

**City of Fayetteville Staff Review Form**

**2015-0443**

**Legistar File ID**

**10/6/2015**

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

Jeremy Pate

9/18/2015

City Planning /  
Development Services Department

**Submitted By**

**Submitted Date**

**Division / Department**

**Action Recommendation:**

VAC 15-5178: Vacation (SW CORNER JOYCE & STEELE BLVDS./CMN LOTS 3 & 4, 173): Submitted by JORGENSEN & ASSOCIATES, INC. for property located at SW CORNER JOYCE & STEELE BLVDS. The property is zoned C-3, CENTRAL COMMERCIAL and contains approximately 14.03 acres. The request is to vacate a portion of a 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 OCTOBER 6, 2015

**TO:** Fayetteville City Council

**FROM:** Andrew Garner, City Planning Director  
Chris Brown, City Engineer

**DATE:** September 15, 2015

**SUBJECT:** **VAC 15-5178: Vacation (SW CORNER JOYCE & STEELE BLVDS./CMN LOTS 3 & 4, 173):** Submitted by JORGENSEN & ASSOCIATES, INC. for property located at SW CORNER JOYCE & STEELE BLVDS. The property is zoned C-3, CENTRAL COMMERCIAL and contains approximately 14.03 acres. The request is to vacate portions of utility, drainage, and trail easements.

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### RECOMMENDATION:

The Planning Commission and staff recommend approval of an ordinance to vacate portions of existing utility, drainage, and trail easement with the following conditions:

1. A 25' foot utility easement shall be retained on the south side of Lot 4.
2. Any relocation or damage to utilities and associated new easement dedication shall be at the owner/developer's expense

### BACKGROUND:

The property is located on the southwest corner of Joyce and Steele Boulevards. The Uptown development of mixed residential and commercial retail was approved for this property in 2014; construction has not yet begun (LSD 14-4860, ADM 15-5051, ADM 15-4945).

### DISCUSSION:

On September 14, 2015 the Planning Commission forwarded this item to the City Council with a recommendation for approval with a vote of 7-0-1 (Commissioner Hoskins recused).

### BUDGET/STAFF IMPACT:

N/A

### Attachments:

CC Ordinance  
Exhibit A  
Exhibit B  
Planning Commission Staff Report

**UTILITY APPROVAL FORM**

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

DATE: 9-17-2015

UTILITY COMPANY: City of Fayetteville, Transportation Division

APPLICANT NAME: Jared Inman APPLICANT PHONE: 479-442-9127

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

- 25' MULTI-USE TRAIL 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:

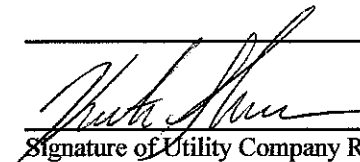
**General location / Address** SW corner of Joyce & Steele. Lot 3 & 4 of CMN Business Park II. Across from Academy Sports and Malco Theater.

- (**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:

 Keith Shreve  
Signature of Utility Company Representative

Assistant Transportation Manager  
Title



## PLANNING COMMISSION MEMO

**TO:** City of Fayetteville Planning Commission

**THRU:** Andrew Garner, Planning Director

**FROM:** Quin Thompson, Current Planner

**MEETING DATE:** ~~September 14, 2015~~ **UPDATED 9-16-2015**

**SUBJECT:** **VAC 15-5178: Vacation (SW CORNER JOYCE & STEELE BLVDS./CMN LOTS 3 & 4, 173):** Submitted by JORGENSEN & ASSOCIATES, INC. for property located at SW CORNER JOYCE & STEELE BLVDS. The property is zoned C-3, CENTRAL COMMERCIAL and contains approximately 14.03 acres. The request is to vacate a portion of a utility easement.

**RECOMMENDATION:**

Staff recommends forwarding **VAC 15-5178** with conditions of approval.

**BACKGROUND:**

The property is located on the southwest corner of Joyce and Steele Boulevards. The Uptown development of mixed residential and commercial retail was approved for this property in 2014; construction has not yet begun (LSD 14-4860, ADM 15-5051, ADM 15-4945).

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	Commercial	C-2
South	Undeveloped/Skull Creek Trail	P-1
East	Commercial	C-2
West	Single-family Residential	N/A- City of Johnson

*Proposal:* The applicant proposes vacation of portions of 4 platted easements, including a portion of 2 drainage easements, a utility easement, and a portion of trail easement.

**DISCUSSION:**

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

**UTILITIES**

**RESPONSE**

Cox Communications

No objections with conditions

AEP/SWEPCO

No objections with conditions

Source Gas No objections with conditions

AT&T No objections

Ozarks Electric No objections

**CITY OF FAYETTEVILLE** **RESPONSE**

Water/Sewer No objections

Trash & Recycling NA

Transportation No Response

**Public Comment:**

No public comment has been received.

