

City of Fayetteville Staff Review Form

2017-0204

Legistar File ID

5/2/2017

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

Andrew Garner

4/14/2017

City Planning /  
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

VAC 17-5753: Vacation (SE CORNER OF CROSSOVER RD. & HEARTHSTONE DR./CP PROPERTIES, 099): Submitted by JORGENSEN & ASSOCIATES, INC. for property located at the SE CORNER OF CROSSOVER RD. & HEARTHSTONE DR. The property is zoned R-O, RESIDENTIAL OFFICE, and RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.96 acres. The request is to vacate a portion of a drainage easement and a portion of a utility easement.

Budget Impact:

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

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

## CITY COUNCIL AGENDA MEMO

### MEETING OF MAY 2, 2017

**TO:** Mayor and City Council

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

**FROM:** Jonathan Curth, Senior Planner

**DATE:** April 14, 2017

**SUBJECT:** **VAC 17-5753: Vacation (SE CORNER OF CROSSOVER RD. & HEARTHSTONE DR./CP PROPERTIES, 099):** Submitted by JORGENSEN & ASSOCIATES, INC. for property located at the SE CORNER OF CROSSOVER RD. & HEARTHSTONE DR. The property is zoned R-O, RESIDENTIAL OFFICE, and RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.96 acres. The request is to vacate a portion of a drainage easement and a portion of a utility easement.

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### RECOMMENDATION:

Planning Division staff and the Planning Commission recommend approval of **VAC 17-5753** with the following condition:

### Condition of Approval:

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

### BACKGROUND:

The subject property contains two parcels totaling approximately 1.79 acres located at the southeast corner of Crossover Road and Hearthstone Drive. The property is currently undeveloped but is being considered for rezoning to a form-based district that requires structures be located near adjacent streets, which is currently unfeasible given the breadth of the existing easements.

*Proposal:* The applicant proposes vacation of a portion of utility easement and a drainage easement as depicted on the attached Exhibit 'A' and Exhibit 'B'.

### DISCUSSION:

On April 10, 2017, the Planning Commission forwarded this item to the City Council with a recommendation for approval with a vote of 9-0-0.

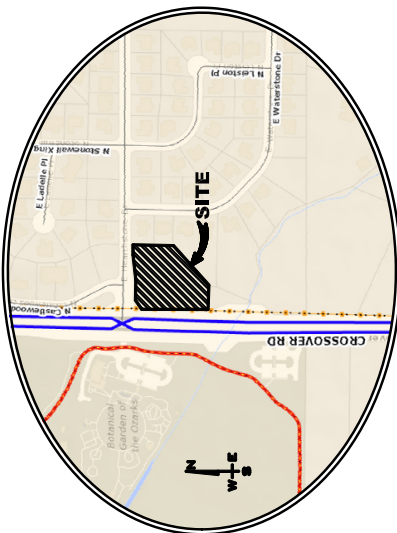
### BUDGET/STAFF IMPACT:

N/A

**Attachments:**

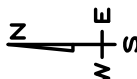
- Exhibit A
- Exhibit B
- Application
- Planning Commission Staff Report

# Exhibit 'A'



**FAYETTEVILLE, ARKANSAS**

**OWNER:**  
CP PROPERTIES LLC.  
1663 VIEWPOINT  
FAYETTEVILLE, AR. 72701



**LEGAL DESCRIPTION: (BOUNDARY)**

A part of Lot 1 and all of Lot 2 of Stonewood Subdivision 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: (UTILITY EASEMENT VACATION)

A part of Lot 1 and 2 of Stonewood Subdivision 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, and being described as follows: Commencing at the NE Corner of said Lot 2, thence S82°00'00"W 50.02 feet, thence N88°34'14"W 10.00 feet to the POINT OF BEGINNING; thence N88°34'14"W 31.69 feet, thence S88°22'00"W 111.32 feet, thence N87°09'56"W 107.17 feet, thence N07°44'21"E 30.01 feet, thence S87°09'56"E 105.82 feet, thence N88°22'00"E 110.93 feet, thence S88°34'14"E 34.01 feet, thence S02°00'00"W 30.01 feet to the POINT OF BEGINNING; Containing 7,514.64 square feet or 0.1725 acres more or less.

**LEGAL DESCRIPTION: (DRAINAGE EASEMENT VACATION)**

A part of Lot 1 of Stonewood Subdivision in Fayetteville, Arkansas, as per plat of said subdivision recorded in the office of the Circuit Clerk and an Ex-Orgin Record of Washington County, Arkansas, and being described as follows: Commencing at the SE corner of said lot 1, then the line N86°22'25"N 95.38 feet to the POINT OF BEGINNING; then N86°22'25"N 71.00 feet, thence N01°41'12"E 54.39 feet, thence the line N86°22'25"N 107.64 feet, thence N01°41'12"E 91.72 feet, thence S07°05'56"E 2.53 feet, thence S09°19'44"E 165.56 feet, thence S15°34'45"W 112.78 feet to the POINT OF BEGINNING; containing a 3.78 acre square lot or 0.1005 acres more or less.

