHT-OF-WAY LINE
- ==== CENTERLINE ROAD BOUNDARY
- X — FENCE LINE
- CHISELED "X"
- ⊙ EXISTING IRON PIPE
- SET 1/2" IRON REBAR
- ⊕ EXISTING IRON PIN
- + COMPUTED CORNER

DATE: 02/02/06 REVISED:  
 SCALE: 1"=80' DRAWN BY: KWC PROJECT NO.  
**BASSETT-MIX** 06026

A PART OF BLOCK NUMBERED ELEVEN (11) AND A PART OF THE SOUTH HALF (SH) OF THAT UNBERED PORTION OF CREST LANE LYING BETWEEN HIGHLAND AVENUE AND FOLLAD AVENUE AS VACATED AND ABANDONED BY THE CITY OF FAYETTEVILLE, ARKANSAS, BY ORDINANCE NO. 2108 RECORDED IN BOOK 1258 AT PAGE 892 OF THE RECORDS OF THE CIRCUIT CLERK AND EX-OPICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, ALL IN CITY PARK ADDITION TO THE CITY OF FAYETTEVILLE, ARKANSAS, AS PER PLAT ON RECORDED ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OPICIO RECORDER OF WASHINGTON COUNTY, AND ALL TOGETHER BEING HOBS SAID BLOCK ELEVEN (11); THENCE BEGINNING AT THE NORTHEAST CORNER OF SAID BLOCK ELEVEN (11); THENCE N00°11'40"W 169.73' TO THE CENTER OF AN EXISTING IRON PIPE; THENCE S89°46'05"E 87.62' TO AN EXISTING IRON PIPE; THENCE S89°46'05"E 87.62' TO AN EXISTING IRON PIPE; THENCE S89°46'05"E 87.62' TO AN EXISTING IRON PIPE; THENCE S89°46'05"E 87.62' TO AN EXISTING IRON PIPE; THENCE S89°46'05"E 87.62' TO AN EXISTING IRON PIPE ON THE WEST LINE OF SAID BLOCK ELEVEN (11); THENCE N00°11'40"W 77.62' PERTO TO THE POINT OF BEGINNING.



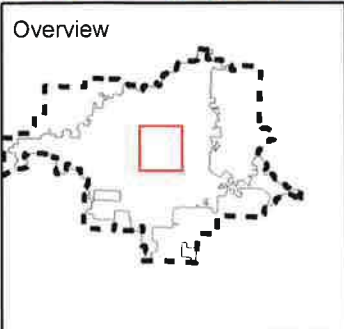
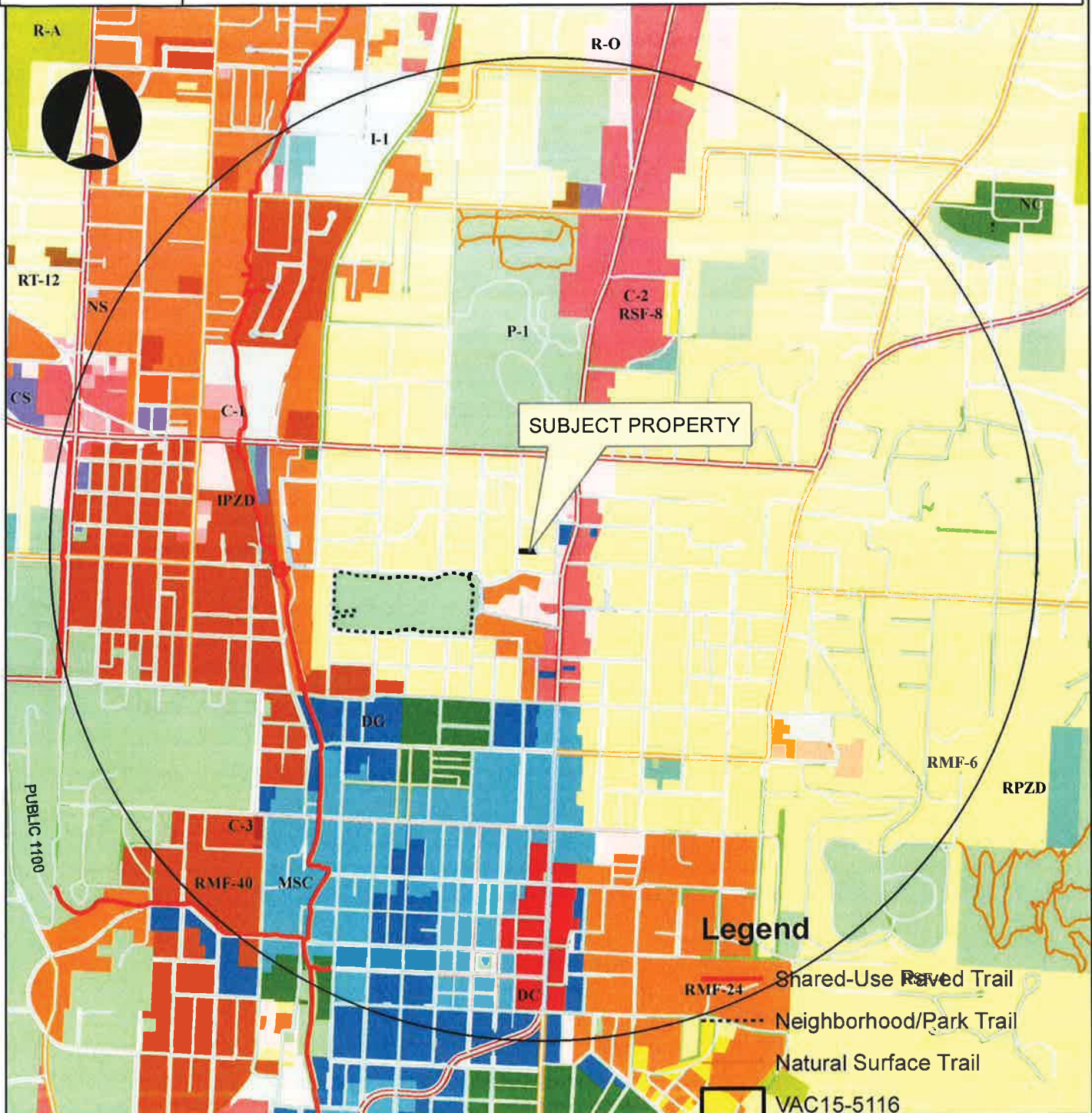
subject easement



