

ORDINANCE NO. 2024-17

**AN ORDINANCE VACATING A UTILITY EASEMENT
LOCATED ON PART OF LOTS 86 AND 87 OF BIG CREEK ESTATES,
PHASE 1, WITHIN THE CITY LIMITS OF MOUNTAIN HOME, ARKANSAS**

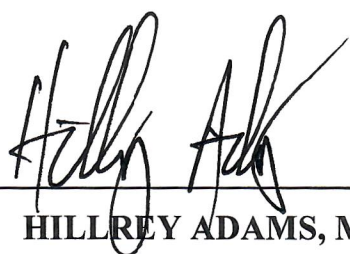
WHEREAS, the Petitioners, namely Gregory DeRose, Jr. and Diane R. DeRose, being the owners of the lots over which said utility easement is located, hereby consent to the abandonment.

**NOW, THEREFORE, BE IT ORDAINED
BY THE CITY COUNCIL OF MOUNTAIN HOME, ARKANSAS:**

1. That the City of Mountain Home, Arkansas, hereby vacates the utility easement described as follows:

*The utility easement located on the South 10 feet of Lot 87
and the North 10 feet of Lot 86 in Big Creek Estates Phase 1.*

PASSED AND APPROVED THIS 3RD DAY OF OCTOBER, 2024.


HILLREY ADAMS, MAYOR

ATTEST:



SCOTT LILES, CITY CLERK



PETITION

TO: MAYOR AND CITY COUNCIL
CITY OF MOUNTAIN HOME
MOUNTAIN HOME, ARKANSAS

The petitioners, Gregory DeRose, Jr. and Diane R. DeRose, hereby petition you to vacate the following easement described as follows:

Easement to vacate:

The utility easement located on the South 10 feet of Lot 87 and the North 10 feet of Lot 86 in Big Creek Estates Phase 1.

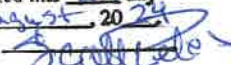
That the above described easement has never been used as a utility easement in the past. That the public interest and welfare will not be adversely affected by abandonment of said utility easement. A copy of the plat is attached hereto as Exhibit "A".

WHEREFORE, petitioners pray that the City Council of Mountain Home, Arkansas, vacate the utility easement described above.

GREGORY DEROSE, JR. AND DIANE
R. DEROSE, PETITIONERS

BY: 

TED H. SANDERS
P. O. BOX 2308
MOUNTAIN HOME, AR 72654
THEIR ATTORNEY

City of Mountain Home
File Marked this 27 day
of August, 2024
City Clerk: 





12 Jan 7



SMALL ENGINEERING & SURVEYING, INC.
218 SOUTH COLLEGE STREET
MOUNTAIN HOME, ARKANSAS 71903
PHONE: (870) 475-5252 FAX: (870) 424-5111
E-MAIL: info@smalleng.com

1"=100'
12-0-98

FINAL PLAT PHASE 1

RIG CREEK ESTATES

3635

[illegible]

WE, MOUNTAIN LAND GROUP, LLC, AND JOHN S. TERKEURST, BEING FEE OWNERS OF THE PROPERTY HEREON SHOWN, HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS A SUBDIVISION TO BE NAMED "BIG CREEK ESTATES" AND DO HEREBY DEDICATE TO THE PUBLIC FOR ITS USE OF THE STREETS AND EASEMENTS SHOWN.

JOHN S. TERREURST, INDIVIDUAL

ACKNOWLEDGED AND SIGNED BEFORE ME THIS
DAY OF JANUARY, 1999.

NOTARY PUBLIC [Signature]
MY COMMISSION EXPIRES MAY 15, 2005

I HEREBY CERTIFY THAT THE HEREIN PLATTED AND DESCRIBED SURVEY WAS COMPLETED UNDER MY SUPERVISION ON THE DAY OF 11-10-1998, 1998, AND THAT CORNERS WERE SET, AS SHOWN, TO THE BEST OF MY KNOWLEDGE AND ABILITY.

THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE OR GUARANTEE THE SAME HEREIN, WITHIN ONE YEAR FROM DATE HEREOF, AND AS TO THEM I WARRANT THE ACCURACY SAID SURVEY AND MAP.

