

- The next Committee Meeting will be held on Monday, April 17th at 5:30p.m.
- Agenda Packet will be available on the Friday before the meeting.

**SPRINGDALE CITY COUNCIL
REGULAR MEETING
TIERED TRAINING ROOM
2ND FLOOR OF CRIMINAL JUSTICE BUILDING
Tuesday, April 11th, 2023**

5:55 p.m. Pre-Meeting Activities

Pledge of Allegiance

Invocation – Councilman Jeff Watson

1. Call to Order – Mayor Doug Sprouse
2. Roll Call – Denise Pearce, City Clerk/Treasurer
3. Recognition of a Quorum.

4. Comments from Citizens

The Council will hear brief comments from citizens present at the meeting during this period on issues not on the agenda. No action will be taken tonight. All comments will be taken under advisement.

5. Approval of Minutes – **Tuesday, March 28th, 2023. Pgs. 42-54**

6. Procedural Motions

A. Entertain Motion to read all Ordinances and Resolutions by title only.

B. Entertain Motion to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for ordinances listed on this agenda as *item number(s) **8A-8D*** (*Motion must be approved by two-thirds (2/3) of the council members*).

7. **Proclamation Presentation.** Presented by Mayor Doug Sprouse.

8. Planning Commission Report and Recommendation by Patsy Christie, Director of Planning and Community Development

A. **An Ordinance** accepting the Final Plat (FP23-02) of Barberry Court Phase I, to the City of Springdale, Arkansas, and Declaring an Emergency. **Pgs. 1-5**

B. **An Ordinance** accepting the Replat (RP23-03) of Block 1, Lots 11 & 12 Northern Heights Addition Subdivision, to the City of Springdale, Arkansas, and Declaring an Emergency. Pgs. 6-9

C. **An Ordinance** accepting the Replat (RP23-05) of Block 2, Lots 3 & 7 Zachary Addition Subdivision, to the City of Springdale, Arkansas, and Declaring an Emergency. Pgs. 10-13

D. **An Ordinance** accepting the Replat (RP23-06) of lots 14 & 15 Del's Woods Subdivision, to the City of Springdale, Arkansas, and Declaring an Emergency. Pgs. 14-18

9. Finance Committee by Chairwoman Amelia Williams

A. **A Resolution** authorizing the Mayor and City Clerk to renew a contract with the Downtown Springdale Alliance to promote, preserve, and enhance Downtown Springdale, and to facilitate the implementation of the Downtown Master Plan. Forwarded from Committee with recommendation for approval. Presented by Jill Dabbs, Downtown Springdale Alliance. Pgs. 19-25

B. **A Resolution** authorizing the execution of a Construction Management Contract for the Springdale Senior Center Project. Forwarded from Committee with recommendation for approval. Presented by Colby Fulfer, Chief of Staff. Pg. 26

C. **A Resolution** authorizing the expenditure of funds to acquire a portion of land from Dennis C. Richards and Glenda M. Richards for the Don Tyson Parkway Project (HWY 112 to 56th Street), Project No. CP1518. Forwarded from Committee with recommendation for approval. Presented by Ernest Cate, City Attorney. Pgs. 27-32

10. Committee of the Whole

A. **A Resolution** authorizing the conveyance of land owned by the City of Springdale to Danny Shipp and Lanelle Shipp in exchange for property owned by Danny Shipp and Lanelle Ship. Forwarded from Committee with recommendation for approval. Presented by Ernest Cate, City Attorney. Pgs. 33-35

B. **A Resolution** authorizing the conveyance of land owned by the City of Springdale to Katherine Russell in exchange for property owned by Katherine Russell. Forwarded from Committee with

recommendation for approval. Presented by Ernest Cate, City Attorney. Pgs. 36-39

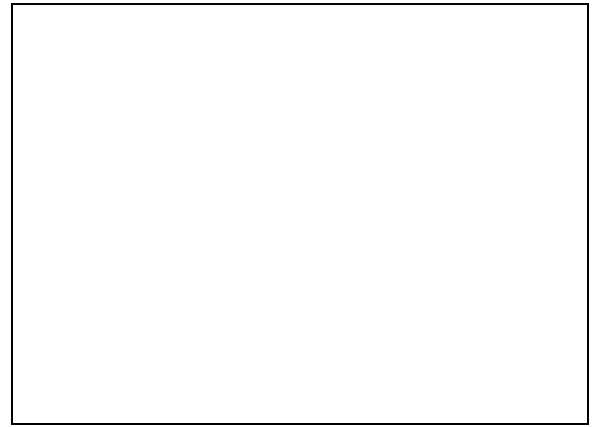
11. **A Resolution** setting a hearing date on a petition to vacate a portion of West Emma Avenue. Presented by Ernest Cate, City Attorney. Pgs. 40-41

12. Comments from Council Members.

13. Comments from City Attorney.

14. Comments from Mayor

15. Adjournment.



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING THE FINAL PLAT (FP23-02) OF BARBERRY COURT SUBDIVISION PHASE 1, TO THE CITY OF SPRINGDALE ARKANSAS, AND DECLARING AN EMERGENCY.

BE IT KNOWN BY THE CITY OF SPRINGDALE, ARKANSAS:

WHEREAS, there has been duly presented to the City Planning Commission of Springdale, Arkansas, a plat of certain lands in the City of Springdale, Washington County, Arkansas, being more particularly described as follows, to-wit:

SURVEY DESCRIPTION (PARCEL NO. 815-30506-003):

A PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION FIVE (5), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWENTY-NINE (29) WEST, OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, BEING TRACT 2 OF AN INFORMAL PLAT FILED AS PLAT FILE 24-313 OF THE WASHINGTON COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 5, SAID POINT BEING A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE ALONG THE NORTH LINE OF SAID SE 1/4 OF THE SW 1/4, S87°28'54"E A DISTANCE OF 635.15 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE LEAVING SAID NORTH LINE, S02°51'25"W A DISTANCE OF 506.76 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE S03°02'44"W A DISTANCE OF 482.84 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE S03°22'33"W A DISTANCE OF 48.40 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE N87°28'59"W A DISTANCE OF 632.89 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156" ON THE EAST LINE OF "THE APPLE ORCHARD" SUBDIVISION AS SHOWN ON THE FINAL PLAT (REVISED) OF "THE APPLE ORCHARD" FILED FEBRUARY 18, 1999 IN PLAT BOOK 15 AT PAGE 138 OF THE WASHINGTON COUNTY RECORDS; THENCE ALONG SAID EAST LINE, N02°50'39"E A DISTANCE OF 1038.00 FEET TO THE POINT OF BEGINNING, CONTAINING 15.12 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

AND WHEREAS, said Planning Commission, after conducting a public hearing, has approved the plat as presented by petitioner, and has approved the dedication of streets, rights-of-way and utility easements as shown upon said final plat and join with the said petitioner in petitioning the City Council to accept the said Final Plat (FP23-02) of Barberry Court Subdivision Phase 1.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the Final Plat (FP23-02) of Barberry Court Subdivision Phase 1, as shown on the plat approved by the City Planning Commission, a copy of which is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the City of Springdale, Washington County, Arkansas, and the City hereby accepts for use and benefit to the public the dedications contained therein.

EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

FINAL PLAT

OF

BARBERRY COURT SUBDIVISION - PHASE I

RECORDING INFORMATION

SURVEYOR'S NOTES:

THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE ORIGINAL SEAL AND SIGNATURE OF THE SURVEYOR. THE ORIGINAL SIGNATURE, IF NOT BLUE IN COLOR, IS NOT VALID.

PLAT CLOSURE DECLARATION:

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 1,234,735 FEET.

FEMA FLOOD PLAIN ZONE:

THIS PROPERTY IS NOT WITHIN A FLOOD ZONE AS SHOWN ON THE F.I.R.M. MAP # 05143C0090 F, PANEL 90 OF 575, WASHINGTON COUNTY, ARKANSAS & INCORPORATED AREAS. MAP REVISED: MAY 16, 2008.

UTILITIES:

THE UTILITY INFORMATION, IF ANY SHOWN HEREON, IS BASED ON ABOVE GROUND FEATURES ONLY AND THE CITY OF SPRINGDALE GIS MAP.

REFERENCES:

EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED BELOW. THE SURVEYOR RESEARCHED OR WAS PROVIDED NECESSARY DEEDS, RIGHT-OF-WAY MAPS, AND OTHER PERTINENT INFORMATION AS SHOWN BELOW. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR COURT CASE DECREES, ADVERSE POSSESSION CLAIMS, SUBSURFACE RIGHTS OR OWNERSHIP, ENCUMBRANCES, OR RESTRICTIVE COVENANTS.

ALL RECORDS LISTED BELOW ARE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS UNLESS OTHERWISE NOTED.

- A. **WARRANTY DEED:** NWA LD, LLC, RECORDED JUNE 30, 2021, FILE NO. 2021-24949.
- B. **INFORMAL PLAT:** BY ENGINEERING SERVICES, INC., S. CRAIG DAVIS, AR PLS 1156, RECORDED JANUARY 28, 2021, FILE NO. 24-313.
- C. **INFORMAL PLAT:** BY ENGINEERING SERVICES, INC., S. CRAIG DAVIS, AR PLS 1156, RECORDED APRIL 15, 2022, FILE NO. 24-406.
- D. **FINAL PLAT OF CANDLESTICK PLACE:** BY PRESLEY ENGINEERING COMPANY, JACK E. STIFFLER, AR PLS 772, RECORDED JULY 19, 1994, PLAT FILE 13-33.
- E. **FINAL PLAT OF THE APPLE ORCHARD (REVISED):** BY JORGENSEN & ASSOCIATES CONSULTING ENGINEERS, INC., DAVID L. JORGENSEN, AR PLS 1118, RECORDED FEBRUARY 16, 1999, PLAT FILE 15-138.
- F. **FINAL PLAT OF STOCKTON PLACE:** BY LANDTECH ENGINEERING, INC., LEONARD F. GABBARD, AR PLS 1204, RECORDED JUNE 21, 2006, FILE NO. 23A-228.

SURVEY DESCRIPTION (PARCEL NO. 815-30506-003):

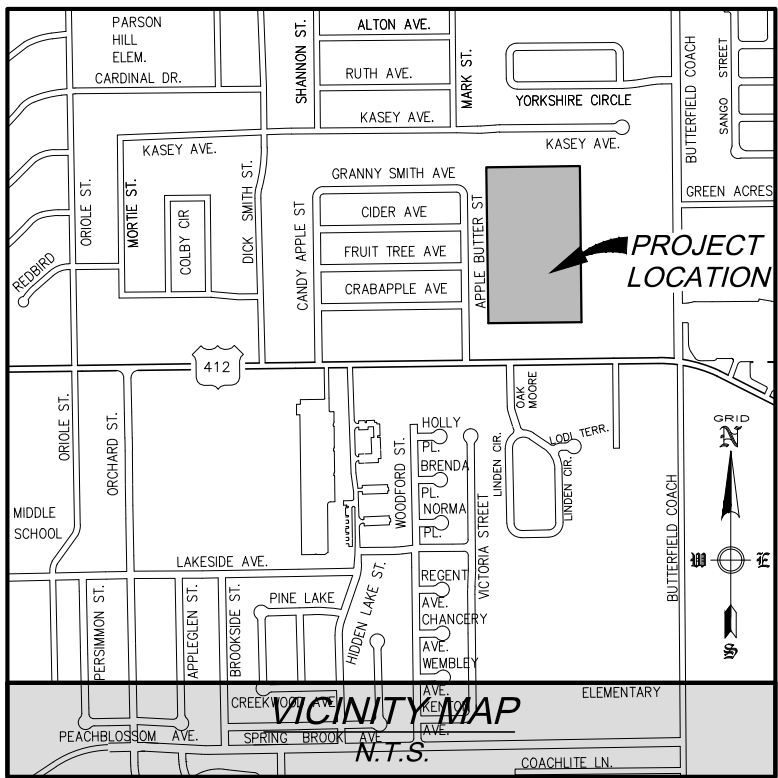
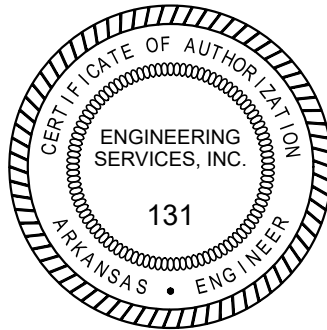
A PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION FIVE (5), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWENTY-NINE (29) WEST, OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, BEING TRACT 2 OF AN INFORMAL PLAT FILED AS PLAT FILE 24-313 OF THE WASHINGTON COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 5, SAID POINT BEING A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE ALONG THE NORTH LINE OF SAID SE 1/4 OF THE SW 1/4, S87°28'54"E A DISTANCE OF 635.15 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE LEAVING SAID NORTH LINE, S02°51'02"W A DISTANCE OF 506.76 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE S03°02'44"W A DISTANCE OF 482.84 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE S03°22'33"W A DISTANCE OF 48.40 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE N87°28'59"W A DISTANCE OF 632.89 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156" ON THE EAST LINE OF "THE APPLE ORCHARD" SUBDIVISION AS SHOWN ON THE FINAL PLAT (REVISED) OF "THE APPLE ORCHARD" FILED FEBRUARY 18, 1999 IN PLAT BOOK 15 AT PAGE 138 OF THE WASHINGTON COUNTY RECORDS; THENCE ALONG SAID EAST LINE, N02°50'39"E A DISTANCE OF 1038.00 FEET TO THE **POINT OF BEGINNING**, CONTAINING 15.12 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

CERTIFICATE OF ACCURACY OF SURVEY:

I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED ON THIS PLAT IS A TRUE AND CORRECT SURVEY AND THAT THE MONUMENTS HAVE BEEN PLACED AS STATED AND AS REQUIRED BY THE SUBDIVISION REGULATIONS OF THE CITY OF SPRINGDALE.

DATE: _____ SURVEYOR: _____
RODNEY WOODS, PS 1559



BY
ENGINEERING SERVICES INC.



CONSULTING ENGINEERS
SPRINGDALE, ARKANSAS
PHONE: 479-751-8733
FAX: 479-751-8746
WWW.ENGINEERINGSERVICES.COM

NOTES:

- 1) ALL STREET RIGHTS-OF-WAY WITHIN SUBDIVISION ARE DEDICATED PER THIS PLAT AND ARE 46' IN WIDTH.
- 2) 1/2" REBAR WITH CAP "PS 1559" SET AT ALL PROPERTY CORNERS.
- 3) NO FENCES SHALL BE CONSTRUCTED WITHIN ANY DRAINAGE EASEMENTS.
- 4) SIDEWALKS SHALL BE PLACED BY THE INDIVIDUAL LOT OWNER AS REQUIRED BY SPRINGDALE CITY ORDINANCE. DEVELOPER SHALL PLACE SIDEWALK ON ALL PORTIONS OF THE STREETS THAT DO NOT HAVE LOT FRONTAGE.
- 5) ANY ABOVE GROUND OR VISIBLE UTILITY PLACED IN THE FRONT UTILITY EASEMENT MAY NOT BE MORE THAN 6' FROM THE SIDE PROPERTY LINE.
- 6) STREET LIGHTS IN SUBDIVISION TO BE A MINIMUM OF 6,800 LUMENS. ALL STREET LIGHTS SHALL BE PUBLIC AND MAINTAINED/BILLED BY THE CITY.
- 7) LOTS 88-90 ARE NON-BUILDABLE AND ARE TO BE MAINTAINED BY THE POA.
- 8) PRIVACY FENCING IS REQUIRED FOR THE REAR OF LOTS 29-65.

TRANSMITTAL, OWNERSHIP AND ORDINANCE:

THE UNDERSIGNED HEREBY TRANSMITS THIS PLAT TO THE CITY OF SPRINGDALE FOR APPROVAL AND ACCEPTANCE AND CERTIFY TO BE THE OWNER OF THE PROPERTY DESCRIBED AND HEREBY DEDICATES ALL STREETS, ALLEYS, EASEMENTS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED. THE UNDERSIGNED CERTIFIES THAT THE PLATTING AS FILED ON RECORD CANNOT BE CHANGED UNLESS VACATED PURSUANT TO APPLICABLE LOCAL OR OTHER LAW. THE UNDERSIGNED FURTHER CERTIFIES THAT THE REQUIRED ORDINANCE OF ACCEPTANCE IS IN ORDER HAVING BEEN APPROVED BY THE CITY ATTORNEY ON _____.

OWNER / DEVELOPER: NWA LD, LLC
PO BOX 10580
FAYETTEVILLE, AR 72703

SIGNATURE _____ DATE _____

RESOLUTION: RESOLVED THAT NWA LD, LLC, HEREBY AUTHORIZES _____ TO EXECUTE THE CERTIFICATE OF OWNERSHIP AND DEDICATION AS SHOWN ON THIS FINAL PLAT.

CERTIFICATE: WE, NWA LD, LLC, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE RESOLUTION.

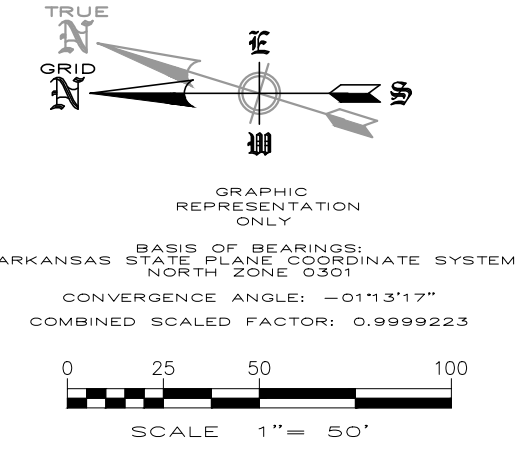
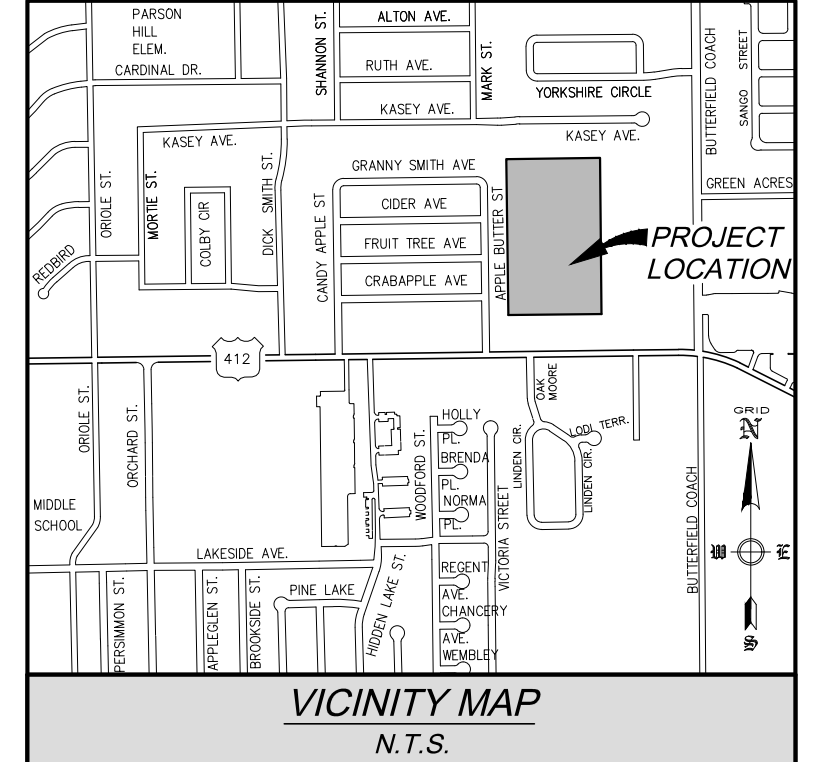
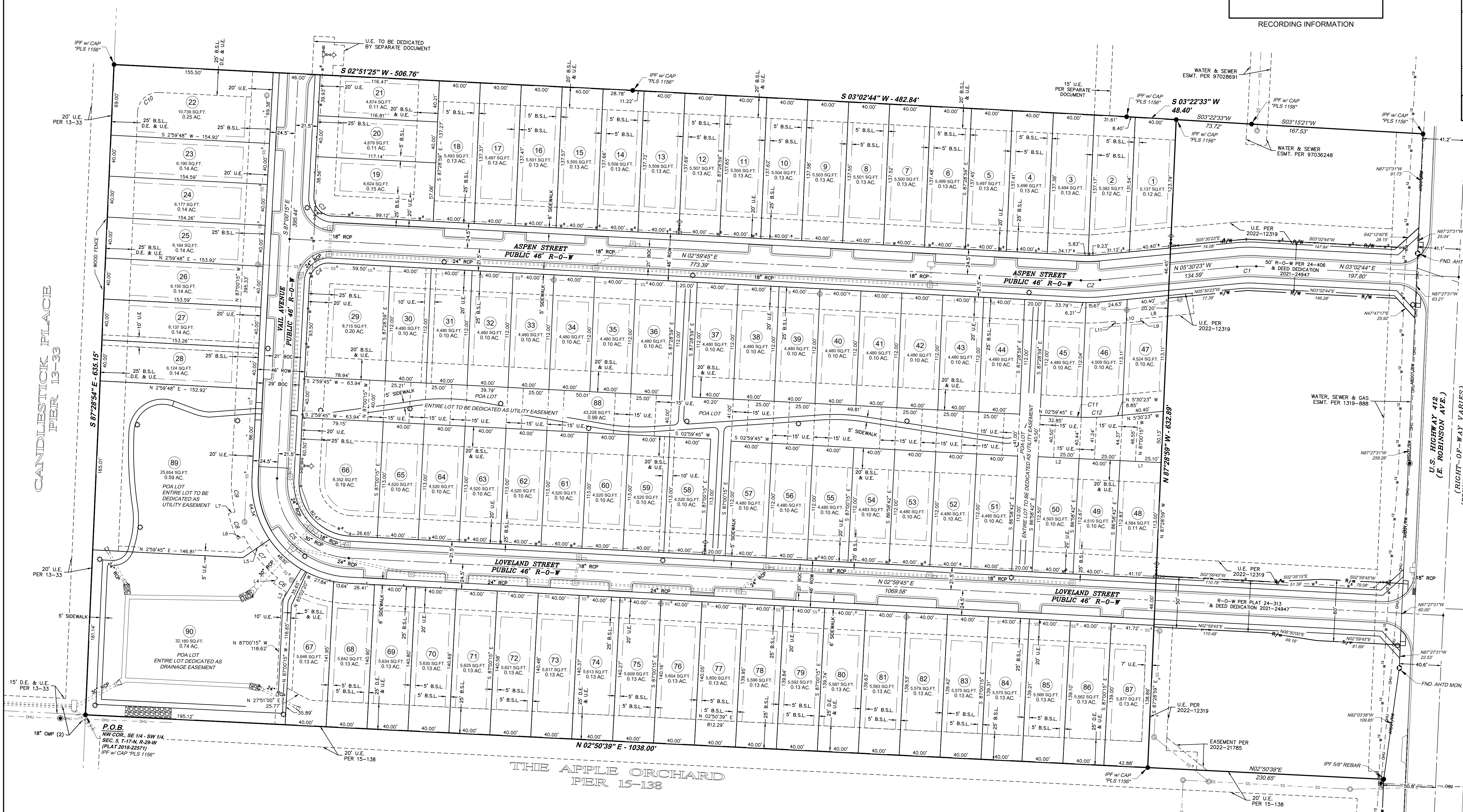
DATE: _____ SIGNATURE: _____

