



Vacate Permit

Application & Checklist

Application can be found at www.tontitown.com

Permit #: _____ Fee: \$ _____

Approved by: _____

Approved Date: _____

PERMIT FEES WILL DOUBLE IF WORK BEGINS BEFORE PERMIT IS APPROVED

Fill out this form completely, supplying all necessary information and documentation to support your request.

Property Information	Address	184 & 244 S. Maestri Rd.	Project Information	Select the property type being vacated:	
	Parcel No.	830-38677-000 & 830-38677-001		<input type="checkbox"/> Alley R-O-W	<input type="checkbox"/> Drainage Easement
	Subdivision	Venezia Piazza Addition		<input type="checkbox"/> Street R-O-W	<input type="checkbox"/> Public Access Easement
				<input checked="" type="checkbox"/> Utility Easement	<input type="checkbox"/> Other

Property Owner	Property Owner	Kirk Elsass	Office Phone	_____
	Business Name	KEE, LLC (Kirk Elsass - Manager of LLC)	Cell Phone	479-841-4321
	Mailing Address	1200 E Joyce Boulevard	E-mail	kirkelsass@aol.com
		Fayetteville, AR 72703	<input type="checkbox"/> Check here if this is the primary contact.	

Applicant/ Representative	Representative	Dillon Bentley, P.E.	Office Phone	479-442-9127
	Business Name	Jorgensen + Assocaites	Cell Phone	_____
	Mailing Address	124 W Sunbridge Drive	E-mail	dillon@jorgesenassoc.com
		Fayetteville, AR 72703	<input checked="" type="checkbox"/> Check here if this is the primary contact.	

SUBMITTAL CHECKLIST: (All items must be submitted before the application will be processed)

- ☒ 1. **Fee.** Submit an accurate and complete application and the fee.
- ☒ 2. **Utility Release Forms.** Submit the signed release forms from ALL outside agency utility companies.
- ☒ 3. **Neighbor Notification Forms.** Submit the signed forms of all adjacent property owners (exclude utility easements).
- ☒ 4. **Certified List.** Submit the certified list of all adjacent property owners (exclude utility easements).
- ☒ 5. **Vicinity Map.** Submit an exhibit / vicinity map which clearly portrays the easement you are proposing to vacate.
- ☒ 6. **Recorded Plat.** Submit a copy of the recorded plat or copy of the filed document(s) that created the general utility easement, drainage easement, public access easement, street right-of-way or alley you are proposing to vacate.
- ☒ 7. **Legal Description.** Attach an accurate legal description of the area being vacated. (may be found on warranty deed or current survey of property).
- ☒ 8. **Petition to Vacate Form.** Submit an accurate and complete Petition to Vacate Form, which is included in this application.

Applicant/ Representative: I certify 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.

Signature Dillon B. Bentley

Date 03-20-2023

Property Owner/ Authorized Agent: I certify that I am the owner of the property that is the subject of this application and that I have read this application and consent to its filing. (If signed by the authorized agent, a letter from the property owner must be provided indicating that the agent is authorized to act on his/her behalf).

Signature Kirk Elsass

Date 3-23-2023

Staff Use Only	Date Submitted: _____	Zone _____	Fee: \$ _____	Receipt# _____
	CC Meeting Date _____	Date Approved _____	<input type="checkbox"/> Cash <input type="checkbox"/> Check _____	<input type="checkbox"/> Credit Card _____



Vacate Pre-Application Checklist

Prior to applying for an easement or alley vacation, the following items must be complete and appropriate persons and agencies notified.

A. Notification of Utility Companies

- ☒ 1. Create an accurate exhibit / vicinity map which clearly portrays what you are proposing to vacate. Aerial maps can be printed from <http://tontitowngis.com/>.
- ☒ 2. Obtain an accurate legal description of what you are proposing to vacate.
- ☒ 3. Complete the *Utility Release Form* included within this application.
- ☒ 4. Attach the exhibit / vicinity map and the legal description to the release form.
- ☒ 5. Send the release form with the attached exhibit / vicinity map and legal description to the following outside agency utility companies. Must receive signed release forms before applying to the City of Tontitown. *Include your return address! The utility company must know where to send the signed release form.

~~B. Notification of Adjacent Property Owners (excludes general utility & drainage easements)~~

- ☐ 1. Obtain a *certified list* of all adjacent property owners.
- ☐ 2. Complete the *Adjacent Property Owner Notification Form* included within this application and attach the legal description and an exhibit / vicinity map.
- ☐ 3. Send the *Adjacent Property Owner Notification Form* with the attached legal description and vicinity map to all adjacent property owners on the *certified list*. Must receive signed release forms before applying to the City of Tontitown. *Include your return address! The adjacent property owners must know where to send the signed release form.

APPLICANT RESPONSIBILITY IS COMPLETE UNLESS NOTIFIED BY THE CITY

City Responsibility:

1. **Legal Description Check.** The Planning Department is notified and checks the legal description of the proposed vacation for accuracy. If the legal description or exhibit / vicinity map that was sent to the outside agency utility companies or adjacent property owners is inaccurate, the applicant will be notified and an accurate exhibit / vicinity map and a new release form must be resent to the outside agency utility companies and adjacent property owners. New release forms must be obtained by the applicant and submitted to the City of Tontitown before the vacation can be placed on the City Council agenda.
2. **Release Forms.** The City of Tontitown sends the release form to the City utilities departments (water / sewer, streets and engineering).
3. **Ordinance.** Once all signed release forms are obtained the proposed vacation is placed on the City Council agenda as an Ordinance. If a City utility department denies the proposed vacation, the applicant will be notified by mail. The Ordinance goes to City Council.
4. **Approval.** If approved, the City of Tontitown files the Ordinance with Washington County.
5. **Denial.** If denied, the City of Tontitown will notify the applicant by mail. The applicant must then contact the City Clerk for the appeals process.

UTILITY RELEASE FORM

Utility Company _____ Date 03-20-2023

Requested Vacation **20' Wide Utility Easement**

I have been notified of the petition to vacate the following 20' Wide Utility Easement
described as follows:

Legal Description to of area to be vacated: A twenty-foot wide utility easement to be vacated, being located on part of lot 6, venezia piazza addition to the city of tontitown, washington county, arkansas, as shown on the replat of lot 5, venezia piazza addition, filed as instrument No. 023A-00000347 and also located on part of tract 7B, venezia piazza addition to the city of tontitown, washington county, arkansas, as shown on the lot split of lot 7A, venezia piazza addition, filed as instrument No. 2021-00037095, being more particularly described as follows: Commencing at the northeast corner of tract 7B, venezia piazza addition to the city of tontitown, arkansas, as shown on plat filed #2021-00037095, on file in the office of the circuit clerk and ex-officio recorder of washington county, arkansas, and thence running N87°32'35"W 78.61 feet, and thence S02°27'25"W 39.99 feet, and thence N87°32'35"W 39.64 feet to the true point of beginning. Thence running S02°27'25"W 243.88 feet; thence S61°37'21"W 23.29 feet; thence N02°27'25"E 72.79 feet; thence S61°37'21"W 79.77 feet; thence N28°22'40"W 20.00 feet; thence N61°37'21"E 91.39 feet; thence N02°27'25"E 159.74 feet; thence S87°32'35"E 20.00 feet to the point of beginning.

UTILITY COMPANY COMMENTS (Send release form to the applicant's provided address).

- ☐ No objections to the vacation(s) described above,
- ☐ No objections to the vacation(s) described above, provided the following described easements are retained.
- ☐ Objects to the vacation(s) described above, reason described below.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Printed Name & Title of Utility Company Representative

Signature

UTILITY RELEASE FORM

Utility Company Ozark Electric Co-op Date 03-20-2023
Requested Vacation 20' Wide Utility Easement

I have been notified of the petition to vacate the following 20' Wide Utility Easement
described as follows:

Legal Description to of area to be vacated: A twenty-foot wide utility easement to be vacated, being located on part of
lot 6, venezia piazza addition to the city of tontitown, washington county, arkansas, as shown on the replat of lot 5,
venezia piazza addition, filed as instrument No. 023A-00000347 and also located on part of tract 7B, venezia
piazza addition to the city of tontitown, washington county, arkansas, as shown on the lot split of lot 7A,
venezia piazza addition, filed as instrument No. 2021-00037095, being more particularly described as follows:
Commencing at the northeast corner of tract 7B, venezia piazza addition to the city of tontitown, arkansas, as
shown on plat filed #2021-00037095, on file in the office of the circuit clerk and ex-officio recorder of washington
county, arkansas, and thence running N87°32'35"W 78.61 feet, and thence S02°27'25"W 39.99 feet, and thence
N87°32'35"W 39.64 feet to the true point of beginning. Thence running S02°27'25"W 243.88 feet; thence S61°37'21"W
23.29 feet; thence N02°27'25"E 72.79 feet; thence S61°37'21"W 79.77 feet; thence N28°22'40"W 20.00 feet;
thence N61°37'21"E 91.39 feet; thence N02°27'25"E 159.74 feet; thence S87°32'35"E 20.00 feet to the point of beginning.