LEGEND	EXISTING 8" SEWER LINE	EXISTING AT&T LINE	UTILITY EASEMENT
✕ CALCULATED POINT	EXISTING 8" WATERLINE	EXISTING UNDERGROUND ELECTRIC	BUILDING SETBACK
○ FOUND ALUMINUM MONUMENT	EXISTING 8" GAS	EXISTING 8" GAS	CENTERLINE STREET
● SET IRON P & CAP	EXISTING 8" WATERLINE	EXISTING SEWER FORCE MAIN	EXISTING STORM DRAIN
○ SEWER MANHOLE	EXISTING 8" GAS	STREET RIGHT OF WAY	
○ TELEPHONE PEDestal	EXISTING COX COMMUNICATION LINE		
○ GAS METER			
○ GAS METER			

PROJECT TITLE: MJ'S PIZZA

124 W Sunbridge Drive, Suite 5

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



LOCATION: FAYETTEVILLE, ARKANSAS

SHEET TITLE: UTIL

DRAWN BY: BJR  
SHEET SCALE: 1" = 50'

DATE: FEBRUARY 28, 2017

PROJECT FILE: Z/LSD/2017018/UE VACATION

**17-5753**  
**EXHIBIT 'B'**

LEGAL DESCRIPTION: (UTILITY EASEMENT VACATION)

A part of Lot 1 and 2 of Stonewood Subdivision 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, and being described as follows: Commencing at the NE Corner of said Lot 2, thence S02°50'04"W 50.02 feet, thence N88°34'14"W 10.00 feet to the POINT OF BEGINNING; thence N88°34'14"W 31.69 feet, thence S85°23'06"W 111.32 feet, thence N87°09'56"W 107.17 feet, thence N01°41'21"E 30.01 feet, thence S87°09'56"E 105.82 feet, thence N85°23'06"E 110.95 feet, thence S88°34'14"E 34.01 feet, thence S02°50'04"W 30.01 feet to the POINT OF BEGINNING: Containing 7,514.64 square feet or 0.1725 acres more or less.

LEGAL DESCRIPTION: (DRAINAGE EASEMENT VACATION)

A part of Lot 1 of Stonewood Subdivision 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, and being described as follows: Commencing at the SE Corner of said Lot 1, thence N86°22'25"W 99.58 feet to the POINT OF BEGINNING; thence N86°22'25"W 7.10 feet, thence N01°41'21"E 54.39 feet, thence N15°34'45"E 57.03 feet, thence N09°19'44"W 71.64 feet, thence N01°41'21"E 91.72 feet, thence S87°09'56"E 2.53 feet, thence S09°19'44"E 165.56 feet, thence S15°34'45"W 112.78 feet to the POINT OF BEGINNING: Containing 4,378.82 square feet or 0.1005 acres more or less.

CITY OF FAYETTEVILLE, ARKANSAS

# Right-of-Way, Easement or Alley VACATION

**FOR STAFF USE ONLY**

Date Application Submitted:

Date Accepted as Complete:

Project Number:

Public Hearing Date:

5153

FEE: \$200.00

Sign Fee: \$5.00

S-T-R:

PP#:

Zone: 099

Please fill out this form completely, supplying all necessary information and documentation to support your request.  
*Your application will not be placed on the Planning Commission agenda until this information is furnished.*

**Application:**

Indicate one contact person for this request: \_\_\_\_\_ Applicant ☒ Representative

*Applicant (person making request):*

*Representative (engineer, surveyor, realtor, etc.):*

Name: Max Parker for CP Properties

Name: Blake Jorgensen

Jorgensen & Assoc.

Address: 1680 E. Shadowridge Dr.

Fayetteville, AR 72701

Address: 124 W. Sunbridge Dr. Suite 5

Fayetteville, AR 72703

Phone: ( 479 ) 799-6918

Phone: ( 479 ) 442-9127

Email: gmax32@gmail.com

Email: blake@jorgensenassoc.com

Fax: ( ) \_\_\_\_\_

Fax: ( 479 ) 442-9127

Site Address / Location: SE corner of Crossover Rd. & Hearthstone Dr.

Legal description of area to be vacated (attach separate sheet if necessary):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Current Zoning District: R-O & RSF-4

Assessors Parcel Number(s) for subject property: Parcel: 765-22244-000 & 765-22245-000

**FINANCIAL INTERESTS**

The following entities and / or people have financial interest in this project:

CP Properties  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- (9) Petition to vacate street right-of-way, alley, or easement (sample petition is attached).
- (10) For applications to vacate an access easement, alley or right-of-way only: Written consent is required from all adjacent property owners and is required to be submitted with the application (example form is attached).
- (11) Comments from all utility companies concerning the street right-of-way, alley, or easement to be vacated and its relationship to existing or planned utilities with recommendations as to what action should be taken (an example comment form is attached) is required at application submittal.
- (12) The applicant is responsible for meeting the public notification requirements for a Vacation listed on the Notification Requirements pages in this application.

#### **Utility Representatives for a Vacation Request \***

<b>Name</b>	<b>Company</b>	<b>Telephone</b>	<b>Email</b>
Jeff Hamilton	AT&T	442-1967	jh5430@att.com
Chad Hodge	Cox Communications	365-2402	Chad.Hodge@cox.com
John Le	AEP/SWEPCO	973-2426	ttle@aep.com
Scott Stokes	Source Gas	435-0229	Scott.Stokes@sourcegas.com
Wes Mahaffey Or Mike Phipps	Ozarks Electric	684-4649 684-4696	wmahaffey@ozarksecc.com mphipps@ozarksecc.com

#### **City Divisions:**

Mark Rogers	Water and Sewer	575-8392	mrogers@fayetteville-ar.gov
Maury Nelson	Solid Waste	575-8397	mnelson@fayetteville-ar.gov
Terry Gulley	Transportation	444-3491	tgulley@fayetteville-ar.gov