**RECOMMENDATION:** Staff recommends forwarding VAC 15-5178 with the following conditions:

**Conditions of Approval:**

1. Transportation department approval must be provided prior to the item being placed on the City Council agenda.
2. A 25' foot utility easement shall be retained on the south side of Lot 4.
3. Any relocation or damage to utilities and associated new easement dedication shall be at the owner/developer's expense

**Planning Commission Action:**     Approved         Forwarded         Denied

**Meeting Date:** September 14, 2015

**Motion:** **CHESSER**

**Second:** **COOK**

**Vote:** **7-0-1, HOSKINS RECUSED; ITEM PASSED ON CONSENT AGENDA**

**BUDGET/STAFF IMPACT:**

None.

**Attachments:**

- Request Letter
- Petition to Vacate
- Utility Approvals
- Easement Vacation Exhibit

- One Mile Map
- Close Up Map



**JORGENSEN**  
**+ASSOCIATES**  
Civil Engineering + Surveying

124 W Sunbridge Drive, Suite 5  
Fayetteville, AR 72703  
Office: 479 442 9127  
Fax: 479 582 4807  
[www.jorgensenassoc.com](http://www.jorgensenassoc.com)

August 31, 2015

Quin Thompson  
124 W Mountain St  
Fayetteville, AR 72701

Dear Quin,

Please accept the descriptions below and attached exhibit to provide supplemental information to the submittal packet regarding VAC 15-5178.

Drainage Easement (split on the property line of Lots 3 & 4):

This 30' drainage easement is currently being utilized as a swale to direct runoff from the north to the west and eventually south to the wetland and creek. The need for this swale will not be warranted with the new construction as there will be drainage structures (curb & gutter, inlets, piping, etc.) directing discharge through the development to this area.

UE & Drainage Easement (east side of Lot 4 against Steele Blvd.):

This easement is being vacated to accommodate a new building. The water line in this location is going to be re-routed and a new easement provided. The drainage portion of this easement was for a swale directed south to existing flared end sections. This swale will be removed and drainage redirected.

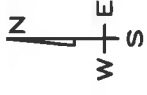
Multi-Trail Easement (southern portion of Lot 4)

This use of the easement is being vacated due to the fact that the trail has already been re-routed in this area and this portion of the trail easement is not warranted. A 25' U.E. will remain in this area for the existing underground electric and future use of other utilities.

If you have any questions or concerns, please contact me.

Sincerely,

Jared S. Inman, PE



**LEGEND**

- ⊗ CALCULATED POINT
- FOUND IRON PIN
- ⊙ SET IRON PIN & CAP
- ⊕ EXISTING WATER VALVE
- ⊖ EXISTING SEWER MANHOLE
- ⊗ EXISTING FIRE HYDRANT
- ⊕ TELEPHONE VAULT
- ⊕ UTILITY BOX
- ⊕ ELECTRIC PEDESTAL
- ⊕ ELECTRIC METER
- ⊕ ELECTRIC BOX
- ⊕ STREET LIGHT
- ⊕ GAS METER
- ⊕ TELEVISION PEDESTAL
- ⊕ TRAFFIC CONTROL VAULT
- ⊕ EXISTING 8" SEWER LINE
- ⊕ EXISTING WATERLINE
- ⊕ CENTERLINE STREET
- ⊕ BUILDING SETBACK
- ⊕ UTILITY EASEMENT
- ⊕ DRAINAGE EASEMENT
- ⊕ NATURAL BUFFER EASEMENT
- ⊕ EXISTING SIDEWALK
- ⊕ EASEMENT TO BE VACATED

- NOTES**
- 1) CURRENT ZONING = C-3
  - 2) PARCEL NUMBER 765-22230-000
  - 3) BASIS OF BOUNDARY = ARKANSAS STATE PLANE GRID NORTH ZONE (NAD83) ALSO USED FINAL PLAT OF CMN BUSINESS PARK II PHASE I

**OWNER**  
 MSB PROPERTIES & MANCHAR INC  
 ATTN: MARJORIE BROOKS  
 P.O. BOX 8546  
 FAYETTEVILLE AR 72703

SETBACK TABLE	
ZONING C-3	CENTRAL BUSINESS DISTRICT
FRONT	5
FRONT IF PARKING IS ALLOWED BETWEEN THE R/W AND THE BUILDING	50
SIDE	NONE
SIDE WHEN CONTIGUOUS TO A RESIDENTIAL DISTRICT	10
REAR WITHOUT EASEMENT OR ALLEY	15
REAR FROM CENTERLINE OF A PUBLIC ALLEY	10
	25
	50
	NONE
	25
	25
	10