UTILITY COMPANY COMMENTS (Send release form to the applicant's provided address).

- ☐ No objections to the vacation(s) described above,
☒ No objections to the vacation(s) described above, provided the following described easements are retained.
☐ Objects to the vacation(s) described above, reason described below.

That new Location of Vault is placed on Plat.
With a 15 Ft. U.E. Along Existing Underground
Line. Ozark

Wesley Mahaffey Systems Stationing Tech.
Printed Name & Title of Utility Company Representative

Wesley Mahaffey
Signature

UTILITY RELEASE FORM

Utility Company	Black Hills Energy	Date	04-05-2023
Requested Vacation	20' Wide Utility Easement		

I have been notified of the petition to vacate the following 20' Wide Utility Easement
described as follows:

Legal Description to of area to be vacated: A twenty-foot wide utility easement to be vacated, being located on part of lot 6, venezia piazza addition to the city of tontitown, washington county, arkansas, as shown on the replat of lot 5, venezia piazza addition, filed as instrument No. 023A-00000347 and also located on part of tract 7B, venezia piazza addition to the city of tontitown, washington county, arkansas, as shown on the lot split of lot 7A, venezia piazza addition, filed as instrument No. 2021-00037095, being more particularly described as follows: Commencing at the northeast corner of tract 7B, venezia piazza addition to the city of tontitown, arkansas, as shown on plat filed #2021-00037095, on file in the office of the circuit clerk and ex-officio recorder of washington county, arkansas, and thence running N87°32'35"W 78.61 feet, and thence S02°27'25"W 39.99 feet, and thence N87°32'35"W 39.64 feet to the true point of beginning. Thence running S02°27'25"W 243.88 feet; thence S61°37'21"W 23.29 feet; thence N02°27'25"E 72.79 feet; thence S61°37'21"W 79.77 feet; thence N28°22'40"W 20.00 feet; thence N61°37'21"E 91.39 feet; thence N02°27'25"E 159.74 feet; thence S87°32'35"E 20.00 feet to the point of beginning.

UTILITY COMPANY COMMENTS (Send release form to the applicant's provided address).

- ☒ No objections to the vacation(s) described above,
- ☐ No objections to the vacation(s) described above, provided the following described easements are retained.
- ☐ Objects to the vacation(s) described above, reason described below.

Brian Davenport - Supervisor Utility Operations
Printed Name & Title of Utility Company Representative

Signature

UTILITY RELEASE FORM

Utility Company	Cox Communications	Date	04-05-2023
Requested Vacation	20' Wide Utility Easement		

I have been notified of the petition to vacate the following 20' Wide Utility Easement
described as follows:


Legal Description to of area to be vacated: A twenty-foot wide utility easement to be vacated, being located on part of
lot 6, venezia piazza addition to the city of tontitown, washington county, arkansas, as shown on the replat of lot 5,
venezia piazza addition, filed as instrument No. 023A-00000347 and also located on part of tract 7B, venezia
piazza addition to the city of tontitown, washington county, arkansas, as shown on the lot split of lot 7A,
venezia piazza addition, filed as instrument No. 2021-00037095, being more particularly described as follows:
Commencing at the northeast corner of tract 7B, venezia piazza addition to the city of tontitown, arkansas, as
shown on plat filed #2021-00037095, on file in the office of the circuit clerk and ex-officio recorder of washington
county, arkansas, and thence running N87°32'35"W 78.61 feet, and thence S02°27'25"W 39.99 feet, and thence
N87°32'35"W 39.64 feet to the true point of beginning. Thence running S02°27'25"W 243.88 feet; thence S61°37'21"W
23.29 feet; thence N02°27'25"E 72.79 feet; thence S61°37'21"W 79.77 feet; thence N28°22'40"W 20.00 feet;
thence N61°37'21"E 91.39 feet; thence N02°27'25"E 159.74 feet; thence S87°32'35"E 20.00 feet to the point of beginning.

UTILITY COMPANY COMMENTS (Send release form to the applicant's provided address).

- ☒ No objections to the vacation(s) described above,
- ☐ No objections to the vacation(s) described above, provided the following described easements are retained.
- ☐ Objects to the vacation(s) described above, reason described below.

Any damage or relocation of any Cox Facilities will be at the applicant's expense.

Jason Combs Land Use Agent
Printed Name & Title of Utility Company Representative


Signature

NOTES:

1. PARCEL NUMBER: 830-38677-000 & 830-38677-001.
2. CURRENT ZONING: C-2 (GENERAL COMMERCIAL).
3. ROTATION BASED ON ARKANSAS STATE PLANE GRID NORTH ZONE (NAD83).
4. BOUNDARY BASED ON:
I. PLAT BOOK 23A, PAGE 347
II. SURVEY BOOK 2010, PAGE 2649
III. SURVEY BOOK 2021, PAGE 37095
IV. PROPERTY LINE ADJUSTMENT, PLAT FILE #2022-00016955
5. OWNER: KEE LLC
1200 E JOYCE BOULEVARD
FAYETTEVILLE, ARKANSAS 72703
6. THIS PROPERTY IS NOT AFFECTED BY THE 100 YEAR FLOOD PLAIN AS PER FIRM #05143C0065F DATED APRIL 2, 2008.

PARCEL #830-38677-001:

A PART OF TRACT 78, VENEZIA PIAZZA ADDITION TO THE CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS, AS SHOWN ON THE LOT SPLIT OF LOT 7A, VENEZIA PIAZZA ADDITION, FILED AS INSTRUMENT NO. 2021-00037095 AND A PART OF LOT 6, VENEZIA PIAZZA ADDITION TO THE CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS, AS SHOWN ON THE REPLAT OF LOT 5, VENEZIA PIAZZA ADDITION, FILED AS INSTRUMENT NO. 023A-00000347, BOTH ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SAID TRACT 78, AND RUNNING S02°39'40"W 260.47 FEET; N87°33'06"W 24.47 FEET; S61°37'21"W 22.06 FEET TO THE TRUE POINT OF BEGINNING, AND RUNNING THENCE S61°37'21"W 155.10 FEET; THENCE N28°22'40"W 169.40 FEET; THENCE S87°32'35"E 197.70 FEET; THENCE S02°27'25"W 10.78 FEET; THENCE S42°32'35"E 31.55 FEET; THENCE S02°27'25"W 32.86 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 0.46 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

PARCEL #830-38677-000:

A PART OF TRACT 78, VENEZIA PIAZZA ADDITION TO THE CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS, AS SHOWN ON THE LOT SPLIT OF LOT 7A, VENEZIA PIAZZA ADDITION, FILED AS INSTRUMENT NO. 2021-00037095 AND A PART OF LOT 6, VENEZIA PIAZZA ADDITION TO THE CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS, AS SHOWN ON THE REPLAT OF LOT 5, VENEZIA PIAZZA ADDITION, FILED AS INSTRUMENT NO. 023A-00000347, BOTH ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SAID TRACT 78, AND RUNNING THENCE S02°39'40"W 260.47 FEET; THENCE N87°33'06"W 24.47 FEET; THENCE S61°37'21"W 22.06 FEET; THENCE N02°27'25"E 32.86 FEET; THENCE N42°32'35"W 31.55 FEET; THENCE N02°27'25"E 10.78 FEET; THENCE N87°32'35"W 197.70 FEET; THENCE N28°22'40"W 209.13 FEET; THENCE ALONG A CURVE TURNING TO THE RIGHT, THROUGH AN ANGLE OF 34°24'52", HAVING A RADIUS OF 150.00 FEET, AND WHOSE LONG CHORD BEARS N75°14'59"E 88.75 FEET; THENCE S87°32'35"E 286.76 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 1.58 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

PROPOSED VARIABLE WIDTH UTILITY EASEMENT:

A VARIABLE WIDTH UTILITY EASEMENT BEING LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF TRACT 78, VENEZIA PIAZZA ADDITION TO THE CITY OF TONTITOWN, ARKANSAS, AS SHOWN ON PLAT FILE #2021-00037095, ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, AND RUNNING N87°32'35"W 78.61 AND S02°27'25"W 39.99 FEET TO THE TRUE POINT OF BEGINNING, AND RUNNING THENCE S02°16'27"W 30.58 FEET; THENCE N87°43'33"W 170.47 FEET; THENCE N02°16'27"E 2.39 FEET; THENCE S54°59'36"W 63.88 FEET; THENCE S28°22'40"E 220.20 FEET; THENCE N89°20'15"E 51.97 FEET; THENCE S61°37'21"W 56.00 FEET; THENCE N28°22'40"W 263.34 FEET; THENCE N54°59'36"E 86.85 FEET; THENCE N02°16'27"E 3.60 FEET; THENCE S87°32'35"E 37.59 FEET; THENCE S54°59'36"W 18.16 FEET; THENCE S87°43'33"E 127.33 FEET; THENCE N02°16'27"E 10.64 FEET; THENCE S87°32'35"E 20.00 FEET TO THE POINT OF BEGINNING.