**\*Solid Waste & Transportation sign off is required only when a ROW, Alley, or Drainage Easement Vacation is being requested.**

**APPLICANT / REPRESENTATIVE:** I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): MAX PARKER / CP PROPERTIES Date: 2-15-17

Signature: Max Parker

**PROPERTY OWNER(S) / AUTHORIZED AGENT:** I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

Owners (attach additional info if necessary):

CP PROPERTIES  
Name (printed): Max Parker

Signature: Max Parker

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

Address: 1680 E. Shadowridge DR  
Fayetteville, AR 72701

Phone: (479) 799-6918

Name (printed): Philip Camrond

Signature: Phy Camrond

Date: 2-15-17

Address: 1663 Viewpoint  
Fayetteville, AR 72701

Phone: (479) 263-3815

**- Vacation Checklist:**

Attach the following items to this application:

- (1) Payment in full of applicable fees for processing the application:
  - \$200.00 application fee
  - \$5.00 public notification sign fee
- (2) Metes and bounds legal description of the area to be vacated, not the entire property (this may be included on the survey plat).
- (3) Survey of the site depicting the perimeter property lines and area within the property to be vacated.
- (4) CD containing a copy of the legal description in MS Word and PDF copies of the signed application and all other items submitted with this project.
- (5) A surveyor should stake the area on the site to be vacated for utility company review on their site visit.
- (6) A letter addressed to the Planning Commission and City Council describing the scope, nature, and intent of the request.
- (7) Abstractor's Certificate of Ownership stating names of all owners of property adjacent to the street right-of-way, alley, or easement to be vacated (this document is obtained from a title company).
- (8) A copy of the county parcel map from the Washington County Assessor's office or from the Washington County website ([www.co.washington.ar.us](http://www.co.washington.ar.us)). The subject property and all adjacent parcels should be identified on this parcel map. The owner's name, official mailing address, and the parcel number for every adjacent property shall be shown on this map.



## PLANNING COMMISSION MEMO

**TO:** City of Fayetteville Planning Commission

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

**FROM:** Jonathan Curth, Senior Planner

**MEETING DATE:** April 10, 2017 (Updated with Planning Commission Results)

**SUBJECT:** **VAC 17-5753: Vacation (SE CORNER OF CROSSOVER RD. & HEARTHSTONE DR./CP PROPERTIES, 099):** Submitted by JORGENSEN & ASSOCIATES, INC. for properties at the SE CORNER OF CROSSOVER RD. & HEARTHSTONE DR. These properties are zoned R-O, RESIDENTIAL OFFICE, AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE, and contain approximately 1.79 acres. The request is to vacate portions of a drainage easement and a general utility easement.

### RECOMMENDATION:

Staff recommends forwarding **VAC 17-5753** to City Council with a recommendation for approval with conditions.

### BACKGROUND:

The subject property contains two parcels totaling approximately 1.79 acres located at the southeast corner of Crossover Road and Hearthstone Drive. The property is currently undeveloped but is being considered for rezoning to a form-based district that requires structures be located near adjacent streets, which is currently untenable given the breadth of the existing easements. Surrounding land use and zoning is depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	Undeveloped; Property Management Offices	R-O, Residential Office
South	Undeveloped	RSF-4, Residential Single-family, 4 Units per Acre
East	Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre
West	Lake Fayetteville Park/ Botanical Garden of the Ozarks	R-A, Residential Agricultural

*Proposal:* The applicant proposes vacation of a portion of utility easement to allow for construction of structures closer to the street right-of-way in compliance with the build-to-zone requirements of a proposed rezoning to a form-based zoning district.

### DISCUSSION:

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

Utility

Cox Communications

AEP/SWEPCO

BlackHills Energy AR

AT&amp;T

Ozarks Electric

Response

No objections

No objections

No objections

No objections

No objections

City of FayettevilleResponse

Water/Sewer

No objections

Solid Waste &amp; Recycling

No objections

Transportation

No objections

**Public Comment:**

No public comment has been received.

**RECOMMENDATION:** Staff recommends forwarding **VAC 17-5753** 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.

**Planning Commission Action:**☐ Approved☒ Forwarded☐ Denied**Meeting Date:** April 10, 2017**Motion:** Hoffman**Second:** Belden**Vote:** 9-0-0

**BUDGET/STAFF IMPACT:**

None.

**Attachments:**

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



**JORGENSEN**  
**+ASSOCIATES**  
Civil Engineering · Surveying  
Landscape Architecture Services

**CUP 17-5753**  
**Request Letter**

124 W Sunbridge Drive, Suite 5  
Fayetteville, AR 72703

Office: 479.442.9127  
Fax: 479.582.4807  
[www.jorgensenassoc.com](http://www.jorgensenassoc.com)

February 15, 2017

City of Fayetteville  
113 W. Mountain Street  
Fayetteville, AR 72701

Attn: Planning Department  
Re: Parcel 765-22244-000 & 765-22245-000 VAC

To Whom It May Concern:

Please find the attached Vacation request for the property located at the southeast corner of Crossover Rd. & Hearthstone Dr. The main objective of this application is to vacate existing easements located along the road right-of-ways to allow for proposed structures to be located along the front of the property with parking located in the rear. To the best of our knowledge, there are no known utilities lying within these easements. Any public utilities found within the site that are in conflict with the proposed development will be relocated and new easements will be dedicated.

Please contact us with any questions or comments. We look forward to your assistance.

Sincerely;

---

Blake E. Jorgensen, P.E.