CERTIFICATE OF ACCEPTANCE:

THE UNDERSIGNED HEREBY CERTIFY THAT THIS PLAT MEETS CURRENT REGULATIONS OF THE CITY OF SPRINGDALE AND REGULATIONS OF THE ARKANSAS STATE BOARD OF HEALTH AS EACH PERTAINS TO THIS PLAT AND TO THE OFFICES OF RESPONSIBILITY SHOWN BELOW.

ACCEPTANCE OF DEDICATIONS	DATE _____	SIGNATURE _____
		CITY CLERK
		MAYOR
COMMISSION		SECRETARY, PLANNING
		CHAIRMAN, PLANNING COMMISSION
APPROVAL FOR RECORDING		DIRECTOR, COMMUNITY DEVELOPMENT DIVISION
WATER AND SEWER		ENGINEER SPRINGDALE WATER UTILITIES
STREETS AND DRAINAGE		DIRECTOR, ENGINEERING

CANDLESTICK PLACE
PER 13-33



LEGEND	
—	PROPERTY LINE
—	SECTION "40" LINE
—	ARROW RIGHT-OF-WAY
—	RIGHT-OF-WAY
—	EASEMENT (AS NOTED)
—	BUILDING SETBACK LINE (B.S.L.)
—	CENTERLINE OF ROAD
—	OVERHEAD UTILITIES
—	SANITARY SEWER LINE
—	WATER LINE
—	CURB AND GUTTER
—	STORM PIPE (SIZE AS NOTED)
P.O.B.	POINT OF BEGINNING
●	IPF - IRON PIN FOUND (AS NOTED)
○	FOUND MONUMENT (AS NOTED)
○	SEWER MANHOLE
⊕	FIRE HYDRANT
⊕	WATER VALVE
⊕	POWER POLE
⊕	LIGHT POLE

Curve Table				
Curve #	Length	Radius	Chord Length	Chord Bearing
C1	18.66'	125.00'	18.64'	N01°13'00"W
C2	18.55'	125.00'	18.53'	N01°15'19"W
C3	20.06'	16.50'	26.16'	N47°39'45"E
C4	20.06'	16.50'	26.16'	S42°00'15"E
C5	116.24'	74.00'	104.65'	N47°39'45"E
C6	15.09'	132.14'	15.08'	N04°41'07"E
C7	52.89'	118.50'	52.45'	N05°47'38"E
C8	26.57'	125.25'	26.50'	N08°49'04"E
C9	35.36'	118.50'	35.25'	N04°28'34"E
C10	31.53'	20.00'	28.37'	S42°16'45"E
C11	7.15'	259.50'	7.15'	N02°12'24"E
C12	31.36'	259.50'	31.34'	N02°02'40"W

Line Table		
Line #	Length	Bearing
L1	40.10'	S02°42'26"W
L2	40.00'	S02°45'26"W
L3	11.67'	S66°02'20"E
L4	6.61'	S82°02'37"E
L5	31.50'	S34°25'38"E
L6	6.75'	N06°15'15"W
L7	6.75'	S14°06'31"E
L8	26.57'	N05°30'23"W
L9	2.64'	S84°29'37"W
L10	24.79'	N05°30'23"W
L11	2.64'	N84°29'37"E

FINISHED FLOOR ELEVATIONS	
LOT #	ELEVATION
1	1375.50
2	1375.50
3	1375.50
4	1375.50
5	1375.50
6	1375.50
7	1375.50
8	1375.50
9	1375.50
10	1375.50
11	1375.50
12	1375.50
13	1375.50
14	1375.50
15	1375.50
16	1375.50
17	1375.50
18	1375.50
19	1375.50
20	1375.50

FINISHED FLOOR ELEVATIONS	
LOT #	ELEVATION
21	1375.50
22	1375.50
23	1375.50
24	1375.50
25	1375.50
26	1375.50
27	1375.50
28	1375.50
29	1375.50
30	1375.50
31	1375.50
32	1375.50
33	1375.50
34	1375.50
35	1375.50
36	1375.50
37	1375.50
38	1375.50
39	1375.50
40	1375.50

FINISHED FLOOR ELEVATIONS	
LOT #	ELEVATION
41	1375.50
42	1375.50
43	1375.50
44	1375.50
45	1375.50
46	1375.50
47	1375.50
48	1375.50
49	1375.50
50	1375.50
51	1375.50
52	1375.50
53	1375.50
54	1375.50
55	1375.50
56	1375.50
57	1375.50
58	1375.50
59	1375.50
60	1375.50

FINISHED FLOOR ELEVATIONS	
LOT #	ELEVATION
61	1375.50
62	1375.50
63	1375.50
64	1375.50
65	1375.50
66	1375.50
67	1375.50
68	1375.50
69	1375.50
70	1375.50
71	1375.50
72	1375.50
73	1375.50
74	1375.50
75	1375.50
76	1375.50
77	1375.50
78	1375.50
79	1375.50
80	1375.50

FINISHED FLOOR ELEVATIONS	
LOT #	ELEVATION
81	1375.50
82	1375.50
83	1375.50
84	1375.50
85	1375.50
86	1375.50
87	1375.50
88	1375.50
89	1375.50
90	1375.50

OWNER/DEVELOPER
NWA LD, LLC
PO BOX 10560
FAYETTEVILLE, AR 72703

ENGINEER/SURVEYOR:
ENGINEERING SERVICES, INC.
1207 S. OLD MISSOURI ROAD
P.O. BOX 282
SPRINGDALE, AR 72765

CITY ZONING:
SETBACKS (PUD):
INTERIOR FRONT - 25'
EXTERIOR FRONT - 30'
INTERIOR SIDE - 5'
EXTERIOR SIDE - 10'
REAR - 20'

STREET TABLE	
CLASSIFICATION	PUBLIC STREET
LOCAL STREET	2,725 L.F.

BENCHMARKS:
1) CITY DISK IN DROP INLET - TBD (NAVD 88)
2) CITY DISK IN DROP INLET - TBD (NAVD 88)

REVISION	DATE	DESCRIPTION

FINAL PLAT OF
BARBERRY COURT SUBDIVISION - PHASE I
SPRINGDALE, WASHINGTON COUNTY, ARKANSAS

SCALE: 1"=50' DATE: March 23, 2023 DRAWN BY: KND

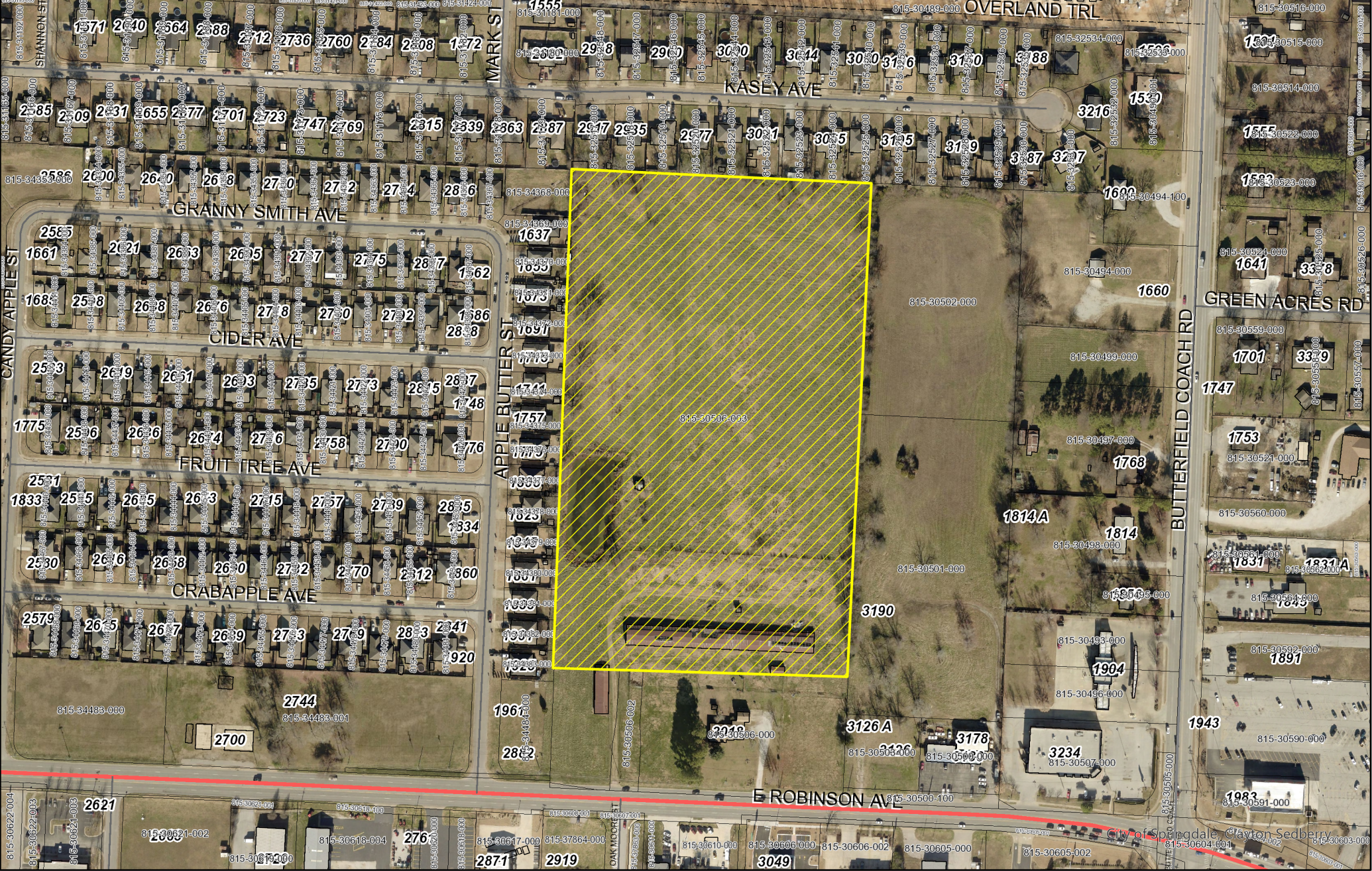
ENGINEERING SERVICES, INCORPORATED
SPRINGDALE, ARKANSAS

PLAT CODE: 500-17N-29W-0-05-320-72-1559

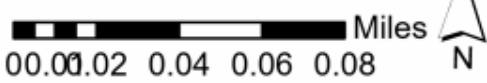
W.O.# 20951 SHEET 2/2

FP23-02



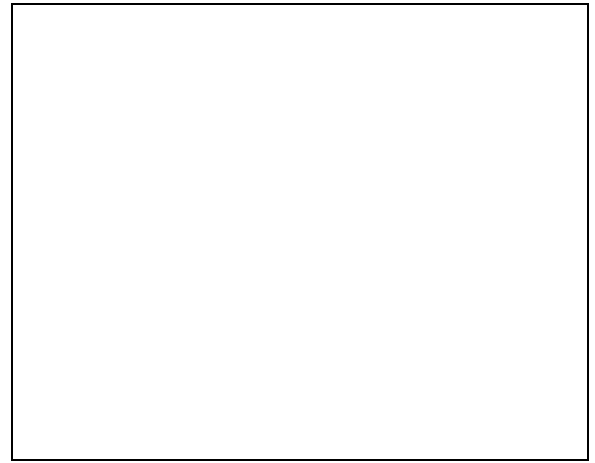


Planning Commission Meeting
April 4, 2023



PROJECT: FP23-02
APPLICANT: NWA LD, LLC
REQUEST: Final Plat of Barberry Court
Subdivision, Phase 1





ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING THE RE-PLAT (RP23-03)
OF ALL OF LOT 12 & PART OF LOT 11, BLOCK 1,
NORTH HEIGHTS ADDITION TO THE CITY OF
SPRINGDALE ARKANSAS, AND DECLARING AN
EMERGENCY.**

BE IT KNOWN BY THE CITY OF SPRINGDALE, ARKANSAS:

WHEREAS, there has been duly presented to the City Planning Commission of Springdale, Arkansas, a plat of certain lands in the City of Springdale, Washington County, Arkansas, being more particularly described as follows, to-wit:

PARCEL 815-24001-000 - RECORD DESCRIPTION (BOOK 2017, PG. 34869)
THIRTY-SEVEN (37) FEET OF EQUAL AND UNIFORM WIDTH OFF THE SOUTH SIDE
OF LOT ELEVEN (11) IN BLOCK ONE (1) IN NORTH HEIGHTS ADDITION TO THE
CITY OF SPRINGDALE, ARKANSAS, AS PER PLAT OF SAID ADDITION ON FILE IN
THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF
WASHINGTON COUNTY, ARKANSAS.

PARCEL 815-24001-000 - ADJUSTED DESCRIPTION
A PART OF LOT ELEVEN (11) AND A PART OF LOT TWELVE (12) IN BLOCK ONE (1)
IN NORTH HEIGHTS ADDITION TO THE CITY OF SPRINGDALE, ARKANSAS, AS PER
PLAT OF SAID ADDITION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-
OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING
3" BRASS MONUMENT IN CONCRETE FOR THE SOUTHWEST CORNER OF SAID LOT
TWELVE (12), AND RUNNING THENCE N02°22'42"E 120.01' TO A SET 1/2" REBAR &
CAP, THENCE S87°17'12"E 79.32' TO A SET 1/2" REBAR & CAP, THENCE S21°56'03"W
80.88' TO A SET 1/2" REBAR & CAP, THENCE S33°44'20"E 54.22' TO A SET 1/2" REBAR
& CAP, THENCE N87°18'21"W 84.20' TO THE POINT OF BEGINNING. CONTAINING
0.18 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF
RECORD.

PARCEL 815-24002-000 - RECORD DESCRIPTION (BOOK 2017, PG. 34869)
LOT TWELVE (12) IN BLOCK ONE (1) IN NORTH HEIGHTS ADDITION TO THE CITY
OF SPRINGDALE, ARKANSAS, AS PER PLAT OF SAID ADDITION ON FILE IN THE

OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS.

PARCEL 815-24002-000 - ADJUSTED DESCRIPTION

A PART OF LOT ELEVEN (11) AND A PART OF LOT TWELVE (12) IN BLOCK ONE (1) IN NORTH HEIGHTS ADDITION TO THE CITY OF SPRINGDALE, ARKANSAS, AS PER PLAT OF SAID ADDITION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A SET 1/2" REBAR & CAP WHICH IS S87°18'21"E 84.20' FROM THE SOUTHWEST CORNER OF SAID LOT TWELVE (12), AND RUNNING THENCE N33°44'20"W 54.22' TO A SET 1/2" REBAR & CAP, THENCE N21°56'03"E 80.88' TO A SET 1/2" REBAR & CAP, THENCE S87°17'12"E 65.98' TO A SET 1/2" REBAR & CAP, THENCE S02°23'39"W 119.96' TO AN EXISTING 1/2" REBAR, THENCE N87°18'21"W 61.06' TO THE POINT OF BEGINNING. CONTAINING 0.22 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

AND WHEREAS, said Planning Commission after conducting a public hearing, has approved the re-plat as presented by petitioner, and has approved the dedication of streets, rights-of-way and utility easements as shown upon said replat and join with the said petitioner in petitioning the City Council to accept the said REPLAT (RP23-03) OF ALL OF LOT 12 & PART OF LOT 11, BLOCK 1, NORTH HEIGHTS ADDITION to the City of Springdale, Arkansas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the REPLAT (RP23-03) OF ALL OF LOT 12 & PART OF LOT 11, BLOCK 1, NORTH HEIGHTS ADDITION, TO THE City of Springdale, Arkansas, as shown on the re-plat approved by the City Planning Commission, a copy of which is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the City of Springdale, Benton County, Arkansas, and the City hereby accepts for use and benefit to the public the dedications contained therein.

EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2022.

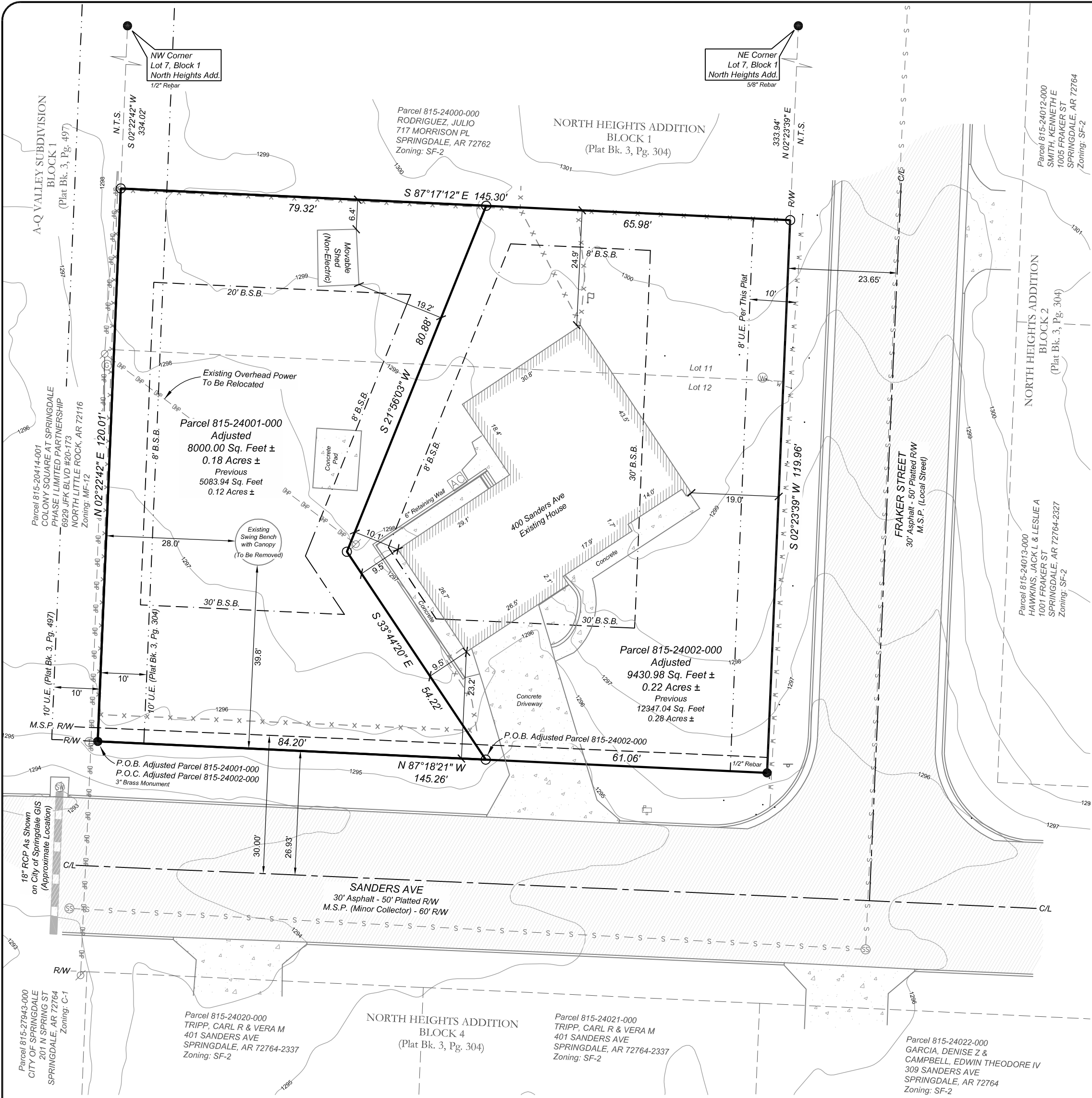
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest Cate, CITY ATTORNEY



Utility Notes

THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES ONLY. THE SURVEYOR WAS NOT PROVIDED WITH UNDERGROUND PLANS OR SURFACE GROUND MARKINGS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN USES.