PROPOSED 20 FOOT WIDE UTILITY EASEMENT:

A 20 FOOT WIDE UTILITY EASEMENT BEING LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF TRACT 78, VENEZIA PIAZZA ADDITION TO THE CITY OF TONTITOWN, ARKANSAS, AS SHOWN ON PLAT FILE #2021-00037095, ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, AND RUNNING S02°39'40"W 250.47 FEET AND N87°33'06"W 12.95 FEET TO THE TRUE POINT OF BEGINNING, AND RUNNING THENCE N87°33'06"W 14.32 FEET; THENCE S61°37'21"W 6.62 FEET; THENCE N02°27'25"E 49.87 FEET; THENCE N87°32'35"W 33.20 FEET; THENCE N02°27'25"E 20.00 FEET; THENCE S87°32'35"E 53.20 FEET; THENCE S02°27'25"W 66.48 FEET TO THE POINT OF BEGINNING.

UTILITY EASEMENT VACATIONING

A TWENTY-FOOT WIDE UTILITY EASEMENT TO BE VACATED, BEING LOCATED ON PART OF LOT 6, VENEZIA PIAZZA ADDITION TO THE CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS, AS SHOWN ON THE REPLAT OF LOT 5, VENEZIA PIAZZA ADDITION, FILED AS INSTRUMENT NO. 023A-00000347 AND ALSO LOCATED ON PART OF TRACT 78, VENEZIA PIAZZA ADDITION TO THE CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS, AS SHOWN ON THE LOT SPLIT OF LOT 7A, VENEZIA PIAZZA ADDITION, FILED AS INSTRUMENT NO. 2021-00037095, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF TRACT 78, VENEZIA PIAZZA ADDITION TO THE CITY OF TONTITOWN, ARKANSAS, AS SHOWN ON PLAT FILE #2021-00037095, ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, AND THENCE RUNNING N87°32'35"W 78.61 FEET, AND THENCE S02°27'25"W 39.99 FEET, AND THENCE N87°32'35"W 39.64 FEET TO THE TRUE POINT OF BEGINNING. THENCE RUNNING S02°27'25"W 243.88 FEET; THENCE S61°37'21"W 23.29 FEET; THENCE N02°27'25"E 72.79 FEET; THENCE S61°37'21"W 79.77 FEET; THENCE N28°22'40"W 20.00 FEET; THENCE N61°37'21"E 91.39 FEET; THENCE N02°27'25"E 159.74 FEET; THENCE S87°32'35"E 20.00 FEET TO POINT OF BEGINNING.

CERTIFICATE OF OWNERSHIP.

WE THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED, AND SUBDIVIDED AND DO HEREBY LAY OFF, PLAT, SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC THE STREETS, ALLEYS, DRIVES, AND EASEMENTS AS SHOWN ON SAID PLAT.

DATE OF EXECUTION: _____

SIGNED: _____

NAME & ADDRESS: _____

SOURCE OF TITLE: D.R. 2015, PAGE 11847

CERTIFICATE OF SURVEYING ACCURACY

I, DAVID L. JORGENSEN, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.