**JORGENSEN**  
**+ASSOCIATES**  
Civil Engineering · Surveying  
Landscape Architecture Services

CUP 17-5753

## Petition to Vacate

124 W Sunbridge Drive, Suite 5  
Fayetteville, AR 72703

Office: 479.442.9127  
Fax: 479.582.4807  
[www.jorgensenassoc.com](http://www.jorgensenassoc.com)

### **PETITION TO VACATE EASEMENTS LOCATED IN LOTS 1 & 2 OF STONEWOOD SUBDIVISION, CITY OF FAYETTEVILLE, ARKANSAS**

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

We, the undersigned, being all the owners of the real estate abutting the easements hereinafter sought to be abandoned and vacated, lying in Lots 1 & 2 of Stonewood Subdivision, City of Fayetteville, Arkansas, a municipal corporation, petition to vacate easements which are described as follows:

#### UTILITY EASEMENT VACATION

A part of Lot 1 and 2 of Stonewood Subdivision 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, and being described as follows: Commencing at the NE Corner of said Lot 2, thence S02°50'04"W 50.02 feet, thence N88°34'14"W 10.00 feet to the POINT OF BEGINNING; thence N88°34'14"W 31.69 feet, thence S85°23'06"W 111.32 feet, thence N87°09'56"W 107.17 feet, thence N01°41'21"E 30.01 feet, thence S87°09'56"E 105.82 feet, thence N85°23'06"E 110.95 feet, thence S88°34'14"E 34.01 feet, thence S02°50'04"W 30.01 feet to the POINT OF BEGINNING: Containing 7,514.64 square feet or 0.1725 acres more or less.

#### DRAINAGE EASEMENT VACATION

A part of Lot 1 of Stonewood Subdivision 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, and being described as follows: Commencing at the SE Corner of said Lot 1, thence N86°22'25"W 99.58 feet to the POINT OF BEGINNING; thence N86°22'25"W 7.10 feet, thence N01°41'21"E 54.39 feet, thence N15°34'45"E 57.03 feet, thence N09°19'44"W 71.64 feet, thence N01°41'21"E 91.72 feet, thence S87°09'56"E 2.53 feet, thence S09°19'44"E 165.56 feet, thence S15°34'45"W 112.78 feet to the POINT OF BEGINNING: Containing 4,378.82 square feet or 0.1005 acres more or less.

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

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

WHEREFORE, the undersigned petitioners respectfully pray that the governing body of the City of Fayetteville, Arkansas, abandon and vacate the above described real estate, subject to said utility and sewer easements, and that title to said real estate sought to be abandoned be vested in the abutting property owners as provided by law, and as to that particular land the owners be free from the easements of the public for the use of said alley.

Dated this 8<sup>th</sup> day of March, 2017.

Max Parker  
Printed Name

Max Parker  
Signature

Philip Cameron  
Printed Name

Philip Cameron  
Signature

CUP 17-5753

## Utility Approval Forms

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

DATE: 3/1/2017

UTILITY COMPANY: Cox Communications

APPLICANT NAME: Jorgensen & Associates APPLICANT PHONE: 479-443-9127

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 SE Corner of N. Crossover Rd. & Hearthstone Drive

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

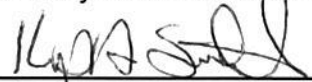
UTILITY COMPANY COMMENTS:

- ☐ 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 or relocation to existing facilities will be at the owners/developers expense.

We may have lines that are within the vacated area. Relocate will require 90<sup>days</sup> once invoice is paid.

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

Construction & Planning Manager  
\_\_\_\_\_  
Title

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

DATE: 3/1/2017

UTILITY COMPANY: AEP/SWEPCO

APPLICANT NAME: Jorgensen & Associates APPLICANT PHONE: 479-443-9127

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 SE Corner of N. Crossover Rd. & Hearthstone Drive

☒ (*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:

*Truong Le*  
Signature of Utility Company Representative

*Distribution Engineer*  
Title

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

DATE: 3/1/2017

UTILITY COMPANY: BlackHills Energy Ar

APPLICANT NAME: Jorgensen & Associates APPLICANT PHONE: 479-443-9127

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 SE Corner of N. Crossover Rd. & Hearthstone Drive

☒ (*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:

Brian A. Deppert  
Signature of Utility Company Representative

Supervisor - Gas Operations  
Title



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

DATE: 3/1/2017

UTILITY COMPANY: AT&T

APPLICANT NAME: Jorgensen & Associates APPLICANT PHONE: 479-443-9127

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** SE Corner of N. Crossover Rd. & Hearthstone Drive

---

☒ (*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 AT&T facilities are required to be relocated due to the Easement Vacate will  
be the responsibility of the owner/ developer.**

---

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

**MGR OSP PLNG & ENGRG DESIGN**

\_\_\_\_\_  
Title

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

DATE: 3/1/2017

UTILITY COMPANY: Ozarks Electric

APPLICANT NAME: Jorgensen & Associates APPLICANT PHONE: 479-443-9127

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** SE Corner of N. Crossover Rd. & Hearthstone Drive

---

☒ (*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:
- 
- 

Wesley Mahaffey  
Signature of Utility Company Representative

Staking Tech. III  
Title

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

DATE: 3/1/2017

UTILITY COMPANY: Water & Sewer

APPLICANT NAME: Jorgensen & Associates APPLICANT PHONE: 479-443-9127

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 SE Corner of N. Crossover Rd. & Hearthstone Drive