BEFORE DIGGING IN THIS AREA, CALL "ONE CALL" 811 FOR FIELD LOCATIONS (REQUEST FOR GROUND MARKINGS) OF UNDERGROUND UTILITY LINES.

Zoning & Setbacks

CURRENT ZONING: SF-2, LOW / MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT

ONE-FAMILY SF-2 BUILDING SETBACKS:
FRONT: 30'
SIDE (INTERIOR): 8' / 8'
CORNER (INTERIOR): 8'
CORNER (EXTERIOR): 30'
BACK: 20'

ZERO-LOT LINE SF-2 BUILDING SETBACKS:
FRONT: 30'
SIDE (INTERIOR): 16' / 0'
CORNER (INTERIOR): 16' / 0'
CORNER (EXTERIOR): 30'
BACK: 20'

FOR FURTHER INTERPRETATION AND/OR DETAILED EXPLANATION OF THE CITY OF SPRINGDALE ZONING REGULATIONS, PLEASE CONTACT THE CITY OF SPRINGDALE PLANNING DEPT.

CONTACT:
CITY OF SPRINGDALE PLANNING DEPT.
201 SPRING STREET
SPRINGDALE, AR 72764
PHONE: (479) 750-8550
FAX: (479) 750-8539

CERTIFICATE OF SURVEYING ACCURACY
I, WESLEY S. LUKER, HEREBY CERTIFY THAT THIS PLAT 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. 1873

CERTIFICATION OF TRANSMITTAL, OWNERSHIP, AND ORDINANCE:

THE UNDERSIGNED HEREBY TRANSMIT THIS PLAT TO THE CITY OF SPRINGDALE FOR APPROVAL AND ACCEPTANCE AND CERTIFY TO BE THE OWNER OF THE PROPERTY DESCRIBED AND HEREBY DEDICATE ALL STREETS, ALLEYS, EASEMENTS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED. THE UNDERSIGNED CERTIFY THAT THE PLATTING AS FILED ON RECORD CANNOT BE CHANGED UNLESS VACATED PURSUANT TO APPLICABLE LOCAL OR OTHER LAW. THE UNDERSIGNED FURTHER CERTIFY THAT THE REQUIRED ORDINANCE OF ACCEPTANCE IS IN ORDER HAVING BEEN APPROVED BY THE CITY ATTORNEY ON _____.

RANDON ROBE HAS AUTHORITY TO EXECUTE THE CERTIFICATE OF TRANSMITTAL, OWNERSHIP, AND ORDINANCE.

DATE _____ OWNER _____

STATE OF _____
COUNTY OF _____
SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____ 20____.

NOTARY PUBLIC _____
MY COMMISSION EXPIRES _____

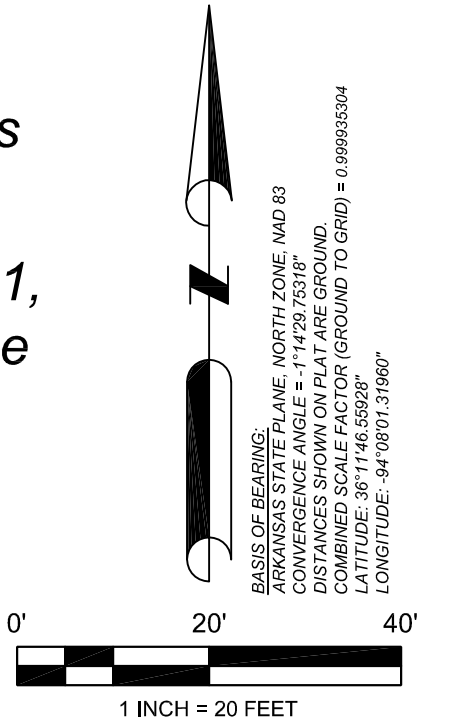
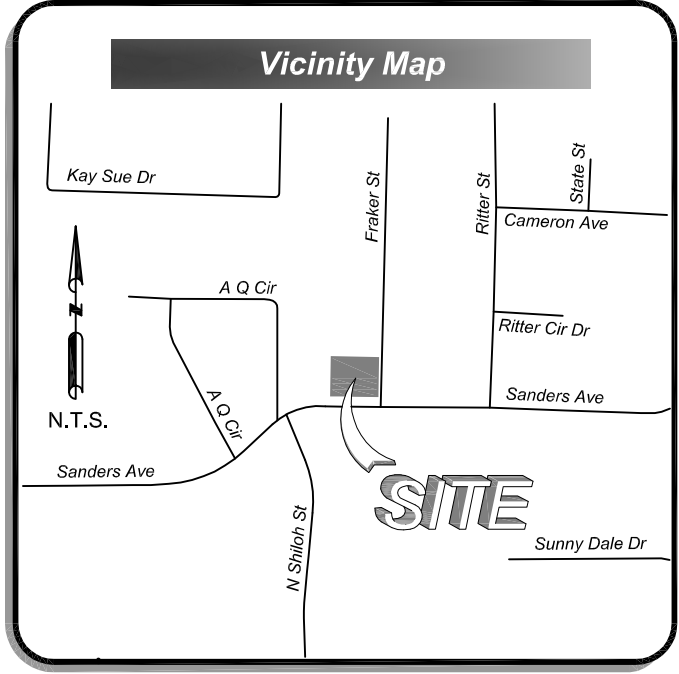
CERTIFICATE OF ACCEPTANCE:
THE UNDERSIGNED HEREBY CERTIFY THAT THIS PLAT MEETS CURRENT REGULATIONS OF THE CITY OF SPRINGDALE AND REGULATIONS OF THE ARKANSAS STATE BOARD OF HEALTH AS EACH PERTAINS TO THIS PLAT AND TO THE OFFICES OF RESPONSIBILITY SHOWN BELOW.

	DATE	SIGNATURE
ACCEPTANCE OF DEDICATIONS	_____	_____ CITY CLERK
	_____	_____ MAYOR
APPROVAL FOR RECORDING	_____	_____ DIRECTOR, PLANNING AND COMMUNITY DEVELOPMENT DIVISION
COMMISSION	_____	_____ SECRETARY, PLANNING COMMISSION
	_____	_____ CHAIRMAN, PLANNING COMMISSION
WATER AND SEWER	_____	_____ ENGINEER, SPRINGDALE WATER UTILITIES
STREETS AND DRAINAGE	_____	_____ CITY ENGINEER

RE-PLAT

Property Line Adjustment for Parcels
815-24001-000 & 815-24002-000

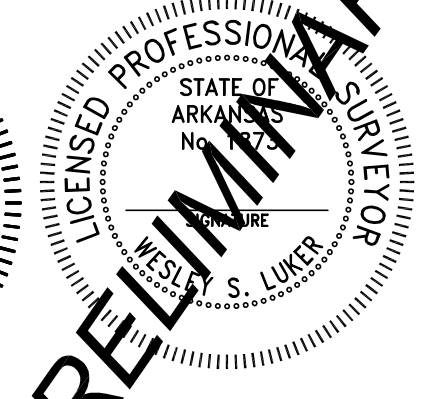
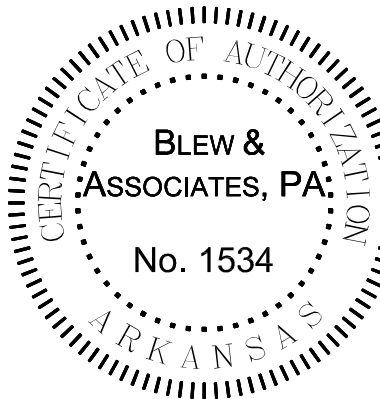
Including All of Lot 12 & Part of Lot 11,
Block 1, North Heights Addition to the
City of Springdale, Arkansas



Legend of Symbols & Abbreviations

- BOUNDARY LINE
- FORTY LINE
- CENTERLINE OF ROAD (CL)
- RIGHT-OF-WAY (RW)
- FENCE
- BUILDING SET BACK (B.S.B.)
- UTILITY EASEMENT (U.E.)
- WATER LINE
- SANITARY SEWER LINE
- OVERHEAD POWER LINE
- GUY LINE
- POWER POLE
- TELEPHONE PEDESTAL
- AIR CONDITIONER
- GAS METER CONNECTION
- WATER METER
- STORM WATER MANHOLE
- SANITARY SEWER MANHOLE
- MAILBOX
- STOP SIGN
- FOUND MONUMENT AS NOTED
- SET 1/2" REBAR & CAP
- M.S.P. MASTER STREET PLAN
- N.T.S. NOT TO SCALE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE _____ DAY OF _____ 20____.



IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL AND NOT IN COLOR THEN IT SHOULD BE ASSUMED THAT THIS PLAT MAY HAVE BEEN ALTERED. THE ABOVE CERTIFICATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

Survey Description

PARCEL 815-24001-000 - RECORD DESCRIPTION (BOOK 2017, PG. 34869)
THIRTY-SEVEN (37) FEET OF EQUAL AND UNIFORM WIDTH OFF THE SOUTH SIDE OF LOT ELEVEN (11) IN BLOCK ONE (1) IN NORTH HEIGHTS ADDITION TO THE CITY OF SPRINGDALE, ARKANSAS, AS PER PLAT OF SAID ADDITION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS.

PARCEL 815-24001-000 - ADJUSTED DESCRIPTION
A PART OF LOT ELEVEN (11) AND A PART OF LOT TWELVE (12) IN BLOCK ONE (1) IN NORTH HEIGHTS ADDITION TO THE CITY OF SPRINGDALE, ARKANSAS, AS PER PLAT OF SAID ADDITION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING 3" BRASS MONUMENT IN CONCRETE FOR THE SOUTHWEST CORNER OF SAID LOT TWELVE (12), AND RUNNING THENCE N02°22'42"E 120.01' TO A SET 1/2" REBAR & CAP, THENCE S87°17'12"E 79.32' TO A SET 1/2" REBAR & CAP, THENCE S21°56'03"W 80.88' TO A SET 1/2" REBAR & CAP, THENCE S33°44'20"E 54.22' TO A SET 1/2" REBAR & CAP, THENCE N87°18'21"W 84.20' TO THE POINT OF BEGINNING. CONTAINING 0.18 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

PARCEL 815-24002-000 - RECORD DESCRIPTION (BOOK 2017, PG. 34869)
LOT TWELVE (12) IN BLOCK ONE (1) IN NORTH HEIGHTS ADDITION TO THE CITY OF SPRINGDALE, ARKANSAS, AS PER PLAT OF SAID ADDITION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS.

PARCEL 815-24002-000 - ADJUSTED DESCRIPTION
A PART OF LOT ELEVEN (11) AND A PART OF LOT TWELVE (12) IN BLOCK ONE (1) IN NORTH HEIGHTS ADDITION TO THE CITY OF SPRINGDALE, ARKANSAS, AS PER PLAT OF SAID ADDITION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A SET 1/2" REBAR & CAP WHICH IS S87°18'21"E 84.20' FROM THE SOUTHWEST CORNER OF SAID LOT TWELVE (12), AND RUNNING THENCE N33°44'20"W 54.22' TO A SET 1/2" REBAR & CAP, THENCE N21°56'03"E 80.88' TO A SET 1/2" REBAR & CAP, THENCE S87°17'12"E 65.98' TO A SET 1/2" REBAR & CAP, THENCE S02°23'39"W 119.96' TO AN EXISTING 1/2" REBAR, THENCE N87°18'21"W 61.06' TO THE POINT OF BEGINNING. CONTAINING 0.22 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

Miscellaneous Notes

STATE RECORDING NUMBER:
500-18N-30W-0-25-320-72-1873

COMPLETED FIELD WORK:
DECEMBER 1, 2022

REFERENCE DOCUMENTS:
1. WARRANTY DEED FILED IN DEED BOOK 2017 AT PAGE 34869.
2. SUBDIVISION PLAT FILED IN PLAT BOOK 1 AT PAGE 304.
3. SUBDIVISION PLAT FILED IN PLAT BOOK 1 AT PAGE 497.

SOME FEATURES SHOWN ON THIS PLAT MAY BE SHOWN OUT OF SCALE FOR CLARITY.

DIMENSIONS ON THIS PLAT ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED. MONUMENTS WERE FOUND AT POINTS WHERE INDICATED.

BY GRAPHIC PLOTTING ONLY, NO PORTION OF THIS PROPERTY IS IN ZONE "A" OR "AE" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 05143C0060F, WHICH BEARS AN EFFECTIVE DATE OF 05/16/2008 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT OF ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT PROPERTY: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF SURVEY; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS OR OTHER LAND USE REGULATIONS; AND ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.

CONTOURS PER CITY OF SPRINGDALE GIS.

Owner/Developer

ROBE, RANDON
400 SANDERS AVE
SPRINGDALE, AR 72764

FORM:

BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS

3825 N. SHILOH DRIVE
FAYETTEVILLE, ARKANSAS 72703
OFFICE: 479.443.4506
FAX: 479.582.1883
www.BLEWINC.com

Certificate of Authorization No 1534

DRAWN BY & DATE: J.C. - 12/8/2022 REVIEWED BY: W.L. SURVEYED BY: J.W.

COUNTY & STATE: WASHINGTON COUNTY, ARKANSAS JOB NUMBER: 22-11181

LOCATION: BLOCK 1, NORTH HEIGHTS ADDITION

FOR THE USE AND BENEFIT OF:

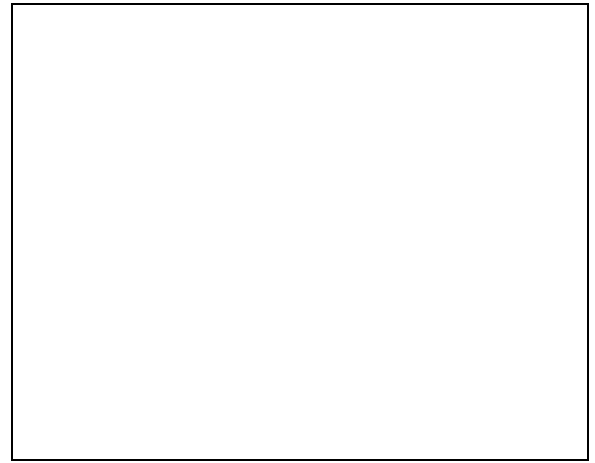
RANDON ROBE



TABLED UNTIL APRIL 4, 2023 PC
Planning Commission Meeting
March 7, 2023

PROJECT: RP23-03
APPLICANT: Randon Robe
REQUEST: Residential Replat of Northern
Heights Addition, Blocks 11 and 12





ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING THE RE-PLAT (RP23-05)
OF BLOCK 2, LOTS 3 & 7 OF ZACHARY ADDITION TO
THE CITY OF SPRINGDALE ARKANSAS, AND
DECLARING AN EMERGENCY.**

BE IT KNOWN BY THE CITY OF SPRINGDALE, ARKANSAS:

WHEREAS, there has been duly presented to the City Planning Commission of Springdale, Arkansas, a plat of certain lands in the City of Springdale, Washington County, Arkansas, being more particularly described as follows, to-wit:

PARENT PARCEL RECORD DESCRIPTION

WARRANTY DEED 2022-00031874 (APN 815-27441-000 & 815-27446-000):
A PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 18 NORTH, RANGE 30 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY, ARKANSAS, AND PART OF LOTS 6 AND 7 IN BLOCK 2 OF ZACHARY ADDITION TO THE CITY OF SPRINGDALE, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS S88°35'E 867.27 FEET FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE S88°35'E 14 FEET; THENCE NORTH 325 FEET; THENCE N88°35'W 75 FEET; THENCE SOUTH 60 FEET; THENCE N88°35'W 25 FEET; THENCE SOUTH 115 FEET; THENCE S88°35'E 86 FEET; THENCE SOUTH 150 FEET TO THE POINT OF BEGINNING AND CONTAINING .42 ACRE, MORE OR LESS AND SUBJECT TO THAT PORTION THAT LIES IN HUNTSVILLE AVENUE ON THE SOUTH SIDE.

SURVEY DESCRIPTION

COMBINED PARCELS APN: 815-27441-000 & 815-27446-000:
A PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 18 NORTH, RANGE 30 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY, ARKANSAS, AND PART OF LOTS 6 AND 7 IN BLOCK 2 OF ZACHARY ADDITION TO THE CITY OF SPRINGDALE, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:
COMMENCING AT A FOUND ALUMINUM STATE MONUMENT MARKING THE WEST QUARTER CORNER OF SECTION 25, TOWNSHIP 18 NORTH, RANGE 30 WEST;

THENCE S86°47'31"E 2641.48 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35; THENCE, SOUTH 88°16'55" EAST 867.27 FEET TO THE TRUE POINT OF BEGINNING; THENCE, NORTH 01°51'47" EAST 154.51 FEET TO A SET 5/8" REBAR CAPPED "AR PLS 1659"; THENCE, NORTH 88°16'55" WEST 85.66 FEET TO A SET 5/8" REBAR CAPPED "AR PLS 1659"; THENCE, NORTH 01°51'47" EAST 115.00 FEET TO A FOUND 5/8" REBAR; THENCE, SOUTH 88°16'55" EAST 24.88 FEET TO A FOUND 5/8" REBAR; THENCE, NORTH 01°51'47" EAST 59.79 FEET TO A FOUND 5/8" REBAR; THENCE, SOUTH 88°16'55" EAST 74.94 FEET TO A FOUND 3/8" REBAR; THENCE, SOUTH 01°51'47" WEST 329.79 FEET; THENCE, NORTH 86°40'06" WEST 14.17 FEET TO THE POINT OF BEGINNING. CONTAINING 0.417 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHT-OF-WAYS OF RECORD.

AND WHEREAS, said Planning Commission after conducting a public hearing, has approved the replat (RP23-05) as presented by petitioner, and has approved the dedication of streets, rights-of-way and utility easements as shown upon said re-plat and join with the said petitioner in petitioning the City Council to accept the said REPLAT OF BLOCK 2, LOTS 3 & 7 OF ZACHARY ADDITION to the City of Springdale, Arkansas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the REPLAT (RP23-05) OF BLOCK 2, LOTS 3 & 7 OF ZACHARY ADDITION, TO THE City of Springdale, Arkansas, as shown on the re-plat approved by the City Planning Commission, a copy of which is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the City of Springdale, Benton County, Arkansas, and the City hereby accepts for use and benefit to the public the dedications contained therein.

EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2022.