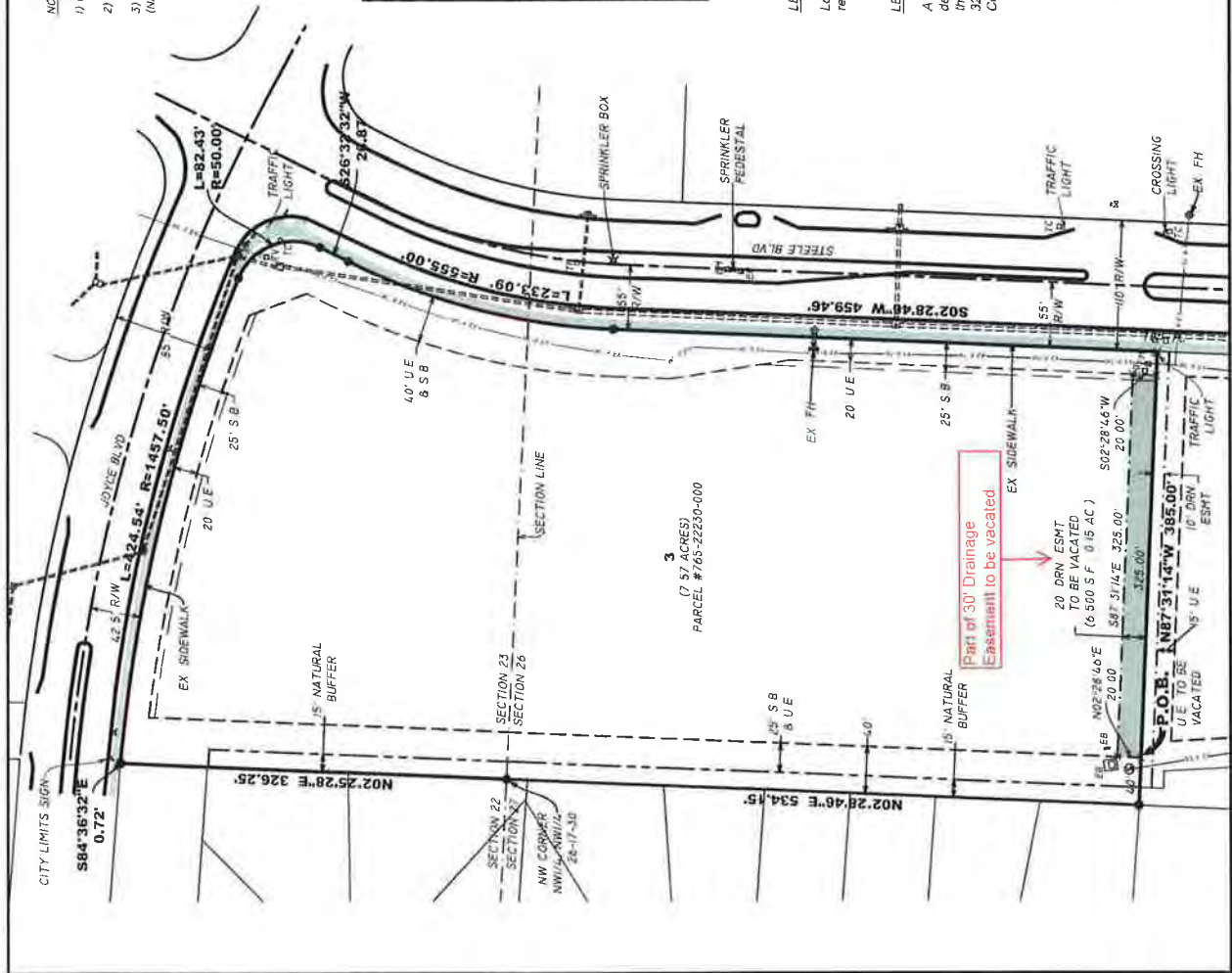
**LEGAL DESCRIPTION (LOT 3)**


Lot 3 of CMN Business Park II in Phase 1 in Fayetteville, Arkansas, as per plat of said subdivision recorded in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas

**LEGAL DESCRIPTION: (EASEMENT TO BE VACATED)**

A part of the NW1/4 of the NW1/4 of Section 26, T17N, R30W in Washington County, Arkansas, and being described as follows: Commencing at the NW Corner of said NW1/4, NW1/4, thence S02°28'46"W 534.15 feet, thence S87°31'14"E 40.00 feet to the POINT OF BEGINNING, thence N02°28'46"E 20.00 feet, thence S87°31'14"E 325.00 feet, thence S02°28'46"W 20.00 feet, thence N87°31'14"W 325.00 feet to the POINT OF BEGINNING. Containing 6,500 square feet or 0.15 acres more or less.