☒ (*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: 3/1/2017

UTILITY COMPANY: Solid Waste

APPLICANT NAME: Jorgensen & Associates APPLICANT PHONE: 479-443-9127

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 SE Corner of N. Crossover Rd. & Hearthstone Drive

☒ (**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

Commercial Services Rep  
\_\_\_\_\_  
Title

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

DATE: 3/1/2017

UTILITY COMPANY: Transportation

APPLICANT NAME: Jorgensen & Associates APPLICANT PHONE: 479-443-9127

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 SE Corner of N. Crossover Rd. & Hearthstone Drive

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

UTILITY COMPANY COMMENTS:

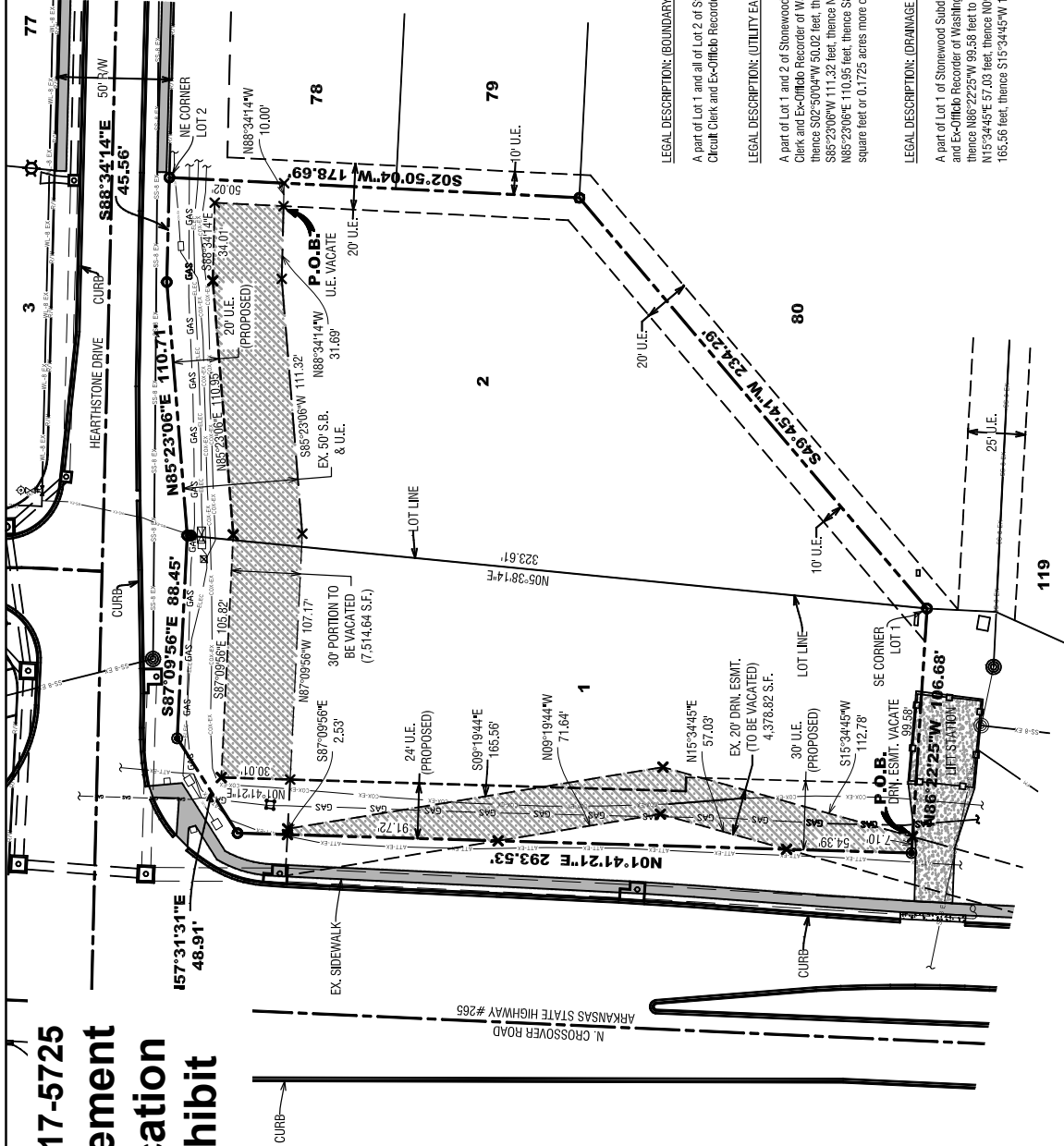
- ☒ No objections to the vacation(s) described above, and no comments.
- ☐ No objections to the vacation(s) described above, provided following described easements are retained.  
(State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

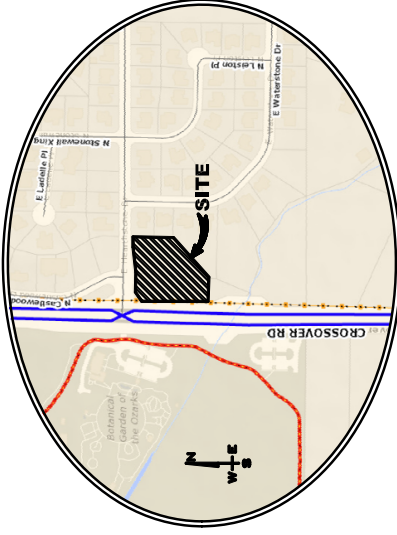
Joey Smith  
Signature of Utility Company Representative