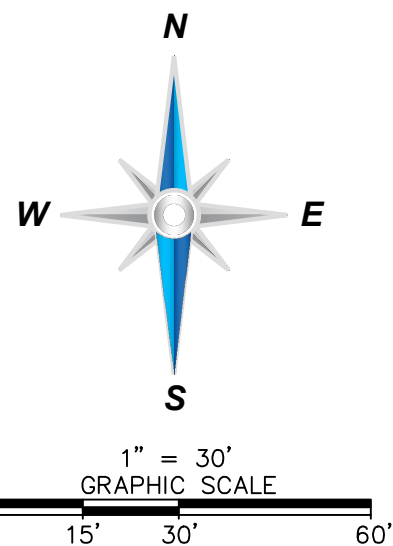
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest Cate, CITY ATTORNEY



ZONING INFORMATION

CURRENT ZONING: SF-2, LOW/MEDIUM DENSITY
SINGLE FAMILY RESIDENTIAL DISTRICT

SETBACK REQUIREMENTS:
FRONT - 30'
SIDE - 8' INTERIOR; 30' EXTERIOR
REAR - 20'

OWNER/DEVELOPER

ELMER PALENCIA PAIZ
1406 W HUNTSVILLE AVE
SPRINGDALE, AR 72764

REPLAT OF BLOCK 2, LOTS 3 & 7 OF ZACHARY ADDITION

1406 W HUNTSVILLE AVE
WASHINGTON COUNTY
SPRINGDALE, AR 72764

RECORD DESCRIPTION

WARRANTY DEED 2022-00031874 (APN 815-27441-000 & 815-27446-000):

A PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 18 NORTH, RANGE 30 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY, ARKANSAS, AND PART OF LOTS 6 AND 7 IN BLOCK 2 OF ZACHARY ADDITION TO THE CITY OF SPRINGDALE, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS S88°35'E 867.27 FEET FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE S88°35'E 14 FEET; THENCE NORTH 325 FEET; THENCE N88°35'W 75 FEET; THENCE SOUTH 60 FEET; THENCE N88°35'W 25 FEET; THENCE SOUTH 115 FEET; THENCE S88°35'E 86 FEET; THENCE SOUTH 150 FEET TO THE POINT OF BEGINNING AND CONTAINING .42 ACRE, MORE OR LESS AND SUBJECT TO THAT PORTION THAT LIES IN HUNTSVILLE AVENUE ON THE SOUTH SIDE.

SURVEY DESCRIPTION

APN: 815-27441-000 & 815-27446-000:

A PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 18 NORTH, RANGE 30 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY, ARKANSAS, AND PART OF LOTS 6 AND 7 IN BLOCK 2 OF ZACHARY ADDITION TO THE CITY OF SPRINGDALE, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT A FOUND ALUMINUM STATE MONUMENT MARKING THE WEST QUARTER CORNER OF SECTION 25, TOWNSHIP 18 NORTH, RANGE 30 WEST; THENCE S86°47'31"E 2641.48 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35; THENCE, SOUTH 88°16'55" EAST 867.27 FEET TO THE TRUE POINT OF BEGINNING; THENCE, NORTH 01°51'47" EAST 154.51 FEET TO A SET 5/8" REBAR CAPPED "AR PLS 1659"; THENCE, NORTH 88°16'55" WEST 85.66 FEET TO A SET 5/8" REBAR CAPPED "AR PLS 1659"; THENCE, NORTH 01°51'47" EAST 115.00 FEET TO A FOUND 5/8" REBAR; THENCE, SOUTH 88°16'55" EAST 24.88 FEET TO A FOUND 5/8" REBAR; THENCE, NORTH 01°51'47" EAST 59.79 FEET TO A FOUND 5/8" REBAR; THENCE, SOUTH 88°16'55" EAST 74.94 FEET TO A FOUND 3/8" REBAR; THENCE, SOUTH 01°51'47" WEST 329.79 FEET; THENCE, NORTH 86°40'06" WEST 14.17 FEET TO THE POINT OF BEGINNING. CONTAINING 0.417 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHT-OF-WAYS OF RECORD.

MISCELLANEOUS NOTES

STATE RECORDING NUMBER:
500-18N-30W-0-35-130-72-1659

COMPLETED FIELD WORK:
DECEMBER 12, 2022

BASIS OF BEARING

THE BASIS OF BEARING OF THIS SURVEY IS GRID NORTH, BASED ON ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE NAD83.

REFERENCE DOCUMENTS:

1. WARRANTY DEED FILED IN 2022-00031874.
2. SURVEY PLAT FILED IN 2020-00022171.
3. WARRANTY DEED FILED IN 98059037.
4. WARRANTY DEED FILED IN 2017-00006829.
5. WARRANTY DEED FILED IN 97007760.

SOME FEATURES SHOWN ON THIS PLAT MAY BE SHOWN OUT OF SCALE FOR CLARITY.

DIMENSIONS ON THIS PLAT ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED. MONUMENTS WERE FOUND AT POINTS WHERE INDICATED.

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT OF ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT PROPERTY: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF SURVEY; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS OR OTHER LAND USE REGULATIONS; AND ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.

CERTIFICATE OF OWNERSHIP:
AS OWNER OF THE PROPERTY SHOWN HEREON I HEREBY CERTIFY THAT I HAVE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED, AND DEDICATED AS PRESENTED ON THIS PLAT.

DATE OF EXECUTION

SIGNED
OWNER

CERTIFICATE OF SURVEYING ACCURACY
I, WILLIAM G. GAGNER, HEREBY CERTIFY THAT THIS PLAT 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: JANUARY 3, 2023

SIGNED:
REGISTERED LAND SURVEYOR
STATE OF ARKANSAS REGISTRATION NO. 1659

PLANNING BOARD APPROVAL:
THE UNDERSIGNED HEREBY CERTIFY THAT THIS PLAT MEETS CURRENT REGULATIONS OF THE CITY OF SPRINGDALE AND REGULATIONS OF THE ARKANSAS STATE BOARD OF HEALTH AS EACH PERTAINS TO THIS PLAT AND TO THE OFFICES OF RESPONSIBILITY SHOWN BELOW.

ACCEPTANCE OF DEDICATIONS

CITY CLERK

MAYOR

APPROVAL FOR RECORDING

DIRECTOR, PLANNING & COMMUNITY
DEVELOPMENT DIVISION

COMMISSION

SECRETARY, PLANNING COMMISSION

CHAIRMAN, PLANNING COMMISSION

WATER & SEWER

ENGINEER, SPRINGDALE WATER UTILITIES

STREET & DRAINAGE

CITY ENGINEER

CERTIFICATE OF TRANSMITTAL, OWNERSHIP, AND ORDINANCE:
THE UNDERSIGNED HEREBY TRANSMIT THIS PLAT TO THE CITY OF SPRINGDALE FOR APPROVAL AND ACCEPTANCE AND CERTIFY TO BE THE OWNER OF THE PROPERTY DESCRIBED AN HEREBY DEDICATE ALL STREETS, ALLEYS, EASEMENTS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED. THE UNDERSIGNED CERTIFY THAT THE PLATTING AS FILED ON RECORD CANNOT BE CHANGED UNLESS VACATED PURSUANT TO APPLICABLE LOCAL OR OTHER LAW. THE UNDERSIGNED FURTHER CERTIFY THAT THE REQUIRED ORDINANCE OF ACCEPTANCE IS IN ORDER HAVING BEEN APPROVED BY THE CITY ATTORNEY ON _____.

FLOOD ZONE INFORMATION

BY GRAPHIC PLOTTING ONLY, NO PORTION OF THIS PROPERTY IS IN ZONE "A" OR "AE" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 05143C0060F, WHICH BEARS AN EFFECTIVE DATE OF 05/16/2008 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

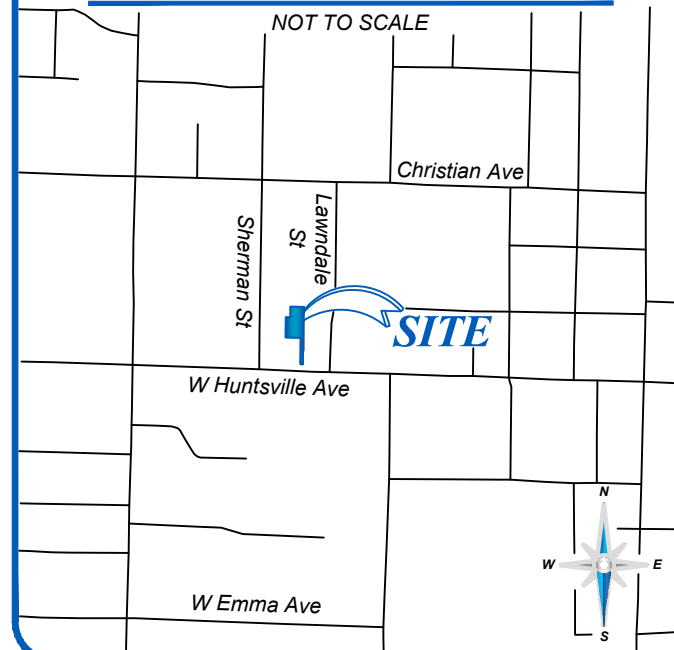
UTILITY INFORMATION

THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES ONLY. THE SURVEYOR WAS NOT PROVIDED WITH UNDERGROUND PLANS OR SURFACE GROUND MARKINGS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN USES.

LAND AREA

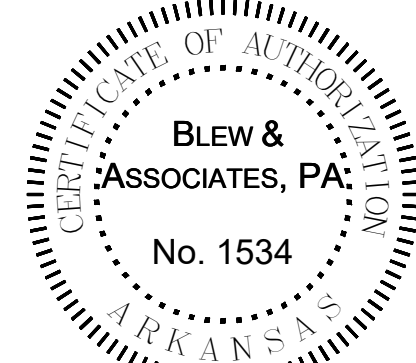
18,152 ± SQUARE FEET
0.417 ± ACRES

VICINITY MAP



LEGEND & SYMBOLS

- FOUND MONUMENT (AS NOTED)
- SET 5/8" REBAR CAPPED "AR PLS 1659"
- ⊕ COMPUTED POINT
- Ⓣ TELEPHONE PEDESTAL
- Ⓢ SANITARY MANHOLE
- Ⓜ GAS METER
- BOUNDARY LINE
- - - EASEMENT LINE
- - - RIGHT-OF-WAY LINE (R/W)
- - - CENTERLINE (C/L)
- x - x - x - FENCE LINE
- - - SETBACK LINE (BSB)
- w - w - w - UNDERGROUND WATER LINE
- s - s - s - SANITARY SEWER LINE



I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 3RD DAY OF JANUARY, 2023.



IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL AND NOT BLUE IN COLOR THEN IT SHOULD BE ASSUMED THAT THIS PLAT MAY HAVE BEEN ALTERED. THE ABOVE CERTIFICATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

BLEW & ASSOCIATES, P.A.

3825 N. SHILOH DRIVE - FAYETTEVILLE, AR 72703
EMAIL: SURVEY@BLEWINC.COM
OFFICE: 479.443.4506 · FAX: 479.582.1883
EMAIL: SURVEY@BLEWINC.COM · WWW.BLEWINC.COM

SURVEY JOB NUMBER:
22-11643.01

SURVEY DRAWN BY:
ANC - 1/3/2023

SURVEY REVIEWED BY:
TPN

SCALE:
1" = 30'

FOR THE USE AND BENEFIT OF:
ELMER PALENCIA PAIZ

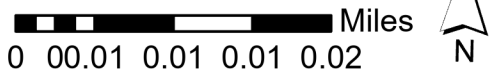
PROJECT NUMBER:
RP23-05

ARDOT JOB NO. 040063
SHEET 1 OF 1



Planning Commission Meeting
April 4, 2023

PROJECT: RP23-05
APPLICANT: Elmer Palencia Paiz
REQUEST: Replat of Block 2, Lots 3 & 7
in the Zachary Addition Subdivision



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING THE REPLAT (RP23-06)
OF LOTS 14 AND 15 OF DEL'S WOODS SUBDIVISION, A
RESIDENTIAL SUBDIVISION TO THE CITY OF
SPRINGDALE ARKANSAS, AND DECLARING AN
EMERGENCY.**

BE IT KNOWN BY THE CITY OF SPRINGDALE, ARKANSAS:

WHEREAS, there has been duly presented to the City Planning Commission of Springdale, Arkansas, a plat of certain lands in the City of Springdale, Benton County, Arkansas, being more particularly described as follows, to-wit:

SURVEY DESCRIPTION OF ADJUSTED LOT 14:

PART OF LOT 14 AND PART OF LOT 15, DEL'S WOODS SUBDIVISION, SPRINGDALE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT FILED IN PLAT RECORD 22L AT PAGE 192, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 14, SAID POINT BEING A FOUND 5/8 INCH REBAR IN CONCRETE; THENCE ALONG THE SOUTH LINE OF SAID LOT 14, N86°57'25"W A DISTANCE OF 270.59 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE LEAVING SAID SOUTH LINE, N09°37'31"E A DISTANCE OF 93.82 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE N25°27'56"W A DISTANCE OF 61.39 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE N59°49'00"W A DISTANCE OF 76.47 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559" ON THE EASTERLY RIGHT-OF-WAY LINE OF SILVER FOX STREET; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 51.61 FEET AND A CHORD BEARING AND DISTANCE OF N00°30'37"E - 49.35 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 21.03 FEET AND A CHORD BEARING AND DISTANCE OF N04°57'45"W - 20.42 FEET; THENCE N19°08'10"E A DISTANCE OF 47.72 FEET TO A FOUND 5/8 INCH REBAR; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, S70°54'32"E A DISTANCE OF 361.44 FEET TO THE NORTHEAST CORNER OF SAID LOT 14, SAID POINT BEING A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE ALONG THE EAST LINE OF SAID LOT 14, S02°34'04"W A DISTANCE OF 197.48 FEET TO THE POINT OF BEGINNING, CONTAINING 1.70 ACRES (74,194 SQUARE FEET), MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.

SURVEY DESCRIPTION OF ADJUSTED LOT 15:

PART OF LOT 14 AND PART OF LOT 15, DEL'S WOODS SUBDIVISION, SPRINGDALE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT FILED IN PLAT RECORD 22L AT PAGE 192, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 15, SAID POINT BEING A FOUND 5/8 INCH REBAR; THENCE ALONG THE WEST LINE OF SAID LOT 15, N04°28'16"E A DISTANCE OF 158.14 FEET TO A FOUND 5/8 INCH REBAR ON THE SOUTHERLY RIGHT-OF-WAY LINE OF ADEL AVENUE; THENCE LEAVING SAID WEST LINE AND ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 73.32 FEET AND A CHORD BEARING AND DISTANCE OF N72°05'15"E - 66.92 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, S59°49'00"E A DISTANCE OF 76.47 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE S25°27'56"E A DISTANCE OF 61.39 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE S09°37'31"W A DISTANCE OF 93.82 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559" ON THE SOUTH LINE OF SAID LOT 14; THENCE ALONG THE SOUTH LINES OF SAID LOTS 14 AND 15, N86°57'25"W A DISTANCE OF 153.04 FEET TO THE POINT OF BEGINNING, CONTAINING 0.57 ACRES (24,570 SQUARE FEET), MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.

AND WHEREAS, said Planning Commission, after conducting a public hearing, has approved the replat (RP23-06) as presented by petitioner, and has approved the dedication of streets, rights-of-way and utility easements as shown upon said replat and join with the said petitioner in petitioning the City Council to accept the said REPLAT OF LOTS 14 AND 15 OF DEL'S WOODS SUBDIVISION.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the REPLAT (RP23-06) OF LOTS 14 AND 15 OF DEL'S WOODS SUBDIVISION, as shown on the replat approved by the City Planning Commission, a copy of which is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the City of Springdale, Benton County, Arkansas, and the City hereby accepts for use and benefit to the public the dedications contained therein.

EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2023.

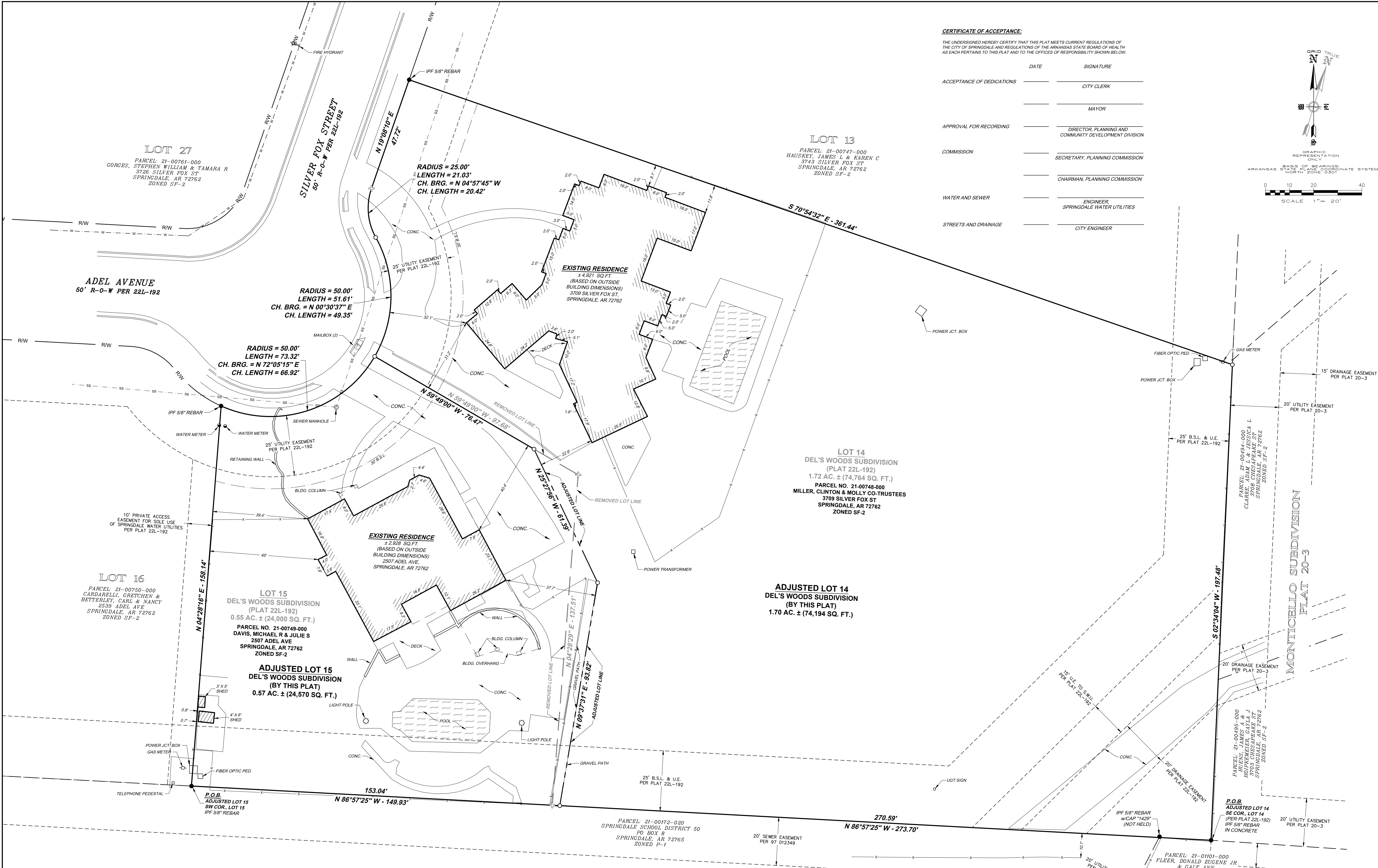
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

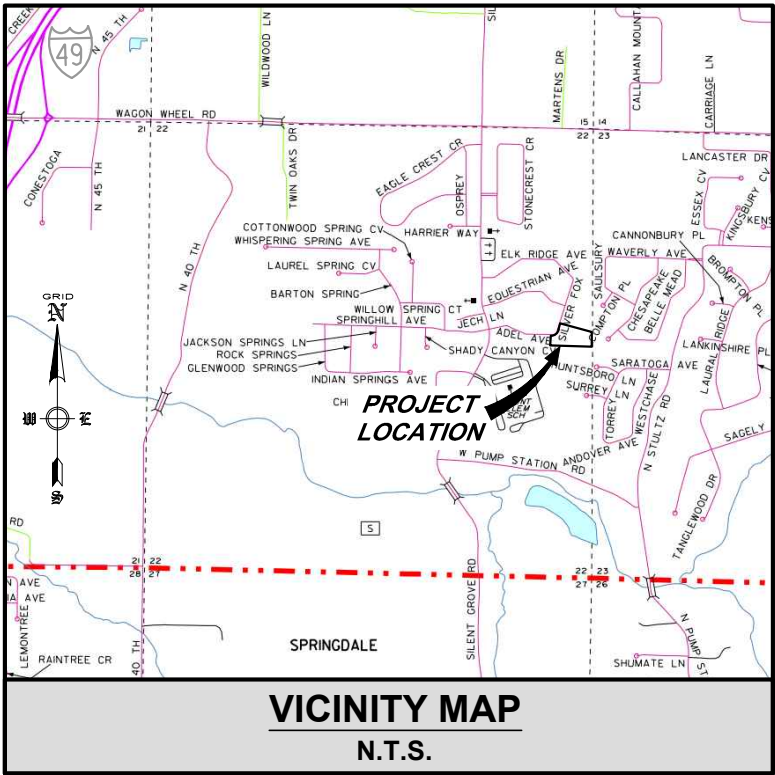
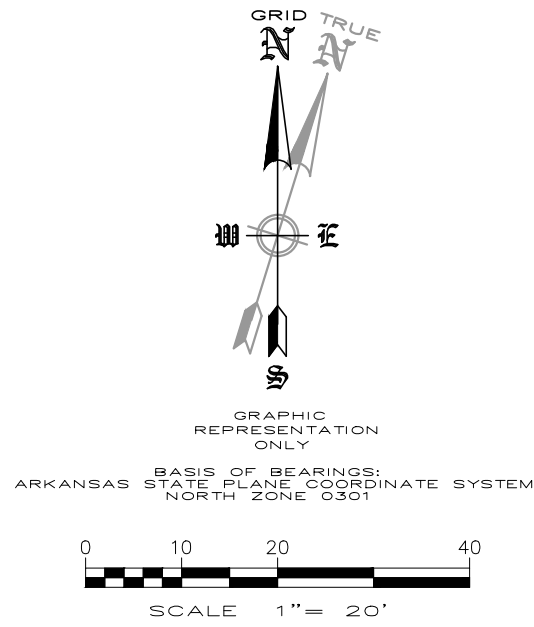
Ernest B. Cate, CITY ATTORNEY



CERTIFICATE OF ACCEPTANCE:

THE UNDERSIGNED HEREBY CERTIFY THAT THIS PLAT MEETS CURRENT REGULATIONS OF THE CITY OF SPRINGDALE AND REGULATIONS OF THE ARKANSAS STATE BOARD OF HEALTH AS EACH PERTAINS TO THIS PLAT AND TO THE OFFICES OF RESPONSIBILITY SHOWN BELOW.