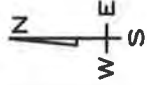
**GRAPHIC SCALE**




**JORGENSEN & ASSOCIATES, INC.**  
 CIVIL ENGINEERS • SURVEYORS  
 1000 N. WASHINGTON ST., SUITE 100  
 FAYETTEVILLE, AR 72703  
 PHONE: (479) 326-1111  
 FAX: (479) 326-1112  
 EMAIL: INFO@JORGENSEN-ASSOCIATES.COM

**CMN BUSINESS PARK II, PHASE I**  
**LOT 3 EASEMENT VACATION**





**LEGEND**

- X CALCULATED POINT
- FOUND IRON PIN
- SET IRON PIN & CAP
- ⊕ EXISTING WATER VALVE
- ⊕ EXISTING SEWER MANHOLE
- ⊕ EXISTING FIRE HYDRANT
- ⊕ TELEPHONE VAULT
- ⊕ UTILITY BOX
- EPZ ELECTRIC PEDESTAL
- SEM ELECTRIC METER
- ER ELECTRIC BOX
- ST STREET LIGHT
- ⊕ GAS METER
- TV TELEVISION PEDESTAL
- TC TRAFFIC CONTROL VAULT
- EXISTING 8" SEWER LINE
- EXISTING WATERLINE
- CENTERLINE STREET
- BUILDING SETBACK
- UTILITY EASEMENT
- DRAINAGE EASEMENT
- NATURAL BUFFER EASEMENT
- EXISTING SIDEWALK
- EASEMENT TO BE VACATED



**SETBACK TABLE**

ZONING	CENTRAL BUSINESS DISTRICT	SHOPPING CENTER
FRONT	5	25
FRONT IF PARKING IS ALLOWED BETWEEN THE R/W AND THE BUILDING	50	50
SIDE WHEN CONTIGUOUS TO A RESIDENTIAL DISTRICT	NONE	NONE
REAR WITHOUT EASEMENT OR ALLEY	10	25
REAR FROM CENTERLINE OF A PUBLIC ALLEY	15	25
REAR FROM CENTERLINE OF A PUBLIC ALLEY	10	10

**OWNER**  
 MSB PROPERTIES & NANCHAR INC  
 ATTN: MARJORIE BROOKS  
 P O BOX 6540  
 FAYETTEVILLE AR 72703

**LEGAL DESCRIPTION (LOT 4)**  
 Lot 4 of CMN Business Park II in Phase I in Fayetteville, Arkansas, as per plat of said subdivision recorded in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

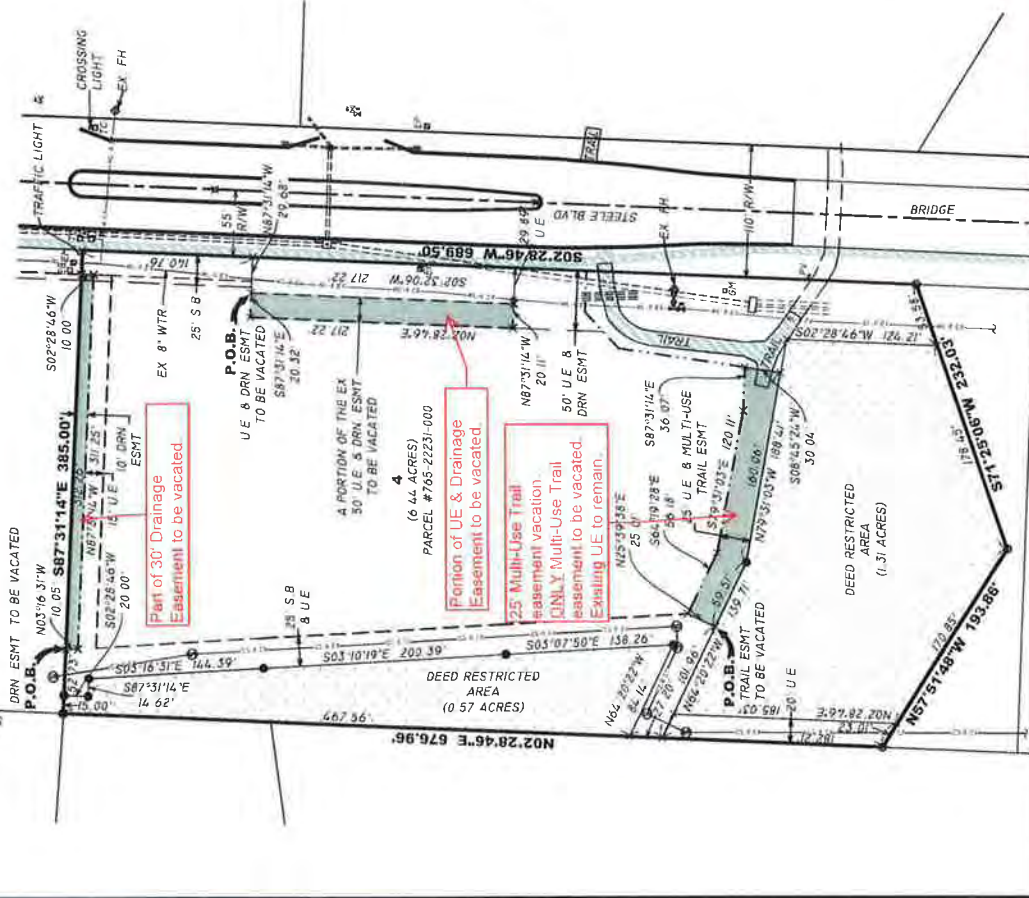
**LEGAL DESCRIPTION (DRAINAGE EASEMENT TO BE VACATED)**  
 A part of the NW1/4 of the NW1/4 of Section 26 T17N, R30W in Washington County, Arkansas, and being described as follows: Commencing at the NW Corner of said NW1/4, NW1/4, thence S02°28'46"W 534.15 feet, thence S87°31'14"E 52.73 feet to the POINT OF BEGINNING, thence S87°31'14"E 312.28 feet, thence S02°28'46"W 10.00 feet, thence N87°31'14"W 311.25 feet, thence N03°16'31"W 10.05 feet to the POINT OF BEGINNING. Containing 3.11754 square feet or 0.07 acres more or less subject to easements and right of way of record.