JOHN ED ISRELL, P.L.S. NO. 754, ARKANSAS

OWNERS and DEVELOPERS
MOUNTAIN LAND GROUP, LLC
P.O. BOX 1970
MOUNTAIN HOME, AR 72654

MOUNTAIN HOME, AR 72654

CONF. DATA TABLE				
CONF.	DATE	TIME	LOCATION	STATUS
1	10/15/91	10:00	100-100	100-100
2	10/15/91	10:05	100-100	100-100
3	10/15/91	10:10	100-100	100-100
4	10/15/91	10:15	100-100	100-100
5	10/15/91	10:20	100-100	100-100
6	10/15/91	10:25	100-100	100-100
7	10/15/91	10:30	100-100	100-100
8	10/15/91	10:35	100-100	100-100
9	10/15/91	10:40	100-100	100-100
10	10/15/91	10:45	100-100	100-100
11	10/15/91	10:50	100-100	100-100
12	10/15/91	10:55	100-100	100-100
13	10/15/91	11:00	100-100	100-100
14	10/15/91	11:05	100-100	100-100
15	10/15/91	11:10	100-100	100-100
16	10/15/91	11:15	100-100	100-100
17	10/15/91	11:20	100-100	100-100
18	10/15/91	11:25	100-100	100-100
19	10/15/91	11:30	100-100	100-100
20	10/15/91	11:35	100-100	100-100
21	10/15/91	11:40	100-100	100-100
22	10/15/91	11:45	100-100	100-100
23	10/15/91	11:50	100-100	100-100
24	10/15/91	11:55	100-100	100-100
25	10/15/91	12:00	100-100	100-100
26	10/15/91	12:05	100-100	100-100
27	10/15/91	12:10	100-100	100-100
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66	10/15/91	15:25	100-100	100-100
67	10/15/91	15:30	100-100	100-100
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☒ SET 1/2" REBAR & CAP
☐ FOUND AS NOTED
☐ COMPUTED POINT
☒ FOUND COUNTY WENNA
 10/10/10 10/10/10

1. BUILDING SETBACK LINES ARE AS FOLLOWS:
A. THIRTY (30) FEET ON FRONT LOT LINES.
B. THIRTY (30) FEET ON REAR LOT LINES.
C. TEN (10) FEET ALONG SIDE LOT LINES.
2. BASIS OF FEETING AND CEILING HEIGHTS ARE ANKRAHSA
STATE PLANS ON FILE IN THE CITY ENGINEER'S OFFICE.
3. UTILITY LACERMENTS SHALL BE TEN (10) FEET AROUND
AND SHALL BE DEEPER THAN EACH LOT LACERMENT.
4. SHOWN OTHERWISE.
5. THERE SHALL BE A THIRTY (30) FOOT UTILITY
EASEMENT FOR EACH LACERMENT.
6. THE CITY ENGINEER'S OFFICE HAS THE FOLLOWING COLOR
REFERENCES: C-30-361, R-253-01, PLAT 319
7. C-30-361, R-253-01, PLAT 319
8. R-304-01, R-378-01, R-379-04
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 FARRELL ENGINEERING & SURVEYING, INC. 316 SOUTH CALICO STREET MOUNTAIN HOME, ARIZONA 85935 PHONE: (870) 425-5332 FAX: (870) 424-2332 E-MAIL: info@farrellinc.com	
Project No: 1-44001 Date: 12-2-99	Project By: [Signature] Date: 1-10-00
FINAL PLAT PHASE 1	
BIG CREEK ESTATES	3655

RESOLUTION NO. 2024-22

**A RESOLUTION AUTHORIZING A PUBLIC HEARING
WITH REGARD TO ABANDONMENT OF A UTILITY EASEMENT
IN THE CITY OF MOUNTAIN HOME, ARKANSAS**

WHEREAS, it is necessary for the City of Mountain Home, Arkansas, to hold a public hearing to consider the abandonment of a utility easement;

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL OF MOUNTAIN HOME, ARKANSAS, THAT:**

1. The City Council of the City of Mountain Home, Arkansas, shall hold a public hearing on Thursday, October 3, 2024, at 4:55 o'clock p.m., in the Council Chambers at 720 South Hickory Street, Mountain Home, Arkansas, for the purpose of abandoning a certain utility easement described as follows:

*The utility easement located on the South 10 feet of Lot 87
and the North 10 feet of Lot 86 in Big Creek Estates Phase 1.*

2. The Petitioners are Gregory DeRose, Jr. and Diane R. DeRose, his wife.
3. All interested persons should attend.
4. The City Clerk is directed to publish this notice once a week for two consecutive weeks in a newspaper having general circulation in the City of Mountain Home, Arkansas, prior to the public hearing.

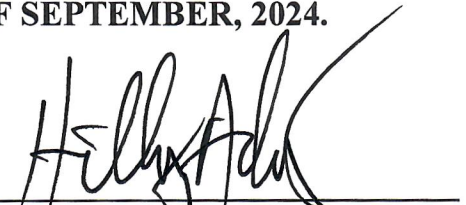
PASSED AND APPROVED THIS 5TH DAY OF SEPTEMBER, 2024.

ATTEST:



SCOTT LILES, CITY CLERK




HILLREY ADAMS, MAYOR

NOTICE

NOTICE is hereby given that Gregory DeRose, Jr. and Diane DeRose, his wife, have filed a petition with the City Council of Mountain Home, Arkansas, requesting the vacating of the following described utility easement, to-wit:

The utility easement located on the South 10 feet of Lot 87 and the North 10 feet of Lot 86 in Big Creek Estates Phase 1.

The City Council will hold a hearing on the petition to vacate the utility easement on Thursday, October 3, 2024, at 4:55 o'clock p.m. in the Council Chambers at 720 South Hickory Street, Mountain Home, Arkansas for the purpose of abandoning the utility easement described above.

SCOTT LILES, CITY CLERK

TWO PUBLICATIONS:

September 11, 2024
September 18, 2024

City of Mountain Home
File Marked this 27 day
of August, 2024
City Clerk, Scott Liles



AFFIDAVIT OF PUBLICATION

State of Arkansas, County of Baxter, ss:

I, Carol Lawson being duly sworn according to law, state that I represent the publisher of the Baxter Bulletin, a daily newspaper in said county, and that I am duly authorized to and do make this affidavit for the dates of publication herein after stated, and that said newspaper has a bona fide circulation in said county at said dates, and has been published in said county for a period of more than one month next before the date of the first publication of the advertisement hereto annexed, and that the said advertisement was published in said newspaper on the following dates:

From 09/11/2024 to 09/18/2024 both inclusive.

1st insertion, Vol. ____, No. ____, 09/11/2024

2nd insertion, Vol. ____, No. ____, 09/18/2024

3rd insertion, Vol. ____, No. ____,

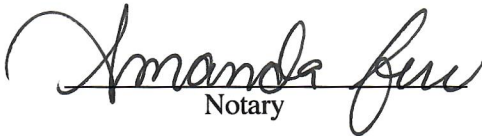
4th insertion, Vol. ____, No. ____,

Account#8004701

Ad#172751



Subscribed to and sworn to before me this 09/18/2024


Notary

My commission expires 8-2-2033

Filed and Recorded _____

(Publication Fee, \$60.00)

NOTICE

Notice is hereby given that Gregory DeRose, Jr. and Diane DeRose, his wife, have filed a petition with the City Council of Mountain Home, Arkansas, requesting the vacating of the following described utility easement, to-wit:

The utility easement located on the South 10 feet of Lot 87 and the North 10 feet of Lot 86 in Big Creek Estates Phase 1.

The City Council will hold a hearing on the petition to vacate the utility easement on Thursday, October 3, 2024, at 4:55 o'clock p.m. in the Council Chambers at 720 South Hickory Street, Mountain Home, Arkansas for the purpose of abandoning the utility easement described above.

SCOTT LILES, CITY CLERK

TWO PUBLICATIONS:
September 11, 2024
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