DATE	SIGNATURE
ACCEPTANCE OF DEDICATIONS	CITY CLERK
	MAYOR
APPROVAL FOR RECORDING	DIRECTOR, PLANNING AND COMMUNITY DEVELOPMENT DIVISION
COMMISSION	SECRETARY, PLANNING COMMISSION
	CHAIRMAN, PLANNING COMMISSION
WATER AND SEWER	ENGINEER, SPRINGDALE WATER UTILITIES
STREETS AND DRAINAGE	CITY ENGINEER



SURVEYOR'S NOTES:

THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE ORIGINAL SEAL AND SIGNATURE OF THE SURVEYOR. THE ORIGINAL SIGNATURE, IF NOT BLUE IN COLOR, IS NOT VALID.

PLAT CLOSURE DECLARATION:

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN: LOT 14: 114.464 FEET LOT 15: 99.074 FEET

FEMA FLOOD PLAIN ZONE:

THIS PROPERTY IS NOT WITHIN A FLOOD PLAIN ZONE AS SHOWN ON THE F.I.R.M. MAP # 05007C0435J, PANEL 435 OF 560, BENTON COUNTY, ARKANSAS & INCORPORATED AREAS. EFFECTIVE DATE: SEPTEMBER 28, 2007.

UTILITIES:

THE UTILITY INFORMATION, IF ANY SHOWN HEREON, WAS OBSERVED BY THE SURVEYOR ON-SITE AND IS BASED ON ABOVE GROUND UTILITY FEATURES AND CITY OF SPRINGDALE G.I.S. ONLY.

THE DESIGNATIONS AND LOCATIONS OF THESE UTILITY FEATURES SHOWN HEREON ARE NOT TO BE CONSTRUED AS ALL INCLUSIVE OR ABSOLUTE AND ARE PROVIDED WITHOUT WARRANTY.

NO FENCES SHALL BE CONSTRUCTED WITHIN ANY DRAINAGE EASEMENT.

REFERENCES:

EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED BELOW. THE SURVEYOR RESEARCHED OR WAS PROVIDED NECESSARY DEEDS, RIGHT-OF-WAY MAPS, AND OTHER PERTINENT INFORMATION AS SHOWN BELOW. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR COURT CASE DECREES, ADVERSE POSSESSION CLAIMS, SUBSURFACE RIGHTS OR OWNERSHIP, ENCUMBRANCES, OR RESTRICTIVE COVENANTS.

ALL RECORDS LISTED BELOW ARE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS UNLESS OTHERWISE NOTED.

- A. **WARRANTY DEED:** CLINTON MILLER AND MOLLY MILLER, CO-TRUSTEES OF THE CLINT AND MOLLY MILLER REVOCABLE TRUST DTD OCTOBER 28, 2019, RECORDED OCTOBER 28, 2019, INSTRUMENT NO. L201957796.
- B. **WARRANTY DEED:** MICHAEL R. DAVIS AND JULIE S. DAVIS, RECORDED NOVEMBER 28, 2016, BOOK 2016 PAGE 71646.
- C. **FINAL PLAT FOR DEL'S WOODS SUBDIVISION:** BY LANDTECH ENGINEERING, INC., P.L. HAMPTON, AR PLS NO. 1078, RECORDED MARCH 6, 1997, PLAT BOOK 22L PAGE 182.
- D. **FINAL PLAT FOR MONTICELLO SUBDIVISION:** BY LANDTECH ENGINEERING, INC., P.L. HAMPTON, AR PLS NO. 1078, RECORDED OCTOBER 4, 1994, PLAT BOOK 20 PAGE 3.
- E. **FINAL PLAT OF STEEPCHASE SUBDIVISION:** BY ENGINEERING SERVICES, INC., DON A. SMITH, AR PLS NO. 796, RECORDED JUNE 8, 2001, PLAT BOOK P3 PAGE 916.

SURVEYOR'S DECLARATION:

I HEREBY DECLARE THAT I HAVE THIS DAY COMPLETED A SURVEY OF THE ABOVE DESCRIBED PROPERTY. THE PROPERTY LINES AND CORNER MONUMENTS ARE TO THE BEST OF MY KNOWLEDGE AND ABILITY, CORRECTLY ESTABLISHED, AND THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN ON THIS PLAT. I FURTHER DECLARE THAT THIS SURVEY MEETS THE CURRENT "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS", PER THE STATE OF ARKANSAS.

RODNEY WOODS, P.S. NO. 1559, AR DATE



OWNER: DAVIS, MICHAEL R & JULIE S
2507 ADEL AVE
SPRINGDALE, AR 72762

SURVEYOR: ENGINEERING SERVICES, INC.
1207 S. OLD MISSOURI ROAD
P.O. BOX 282
SPRINGDALE, AR 72765

WORK ORDER #: 23057
CITY ZONING: SF-2
SETBACKS: FRONT - 30'
PER PLAT 22L-192 REAR - 25' B.S. & U.E.

REVISION	DATE	DESCRIPTION
1	3/21/23	REVISED PER CITY COMMENTS
REPLAT OF LOT 14 & 15		
OF DEL'S WOODS SUBDIVISION		
SPRINGDALE, BENTON COUNTY, ARKANSAS		
SCALE: 1"=20'	DATE: March 21, 2023	DRAWN BY: KND
ENGINEERING SERVICES, INCORPORATED		
SPRINGDALE, ARKANSAS		
© COPYRIGHT 2023, ENGINEERING SERVICES, INC. 3/21/2023 9:53 AM		W.O.# 23057 SHEET 1/1

CERTIFICATION OF TRANSMITTAL OWNERSHIP AND ORDINANCE:

THE UNDERSIGNED HEREBY TRANSMIT THIS PLAT TO THE CITY OF SPRINGDALE FOR APPROVAL AND ACCEPTANCE AND CERTIFY TO BE THE OWNER OF THE PROPERTY DESCRIBED AND HEREBY DEDICATE ALL STREETS, ALLEYS, EASEMENTS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED. THE UNDERSIGNED CERTIFY THAT THE PLATTING AS FILED ON RECORD CANNOT BE CHANGED UNLESS VACATED PURSUANT TO APPLICABLE LOCAL OR OTHER LAW. THE UNDERSIGNED FURTHER CERTIFY THAT THE REQUIRED ORDINANCE OF ACCEPTANCE IS IN ORDER HAVING BEEN APPROVED BY THE CITY ATTORNEY ON _____.

MICHAEL R. DAVIS	DATE
JULIE S. DAVIS	DATE
CLINTON MILLER CO-TRUSTEE OF THE CLINT AND MOLLY MILLER REVOCABLE TRUST	DATE
MOLLY MILLER CO-TRUSTEE OF THE CLINT AND MOLLY MILLER REVOCABLE TRUST	DATE
SUSCRIBED AND SHOWN BEFORE ME THIS ____ DAY OF _____, 2023.	
MY COMMISSION EXPIRES: _____	
NOTARY PUBLIC	

LEGAL DESCRIPTION OF LOT 14 PER W.D. L201957796 (PARCEL NO. 21-00748-000):

LOT 14, DEL'S WOODS, SPRINGDALE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD "22L" AT PAGE 192.

LEGAL DESCRIPTION OF LOT 15 PER W.D. 2016-71846 (PARCEL NO. 21-00749-000):

LOT 15, DEL'S WOODS SUBDIVISION, SPRINGDALE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT FILED IN PLAT RECORD 22L AT PAGE 192.

SURVEY DESCRIPTION OF ADJUSTED LOT 14:

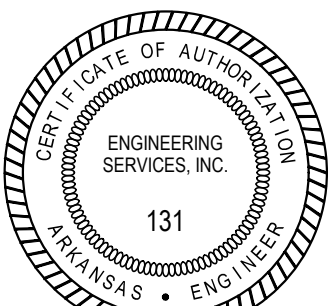
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SURVEY DESCRIPTION OF ADJUSTED LOT 15:

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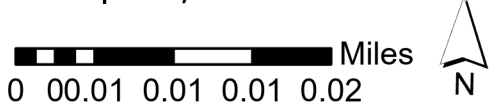


RP23-06
ESI

LEGEND	
—	PROPERTY LINE
- - -	LOT LINE REMOVED
- - -	LOT LINE ADJUSTED
- - -	ADJACENT OWNER
- - -	EASEMENT (AS NOTED)
- - -	RIGHT-OF-WAY
- - -	BUILDING SETBACK LINE (B.S.L.)
- - -	FENCE LINE
- - -	SANITARY SEWER LINE
- - -	WATER LINE
P.O.B.	POINT OF BEGINNING
●	IRON PIN FOUND (AS NOTED)
○	IRON PIN SET w/ CAP "PS 1559"
⊕	COMPUTED POINT
⊙	WATER METER
⊙	GAS METER
⊙	LIGHT POLE
⊙	FIRE HYDRANT
⊙	WATER VALVE



Planning Commission Meeting
April 4, 2023



PROJECT: RP23-06
APPLICANT: Davis and Miller
REQUEST: Replat of Lots 14 and 15
in the Del's Woods Subdivision

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO RENEW A CONTRACT WITH THE DOWNTOWN SPRINGDALE ALLIANCE TO PROMOTE, PRESERVE, AND ENHANCE DOWNTOWN SPRINGDALE, AND TO FACILITATE THE IMPLEMENTATION OF THE DOWNTOWN MASTER PLAN.

WHEREAS, in 2015, the City Council for the City of Springdale, Arkansas, passed an Ordinance establishing the Downtown Master Plan for downtown Springdale;

WHEREAS, the intent of the Downtown Master Plan is to promote, preserve, and enhance the development, preservation, and beautification of Downtown Springdale, which benefits all the residents of the City of Springdale;

WHEREAS, on March 23, 2021, the City Council of the City of Springdale, Arkansas, passed Ordinance No. 5579, authorizing a contract between the City of Springdale and the Downtown Springdale Alliance ("the DSA"), allowing for the DSA to perform certain services for the City of Springdale related to the Downtown Master Plan;

WHEREAS, the contract with the DSA was extended for an additional one (1) year term by way of Resolution No. 36-22 passed on April 26, 2022, said term expiring on February 28, 2023;

WHEREAS, the City of Springdale desires to renew the existing contract with the DSA for a period of one (1) year;

WHEREAS, incorporated herein by reference and attached hereto as Exhibit "A" is a contract between the City of Springdale and the DSA, allowing for the DSA to perform certain services for the City of Springdale related to the Downtown Master Plan, as set out in the contract, for the total sum of \$150,000.00;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk are hereby authorized to renew a contract, which is incorporated herein by reference, with the Downtown Springdale Alliance, and to pay the sum not to exceed \$150,000.00 to the Downtown Springdale Alliance, as set out in the Contract, said money to be paid from general fund.

PASSED AND APPROVED this ____ day of _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

CONTRACT FOR SERVICES

This Contract for Services entered this _____ day of _____, 2023, by and between the City of Springdale, Arkansas, (hereafter “City”) and Downtown Springdale Alliance (hereafter “DSA”) pursuant to the following terms and conditions:

WHEREAS DSA (Downtown Springdale Alliance) is a not-for-profit entity organized exclusively to promote, encourage, develop, engage participation in and support the beautification and preservation of the City of Springdale downtown core and surrounding areas; and

WHEREAS, a downtown area has been identified by the City consisting of approximately 675 acres from U.S. Highway 71-B on the west to Arkansas Highway 265 on the east and Huntsville Avenue on the north and Quandt Avenue/Caudle Avenue on the south (hereafter sometimes referred to as “Downtown”); and

WHEREAS, DSA has specifically designated Downtown as that part of Springdale to devote its attention to the promotion, preservation, enhancement, engagement, business development, and marketing; and

WHEREAS, DSA has previously engaged in a contract for the City, and through this agreement, seeks to continue those services in a defined manner by proving services relevant to City projects in Downtown; and

WHEREAS the promotion, development, enhancement, engagement, marketing, and business development of Downtown is vital to City in that a vibrant, diverse, healthy, active, commercial, and inhabited Downtown is necessary for the future growth and continued sustainability of City; and

WHEREAS, City has undertaken to construct public facilities Downtown consisting of a revitalization of Shiloh Square, Realignment of Razorback Regional Greenway across Emma Avenue, and connecting Downtown to Mt. Fitzgerald via protected bike lanes; and

WHEREAS, in order to fund and maintain such public facilities and to enact the Downtown Master Plan, it is vital to have a vibrant Downtown with an infrastructure that promotes the Downtown and to have a tax base both in terms of ad valorem tax and sales taxes that will not only fund and promote City, but the Downtown and general services available to City to promote the general safety, preserve the health, promote the prosperity and improve the order, comfort and convenience of the City and its inhabitants; and

WHEREAS, private entities including Tyson Foods, Inc., have moved offices Downtown, which requires an expansion of infrastructure provided by the public sector, as well as services provided by private investment, including but not limited to retail, entertainment, restaurants, offices, medical services, and the like to serve those persons who are, and will be, inhabiting Downtown, as well as working therein; and

WHEREAS, there were numerous vacant buildings in the Downtown which are now occupied by the private sector and now provide a growing tax base both in terms of ad valorem taxes and sales taxes and otherwise. Downtown blight has been deterred for decades to come. A blight upon a portion of the City would have a negative impact both in terms of safety and the health and welfare of its inhabitants; and

WHEREAS, City does not have the ability to provide the services to be rendered as outlined herein below and has no staff or office in the City devoted to such services; and

WHEREAS, no other entity, public or private, is providing the services to the inhabitants and citizens of the City or to the City that are to be provided herein; and

WHEREAS, City has the inherent authority to enter this Contract pursuant to A.C.A. § 14-54-101 and §14-55-102; and

WHEREAS, services provided herein by DSA are unique and City finds it impractical and unfeasible to obtain the services provided herein through a formal competitive bidding and has, by appropriate action of its City Council, waived such requirement of bidding; and

WHEREAS, pursuant to Arkansas law, it is required that a contract be developed between City and DSA to establish that City is not merely contributing to DSA, but that City will and shall receive unique benefits from this contractual agreement;

NOW, THEREFORE, in consideration of the mutual agreements contained herein, the parties as follows:

1. CONSIDERATION: City shall pay and DSA agrees to accept a sum in the amount of \$150,000.00 as consideration for the services to be rendered as set forth in this Contract to be paid bi-annually during the First business Monday of Second Quarter and the First business Monday of the Fourth Quarter.
2. TERM: The term of this Contract shall be from March 1, 2023, to February 28, 2024.

3. SERVICES TO BE PROVIDED: DSA's primary purpose, which is aligned with the City's goals, is "To Promote a Vibrant Downtown Springdale." In consideration of the funds paid by the City, DSA will provide the following specific services:
- a. Public Space, Community Events Calendar, Social Media, Website
 - i. Organize, and advertise public events through operation, updating, and maintenance of the Downtown Public Events Calendar, Social Media, and Website, Press Releases, etc.
 - ii. Manage all requests to reserve Shiloh Square, Turnbow Park, and Luther George Park once it is open again to the public.
 - iii. Manage and coordinate all street closures approved by the city for Emma Avenue through the Public Events Committee.
 - iv. Provide the administration and coordination of the Public Events Committee. Coordinate and approve applications for public events wishing to use public spaces within the Downtown area. Representatives of downtown businesses, arts organizations, the Jones Center, the Rodeo, the ARMO Railroad, and City staff from Police, Planning, Parks, Public Works, and Public Relations comprise the Public Events Committee.
 - v. Provide liaison services to property owners and interested parties for the development, implementation, and revision of land use by assisting with development and ongoing revision of rules and regulations for Downtown master planned overlay district.
 - vi. Develop and maintain a website that provides a virtual gateway to downtown, aligns with our mission, and is reflective of all that is happening in Downtown Springdale.
 - vii. Develop the programming for the reopening of Luther George Park.
 - 1. DSA shall host and provide some programming in Luther George Park.
 - 2. DSA shall collaborate with numerous arts, cultural, and cycling organizations to design programming that aligns with the community goals for Luther George Park.
 - 3. DSA shall develop and maintain a webpage for Luther George Park that includes reservation management, and a public programs schedule.
 - b. Contact point for Downtown Development:
 - i. Assist owners and interested parties in answering questions related to the Downtown Master Plan.
 - ii. Serve as ambassador to new developments, and re-developments for properties within Downtown.
 - iii. Consult with land owners, interested parties, and City on review, creation, and implementation of new codes and ordinances for Downtown, and alignment with the Downtown Master Plan.

The city acknowledges, understands, and agrees that several of these functions are ongoing and may continue beyond the term of this contract.

4. **REPORTING:** DSA shall submit, not less than bi-annual, reports prepared by DSA to City identifying and accounting for social engagement through metrics; public space events processed by DSA, Public Events Committee and reflected on Public Events Calendar; meetings by DSA personnel with residents, Downtown businesses, and businesses outside of Downtown related to development in Downtown; and business retention and expansion data when available.
5. **STATUS OF DSA:** The parties agree that DSA shall be deemed an independent contractor in every respect and shall take all steps at its expense and pursuant to the use of its materials and its method of operations, including those tasks requested by City. City does not, and will not, assume any responsibility for services provided by DSA. Furthermore, the parties mutually agree and understand that City has no financial interest in DSA and is not deemed to be or construed to be a partner, joint venture, or investor in DSA.

6. NON-ASSIGNMENT: DSA understands and agrees that the services to be rendered are to be rendered by DSA and shall not be subcontracted or assigned to any other party or person without the express written consent of City.
7. COMPLIANCE WITH LAW: DSA agrees that in the performance of this Contract, it shall comply with all local, state, and federal laws and regulations, including but not limited to bans on discrimination based on race, sex, color, national origin, gender, or disability. DSA further recognizes that, as it relates to the specific funds provided herein by the City, some of its activities are subjected to the Freedom of Information Act ("FOIA"), and accordingly, it will comply with the FOIA as it relates to requests for information pertaining to the use of such funds. The funds given in consideration of the services by DSA in the agreement are exclusive to the implementation of the services by DSA. Funds provided herein are separate from DSA other non-FOIA revenues, donations, and compensation. DSA is not a public entity, is not primarily funded by public funds, and is otherwise a private independent entity separate and apart from the City.
8. DISCLAIMER: The parties hereto acknowledge that this Contract is for the providing of the services listed herein and this Agreement in no way suggests the City endorses or agrees with any position taken by DSA or any groups affiliated with it.
9. NON-APPROPRIATION: DSA recognizes that the funding provided for in this Contract is contingent upon the appropriation of public funds by the City. If City does not appropriate monies for this Contract, there shall be no penalty assessed against City and this Contract shall be null, void and of no effect.
10. COMPLETE AGREEMENT: It is agreed that neither party hereto is relying upon any oral or written information or representations made by the other prior to the signing of this Contract unless expressly provided herein, and that this Contract constitutes the entire agreement between the parties and same shall not be hereafter amended or modified unless reduced to writing and signed by the parties hereto.
11. SEVERABILITY: If any provision of this Contract is declared to be invalid or unenforceable, the remainder of this Contract and the application of such provision to the other party of circumstances shall not be affected thereby, the provisions of this Contract being severable in any such instance. If any sentence or portion shall be adjudged to be invalid or unenforceable, then that article shall be deemed to be amended to delete therefrom the portion adjudicated to be invalid or unenforceable.