**LEGAL DESCRIPTION (UTILITY & DRAINAGE EASEMENT TO BE VACATED)**  
 A part of the NW1/4 of the NW1/4 of Section 26 T17N, R30W in Washington County, Arkansas, and being described as follows: Commencing at the NW Corner of said NW1/4, NW1/4, thence S02°28'46"W 534.15 feet, thence S87°31'14"E 385.00 feet, thence S02°28'46"W 140.76 feet, thence N87°31'14"W 29.68 feet to the POINT OF BEGINNING, thence S02°28'46"W 217.22 feet, thence N87°31'14"W 20.11 feet, thence N02°28'46"E 217.22 feet, thence S87°31'14"E 20.32 feet to the POINT OF BEGINNING. Containing 4.39117 square feet or 0.10 acres more or less.

**LEGAL DESCRIPTION (TRAIL EASEMENT TO BE VACATED)**  
 A part of the NW1/4 of the NW1/4 of Section 26 T17N, R30W in Washington County, Arkansas, and being described as follows: Commencing at the NW Corner of said NW1/4, NW1/4, thence S02°28'46"W 1028.30 feet, thence S61°20'22"E 101.96 feet to the POINT OF BEGINNING, thence N25°35'39"E 25.01 feet, thence S64°19'28"E 56.18 feet, thence S19°31'03"E 20.11 feet, thence S87°31'14"E 36.07 feet, thence S08°45'24"W 30.04 feet, thence N79°31'03"W 160.06 feet, thence N64°20'22"W 59.51 feet to the POINT OF BEGINNING. Containing 5.49508 square feet or 0.13 acres more or less.



**NOTES**  
 1) CURRENT ZONING - C-3  
 2) PARCEL NUMBER 765-22231-000  
 3) BASIS OF BOUNDARY - ARKANSAS STATE PLANE GRID NORTH ZONE (NAD83). ALSO USED FINAL PLAT OF CMN BUSINESS PARK II, PHASE I



**PETITION TO VACATE EASEMENTS LOCATED IN THE CITY OF FAYETTEVILLE,  
ARKANSAS**

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

On behalf of the owners of the real estate found on the attached Easement Vacation Plat (Parcels 765-22230-000 and 765-22231-000), we are requesting that the existing easements as called on the aforementioned plat, be abandoned and vacated; lying in the City of Fayetteville, Arkansas, a municipal corporation, petition to vacate said Easements which are shown on the attached Easement Vacation Plat.

**(SEE ATTACHED)**

The petitioners kindly ask that the City of Fayetteville, Arkansas, abandon and vacate the described real estate as called out on the Easement Vacation Plat, subject, however, to the existing utility easements as required, and that the described real estate be used for their respective benefit and purpose as now approved by law.

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

WHEREFORE, the petitioners respectfully request that the governing body of the City of Fayetteville, Arkansas, abandon and vacate the described real estate, subject to said utility 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 5<sup>th</sup> day of July, 2015

Jeremy Hudson  
Printed Name

[Signature]  
Signature

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

DATE: 08/11/2015

UTILITY COMPANY: SourceGas

APPLICANT NAME: \_\_\_\_\_ APPLICANT PHONE: \_\_\_\_\_

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** SW corner of Joyce & Steele. Lot 3 & 4 of CMN Business Park II. Across from Academy Sports and Malco Theater.