VAC15-5116

# TUCKER

One Mile View



Legend	Hillside-Hilltop Overlay District
Subject Property	Design Overlay District
Boundary	Planning Area
	Fayetteville

0      0.25      0.5      1  
 Miles

EXHIBIT 'B'  
15-5116

A twenty-foot (20') utility easement occupying the vacated former alleyway of Crest Lane between the two real estate properties further described below;

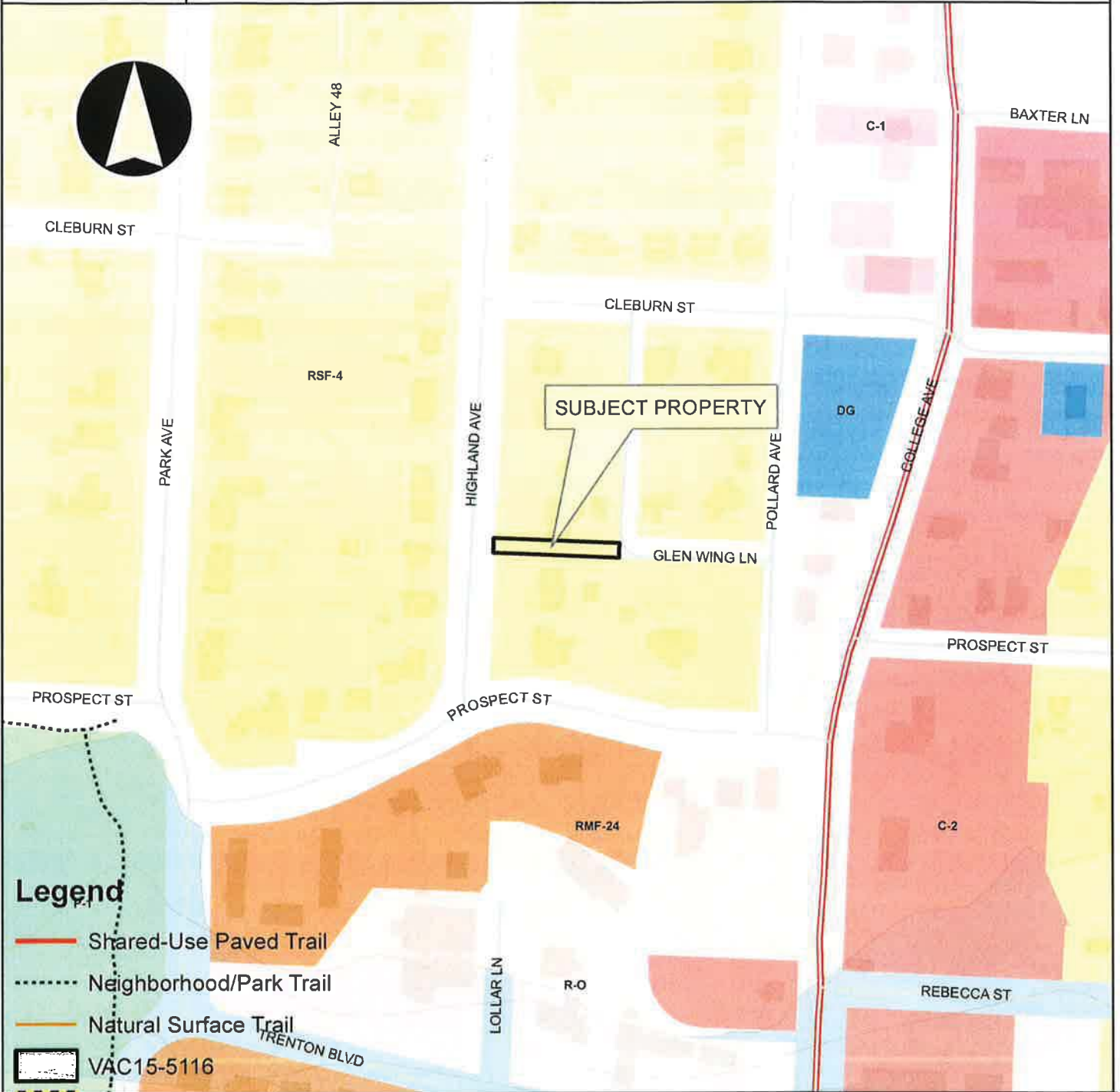
**806 N. Highland Avenue, Fayetteville, Arkansas 72701**, more specifically described as: a part of Block 11 and a Part of the South half of that unopened portion of Crest Lane lying between Highland Avenue and Pollard Avenue as vacated and abandoned by the City of Fayetteville, Arkansas, by ordinance No. 3308 recorded in Book 1258 at page 892, records of Washington County, Arkansas, all in City Park Addition to the City of Fayetteville, Arkansas, and all together being more particularly described as follows: Beginning at the NW Comer of said Block 11; thence North 00 degrees 11 minutes 40 seconds West along the East right of way of Highland Avenue 10.00 feet to an existing iron in the center of said vacated Crest Lane; thence South 89 degrees 46 minutes 05 seconds East along the center of said vacated Crest Lane 169.86 feet; thence South 00 degrees 06 minutes 39 seconds East 87.01 feet to an existing iron pipe; thence North 89 degrees 58 minutes 31 seconds West 169.73 feet to an existing iron on the West line of said Block 11; thence North 00 degrees 11 minutes 40 seconds West 77.62 feet to the point of beginning Less and except public roads and rights of way and any easements of record.

**808 N. Highland Avenue, Fayetteville, Arkansas 72701**, more specifically described as: Lot Numbered Four (4) in Block Numbered Ten (10) in the A.L. Trent to the City of Fayetteville, as designated upon A L. Trent's Revised Plat of said Addition recorded as Plat No. 125 of the Plat Records in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas. And, all the North Half (N 112) of the unopened portion of Crest Lane lying between Highland Avenue and Pollard Avenue which lies adjacent to the South line of said Lot Numbered Four (4) as vacated and abandoned by the City of Fayetteville, Arkansas, in Ordinance No. 3308 recorded in Record Book 1258 at Page 892 of the records of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas. AND A limited easement for ingress and egress on, over and across a Part of Block 11 of City Park Addition to the City of Fayetteville, Arkansas, which is limited to and more specifically described as lands lying between the rock wall located on the Northern portion of said Block 11 and the South line of Lot Four (4) in Block Ten (10), of said A L. Trent's Revised Plat.

VAC15-5116

# TUCKER

Close Up View



## Legend

- Shared-Use Paved Trail
- Neighborhood/Park Trail
- Natural Surface Trail
- VAC15-5116

Overview Fayetteville City Limits

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