12. AUTHORITY: The parties hereto agree that by the execution of this Contract, the persons signing this Contract herein below have been authorized by the respective bodies to lawfully enter this Contract and bind each of the parties hereto.

IN WITNESS WHEREOF, the parties have set their hands the date first above written.

CITY OF SPRINGDALE

By: _____
Mayor

WITNESS:

City Clerk

City Seal:

DOWNTOWN SPRINGDALE ALLIANCE

By: _____
Jill Dabbs, Executive Director

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE EXECUTION OF A
CONSTRUCTION MANAGEMENT CONTRACT FOR THE
SPRINGDALE SENIOR CENTER PROJECT.**

WHEREAS, Ark. Code Ann. §19-11-801 provides for the employment of a construction manager for certain public improvement projects;

WHEREAS, the City of Springdale is planning on the construction of a new Springdale Senior Center if the 2023 Senior Center Bond Program is approved by the voters;

WHEREAS, it is critical to the efficient and timely completion of the Springdale Senior Center Project to engage the services of a construction management firm for pre-construction and construction phase services related to the Project; and

WHEREAS, Buffalo Builders, LLC, has agreed to furnish construction management services for a fee not to exceed \$34,220.00 for pre-construction services, with no payment due should the 2023 Senior Center Bond Program not be approved by the voters, and a fee of 6.00% of the guaranteed maximum price of the work for construction services.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor is hereby authorized to execute a contract for construction manager services with Buffalo Builders, LLC, for services to be provided relating to the 2023 Senior Center Bond Program.

PASSED AND APPROVED this _____ day of April, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE EXPENDITURE
OF FUNDS TO ACQUIRE A PORTION OF LAND FROM
DENNIS C. RICHARDS AND GLENDA M. RICHARDS
FOR THE DON TYSON PARKWAY PROJECT (HWY 112
TO 56TH STREET), PROJECT NO. CP1518.**

WHEREAS, the City of Springdale is in need of acquiring a portion of land for the Don Tyson Parkway Project (Hwy 112 to 56th Street), Project No. CP1518, Tract 11, said lands being owned by Dennis C. Richards and Glenda M. Richards;

WHEREAS, the City of Springdale has determined by appraisal that the sum of \$61,300.00 is the estimated just compensation for the property needed from the Richards;

WHEREAS, the property owner has extended a counter-offer that the City pay the total sum of \$65,000.00 to acquire the land needed for the project, said amount being justified by the nature of these properties, and the increase in property values;

WHEREAS, it is the recommendation of the City Attorney and the Mayor's Office that the City Council approve the additional sum of \$3,700.00 to acquire the property needed from the Richards, as this amount is reasonable, is justified, and will avoid the cost, expense, and risk of acquiring this property by eminent domain proceedings;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the City is hereby authorized to acquire a portion of land for the Don Tyson Parkway Project (Hwy 112 to 56th Street), Project No. CP1518, Tract 11, said lands being owned by Dennis C. Richards and Glenda M. Richards, for the total sum of \$65,000.00 to be paid from the general fund.

PASSED AND APPROVED this ____ day of _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

APPRAISAL REPORT

ON

THE DENNIS C. & GLENDA M. RICHARDS PROPERTY
(2.77± ACRES/120,661± SQUARE FEET);
LOCATED AT 6071 & 6135 DEARING ROAD,
SPRINGDALE, ARKANSAS; WASHINGTON COUNTY.

ARDOT JOB 040717 – F.A.P STPU-9399(23)
TRACT: 11

FOR

ARKANSAS DEPARTMENT OF TRANSPORTATION
PO BOX 2261, LITTLE ROCK, AR 72203

AND

CITY OF SPRINGDALE
SPRINGDALE, AR

BY

REED & ASSOCIATES, INC.
3739 N. STEELE BLVD., SUITE 322
SPRINGDALE, ARKANSAS 72703

FILE NO. 6582-11

AS OF

JULY 20, 2022

Reed & Associates, Inc.

Real Estate Appraisers – Consultants

*3739 N. Steele Blvd., Suite 322, Fayetteville, AR 72703 * 479-521-6313 * Fax: 479-521-6315 * www.reedappraisal.biz*

*Tom Reed, MAI • Katie Hampton • Shannon Mueller • E. P. Scruggs III
• Blake Hopper • Ann Julian*

September 9, 2022

Ben Peters
Director of Engineering
City of Springdale
201 Spring Street
Springdale, AR 72764

RE: Tract 11 – The Dennis C. & Glenda M. Richards Property (2.77± Acres/120,661± Square Feet); Located At 6071 & 6135 Dearing Road, Springdale, Arkansas; Washington County.

Dear Mr. Peters:

In compliance with your request and for the purpose of estimating the market value of the above captioned property, I hereby certify that I have examined the subject property and made a survey of the matters pertinent to the estimation of its value.

I further certify that I have no interest, present or contemplated, in the property appraised, and that my fee was not contingent upon the value estimate reported.

The following real property appraisal report contains data gathered in my investigation, information from my files, and shows the method of appraisal in detail. This report is presented under the Appraisal Report Option.

This report addresses: the market value of the Whole Property prior to the City of Springdale acquiring 17,378± square feet (SF), or .40± acre (AC) in right-of-way acquisition (ROW), 2,975± SF, or .07± AC in permanent utility easement (PUE), and 2,195± SF, or .05± AC in temporary construction easement (TCE) as of July 20, 2022, and, the market value of the Remainder Property after the acquisition of 17,378± square feet (SF), or .40± acre (AC) in ROW, 2,975± SF, or .07± AC in PUE, and 2,195± SF, or .05± AC in TCE is in place, also as of July 20, 2022.

Based on an analysis of relevant data, and contingent on the Assumptions and Limiting Conditions which follow and appear in the Addenda Section of this report, it is my opinion the market value of the subject property, as of July 20, 2022, was as follows:

Whole Property	=	\$398,200
Remainder Property	=	<u>\$338,400</u>
Subtotal	=	\$ 59,800
Plus: Temporary Construction Easement	=	<u>\$ 1,500</u>
Damage To Market Value - - -	=	\$ 61,300

The preceding values reflect terms equivalent to cash to the owners and represent those for real property only.

The following Extraordinary Assumptions are utilized in this report:

1. Subject land sizes, Whole Property and Remainder Property, is approximately as indicated;
2. The area of acquisitions are approximately as indicated;
3. The City of Springdale, at their expense, will put the land area and agricultural fencing located within the permanent utility easement, and temporary construction easement areas back to as near original condition as possible;
4. The City of Springdale will reattach the agricultural fencing along the new property line;
5. The City of Springdale will hook the subject property to public sewer at the City of Springdale's expense;
6. Subject will have adequate ingress/egress to/from Dearing Road;
7. Subject and adjacent properties are in compliance with all applicable EPA regulations.

If any, or all, of these Extraordinary Assumptions prove to be untrue, one or both of the preceding value estimates could be influenced.

The reader is referred to additional Assumption and Limiting Conditions presented in the Addenda Section of this report.

A Hypothetical Condition of this appraisal is that the Don Tyson Parkway Extension project is complete and in place as of the effective date of this report in estimating the market value of the Remainder Property. In reality, the Don Tyson Parkway Extension project was not complete and in place as of July 20, 2022. If this Hypothetical Condition is not considered, the estimated market value of the Remainder Property could be influenced.

The appraiser is invoking the Jurisdictional Exception Rule in this appraisal. The Uniform Standards of Professional Appraisal Practice requires, under Standards Rule 1-2 (c) (iv), "When reasonable exposure time is a component of the definition for the value opinion being developed, the appraisers must also develop an opinion of reasonable exposure time linked to that value opinion." However, the Uniform Appraisal Standards For Federal Land Acquisitions, under Section 1.2.4, states "Appraisers should not link opinions of value under these Standards to a specific opinion of exposure time, unlike appraisal assignments for other purposes under USPAP Standards Rule 1-2 (c)."

USPAP states the following under Sections Rule 1-4 (f): “When analyzing anticipated public or private improvements, located on or off the site, an appraiser must analyze the effect on value, if any, of such anticipated improvements to the extent they are reflected in market actions.” This appraisal is prepared in conformity to the provisions of the “Uniform Act” and its implementing regulation 49 CFR Part 24. The 49 CFR Part 24 regulation requires appraisers to disregard any decrease or increase in the market value of the property that has been caused directly by the project in the “Before Acquisition Value” appraisal. This is considered a Jurisdictional Exception. In addition, General Benefits as a result of the project have not been considered in the valuation of the Remainder Property based on 49 CFR Part 24. Considering USPAP Standards Rule 1-4 (f), this is also considered a Jurisdictional Exception.

Sincerely,



Shannon Reed Mueller, CG2302
REED & ASSOCIATES, INC.



SUMMARY OF SALIENT FACTS AND CONCLUSIONS

Location: 6071 & 6135 Dearing Road, Springdale, AR
Client: City of Springdale
Fee Owner: Dennis C. & Glenda M. Richards
Mailing Address: 6071 Dearing Road; Springdale, Arkansas 72762-0837
 Area Of The 2.77± ACS, or 120,661± SF Permanent Utility .07± AC, or 2,975± SF
 Whole: Easement

Area Of 2.37± ACS, or 103,283± SF

Remainder:

Area Of .40± AC, or 17,378± SF Temporary Construction .05± AC or 2,195± SF
 Acquisition: Easement:

HIGHEST AND BEST USE:

Whole Property-As Vacant-Low Density Mixed-Use/Single-Family Residential
 Development

As Improved-Continued Residential Use

Remainder Property-As Vacant-Low Density Mixed-Use/Single-Family Residential
 Development

As Improved-Continued Residential Use

ACQUISITION COMPENSATION:

Before

Land: 120,661± SF	\$	398,200
Improvements: Not Applicable	\$	0
Total:		\$ 398,200

After

Land: 103,283± SF	\$	338,400
Improvements: Not Applicable	\$	0
Total		\$ <u>338,400</u>

FAIR MARKET VALUE OF ACQUISITION	\$	59,800
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Plus: TCE	\$	<u>1,500</u>
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Total Compensation as of: July 20, 2022	\$	61,300
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ALLOCATION OF COMPENSATION

Land: 17,378± SF @ \$3.30/SF (RND)	\$	57,300
Permanent Easement: 2,975± SF @ \$3.30 x 25% (RND)	\$	2,500
Temporary Construction Easement: 2,195± SF	\$	1,500
Improvements: Not Applicable	\$	
Damages: Not Applicable	\$	
Cost to Cure Items: Not Applicable	\$	
Total Compensation:	\$	<u>61,300</u>

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE CONVEYANCE OF
LAND OWNED BY THE CITY OF SPRINGDALE TO
DANNY SHIPP AND LANELLE SHIPP IN EXCHANGE
FOR PROPERTY OWNED BY DANNY SHIPP AND
LANELLE SHIPP**

WHEREAS, on July 19, 1982, a document known as "Plat of Lake Side Addition" ("the Plat"), was filed in the land records of Washington County, Arkansas, at Plat Book 9, Page 2;

WHEREAS, the Plat dedicated certain property at the end of Summers Road as a public street/cul-de-sac, but that portion of the street was never constructed;

WHEREAS, the property subject to the Plat was annexed into the City of Springdale on October 26, 2010, by way of Ordinance No. 4462;

WHEREAS, in order to improve and clearly define the boundary of Summers Road, a portion of the previously dedicated cul-de-sac is not needed, but the City needs to acquire additional square footage from adjacent property owners;

WHEREAS, in order to accomplish the foregoing, it is necessary that certain property owned by the City of Springdale be exchanged for certain property owned by Danny Shipp and Lanelle Shipp, as further described herein;

WHEREAS, the City of Springdale owns the following real property located in the City of Springdale, Arkansas, said land being more particularly described as follows ("the City Property"), and as shown on the attached Exhibit "A":

Being a part of the Southeast Quarter of the Northwest Quarter of Section Thirty-one (31), Township Eighteen (18) North, Range Thirty (30) West of the 5th Prime Meridian, City of Springdale, Washington County, Arkansas, being more particularly described as follows: Commencing at a found ½" rebar at the NW Corner of said SE ¼ of the NW ¼, point also being the NW Corner of Lake Side Addition per File #9-00000002 in the official public records of Washington County, Arkansas; Thence S87°26'44"E 114.35 feet; Thence 5.16 feet along a non-tangent curve to the right, having a radius of 64.00 feet, a central angle of 4°36'30", and a long chord bearing of S01°35'28"E with a chord length of 5.16 feet to the Point of Beginning: Thence 32.21 feet along a tangent curve to the right, having a radius of 64 feet, a central angle of 28°45'46", and a long chord bearing S15°05'40"W with a chord length of 31.88 feet Thence 60.97 feet along a tangent curve to the left, having a radius of 144 feet, a central angle of 24°16'27", and a long chord bearing S20°27'34"W with a chord length of 60.52 feet; Thence S02°42'46"W 26.02 feet; Thence N87°17'14"W 2.50 feet; Thence N02°42'46"E 70.20 feet; Thence 55.32 feet along a non-tangent curve to the right, having a radius of 50.00 feet, a central angle of 63°23'19", and a long chord bearing N34°38'08"E with a chord length of 52.54 feet to the Point of Beginning, containing 1,058 sq ft or 0.024 acres, more or less.

WHEREAS, Danny Shipp and Lanelle Shipp own the following real property located in the City of Springdale, Arkansas, said land being more particularly described as follows ("the Shipp Property"), and as shown on the attached Exhibit "A":

Being a part of the Southeast Quarter of the Northwest Quarter of Section Thirty-one (31), Township Eighteen (18) North, Range Thirty (30) West of the 5th Prime Meridian, City of Springdale, Washington County, Arkansas, being more particularly described as follows: Commencing at a found ½" rebar at the NW Corner of said SE ¼ of the NW ¼, point also being the NW Corner of Lake Side Addition per File #9-00000002 in the official public records of Washington County, Arkansas; Thence S87°26'44"E 114.35 feet to the Point of Beginning:

Thence S87°26'44"E 22.61 feet; Thence 23.02 feet along a non-tangent curve to the left, having a radius of 50.00 feet, a central angle of 26°22'58", and a long chord bearing of S79°31'16"W with a chord length of 22.82 feet; Thence 5.16 feet along a non-tangent curve to the left, having a radius of 64.00 feet, a central angle of 4°36'30", and a long chord bearing of N01°35'28"W with a chord length of 5.16 feet to the Point of Beginning, containing 37.87 sqft or 0.00087 acres, more or less.

WHEREAS, the City Property and the Shipp Property should be exchanged so that the respective property boundaries are made clear, and so Summers Road may be improved;

WHEREAS, Ark. Code Ann. §14-54-302 empowers and authorizes municipalities to convey real property it owns, subject to approval by the City Council; and,

WHEREAS, the exchange of property described herein would be in the best interests of the public, would clearly define the boundaries of the properties, and would allow for the improvements to Summers Road.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk of the City of Springdale, Arkansas, are hereby authorized to execute all documents necessary to effect the conveyance of the City Property to Danny Shipp and Lanelle Shipp in exchange for the Shipp Property to the City, and so that the boundaries of the properties are made clear and so improvements may be made to Summers Road.

PASSED AND APPROVED this _____ day of _____, 2023.

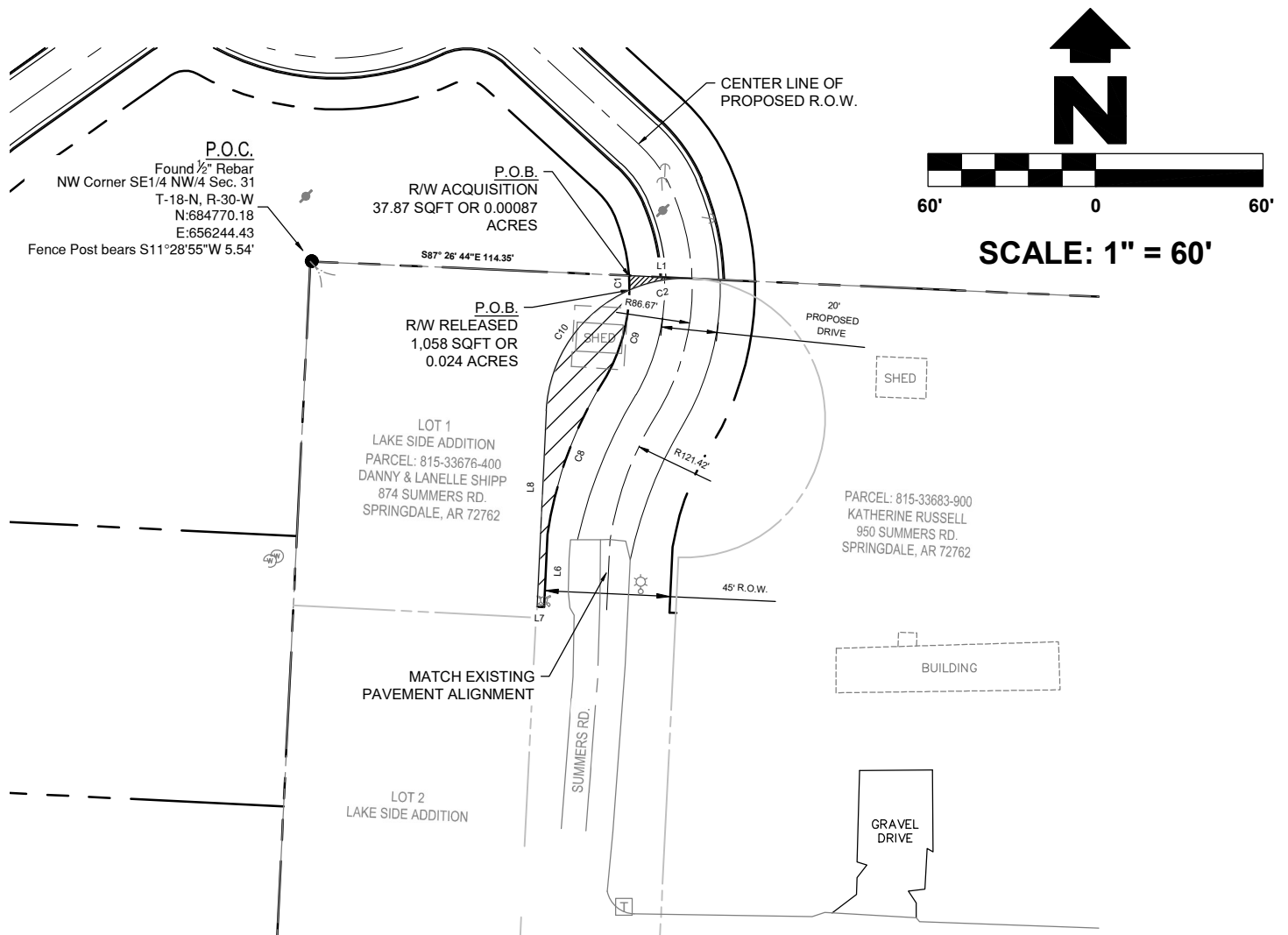
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney



Curve Table

Curve #	Length	Radius	Delta	CD	CL
C1	5.16'	64'	4°36'30"	N01°35'28"W	5.16'
C2	23.02'	50'	26°22'58"	S79°31'16"W	22.82'
C3	23.68'	50'	27°07'59"	N73°43'16"W	23.46'
C4	5.57'	109'	2°55'25"	S00°13'49"W	5.57'
C5	54.44'	109'	28°34'13"	N15°58'39"E	53.88'
C6	40.86'	99'	23°40'05"	N21°18'52"E	40.57'
C7	133.40'	50'	152°52'04"	S16°16'46"W	97.21'
C8	60.97'	144'	24°16'27"	S20°27'34"W	60.52'
C9	32.21'	64'	28°45'46"	S15°05'40"W	31.88'
C10	55.32'	50'	63°23'19"	N34°38'08"E	52.54'