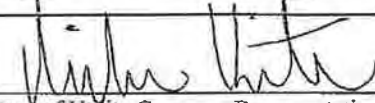
(*ATTACH legal description and graphic representation of what is being vacated-SURVEY*)

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 relocations of existing gas main will be at developers expense

  
Signature of Utility Company Representative

Supervisor - Operation  
Title

UTILITY APPROVAL FORM

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

DATE: 8-5-15

UTILITY COMPANY: OZARKS ELECTRIC COOP

APPLICANT NAME: \_\_\_\_\_ APPLICANT PHONE: \_\_\_\_\_

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 SW corner of Joyce & Steele. Lot 3 & 4 of CMN Business Park II. Across from Academy Sports and Malco Theater.

(*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:  
\_\_\_\_\_  
\_\_\_\_\_

Mike Phipps  
Signature of Utility Company Representative

SYSTEMS TRAINING TECH  
Title

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

DATE: 8/6/15

UTILITY COMPANY: SWEPCO

APPLICANT NAME: \_\_\_\_\_ APPLICANT PHONE: \_\_\_\_\_

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 SW corner of Joyce & Steele. Lot 3 & 4 of CMN Business Park II. Across from Academy Sports and Malco Theater.

(*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.)

Retain the 25' U.E. on the south side of LOT 4.

No objections provided the following conditions are met:

  
Signature of Utility Company Representative

Distribution Engineer  
Title



UTILITY APPROVAL FORM

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

DATE: 8/20/2015

UTILITY COMPANY: CITY OF FAYETTEVILLE WATER & SEWER

APPLICANT NAME: JARED INMAN APPLICANT PHONE: 479-442-9127

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** SW corner of Joyce & Steele. Lot 3 & 4 of CMN Business Park II. Across from Academy Sports and Malco Theater.

(*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 of Utility Company Representative

W&S OPERATIONS MANAGER  
Title

UTILITY APPROVAL FORM

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

DATE: 8-10-2015

UTILITY COMPANY: Cox Communications

APPLICANT NAME: \_\_\_\_\_ APPLICANT PHONE: \_\_\_\_\_

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:

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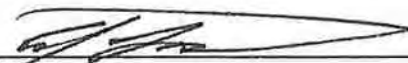
(**ATTACH legal description and graphic representation of what is being vacated-SURVEY**)

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: 08/6/2015

UTILITY COMPANY: AT&T

APPLICANT NAME: \_\_\_\_\_ APPLICANT PHONE: \_\_\_\_\_

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

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

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- 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:  
\_\_\_\_\_  
\_\_\_\_\_