Asst. Transportation Manager  
Title

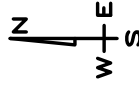
# CUP 17-5725 Easement Vacation Exhibit



VICINITY MAP



FAYETTEVILLE, ARKANSAS



OWNER:  
CP PROPERTIES LLC,  
1663 MEADOWPOINT  
FAYETTEVILLE, AR 72701

LEGAL DESCRIPTION: (BOUNDARY)

A part of Lot 1 and all of Lot 2 of Stonewood Subdivision 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: (UTILITY EASEMENT VACATION)

A part of Lot 1 and 2 of Stonewood Subdivision 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, and being described as follows: Commencing at the NE Corner of said Lot 2, thence S02°50'04\"/>

LEGAL DESCRIPTION: (DRAINAGE EASEMENT VACATION)

A part of Lot 1 of Stonewood Subdivision 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, and being described as follows: Commencing at the SE Corner of said Lot 1, thence N86°22'25\"/>

LEGEND		EXISTING AT&T LINE		UTILITY EASEMENT	
X	CALCULATED POINT	—	EXISTING 8" SEWER LINE	—	BUILDING SETBACK
●	FOUND ALUMINUM MONUMENT	—	EXISTING GAS LINE	—	CENTERLINE STREET
○	SET IRON PIN & CAP	—	EXISTING UNDERGROUND ELECTRIC	—	EXISTING STORM DRAIN
○	SEWER MANHOLE	—	EXISTING SEWER FORCE MAIN	—	
⊗	TELEPHONE PEDESTAL	—	EXISTING 8" WATERLINE	—	
⊗	GAS METER	—	EXISTING COX COMMUNICATION LINE	—	
⊗	WATER METER	—	STREET RIGHT OF WAY	—	



**JORGENSEN  
+ ASSOCIATES**  
Civil Engineering + Surveying  
www.jorgensenassoc.com

124 W. Sunbridge Drive, Suite 5  
Fayetteville, AR 72703  
Office: 479.442.9127  
Fax: 479.582.4807

PROJECT TITLE: M.J'S PIZZA  
LOCATION: FAYETTEVILLE, ARKANSAS  
SHEET TITLE: UTILITY EASEMENT VACATION  
DRAWN BY: BAR  
SHEET SCALE: 1\"/>