Line Table

Line #	Direction	Length
L1	S87° 26' 44"E	22.61'
L2	S87° 26' 44"E	22.56'
L3	S02° 42' 46"W	20.00'
L4	N87° 17' 14"W	2.50'
L5	N02° 42' 46"E	23.61'
L6	S02° 42' 46"W	26.02'
L7	N87° 17' 14"W	2.50'
L8	N02° 42' 46"E	70.20'

SHEET:

1 OF 1

DATE: 03/17/2023

SCE PROJECT #: 21058



SAND CREEK

Engineering and Land Surveying
Bentonville, Arkansas (479) 464-9282

SHEET:

EXHIBIT A

PROJECT:

**R/W ACQUISITION/RELEASE
PARCEL# 815-33676-400
SUMMERS RD.
SPRINGDALE, ARKANSAS**

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE CONVEYANCE OF
LAND OWNED BY THE CITY OF SPRINGDALE TO
KATHERINE RUSSELL IN EXCHANGE FOR PROPERTY
OWNED BY KATHERINE RUSSELL**

WHEREAS, on July 19, 1982, a document known as "Plat of Lake Side Addition" ("the Plat"), was filed in the land records of Washington County, Arkansas, at Plat Book 9, Page 2;

WHEREAS, the Plat dedicated certain property at the end of Summers Road as a public street/cul-de-sac, but that portion of the street was never constructed;

WHEREAS, the property subject to the Plat was annexed into the City of Springdale on October 26, 2010, by way of Ordinance No. 4462;

WHEREAS, in order to improve and clearly define the boundary of Summers Road, a portion of the previously dedicated cul-de-sac is not needed, but the City needs to acquire additional square footage from adjacent property owners;

WHEREAS, in order to accomplish the foregoing, it is necessary that certain property owned by the City of Springdale be exchanged for certain property owned by Katherine Russell, as further described herein;

WHEREAS, the City of Springdale owns the following real property located in the City of Springdale, Arkansas, said land being more particularly described as follows ("the City Property"), and as shown on the attached Exhibit "A":

Being a part of the Southeast Quarter of the Northwest Quarter of Section Thirty-one (31), Township Eighteen (18) North, Range Thirty (30) West of the 5th Prime Meridian, City of Springdale, Washington County, Arkansas, being more particularly described as follows: Commencing at a found ½" rebar at the NW Corner of said SE ¼ of the NW ¼, point also being the NW Corner of Lake Side Addition per file #9-00000002 in the official public records of Washington County, Arkansas; Thence S87°26'44"E 136.96 feet; Thence 23.68 feet along a tangent curve to the right, having a radius of 50.00 feet, a central angle of 27°07'59", a long chord bearing of S73°43'16"E with a chord length of 23.46 feet to the Point of Beginning; Thence 133.40 feet along a tangent curve to the right, having a radius of 50.00 feet, a central angle of 152°52'04", a long chord bearing S16°16'46"W with a chord length of 97.21 feet; Thence S02°42'46"W 20.00 feet; Thence N87°17'14"W 2.50 feet; Thence N02°42'46"E 23.61 feet; Thence 40.86 feet along a tangent curve to the right, having a radius of 99.00 feet, a central angle of 23°40'05", and a long chord bearing of N21°18'52"E with a chord length of 40.57 feet; Thence 54.44 feet along a tangent curve to the left, having a radius of 109.00 feet, a central angle of 28°34'13", and a long chord bearing N15°58'39"E with a chord length of 53.88 feet to the Point of Beginning, containing 2,813 sq ft or 0.065 acres, more or less

WHEREAS, Katherine Russell owns the following real property located in the City of Springdale, Arkansas, said land being more particularly described as follows ("the Russell Property"), and as shown on the attached Exhibit "A":

Being a part of the Southeast Quarter of the Northwest Quarter of Section Thirty-one (31), Township Eighteen (18) North, Range Thirty (30) West of the 5th Prime Meridian, City of Springdale, Washington County, Arkansas, being more particularly described as follows: Commencing at a found ½" rebar at the NW Corner of said SE ¼ of the NW ¼, point also being the NW Corner of Lake Side Addition file #9-00000002 in the official public records of Washington County, Arkansas; Thence S87°26'44"E 136.96 feet to the Point of Beginning; Thence S87°26'44"E 22.56 feet; Thence 5.57 feet along a tangent curve to the right,

having a radius of 109.00 feet, a central angle of 2°55'25", a long chord bearing S00°13'49"W with a chord length of 5.57 feet; Thence 23.68 feet along a tangent curve to the left, having a radius of 50.00 feet, a central angle of 27°07'59", and a long chord bearing of N73°43'16"W with a chord length of 23.46 feet to the Point of Beginning, containing 41.04 sq ft or 0.00094 acres, more or less.

WHEREAS, the City Property and the Russell Property should be exchanged so that the respective property boundaries are made clear, and so Summers Road may be improved;

WHEREAS, Ark. Code Ann. §14-54-302 empowers and authorizes municipalities to convey real property it owns, subject to approval by the City Council; and,

WHEREAS, the exchange of property described herein would be in the best interests of the public, would clearly define the boundaries of the properties, and would allow for the improvements to Summers Road.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk of the City of Springdale, Arkansas, are hereby authorized to execute all documents necessary to effect the conveyance of the City Property to Katherine Russell in exchange for the Russell Property to the City, and so that the boundaries of the properties are made clear and so improvements may be made to Summers Road.

PASSED AND APPROVED this _____ day of _____, 2023.

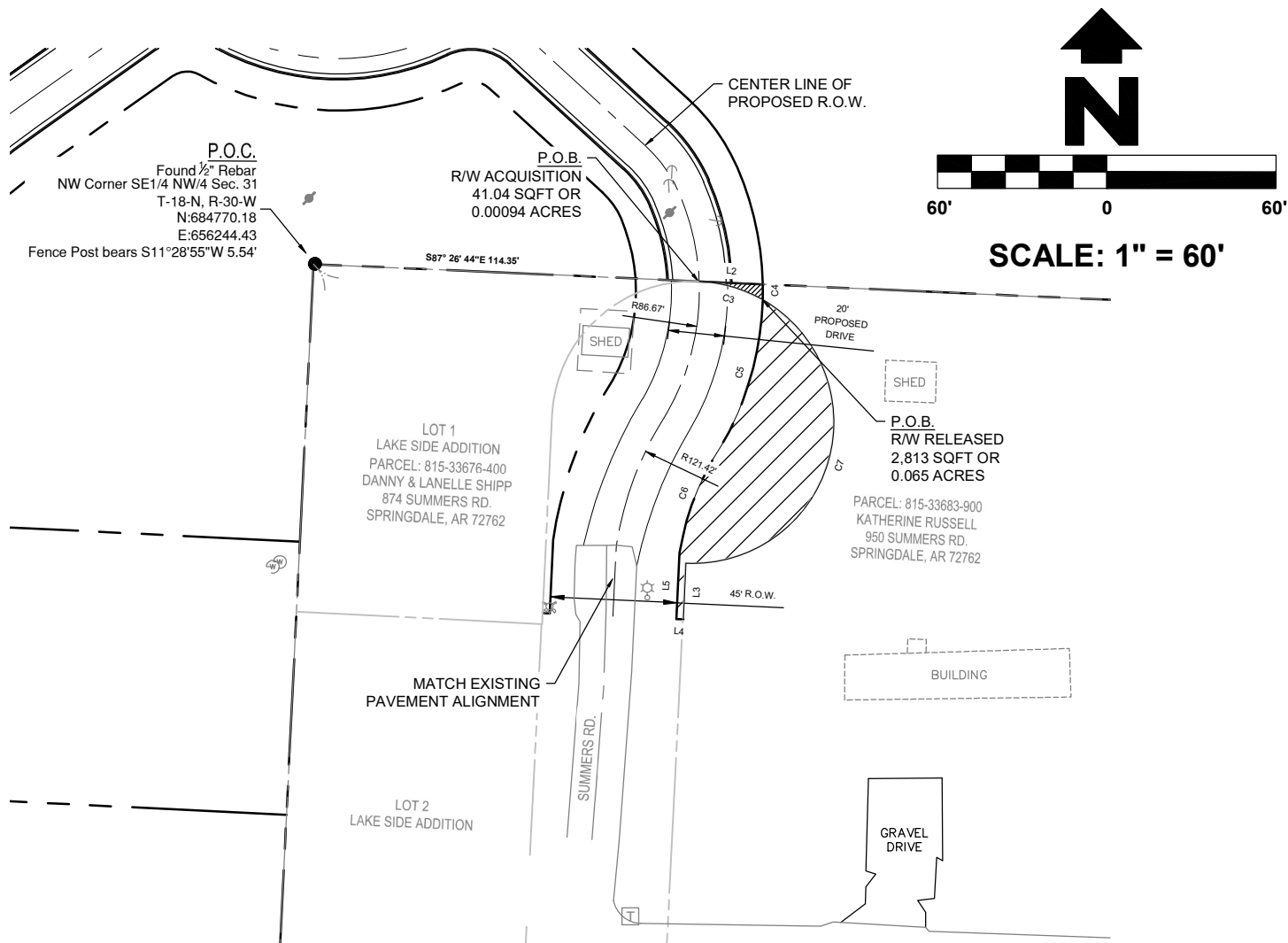
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney



Curve Table

Curve #	Length	Radius	Delta	CD	CL
C1	5.16'	64'	4°36'30"	N01°35'28"W	5.16'
C2	23.02'	50'	26°22'58"	S79°31'16"W	22.82'
C3	23.68'	50'	27°07'59"	N73°43'16"W	23.46'
C4	5.57'	109'	2°55'25"	S00°13'49"W	5.57'
C5	54.44'	109'	28°34'13"	N15°58'39"E	53.88'
C6	40.86'	99'	23°40'05"	N21°18'52"E	40.57'
C7	133.40'	50'	152°52'04"	S16°16'46"W	97.21'
C8	60.97'	144'	24°16'27"	S20°27'34"W	60.52'
C9	32.21'	64'	28°45'46"	S15°05'40"W	31.88'
C10	55.32'	50'	63°23'19"	N34°38'08"E	52.54'

Line Table

Line #	Direction	Length
L1	S87° 26' 44"E	22.61'
L2	S87° 26' 44"E	22.56'
L3	S02° 42' 46"W	20.00'
L4	N87° 17' 14"W	2.50'
L5	N02° 42' 46"E	23.61'
L6	S02° 42' 46"W	26.02'
L7	N87° 17' 14"W	2.50'
L8	N02° 42' 46"E	70.20'

SHEET:

1 OF 1

DATE: 03/17/2023

SCE PROJECT #: 21058



SAND CREEK

Engineering and Land Surveying
Bentonville, Arkansas (479) 464-9282

SHEET:

EXHIBIT A

PROJECT:

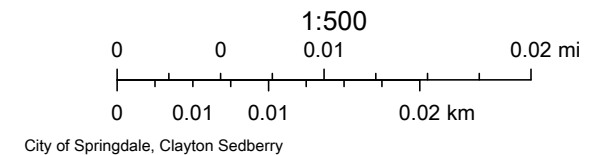
**R/W ACQUISITION/RELEASE
PARCEL# 815-33683-900
SUMMERS RD.
SPRINGDALE, ARKANSAS**

City of Springdale Zoning Map



February 9, 2023

- | | | | | |
|-------------------------------------|--------------------|--------------|-----------|---------------|
| Form-Based Code District Overlay | Benton Co. Parcels | STREAMS | LAKES | STREETS - ALL |
| S.E.E.D. Overlay District - Outline | SCHOOLS | MAIN CHANNEL | Buildings | INTERSTATE |
| Washington Co. Parcels | | TRIBUTARY | RAILROAD | RAMP |



RESOLUTION NO. _____

**A RESOLUTION SETTING A HEARING DATE ON A
PETITION TO VACATE A PORTION OF WEST EMMA
AVENUE.**

WHEREAS, on May 8, 1974, the Final Plat of Lendel Estates, Washington County, Arkansas, was filed in the land records of Washington County, Arkansas, at Plat Book 6, Page 619 (“the Plat”);

WHEREAS, the Plat dedicated right-of-way for Emma Avenue, said dedication including 40 foot in width parallel and adjacent to the northern lot line of Lot 13 of the Plat, said lot now being owned by Edward Allred and Sandra Allred (Parcel No. 815-23364-000);

WHEREAS, this portion of Emma Avenue has never been extended, nor used by the public since the filing of the Plat in 1974;

WHEREAS, the City of Springdale has undertaken the first phase of the Har-Ber Avenue Extension Project (48th Street to Gutensohn), Project No. 18BPS12, more specifically, the portion from Gutensohn to 40th Street;

WHEREAS, the location of the new street is north of the right-of-way originally dedicated by the Plat, and it is therefore necessary and prudent to vacate a portion of the right-of-way previously dedicated by the Plat, that portion being more particularly described as follows:

Beginning at the Northwest corner of Lot 13, Lendel Estates Subdivision, City of Springdale, Washington County, Arkansas, also known as Tax Parcel No. 815-23364-000, thence North 4 feet; thence East 104 feet; then South 4 feet; thence West 104 feet to the point of beginning. Subject to any utility easements of record.

And as shown on the attached Map.

WHEREAS, the City Council for the City of Springdale, Arkansas, finds that a hearing date should be set on the petition pursuant to Ark. Code Ann. §14-301-301, *et seq.*;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that May 9, 2023, at 6:00 p.m. be set as the date and time for the City Council to hear the petition; that the City Clerk shall give notice of the date and time, as required by law.

PASSED AND APPROVED this 11th day of April, 2023.

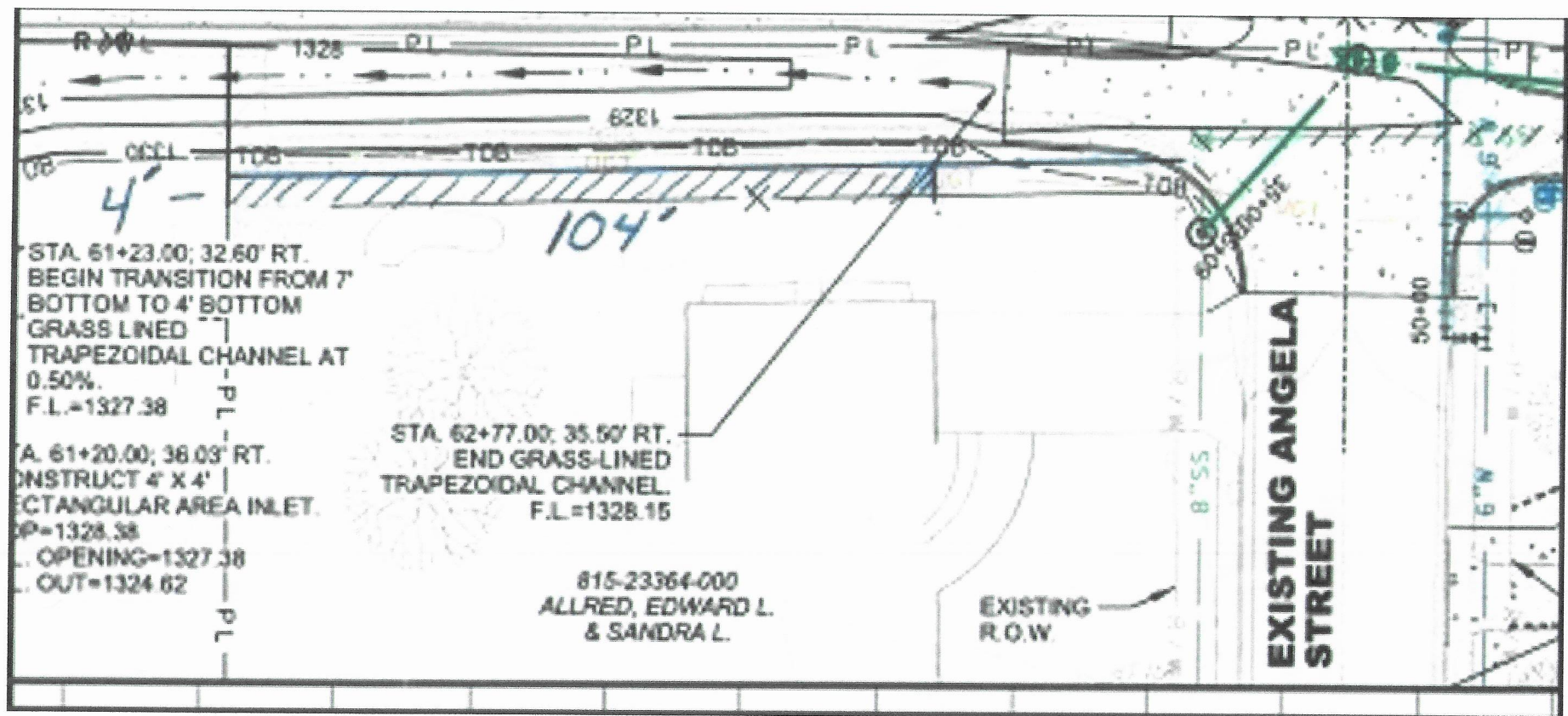
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



The City Council of the City of Springdale met in regular session on Tuesday, March 28, 2023 in the tiered training room in the new Criminal Justice Building. Mayor Doug Sprouse called the meeting to order at 6:00 p.m.

Roll call was answered by:

Doug Sprouse	Mayor
Brian Powell	Ward 3
Amelia Williams	Ward 4
Jeff Watson	Ward 3
Mike Overton	Ward 2 (Absent)
Mike Lawson	Ward 1
Rex Bailey	Ward 2
Randall Harriman	Ward 1
Mark Fougrousse	Ward 4
Ernest Cate	City Attorney
Denise Pearce	City Clerk/Treasurer

Department heads present:

Colby Fulfer	Chief of Staff
Frank Gamble	Police Chief
Jimmy Vaughan	Asst. Fire Chief
Rick Barry	Asst. Planning Director
Mike Chamlee	Building Official
James Smith	Public Works Director
Ben Peters	Engineering Dept.
Chad Wolf	Parks & Recreation Director

PUBLIC HEARING – CHAPTER 110, ARTICLE VI STRRET NAMES AND ADDRESS NUMBERS – RENAMING METROPLEX DRIVE TO ANIMAL EMERGENCY DRIVE

A public hearing was held on an ordinance amending Chapter 110, Article VI, Street Names and Address Numbers that will be presented later in the meeting. It is proposed to rename Metroplex Drive to Animal Emergency Drive.

No comments were made.

APPROVAL OF MINUTES

Council Member Williams moved the minutes of the March 14, 2023 City Council meeting be approved as presented. Council Member Fougrousse made the second.

There was a voice vote of all ayes and no nays.

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

Council Member Powell made the motion to read all Ordinances and Resolutions by title only and to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for all items listed on this agenda. Council Member Lawson made the second.

The vote:

Yes: Powell, Williams, Watson, Lawson, Bailey, Harriman, Fougrousse

No: None

CITY OF SPRINGDALE EMPLOYEE RECOGNITION

Mayor Sprouse recognized City of Springdale employee Shane Napier who has worked in the City of Springdale Maintenance Department since 2017.

Maintenance Supervisor Greg Bowden expressed appreciation to Shane for his work ethic in the city. He always is willing to come in on weekends whenever things come up and need to be done.

RESOLUTION NO. 36-23 – AUTHORIZING THE TEMPORARY OPERATION OF A CARNIVAL BY THE RODEO OF THE OZARKS

Mayor Doug Sprouse presented a Resolution authorizing the temporary operation of a carnival by the Rodeo of the Ozarks.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE TEMPORARY OPERATION OF A CARNIVAL

WHEREAS, Rick Culver, Executive Director from the Rodeo of the Ozarks has requested permission to conduct two Carnival entertainment events at the Parsons Stadium Rodeo Arena located at 1423 E. Emma Avenue, put on by Clint Payne DBA BIG C's Enterprises, LLC; and

WHEREAS, Pride Amusements carnival dates will be *Wednesday, May 17th, 2023 thru Monday, May 29th, 2023*; and *Wednesday, October 4th, 2023 thru Sunday, October 15th, 2023*; and

WHEREAS, the carnival's hours of operation will be *Wednesday, May 17th, 2023 thru Monday, May 29th, 2023* from 5:00 p.m. – 10:00 p.m. Monday thru Thursday, 5:00 p.m. – 11:00 p.m. on Fridays, and Saturday thru Sunday, from 12:00 p.m. to 11:00 p.m.; and *Wednesday, October 4th, 2023 thru Sunday, October 15th, 2023*, from 5:00 p.m. – 10:00 p.m. Monday thru Thursday, 5:00 p.m. – 11:00 p.m. on Fridays, and Saturday thru Sunday, from 12:00 p.m. to 11:00 p.m.; and

WHEREAS, Sec. 26-43 of the Springdale Code of Ordinances provides that the operation of a carnival, sideshow or other similar amusement facility within the city must be approved by resolution adopted by the city council,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that Rick Culver, Executive Director with the Rodeo of the Ozarks and Clint Payne DBA BIG C's Enterprises, LLC is hereby authorized to conduct two carnival entertainment events in Parsons Stadium Rodeo Arena located at 1423 E. Emma Avenue, *Wednesday, May 17th, 2023 thru Monday, May 29th, 2023*, and *Wednesday, October 4th, 2023 thru Sunday, October 15th, 2023* with the carnival opening and closing times listed above. In case of a rain out, the Mayor has the authority to reschedule this event.