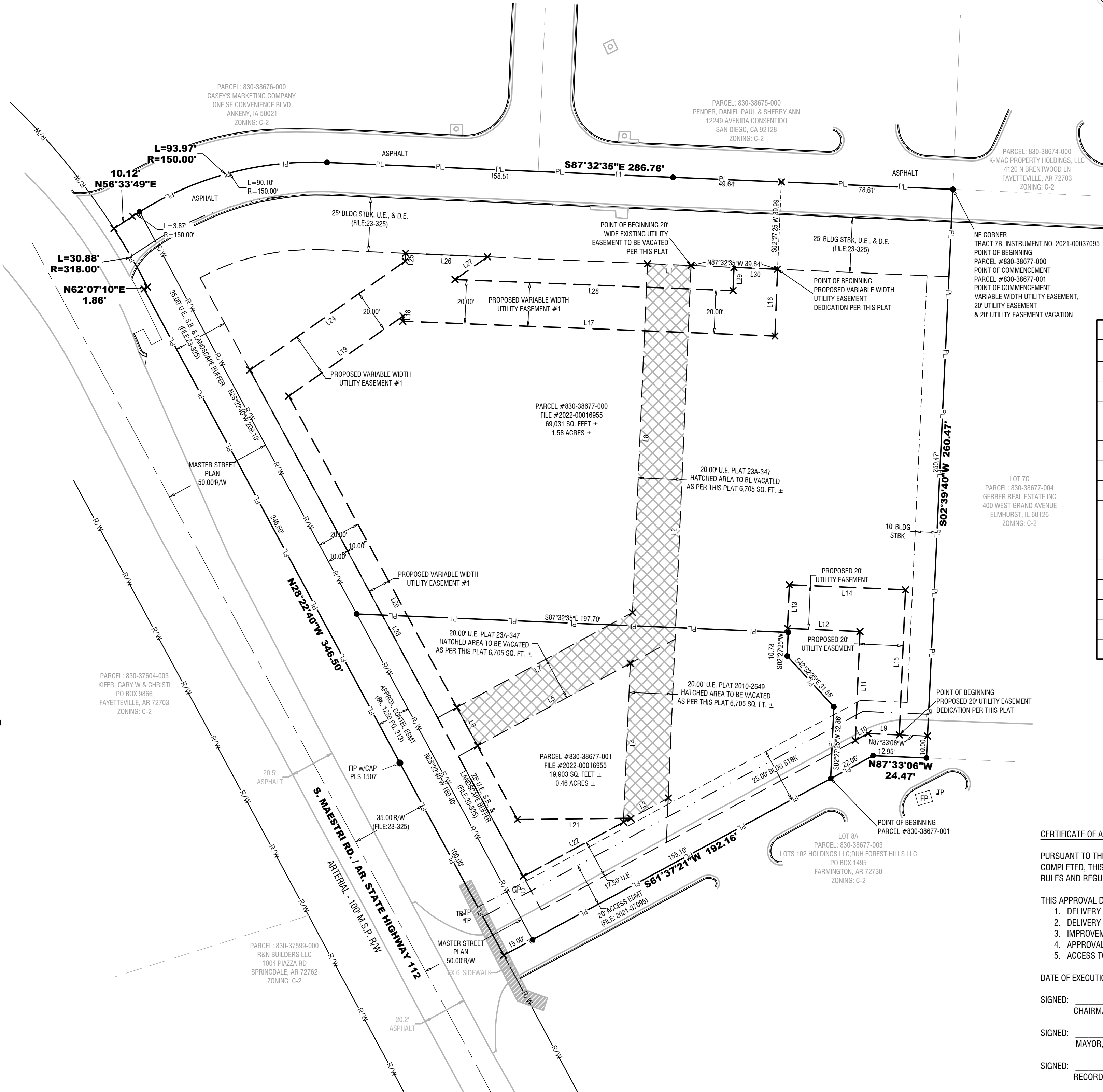
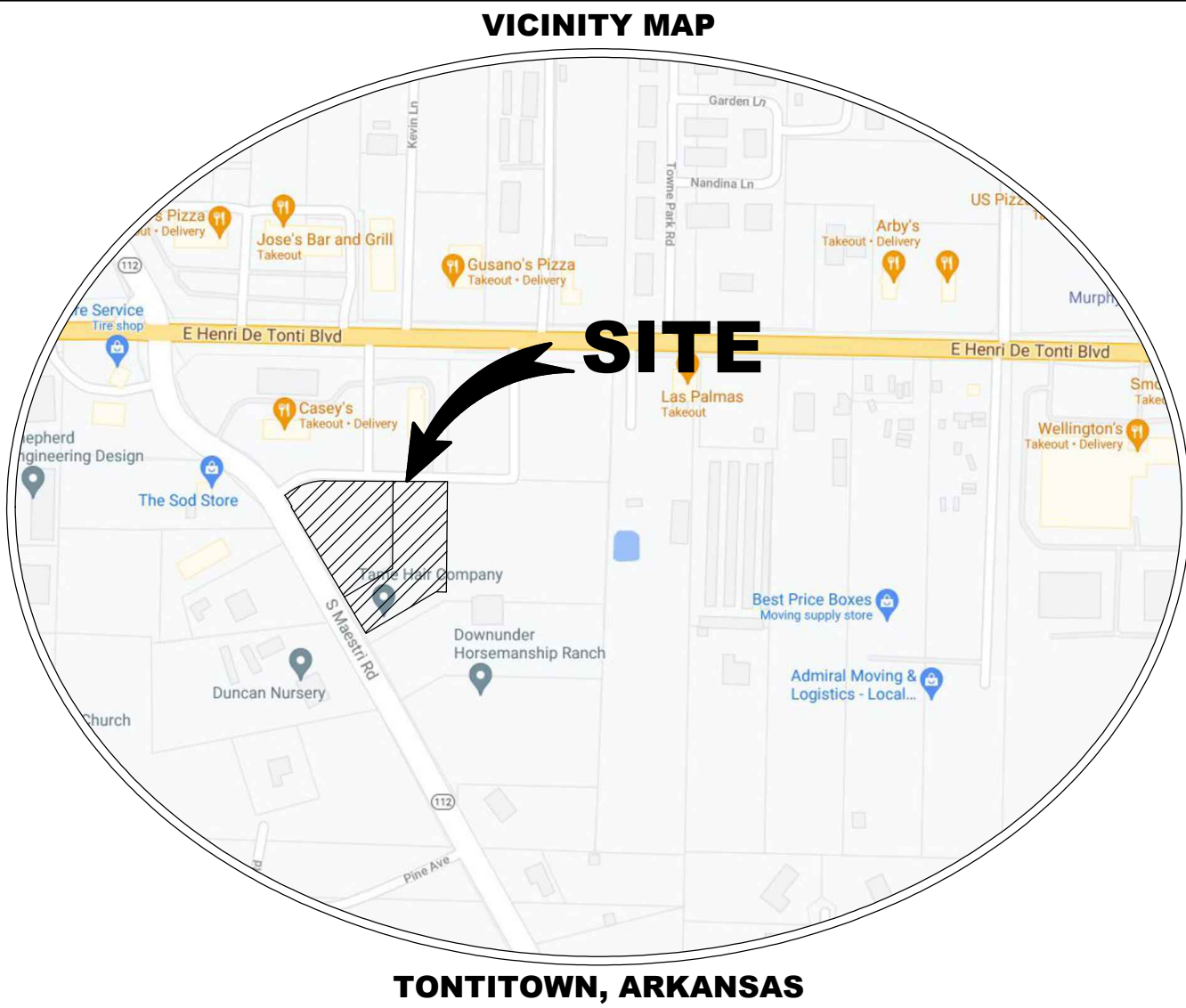
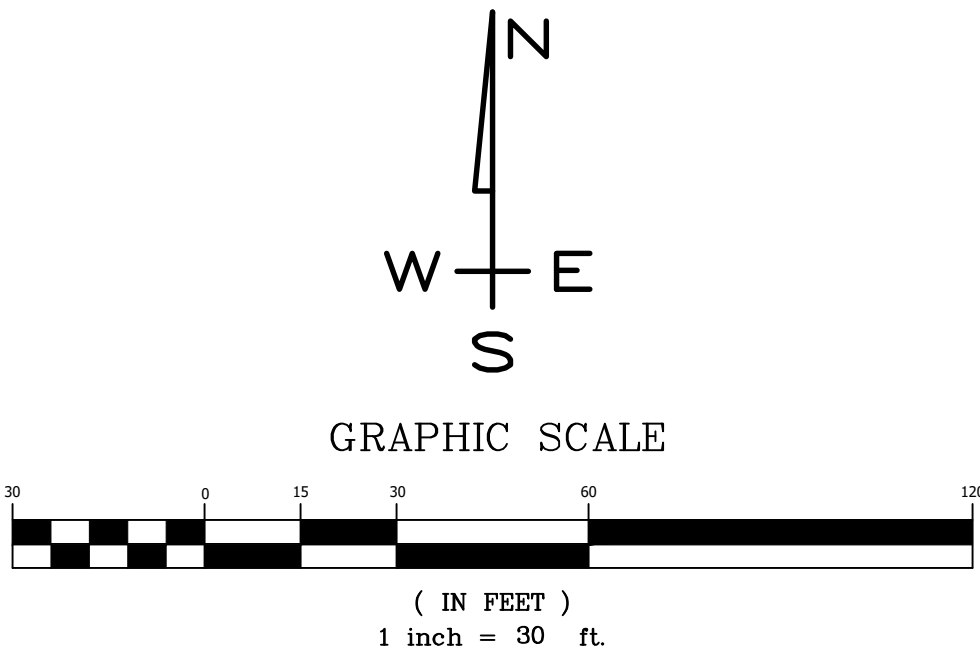
DATE OF EXECUTION: _____

SIGNED: _____
REGISTERED LAND SURVEYOR

STATE OF ARKANSAS REGISTRATION NO. 1118

L-SAW EASEMENT PLAT

BUILDING SETBACK TABLE	
FRONT	25'
SIDE	10'
REAR	25'



Line Table		
Line #	Bearing	Distance
L1	S87°32'35"E	20.00'
L2	S02°27'25"W	243.88'
L3	S61°37'21"W	23.29'
L4	N02°27'25"E	72.79'
L5	S61°37'21"W	79.77'
L6	N28°22'40"W	20.00'
L7	N61°37'21"E	91.39'
L8	N02°27'25"E	159.74'
L9	N87°33'06"W	14.32'
L10	S61°37'21"W	6.62'
L11	N02°27'25"E	49.87'
L12	N87°32'35"W	33.20'
L13	N02°27'25"E	20.00'
L14	S87°32'35"E	53.20'
L15	S02°27'25"W	66.48'

Line Table		
Line #	Bearing	Distance
L16	S02°16'27"W	30.58'
L17	N87°43'33"W	170.47'
L18	N02°16'27"E	2.39'
L19	S54°59'36"W	63.88'
L20	S28°22'40"E	220.20'
L21	N89°20'15"E	51.97'
L22	S61°37'21"W	56.00'
L23	N28°22'40"W	263.34'
L24	N54°59'36"E	86.85'
L25	N02°16'27"E	3.60'
L26	S87°32'35"E	37.59'
L27	S54°59'36"W	18.16'
L28	S87°43'33"E	127.33'
L29	N02°16'27"E	10.64'
L30	S87°32'35"E	20.00'

CERTIFICATE OF APPROVAL

PURSUANT TO THE CITY OF TONTITOWN SUBDIVISION REGULATIONS AND ALL OTHER CONDITIONS AND APPROVALS HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

THIS APPROVAL DOES NOT GUARANTEE ANY OF THE FOLLOWING:

1. DELIVERY OF PUBLIC WATER OR SEWER SERVICE.
2. DELIVERY OF ANY OTHER UTILITY SERVICE.
3. IMPROVEMENTS TO ANY AFFECTED CITY STREETS OR COUNTY ROADS.
4. APPROVAL FROM THE ARKANSAS DEPARTMENT OF HEALTH.
5. ACCESS TO THE PROPERTY VIA EASEMENTS OR OTHERWISE EITHER KNOWN OR UNKNOWN.

DATE OF EXECUTION: _____

SIGNED: _____
CHAIRMAN, TONTITOWN PLANNING COMMISSION

SIGNED: _____
MAYOR, CITY OF TONTITOWN

SIGNED: _____
RECORDER/TREASURER, CITY OF TONTITOWN

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

JORGENSEN + ASSOCIATES
Civil Engineering • Surveying



LEGEND

- FOUND IRON PIN
- SET IRON PIN & CAP
- ⚡ POWER POLE
- ⊙ SEWER MANHOLE
- ⦿ FIRE HYDRANT
- ⊙ WATER METER
- PROPERTY LINE
- PROPERTY LINE TO BE REMOVED
- RIGHT OF WAY
- BUILDING SETBACK
- EASEMENT LINE
- ADJOINER LINE
- CENTERLINE OF ROAD
- EXISTING WATER LINE
WL-8 EX
- EXISTING SEWER LINE
SS-8 EX

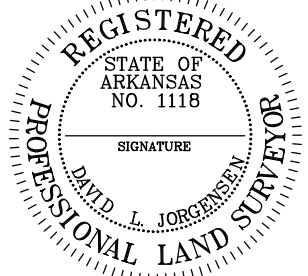
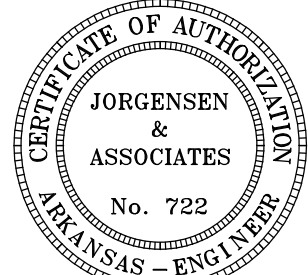
PROJECT DETAILS

PROJECT TITLE:
L SAW EASEMENT PLAT

PROJECT LOCATION:
TONTITOWN, AR.