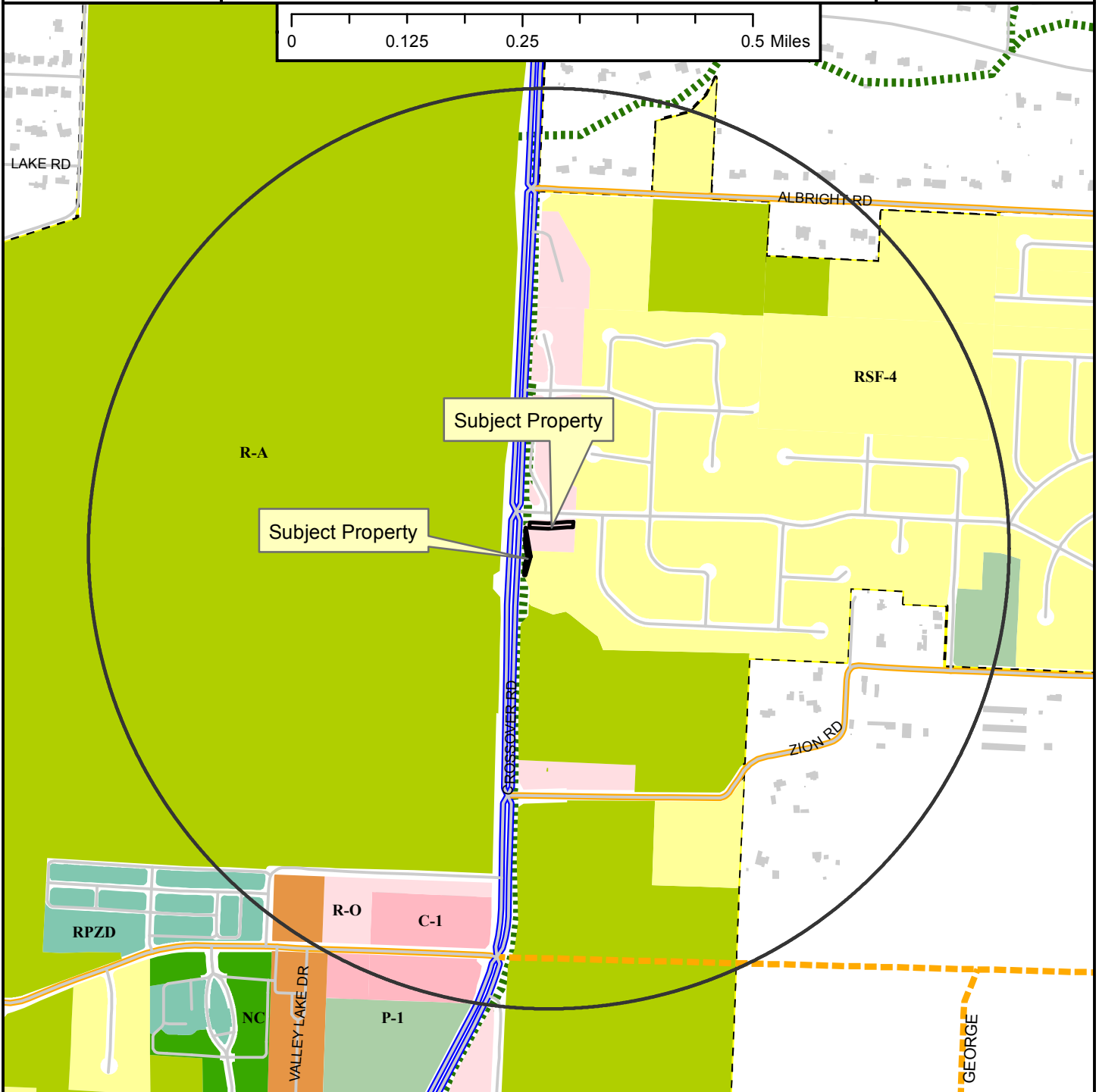
VAC 17-5753

One Mile View

# CP PROPERTIES

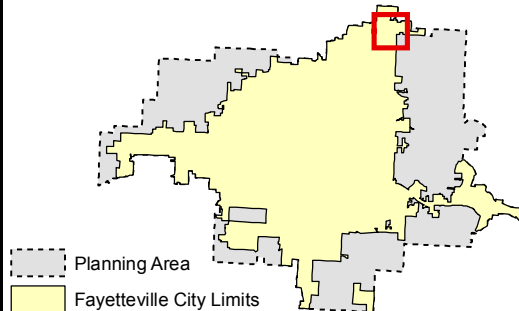


0 0.125 0.25 0.5 Miles



## Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Building Footprint

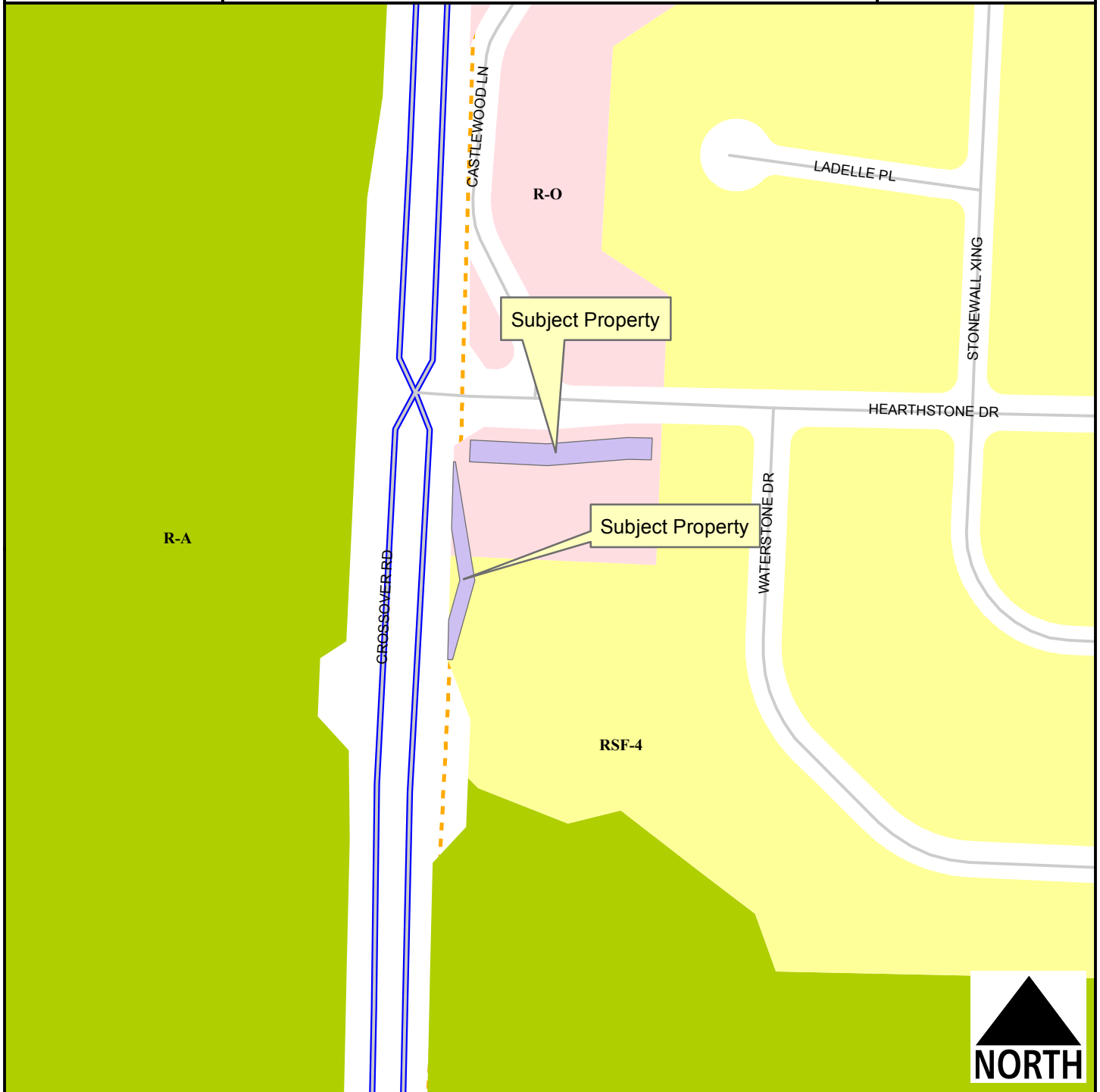


- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
- RSF-5 Residential-Agricultural
  - RSF-1
  - RSF-2
  - RSF-4
  - RSF-7
  - RSF-8
  - RSF-18
- RESIDENTIAL MULTI-FAMILY**
- RT-12 Residential Two and Three-family
  - RMF-6
  - RMF-12
  - RMF-18
  - RMF-24
  - RMF-40
- INDUSTRIAL**
- I-1 Heavy Commercial and Light Industrial
  - I-2 General Industrial
- EXTRACTION**
- E-1
- COMMERCIAL**
- Residential-Office
  - C-1
  - C-2
  - C-3
- FORM BASED DISTRICTS**
- Downtown Core
  - Urban Thoroughfare
  - Main Street Center
  - Downtown General
  - Community Services
  - Neighborhood Services
  - Neighborhood Conservation
- PLANNED ZONING DISTRICTS**
- Commercial, Industrial, Residential
- INSTITUTIONAL**
- P-1