PASSED AND APPROVED this ____ day of March, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Council Member Watson moved the Resolution be adopted. Council Member Lawson made the second.

The vote:

Yes: Williams, Watson, Lawson, Bailey, Harriman, Fougrousse, Powell

No: None

The Resolution was numbered 36-23.

ORDINANCE NO. 5818 – REZONING 2.23 ACRES OWNED BY CHARLOTTE, INC. FOR R23-08 LOCATED WEST OF S. 48TH STREET, NORTH OF W. DON TYSON PARKWAY AND EAST OF EXIT 70 ON I-49, FROM A-1 TO C-2, AND DECLARING AN EMERGENCY

Planning Assistant Rick Barry presented an Ordinance rezoning 2.23 acres owned by Charlotte, Inc., R23-08, located west of S. 48th Street, north of W. Don Tyson Parkway and east of Exit 70 on I-49, from A-1 to C-2, and declaring an emergency.

Planning Commission recommended approval.

After reading the title of the Ordinance, Council Member Powell moved the Ordinance “Do Pass”. Council Member Harriman made the second.

The vote:

Yes: Watson, Lawson, Bailey, Harriman, Fougrousse, Powell, Williams

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson

No: None

The Ordinance was numbered 5818.

ORDINANCE NO. 5819 – REZONING 1.004 ACRES OWNED BY MARIA YANEZ LOCATED AT 2204 S. TURNER STREET, FROM I-2 TO C-2, AND DECLARING AN EMERGENCY

Planning Assistant Rick Barry presented an Ordinance rezoning 2.23 acres owned by Maria Yanez located at 2204 S. Turner Street, from I-2 to C-2, and declaring an emergency.

Planning Commission recommended approval.

After reading the title of the Ordinance, Council Member Harriman moved the Ordinance “Do Pass”. Council Member Powell made the second.

The vote:

Yes: Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Lawson

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Lawson, Bailey

No: None

The Ordinance was numbered 5819.

ORDINANCE NO. 5820 – REZONING 2.40 ACRES OWNED BY BETTY LOTT, R23-10, LOCATED WEST OF OLD WIRE ROAD AND S. OF BOBWHITE AVENUE, FROM A-1 TO SF-1, AND DECLARING AN EMERGENCY

Planning Assistant Rick Barry presented an Ordinance rezoning 2.40 acres owned by Betty Lott, R23-10, located west of Old Wire Road and south of Bobwhite Avenue, from A-1 to SF-1, and declaring an emergency.

Planning Commission recommended approval.

The Ordinance in the council agenda packet contained a scrivener’s error showing the wrong zone.

After reading the title of the Ordinance, Council Member Williams moved the Ordinance “Do Pass” as amended to read from A-1 to SF-1. Council Member Powell made the second.

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Lawson, Bailey, Harriman

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Bailey made the second.

The vote:

Yes: Powell, Williams, Watson, Lawson, Bailey, Harriman, Fougrousse

No: None

The Ordinance was numbered 5820.

ORDINANCE NO. 5821 – REZONING 2.5 ACRES OWNED BY HELEN GARRISON LOCATED AT 4500 W. SEATON DRIVE, FROM A-1 TO C-5, AND DECLARING AN EMERGENCY

Planning Assistant Rick Barry presented an Ordinance rezoning 2.5 acres owned by Helen Garrison located at 4500 W. Seaton Drive, from A-1 to C-5, and declaring an emergency.

Planning Commission recommended approval.

After reading the title of the Ordinance, Council Member Powell moved the Ordinance “Do Pass”. Council Member Bailey made the second.

The vote:

Yes: Williams, Watson, Lawson, Bailey, Harriman, Fougrousse, Powell

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Watson, Lawson, Bailey, Harriman, Fougrousse, Powell, Williams

No: None

The Ordinance was numbered 5821.

ORDINANCE NO. 5822 – REZONING 10.8 ACRES OWNED BY CORNELIA WILLIAMSON REVOCABLE TRUST FOR R23-13 LOCATED EAST OF NORTH OLD MISSOURI ROAD, FROM A-I TO C-6 AND I-2, AND DECLARING AN EMERGENCY

Planning Assistant Rick Barry presented an Ordinance rezoning 10.8 acres owned by Cornelia Williamson Revocable Trust, R23-13, located east of North Old Missouri Road, from A-1 to C-6 and I-2, and declaring an emergency.

Planning Commission recommended approval.

After reading the title of the Ordinance, Council Member Powell moved the Ordinance “Do Pass”. Council Member Williams made the second.

The vote:

Yes: Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Lawson

No: None

The Ordinance was numbered 5822.

ORDINANCE NO. 5823 – REZONING 7.9 ACRES OWNED BY ARLIS D. WILLIAMSON REVOCABLE TRUST, R23-14, LOCATED WEST OF OLD WIRE ROAD AND SOUTH OF JUNE SELF DRIVE, FROM A-I TO C-6 AND I-2, AND DECLARING AN EMERGENCY

Planning Assistant Rick Barry presented an Ordinance rezoning 7.9 acres owned by Arlis D. Williamson Revocable Trust, R23-14, located west of Old Wire Road and south of June Self Drive, from A-1 to C-6 and I-2, and declaring an emergency.

Planning Commission recommended approval.

After reading the title of the Ordinance, Council Member Bailey moved the Ordinance “Do Pass”. Council Member Powell made the second.

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Lawson, Bailey

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Lawson, Bailey, Harriman

No: None

The Ordinance was numbered 5823.

RESOLUTION NO. 37-23 – AUTHORIZING THE EXECUTION OF A CONTRACT WITH FOREVERLAWN TULSA FOR THE RENOVATION OF THE MIRACLE LEAGUE FACILITIES AT TYSON PARK

Council Member Rex Bailey presented a Resolution authorizing the execution of a contract for the renovation of the Miracle League Facilities at Tyson Park with ForeverLawn Tulsa in the amount of \$273,617.38.

RESOLUTION NO. ____

**A RESOLUTION AUTHORIZING THE EXECUTION OF A
CONTRACT FOR THE RENOVATION OF THE MIRACLE
LEAGUE FACILITIES AT TYSON PARK**

WHEREAS, the City of Springdale desires to make renovations to the Miracle League facilities at Tyson Park (“the Project”);

WHEREAS, the competitive bidding process provided by Arkansas law was utilized by the Community Development Block Grant Program to obtain bids for the Project; and

WHEREAS, the lowest responsible bidder for the Project was ForeverLawn Tulsa, in the amount of \$273,617.38, and is recommended for approval by the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS THAT:

Section 1. The Mayor and City Clerk/Treasurer are hereby authorized to execute a contract with ForeverLawn Tulsa, for the renovation of the Miracle League facilities at Tyson Park, to be paid for by Community Development Block Grant Program funds in the amount of \$273,617.38.

Section 2. The Mayor is authorized to approve construction change orders as long as the cumulative total of the change orders does not exceed 10% of the original contract price.

PASSED AND APPROVED this ____ day of March, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

Council Member Williams moved the Resolution be adopted. Council Member Fougrousse made the second.

The vote:

Yes: Powell, Williams, Watson, Lawson, Bailey, Harriman, Fougrousse

No: None

The Resolution was numbered 37-23.

RESOLUTION NO. 38-23 – TO AUTHORIZE THE PROVISION OF GOVERNMENT SERVICES FOR THE CITIZENS OF SPRINGDALE, ARKANSAS FROM THE AMERICAN RECOVER PLAN ACT (ARPA) FUNDS

Council Member Amelia Williams presented a Resolution to authorize the provision of government services for the citizens of Springdale, Arkansas, from the American Recover Plan Act (ARPA) Funds.

Finance Director Cody Loerts explained the city’s compliance consultants Disaster Recovery Services have approved the eligibility of using this money as lost revenue for Arvest Ballpark.

RESOLUTION NO. ____

A RESOLUTION TO AUTHORIZE THE PROVISION OF GOVERNMENT SERVICES FOR THE CITIZENS OF SPRINGDALE, ARKANSAS FROM THE AMERICAN RECOVER PLAN ACT (ARPA) FUNDS

WHEREAS, the City of Springdale, Arkansas has been directly affected by the COVID-19 global pandemic;

WHEREAS, the City of Springdale, Arkansas has experienced a reduction in revenues as a result of the COVID-19 global pandemic;

WHEREAS, the City of Springdale, Arkansas continued to provide essential services to its residents throughout the COVID-19 pandemic;

WHEREAS, the City of Springdale, Arkansas will continue to provide essential services to its residents; and

WHEREAS, the City of Springdale, Arkansas desires to use a portion of the \$11,854,861 American Rescue Plan Act (ARPA) funds designated as lost revenue toward the use of the Public Facilities Board regularly funded maintenance & improvements at the Arvest Ballpark

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS authorizes the obligation of \$450,411.00 to the City of Springdale Public Facilities Board, for the purpose of regularly funded maintenance and improvements of the Arvest Ballpark in accordance with eligible use of funds as defined by ARPA.

PASSED AND APPROVED this ____ day of March, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Council Member Harriman moved the Resolution be adopted. Council Member Lawson made the second.

The vote:

Yes: Williams, Watson, Lawson, Bailey, Harriman, Fougrousse, Powell

No: None

The Resolution was numbered 38-23.

RESOLUTION NO. 39-23 – AUTHORIZING THE MAYOR AND CITY CLERK TO APPROVE CHANGE ORDER #1 TO THE CONSTRUCTION CONTRACT WITH EMERY SAPP & SONS, INC. FOR THE DETENTION POND PROJECT AT SPRINGDALE AIRPORT

Council Member Amelia Williams presented a Resolution authorizing the Mayor and City Clerk to approve change order #1 to the construction contract with Emery Sapp & Sons Inc. for the detention pond project at Springdale Airport.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO APPROVE CHANGE ORDER #1 TO THE CONSTRUCTION CONTRACT WITH EMERY SAPP & SONS, INC FOR THE DETENTION POND PROJECT AT SPRINGDALE AIRPORT

WHEREAS, The City of Springdale desires to construct a detention pond in the northwest corner of Springdale Airport property; and

WHEREAS, a contract was entered with Emery Sapp & Sons, Inc in May of 2021;

WHEREAS, the project was delayed by permitting through no fault of Emery Sapp & Sons, Inc or the City of Springdale:

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that

Section 1. The Mayor and City Clerk are authorized to execute Change Order #1 for an additional \$319,450 due to permitting delays and to be paid out of the general fund.

PASSED AND APPROVED this ____ day of March, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Council Member Powell moved the Resolution be adopted. Council Member Williams made the second.

The vote:

Yes: Watson, Lawson, Bailey, Harriman, Fougerousse, Powell, Williams

No: None

The Resolution was numbered 39-23.

RESOLUTION NO. 40-23 – EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE TO PARTNER WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE FOLLOWING PROJECT: JOB 040894, HIGHWAY 412 IMPROVEMENTS (SPRINGDALE) (S)

Council Member Amelia Williams presented a Resolution expressing the willingness of the City of Springdale to partner with the Arkansas Department of Transportation for the following project: Job 040894, Hwy. 412 Improvements (Springdale) (S).

RESOLUTION NO. ____

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE TO PARTNER WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE FOLLOWING PROJECT:

Job 040894, Hwy. 412 Impvts. (Springdale) (S)

WHEREAS, the Arkansas Department of Transportation (Department) has scheduled a project to improve the Interstate 49 interchange with Highway 412, and provide improvements along Highway 412 in the vicinity of the interchange in Springdale; and

WHEREAS, the City of Springdale (City) has requested that the project include a 12-foot wide sidepath with a 6-foot green space buffer on the north side of Highway 412 and on the west side of South 48th Street, west of Interstate 49 within the project limits; and

WHEREAS, the City agrees to provide all funding necessary to incorporate these sidepaths into the project; and

WHEREAS, the City further agrees to provide all future maintenance for these sidepaths; and

WHEREAS, the Department has agreed to the request for modification with the understanding that all costs associated with the sidepaths will be the responsibility of the City; and

WHEREAS, the Department will oversee all phases of the project.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SPRINGDALE, ARKANSAS THAT:

SECTION I: The City will participate in accordance with its designated responsibilities in this project.

SECTION II: The Mayor, or their designated representative, is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite implementation of this project.

SECTION III: The City pledges its full support and hereby requests that the Arkansas Department of Transportation initiate action to implement these improvements.

THIS RESOLUTION adopted this ____ day of March, 2023.

Doug Sprouse
Mayor

ATTEST:

Denise Pearce
City Clerk

Council Member Bailey moved the Resolution be adopted. Council Member Harriman made the second.

The vote:

Yes: Lawson, Bailey, Harriman, Fougrousse, Williams, Watson

No: None

Recuse: Powell

The Resolution was numbered 40-23.

RESOLUTION NO. 41-23 – AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT FOR ACQUISITION SERVICES FOR DON TYSON PARKWAY EXTENSION AND GENE GEORGE SOUTH, PHASES 2 & 3

Council Member Amelia Williams presented a Resolution authorizing the execution of a professional services agreement for acquisition services for Don Tyson Parkway Extension and Gene George South, Phases 2 & 3.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT FOR ACQUISITION SERVICES FOR DON TYSON PARKWAY EXTENSION AND GENE GEORGE SOUTH, PHASES 2 & 3

WHEREAS, the City of Springdale is in need of acquisition services for the Don Tyson Parkway Extension West and Gene George South Phases 2 &3 projects;

WHEREAS, O.R. Colan Associates was selected as the most qualified firm for these projects;

WHEREAS, the price not to exceed for professional acquisition services shall be \$258,600.00.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that

Section 1. the Mayor and City Clerk are hereby authorized to enter into a professional services agreement with O.R. Colan Associates for acquisition services in the amount of \$258,600.00 to be paid from the General Fund.

Section 2. The Mayor is authorized to approve change orders up to 10% of the original agreement price.

PASSED AND APPROVED this ____ day of March, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

Council Member Watson moved the Resolution be adopted. Council Member Powell made the second.

The vote:

Yes: Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Lawson

No: None

The Resolution was numbered 41-23.

RESOLUTION NO. 42-23 – AUTHORIZING THE EXECUTION OF A CONTRACT
CHANGE ORDER FOR THE REHABILITATION OF THE RITTER-MCDONALD LOG
CABIN AT THE SHILOH MUSEUM

Council Member Amelia Williams presented a Resolution authorizing the execution of a contract change order for the rehabilitation of the Ritter-McDonald Log Cabin at the Shiloh Museum.

The Shiloh Museum Board has agreed to pay for the costs associated with the proposed contract change order for the Project.

RESOLUTION NO. ____

**A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT
CHANGE ORDER FOR THE REHABILITATION OF THE RITTER-
MCDONALD LOG CABIN AT THE SHILOH MUSEUM**

WHEREAS, on October 25, 2022, the Springdale City Council passed Resolution No. 124-22, which authorized a contract with River Ridge Builders, Inc., for the rehabilitation of the Ritter-McDonald Log Cabin at the Shiloh Museum (“the Project”) in an amount not to exceed \$140,000.00 to be paid by the Shiloh Museum Board;

WHEREAS, during the course of the Project, other issues have been identified with the Project, thereby necessitating a contract change order in the amount of \$25,050.00;

WHEREAS, the Shiloh Museum Board has agreed to pay for the costs associated with the proposed contract change order for the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS THAT the Mayor and City Clerk/Treasurer are hereby authorized to execute a contract change order with River Ridge Builders, Inc., for the rehabilitation of the Ritter-McDonald Log Cabin at the Shiloh Museum in an amount not to exceed \$25,050.00, to be paid by the Shiloh Museum Board.

PASSED AND APPROVED this ____ day of March, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

Council Member Watson moved the Resolution be adopted. Council Member Bailey made the second.

The vote:

Yes: Harriman, Fougerousse, Powell, Williams, Watson, Lawson, Bailey

No: None

The Resolution was numbered 42-23.

RESOLUTION NO. 43-23 – TO APPROPRIATE MATCHING GRANT FUNDS AND
ADDITIONAL FUNDS FOR MURPHY PARK PLAYGROUND PROJECT; AND TO WAIVE
COMPETITIVE BIDDING

Council Member Brian Powell presented a Resolution to appropriate matching grant funds and additional funds for Murphy Park Playground Project; and to waive competitive bidding.

The Springdale Parks and Recreation Department has received a quote from Game Time – Cunningham Recreation in the amount of \$447,826.16 to build an all-inclusive playground at Murphy Park. A grant has been received in the amount of \$220,000 from the Arkansas Department of Parks, Heritage, and Tourism and the funds in the amount of \$220,000 for the city’s match plus the amount of \$7,826.16 will be appropriated out of Park Set Aside to complete the project.

RESOLUTION NO. ____

**A RESOLUTION TO APPROPRIATE MATCHING GRANT FUNDS AND
ADDITIONAL FUNDS FOR MURPHY PARK PLAYGROUND PROJECT;
AND TO WAIVE COMPETITIVE BIDDING**

WHEREAS, the Springdale Parks and Recreation Department was awarded an Outdoor Recreation grant from the Arkansas Department of Parks, Heritage, and Tourism in the amount of \$220,000 to be used to build an all-inclusive playground at Murphy Park; and

WHEREAS, the City of Springdale has agreed to match the grant in the amount of \$220,000 to be taken out of Park Set Aside;

WHEREAS, the Springdale Parks and Recreation Department has received a quote from Game Time – Cunningham Recreation in the amount of \$447,826.16 to build an all-inclusive playground at Murphy Park; and

WHEREAS, Game Time – Cunningham Recreation is on the State Buy Board program;
and

WHEREAS, the Springdale Parks and Recreation Department has requested to waive competitive bidding and accept the quote from Game Time – Cunningham Recreation in the amount of \$447,826.16;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE
CITY OF SPRINGDALE, ARKANSAS, that:**

Section 1. Funds in the amount of \$220,000 be appropriated out of Park Set Aside for the city’s match plus additional funds in the amount of \$7,826.16 to complete the project; and

Section 2: That competitive bidding is not deemed feasible or practical because of the exceptional situation previously set out herein and therefore competitive bidding is hereby waived under Ark. Code Ann. §14-58-104.

PASSED AND APPROVED this ____ day of March, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

Council Member Bailey moved the Resolution be adopted. Council Member Williams made the second.

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Lawson, Bailey, Harriman

No: None

The Resolution was numbered 43-23.

ORDINANCE NO. 5824 – AMENDING CHAPTER 110, ARTICLE VI. STREET NAMES AND ADDRESS NUMBERS, TO CHANGE THE NAME OF THE EXISTING CITY STREET “METROPLEX” TO “ANIMAL EMERGENCY DRIVE”

City Attorney Ernest Cate presented an Ordinance amending Chapter 110, Article VI. Street Names and Address Numbers, to change the name of the existing city street “Metroplex Drive” to “Animal Emergency Drive”.

A representative of Animal Emergency Specialty Center explained they are relocating from Mathias Drive to where the Metroplex was located on Metroplex Drive. Since the Metroplex no longer exists, they would like to rename the drive to coincide with their business. There are no other businesses located on this street.

There were no comments made at the Public Hearing held earlier this evening.

After reading the title of the Ordinance, Council Member Powell moved the Ordinance “Do Pass”. Council Member Harriman made the second.

The vote:

Yes: Powell, Williams, Watson, Lawson, Harriman, Fougrousse

No: Bailey

The Ordinance was numbered 5824.

COUNCIL COMMENTS

Discussion was held on traffic congestion at Elm Springs Road and I-49 and signage at I-49.

ADJOURNMENT

Council Member Harriman made the motion to adjourn. Council Member Lawson made the second.

After a voice vote of all ayes and no nays, the meeting adjourned at 6:40 p.m.

Doug Sprouse, Mayor

Denise Pearce, City Clerk/Treasurer