REVISIONS

DATE: 1/9/2023
DRAWN BY: JH
PROJECT # 2022-025
FILE PATH: Z:\LSD\2022025\L SAW
SHEET SIZE: 22" x 34"
SCALE: 1"=30'



SHEET TITLE

L SAW EASEMENT PLAT

SHEET NUMBER

1

Right-of-way And Easement Dedication Statement:
The Right-of-way Along 412 And 112 As Shown On This Plat Is Hereby Dedicated To The City Of Tontitown For Public Use. The Access And Drainage Easements As Shown On This Plat Are Considered Common Areas For The Use And Benefit Of The Property Owners Within The Venezia Piazza Addition, Which Will Be Maintained By The Lot Owners Within The Subdivision. The Utility Easements As Shown On This Plat Area Hereby Donated To The City Of Tontitown For Public Utilities, Franchised Utilities, Cable TV, Access And Other Purposes.

Legal Description - Lot 5 (Parent Lot)

Part of the Northwest Quarter of the Southeast Quarter of Section 6, Township 17 North, Range 30 West, Washington County, Arkansas. Being more particularly described as follows:

Commencing at the Northeast Corner of said Northwest Quarter of the Southeast Quarter; Thence North 87°32'06" West, 214.58 feet; Thence South 02°27'04" West, 237.60 Feet; Thence South 03°33'17" West, 84.96 feet to the Point of Beginning; Thence South 03°33'17" West, 710.44 feet; Thence North 87°33'06" West, 328.15 feet; Thence South 02°15'20" West, 33.31 feet; Thence North 28°22'40" West, 795.82 feet; Thence North 62°07'10" East, 1.85 feet; Thence 30.88 feet along the arc of a curve to the left, said curve having a radius 318.00 feet and being subtended by a chord having a bearing of North 29°51'31" West, and a distance of 30.87 feet; Thence North 56°33'49" East, 10.12 feet; Thence 93.97 feet along the arc of a curve to the right, said curve having a radius of 150.00 feet and being subtended by a chord having a bearing of North 74°30'37" East, and a distance of 92.44 feet; Thence South 87°32'35" East, 298.44 feet; Thence South 87°22'18" East, 369.87 feet to the Point of Beginning, containing 402,059 square feet, or 9.23 acres, more or less.

Legal Description - Lot 6

Part of the Northwest Quarter of the Southeast Quarter of Section 6, Township 17 North, Range 30 West, Washington County, Arkansas. Being more particularly described as follows:

Commencing at the Northeast Corner of said Lot 5 North 87°22'18" West, 369.87 feet; Thence North 87°32'35" West, 139.92 Feet to the Point of Beginning; Thence South 02°27'25" West, 205.40 feet; Thence South 61°37'21" West, 132.07 feet; Thence North 28°22'40" West, 246.50 feet; Thence North 62°07'10" East, 1.85 feet; Thence 30.88 feet along the arc of a curve to the left, said curve having a radius 318.00 feet and being subtended by a chord having a bearing of North 29°51'31" West, and a distance of 30.87 feet; Thence North 56°33'49" East, 10.12 feet; Thence 93.97 feet along the arc of a curve to the right, said curve having a radius of 150.00 feet and being subtended by a chord having a bearing of North 74°30'37" East, and a distance of 92.44 feet; Thence South 87°32'35" East, 158.52 to the Point of Beginning, containing 47,888 square feet, or 1.10 acres, more or less.

Legal Description - Lot 7

Part of the Northwest Quarter of the Southeast Quarter of Section 6, Township 17 North, Range 30 West, Washington County, Arkansas. Being more particularly described as follows:

Beginning at the Northeast Corner of said Lot 5 South 03°33'17" West, 284.36 feet; Thence North 87°33'06" West, 375.90 feet; Thence South 61°37'20" West, 201.33 feet; Thence North 28°22'40" West, 119.59 feet; Thence North 61°37'21" East, 132.07 feet; Thence North 02°27'25" East, 205.40 feet; Thence South 87°32'35" East, 139.92 feet; Thence South 87°22'18" East, 369.87 feet to the Point of Beginning, containing 161,739 square feet, or 3.71 acres, more or less.

Legal Description - Lot 8

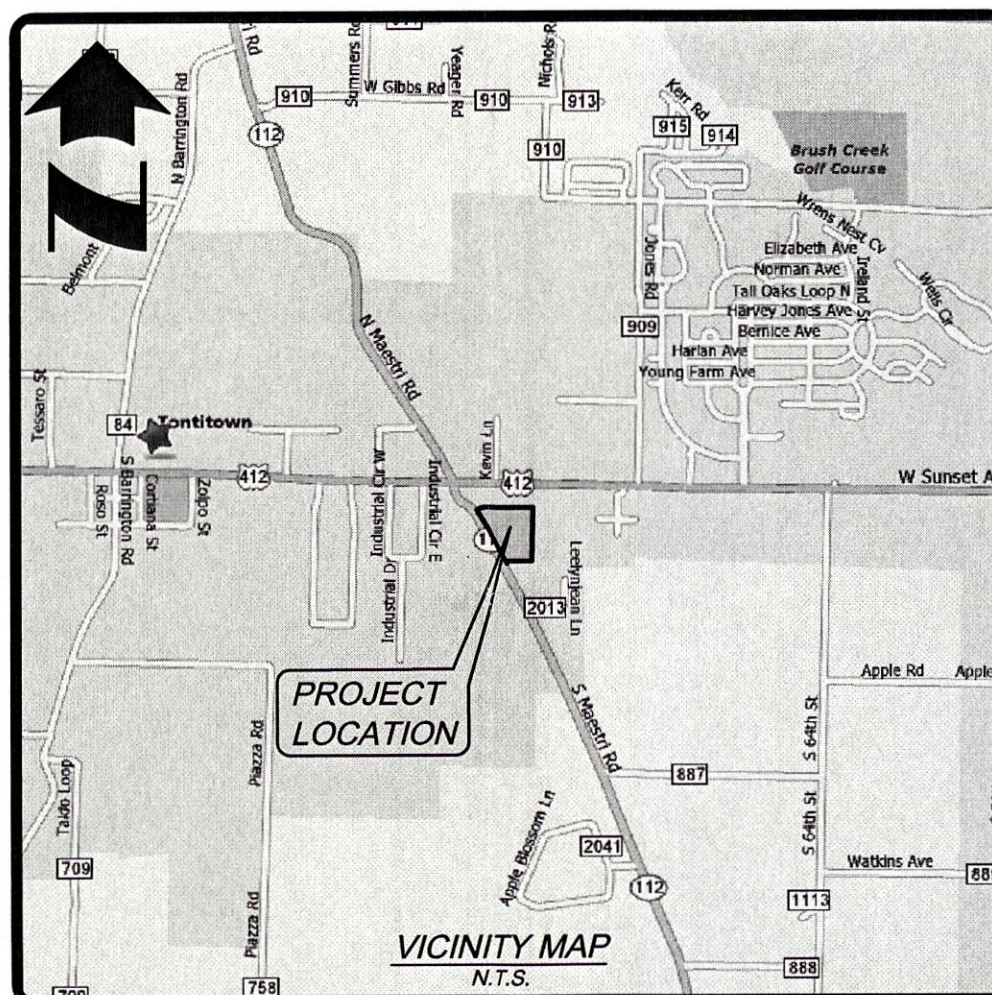
Part of the Northwest Quarter of the Southeast Quarter of Section 6, Township 17 North, Range 30 West, Washington County, Arkansas. Being more particularly described as follows:

Commencing at the Northeast Corner of said Lot 5 South 03°33'17" West, 284.36 feet to the Point of Beginning; Thence South 03°33'17" West, 173.53 feet; Thence North 87°33'06" West, 370.57 feet; Thence South 61°37'20" West, 114.12 feet; Thence North 28°22'40" West, 165.00 feet; Thence North 61°37'20" East, 201.33 feet; Thence South 87°33'06" East, 375.90 feet to the Point of Beginning, containing 88,415 square feet, or 2.03 acres, more or less.

Legal Description - Lot 9

Part of the Northwest Quarter of the Southeast Quarter of Section 6, Township 17 North, Range 30 West, Washington County, Arkansas. Being more particularly described as follows:

Commencing at the Northeast Corner of said Lot 5 South 03°33'17" West, 457.89 feet; to the Point of Beginning; Thence South 03°33'17" West, 252.55 feet; Thence North 87°33'06" West, 328.15 feet; Thence South 02°15'20" West, 33.31 feet; Thence North 28°22'40" West, 264.73 feet; Thence North 61°37'20" East, 114.12 feet; Thence South 87°33'06" East, 370.57 feet to the Point of Beginning, containing 103,930 square feet, or 2.39 acres, more or less.



Parcel # 860-38677-000

Zoning Classification: C-2

Notes:

◆ Basis Of Bearings : Grid, Arkansas State Plane, North Zone, NAD 83. Vertical Datum: NAVD 88

◆ Any Freestanding Signs Shall Be Set A Min. Of 10' From The Right-of-Way

◆ All Easements Are Centered On Property Line Unless Noted Otherwise.

◆ Flood Information

Based Upon Review Of FEMA Firm: Washington County Arkansas And Incorporated Areas, Map Number 05143C0018C, Effective Date September 18, 1991, And By Graphic Plotting Only, The Subject Property Is Determined To Be In Zone X, Or Areas Determined To Be Outside The 500yr Floodplain.

◆ Front Yard Setbacks = 25' (Unless Noted Otherwise)
Back Yard Setbacks = 20' (Unless Noted Otherwise)
Side Yard Setbacks (Int.) = 10' (Unless Noted Otherwise)
Side Yard Setbacks (Ext.) = 25' (Unless Noted Otherwise)

◆ There Shall Be No Cross Parking Between The Lots.

◆ Once Approved Curb Cuts And Shared Access Drives Shall Not Be Changed/Blocked Without Consent Of All Parties Involved. Including But Not Limited To The City Of Tontitown, AHTD, Individual Lot Owners, And Developer.

◆ Soil Type - Captina-Nixa-Pickwick

I, Keith A. Sikes, Hereby Certify That This Plat Correctly Represents A Boundary Survey Made By Me And Boundary Markers And Lot Corners Shown Hereon Actually Exist And their Location, Type And Material Are Correctly Shown And All Minimum Requirements Of The Arkansas Minimum Standards For Land Surveyors Have Been Met.

7/23/08
Date Of Execution:

Keith A. Sikes, AR P.L.S. #1507

Pursuant To The Tontitown Subdivision Regulations And All Other Conditions And Approval Having Been Completed, This Document Is Hereby Accepted. This Certificate Is Hereby Executed Under The Authority Of The Said Rules And Regulations.

Date Of Execution: 7-31-08

Signed: [Signature]
Tontitown Planning Commission Chairman

Signed: [Signature]
Mayor, City Of Tontitown

Signed: [Signature]
City Clerk, City Of Tontitown

We The Undersigned, The Owners Of Real Estate Shown And Described Herein, Do Hereby Certify That We Have Laid Off, Platted, And Subdivided And Do Hereby Lay Off Plat, Subdivide Said Real Estate In Accordance With This Plat And Do Hereby Dedicate To The Use Of The Public The Right-Of-Way And Utility Easements, Etc. As Shown On Said Plat.

Allotter: [Signature]

Date Of Execution: July 23, 2008

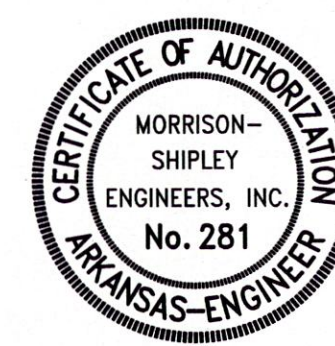
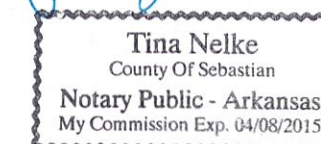
Name And Address: [Signature] Managing Member
112 Partners, LLC., P.O. Box 10210, Ft. Smith, AR 72917

Source Of Title: D.R.0023-00000325

Subscribed And Sworn Before Me This 23rd Day Of July, 2008.

Notary Public: Tina Nelke

My Commission Expires:



VENEZIA PIAZZA ADDITION, LOTS 6-9

Being A Re-Plat Of Venezia Piazza Addition, Lot 5 As Filed For
Record, Febuary 12, 2008 Tontitown, Washington County, Arkansas

Part Of The NW/4 Of The SE/4 Of Section 6, Township 17 North,
Range 30 West, Washington County, Arkansas

Doc ID: 012412920002 Type: REL
Recorded: 08/01/2008 at 03:08:52 PM
Fee Amt: Page 1 of 2
Washington County, AR
Bette Stamos Circuit Clerk
File 023A-00000347

MORRISON SHIPLEY

ENGINEERS ■ SURVEYORS

2407 SE Cottonwood Street ■ Bentonville, AR 72712 ■ 479.273.2209 ■ morrisonshipley.com

OWNER & DEVELOPER
112 Partners, LLC.
P.O. Box 10210
Ft. Smith, AR 72917

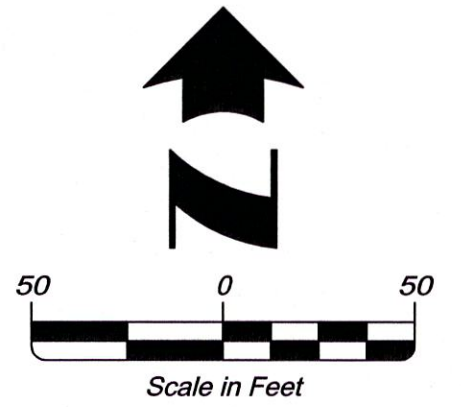
Revision	By	Date
Revised Per City Comments	CLD	7-15-08

LOT SPLIT OF LOT 5

VENEZIA PIAZZA ADDITION, LOTS 6-9

July 23, 2008

Sheet 1 of 2



LEGEND

	Property Line
	Existing Easement
	Right-of-Way
	Found Rebar
	Set Rebar
	Utility Easement
	Drainage Easement
	Proposed Utility Easement & Building Setback Line

EASEMENTS

	Utility Easement
	Drainage Easement
	Access Easement

LOT SPLIT OF LOT 5

VENEZIA PIAZZA ADDITION, LOTS 6-9

July 23, 2008

Sheet 2 of 2

Radius = 150.00'
Length = 93.97'
Delta = 35°53'36"
Tangent = 48.58'
Chord = N74°30'37"E
92.44'

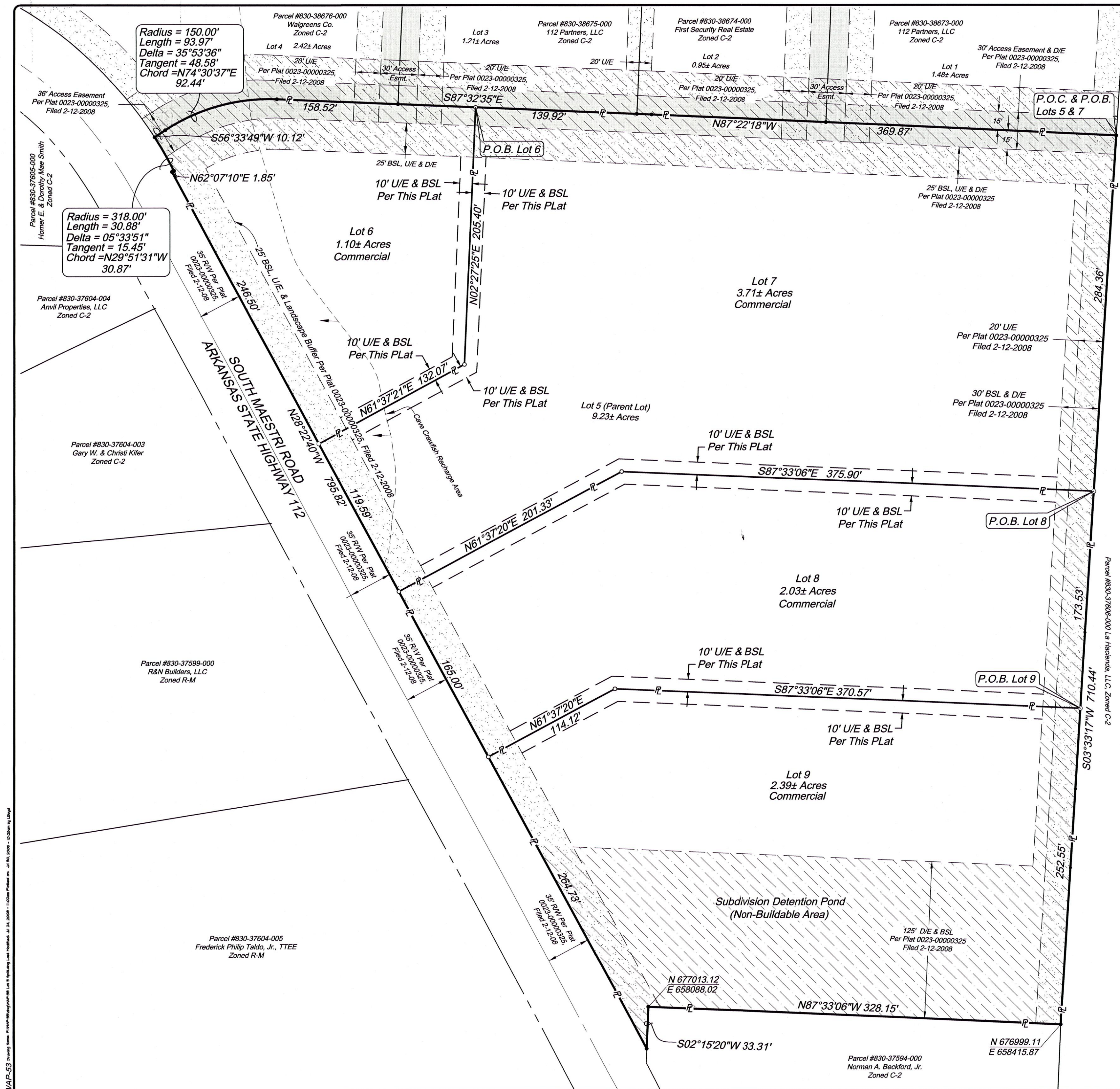
Radius = 318.00'
Length = 30.88'
Delta = 05°33'51"
Tangent = 15.45'
Chord = N29°51'31"W
30.87'

Parcel #830-37599-000
R&N Builders, LLC
Zoned R-M

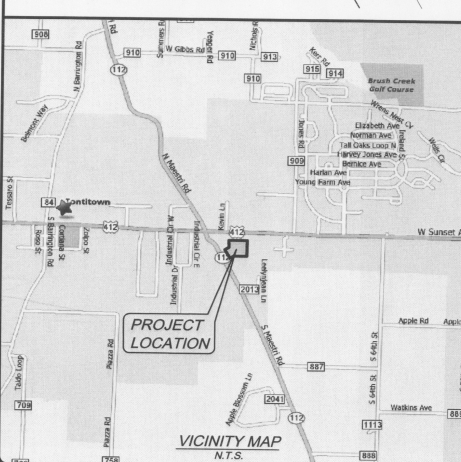
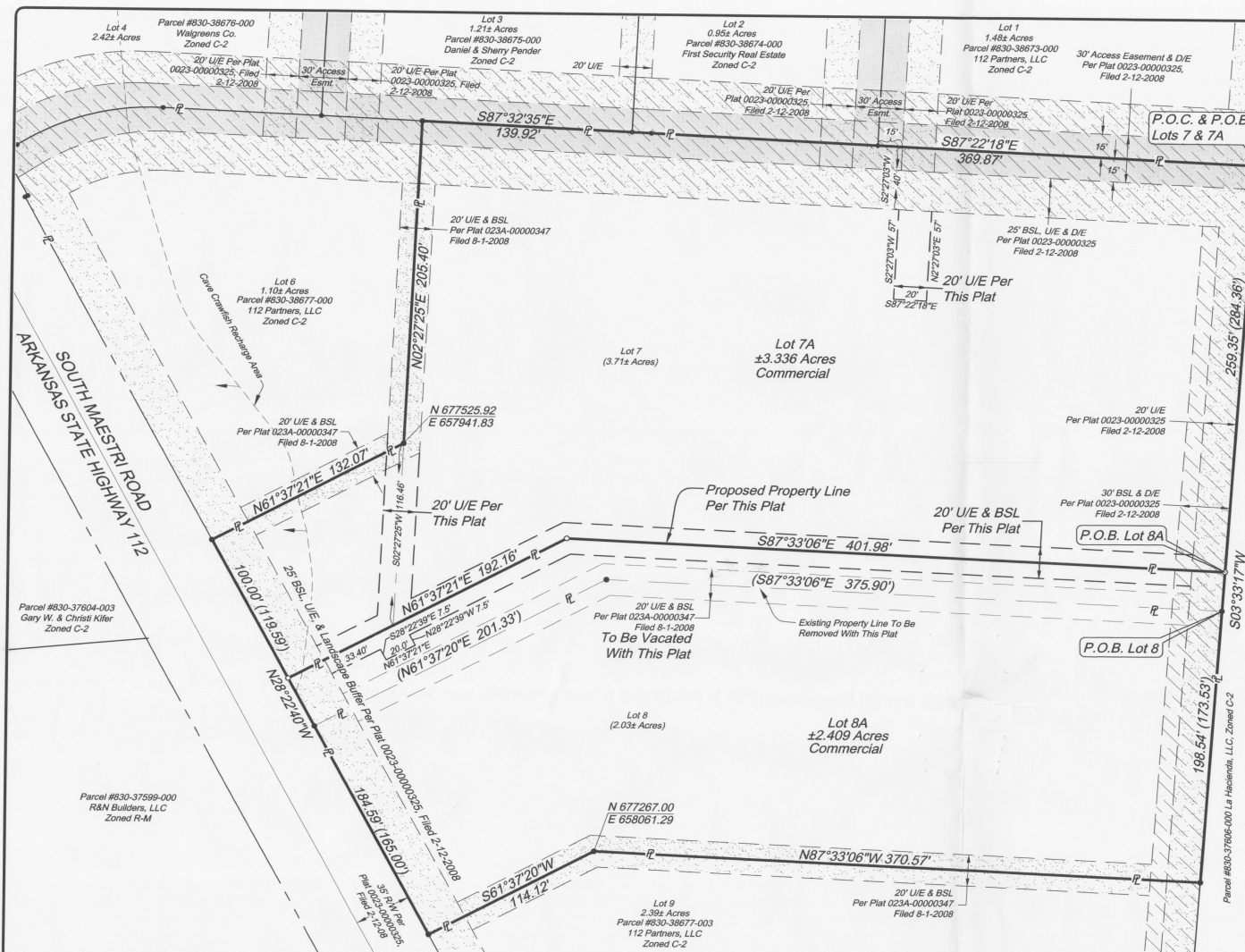
Parcel #830-37604-005
Frederick Philip Taldo, Jr., TTEE
Zoned R-M

Parcel #830-37594-000
Norman A. Beckford, Jr.
Zoned C-2

Parcel #830-37606-000 La Hacienda, LLC, Zoned C-2



WAP-53 Drawing Name: Venezia Piazza Addition, Lots 6-9, 11/22/08 Printed on: 11/23/08 - 10:00am by: [illegible]



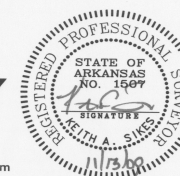
- Notes:**
- Basis Of Bearings: Grid, Arkansas State Plane, North Zone, NAD 83. Vertical Datum: NAVD 88
 - All Easements are Centered On Property Line Unless Noted Otherwise.
 - Flood Information
Based Upon Review Of FEMA Form: Washington County Arkansas And Incorporated Areas, Map Number 05143C0065F, Revised Date May 16, 2008, And By Graphic Plotting Only. The Subject Property is Determined To Be In Zone X, Or Areas Determined To Be Outside The 500yr Floodplain.
 - Front Yard Setbacks = 25' (Unless Noted Otherwise)
Back Yard Setbacks = 20' (Unless Noted Otherwise)
Side Yard Setbacks (Int.) = 10' (Unless Noted Otherwise)
Side Yard Setbacks (Ext.) = 25' (Unless Noted Otherwise)
 - Once Approved Curb Cuts And Shared Access Drives Shall Not Be Changed/Blocked Without Consent Of All Parties Involved, Including But Not Limited To The City Of Tontitown, AHTD, Individual Lot Owners, And Developer.

Legal Description - Lot 7
Part of the Northwest Quarter of the Southeast Quarter of Section 6, Township 17 North, Range 30 West, Washington County, Arkansas. Being more particularly described as follows:
Beginning at the Northeast Corner of said Lot 7; Thence South 03°33'17" West, 284.36 feet; Thence North 87°33'06" West, 375.90 feet; Thence South 61°37'20" West, 201.33 feet; Thence North 61°37'21" East, 132.07 feet; Thence North 02°27'25" East, 205.40 feet; Thence South 87°32'35" East, 139.92 feet; Thence South 87°22'18" East, 369.87 feet to the Point of Beginning, containing 145,305 square feet, or 3.336 acres, more or less.

Easement Dedication Statement:
The Utility Easements As Shown On This Plat Area Hereby Donated To The City Of Tontitown For Public Utilities, Franchised Utilities, Cable TV, Access And Other Purposes.



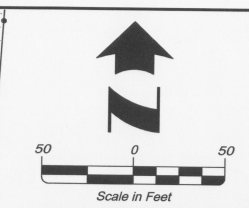
MORRISON SHIPLEY
ENGINEERS ■ SURVEYORS
2407 SE Cottonwood Street ■ Bentonville, AR 72712 ■ 479.273.2209 ■ morrisonshipley.com



OWNER & DEVELOPER
112 Partners, LLC.
P.O. Box 10210
Ft. Smith, AR 72917

Doc ID: 013280990001 Type: REL
Kind: SURVEY
Recorded: 01/28/2010 at 11:16:12 AM
Fee Amt: \$15.00 Page 1 of 1
Washington County, AR
Bette Stamps Circuit Clerk
File #2010-00002649

October 6, 2009



LEGEND	EASEMENT LEGEND
Property Line	Existing Utility Easement
Existing Easement	Existing Drainage Easement
Right-of-Way	Existing Access Easement
Found Rebar	
Set Rebar	
U/E	
D/E	
Proposed Utility Easement & Building Setback Line	

I, Keith A. Sikes, Hereby Certify That This Plat Correctly Represents A Boundary Survey Made By Me And Boundary Markers And Lot Corners Shown Hereon Actually Exist And Their Location, Type And Material Are Correctly Shown And All Minimum Requirements Of The Arkansas Minimum Standards For Land Surveyors Have Been Met.

Date Of Execution: 11/3/09
Keith A. Sikes, Arkansas Professional Surveyor #1507

Pursuant To The Tontitown Subdivision Regulations And All Other Conditions And Approval Having Been Completed, This Document Is Hereby Accepted. This Certificate Is Hereby Executed Under The Authority Of The Said Rules And Regulations.

Date Of Execution: 11/3/09
Signed: [Signature] Tontitown Planning Commission Chairman
Signed: [Signature] Mayor, City Of Tontitown
Signed: [Signature] City Clerk, City Of Tontitown

We The Undersigned, The Owners Of Real Estate Shown And Described Herein, Do Hereby Certify That We Have Laid Off, Platted, And Subdivided And Do Hereby Lay Off Plat, Subdivide Said Real Estate In Accordance With This Plat And Do Hereby Dedicate To The Use Of The Public The Right-Of-Way And Utility Easements, Etc. As Shown On Said Plat.

Allotter: 112 Partners, LLC Date Of Execution: Dec 9, 2009

Name And Address: 112 Partners, LLC, P.O. Box 10210, Ft. Smith, AR 72917

Source Of Title: D.R.0023-00000325

Subscribed And Sworn Before Me This 9th Day Of December, 2009.

Notary Public: [Signature]

My Commission Expires: 2-11



Legal Description - Lot 7A
Part of the Northwest Quarter of the Southeast Quarter of Section 6, Township 17 North, Range 30 West, Washington County, Arkansas. Being more particularly described as follows:

Beginning at the Northeast Corner of said Lot 7; Thence South 03°33'17" West, 259.35 feet; Thence North 87°33'06" West, 401.98 feet; Thence South 61°37'21" West, 192.16 feet; Thence North 28°22'40" West, 100.00 feet; Thence North 61°37'21" East, 132.07 feet; Thence North 02°27'25" East, 205.40 feet; Thence South 87°32'35" East, 139.92 feet; Thence South 87°22'18" East, 369.87 feet to the Point of Beginning, containing 145,305 square feet, or 3.336 acres, more or less.

Legal Description - Lot 8
Part of the Northwest Quarter of the Southeast Quarter of Section 6, Township 17 North, Range 30 West, Washington County, Arkansas. Being more particularly described as follows:

Commencing at the Northeast Corner of said Lot 7; Thence South 03°33'17" West, 284.36 feet to the Point of Beginning; Thence South 03°33'17" West, 173.53 feet; Thence North 87°33'06" West, 370.57 feet; Thence South 61°37'20" West, 114.12 feet; Thence North 28°22'40" West, 165.00 feet; Thence North 61°37'20" East, 201.33 feet; Thence South 87°33'06" East, 375.90 feet to the Point of Beginning, containing 88,415 square feet, or 2.03 acres, more or less.

Legal Description - Lot 8A
Part of the Northwest Quarter of the Southeast Quarter of Section 6, Township 17 North, Range 30 West, Washington County, Arkansas. Being more particularly described as follows:

Commencing at the Northeast Corner of said Lot 7; Thence South 03°33'17" West, 259.35 feet to the Point of Beginning; Thence South 03°33'17" West, 198.54 feet; Thence North 87°33'06" West, 370.57 feet; Thence South 61°37'20" West, 114.12 feet; Thence North 28°22'40" West, 184.59 feet; Thence North 61°37'21" East, 192.16 feet; Thence South 87°33'06" East, 401.98 feet to the Point of Beginning, containing 104,943 square feet, or 2.409 acres, more or less.

VENEZIA PIAZZA ADDITION, LOTS 7A & 8A
Being A Lot Line Adjustment Of Venezia Piazza Addition, Lots 7&8 As Filed For Record, August 1, 2008 Tontitown, Washington County, Arkansas
Part Of The NW/4 Of The SE/4 Of Section 6, Township 17 North, Range 30 West, Washington County, Arkansas

500-17N-30W-10-06-240-04-1507

PETITION TO VACATE

which is described as follows:

PETITION TO VACATE AN 20' Wide Utility Easement

LOCATED AT 184 & 244 S Maestri Rd, Tontitown, AR 72762

CITY OF TONTITOWN, ARKANSAS

TO: The Tontitown City Council

We, the undersigned, being all the owners of the real estate of or adjacent to the 20' Wide Utility Easement

to be vacated hereinafter sought to be abandoned and vacated, lying in Tontitown, Arkansas, a municipal corporation, petition to vacate an 20' Wide Utility Easement which is described as follows:

Legal Description to of area to be vacated: A twenty-foot wide utility easement to be vacated, being located on part of lot 6, venezia piazza addition to the city of tontitown, washington county, arkansas, as shown on the replat of lot 5, venezia piazza addition, filed as instrument No. 023A-00000347 and also located on part of tract 7B, venezia piazza addition to the city of tontitown, washington county, arkansas, as shown on the lot split of lot 7A, venezia piazza addition, filed as instrument No. 2021-00037095, being more particularly described as follows: Commencing at the northeast corner of tract 7B, venezia piazza addition to the city of tontitown, arkansas, as shown on plat filed #2021-00037095, on file in the office of the circuit clerk and ex-officio recorder of washington county, arkansas, and thence running N87°32'35"W 78.61 feet, and thence S02°27'25"W 39.99 feet, and thence N87°32'35"W 39.64 feet to the true point of beginning. Thence running S02°27'25"W 243.88 feet; thence S61°37'21"W 23.29 feet; thence N02°27'25"E 72.79 feet; thence S61°37'21"W 79.77 feet; thence N28°22'40"W 20.00 feet; thence N61°37'21"E 91.39 feet; thence N02°27'25"E 159.74 feet; thence S87°32'35"E 20.00 feet to the point of beginning.

That the real estate affected by said abandonment of the 20' Wide Utility Easement

located at 184 & 244 S Maestri Rd, Tontitown, AR 72762

to the City of Tontitown, Arkansas, a certified copy of the original plat located in the Circuit Clerk's Office for the County of Washington, State of Arkansas, is attached hereto, and made part hereof as though set out herein word for word.

Petitioners state that the above described real estate will not adversely affect the public interest and welfare and would also not be adversely affected by the abandonment of the above described 20' Wide Utility Easement

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

WHEREFORE, the undersigned petitioners respectfully recommend that the governing body of the City of Tontitown, Arkansas, abandon and vacate the above described real estate, subject to said utility easements and as to the particular land the owner be free from the easements of the public for the use of said real property.

Dated this 20th day of March, 2023.

Kirk Elstess
Printed Name

[Signature]
Signature

Printed Name

Signature