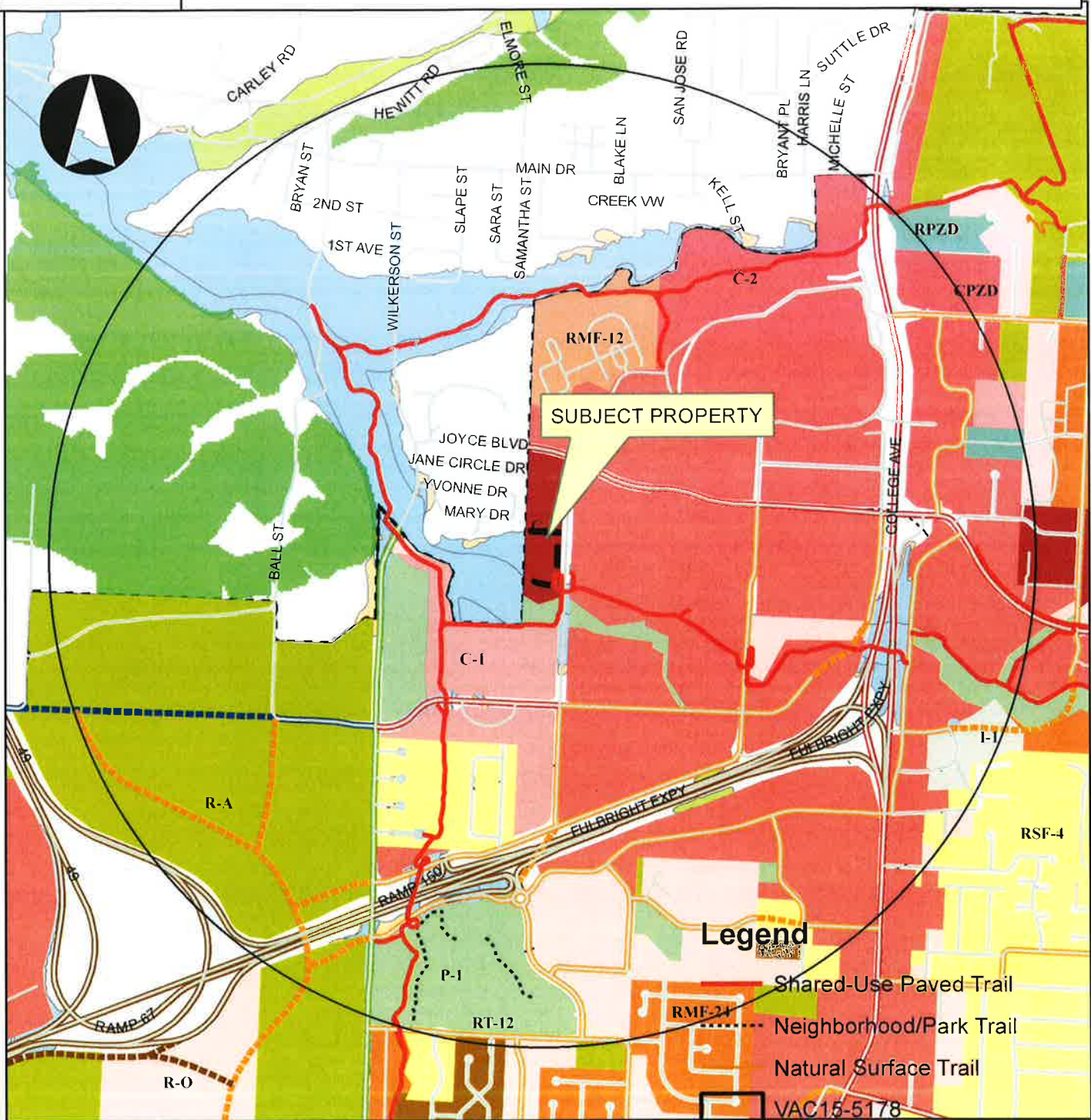
  
\_\_\_\_\_  
Signature of Utility Company Representative

MGR OSP PLNG & ENGRG DESIGN  
\_\_\_\_\_  
Title



VAC15-5178

# CMN LOTS 3 & 4

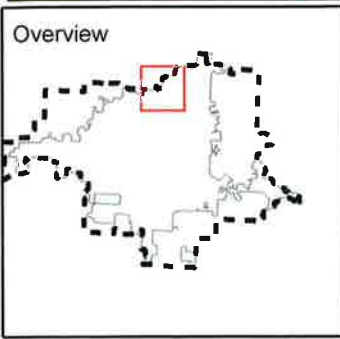
One Mile View



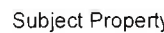





### Legend


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

 VAC15-5178



**Legend**

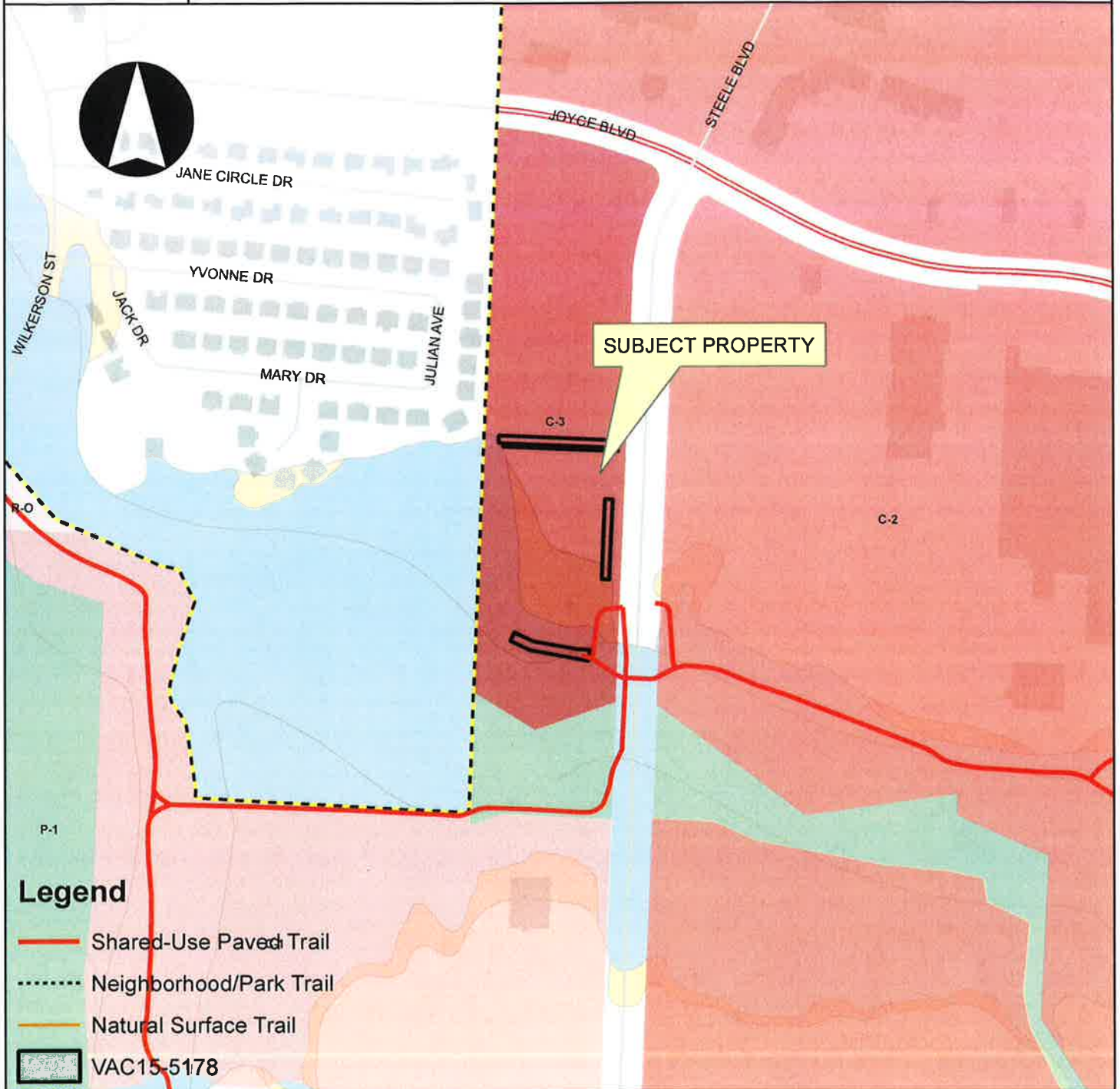
-  Subject Property
-  Boundary
-  Hillside-Hilltop Overlay District
-  Design Overlay District
-  Planning Area
-  Fayetteville

0      0.25      0.5      1  
 Miles

VAC15-5178

# CMN LOTS 3 & 4

Close Up View



## Legend

- Shared-Use Paved Trail
- Neighborhood/Park Trail
- Natural Surface Trail
- VAC15-5178

Fayetteville City Limits

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



**EXHIBIT 'B'**  
**15-5178**

**LOT 3 Easement to be Vacated**

A part of the NW1/4 of the NW1/4 of Section 26, T17N, R30W in Washington County, Arkansas, and being described as follows: Commencing at the NW Corner of said NW1/4, NW1/4, thence S02°28'46"W 534.15 feet, thence S87°31'14"E 40.00 feet to the POINT OF BEGINNING, thence N02°28'46"E 20.00 feet, thence S87°31'14"E 325.00 feet, thence S02°28'46"W 20.00 feet, thence N87°31'14"W 325.00 feet to the POINT OF BEGINNING: Containing 6,500 square feet or 0.15 acres more or less.

**LOT 4 Easements to be Vacated**

**DRAINAGE EASEMENT TO BE VACATED:**

A part of the NW1/4 of the NW1/4 of Section 26, T17N, R30W in Washington County, Arkansas, and being described as follows: Commencing at the NW Corner of said NW1/4, NW1/4, thence S02°28'46"W 534.15 feet, thence S87°31'14"E 52.73 feet to the POINT OF BEGINNING; thence S87°31'14"E 312.26 feet, thence S02°28'46"W 10.00 feet, thence N87°31'14"W 311.25 feet, thence N03°16'31"W 10.05 feet to the POINT OF BEGINNING: Containing 3,117.54 square feet or 0.07 acres more or less subject to easements and right of way of record.

**UTILITY & DRAINAGE EASEMENT TO BE VACATED:**

A part of the NW1/4 of the NW1/4 of Section 26, T17N, R30W in Washington County, Arkansas, and being described as follows: Commencing at the NW Corner of said NW1/4, NW1/4, thence S02°28'46"W 534.15 feet, thence S87°31'14"E 385.00 feet, thence S02°28'46"W 140.76 feet, thence N87°31'14"W 29.68 feet to the POINT OF BEGINNING, thence S02°32'06"W 217.22 feet, thence N87°31'14"W 20.11 feet, thence N02°28'46"E 217.22 feet, thence S87°31'14"E 20.32 feet to the POINT OF BEGINNING: Containing 4,391.17 square feet or 0.10 acres more or less.

**TRAIL EASEMENT TO BE VACATED:**

A part of the NW1/4 of the NW1/4 of Section 26, T17N, R30W in Washington County, Arkansas, and being described as follows: Commencing at the NW Corner of said NW1/4, NW1/4, thence S02°28'46"W 1,028.90 feet, thence S64°20'22"E 101.96 feet to the POINT OF BEGINNING, thence N25°39'38"E 25.01 feet, thence S64°19'28"E 56.18 feet, thence S79°31'03"E 120.11 feet, thence S87°31'14"E 36.07 feet, thence S08°45'24"W 30.04 feet, thence N79°31'03"W 160.06 feet, thence N64°20'22"W 59.51 feet to the POINT OF BEGINNING: Containing 5,488.08 square feet or 0.13 acres more or less.