VAC 17-5753

# CP PROPERTIES

Close Up View



## Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Building Footprint

Feet

0 75 150 300 450 600

1 inch = 200 feet

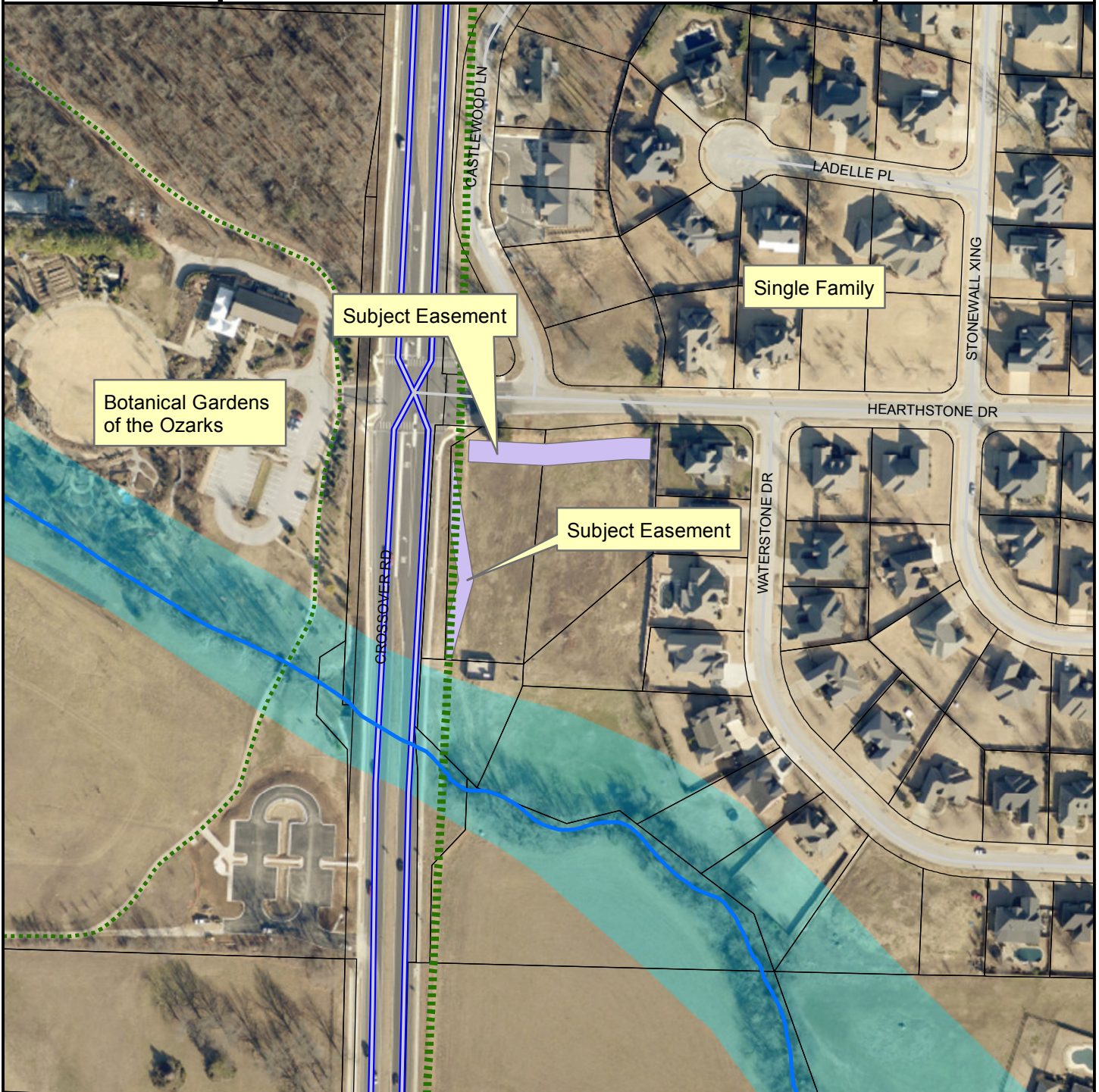
- Residential-Agricultural
- RSF-4
- Residential-Office



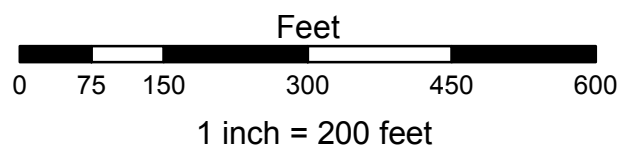
VAC 17-5753

Current Land Use

# CP PROPERTIES



- Streams
- Street
- PRIN ARTERIAL PKWY
- Shared Use Paved Trail
- Trail (Proposed)
- VAC17-5751
- County Parcels
- Planning Area
- Fayetteville City Limits



## FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway