

INSTRUCTIONS FOR FILING A PETITION FOR ABANDONMENT OF A UTILITY EASEMENT

1. The applicant/owner or authorized agent shall appear at the Department of Planning and Development, 723 West Markham, Little Rock, Arkansas; 371-4790, and complete the required application forms. These forms may be obtained in advance in order to expedite the filing.
2. The applicant shall submit as part of his application three (3) copies of a survey or other instrument such as a recorded plat indicating the area of the utility easement abandonment.
3. Payment of a filing fee is required no later than the published docket closing date. Said fees are established by the City's adopted Fee Ordinance.
4. The applicant shall submit as part of the filing a letter from each of the five public utility companies stating their approval of the closure, or stating their request for needed easements including dimensions.
5. The applicant shall submit as part of his application a letter from an abstract company or equally reliable source which shall delineate the reversionary rights in the utility easement and the source of dedication.
6. Prior to acceptance of the petition, the owner is required to sign a statement dealing with dedication of required street rights-of-way on abutting streets. The applicant will be provided a form for this purpose which shall be completed by the owner indicating his position. The owner will be required at his or her expense to provide the proper legal instrument for such dedication. A blank form for this purpose may be obtained from the Planning Staff.
7. After filing the proper forms and meeting the requirements set forth above, the applicant shall give notice to affected properties as required below. Before the Board of Directors shall consider a petition for the abandonment of a utility easement, the petitioner shall first give at least 15 days written notice of the time, place and date of the public hearing thereon to all record owners of land abutting portions of the utility easement involved. **THIS MEANS THOSE OWNERS ABUTTING THE UTILITY EASEMENT OR TAKING ACCESS TO THE EASEMENT.**

The notification shall be by certified mail. The form for notice shall be that as provided by the staff.
8. The staff will furnish a name and address for neighborhood contacts that require notice of the hearing. This must be accomplished as part of the notice requirement in No. 7 above.
9. An affidavit is required stating the owner has complied as directed on the notice required. The affidavit shall be accompanied by a copy of the notice mailed and the postal receipts for mailing. A return receipt is not required. This proof of notice shall be filed with the staff at least six (6) days prior to the Board of Directors meeting.
10. The applicant should be present at the meeting in order to answer any questions of the Board or other interested parties. The absence of the applicant may be cause for deferral.
11. The applicant's noncompliance with the above may cause the petition to be withheld or not considered at the meeting scheduled and may require the renotification of property owners.
12. Upon obtaining approval from the Board of Directors, the applicant is required to file a replat in the Department of Planning and Development and at the Circuit Clerk's Office in the Pulaski County Court House.

NOTE: THIS FILING DOES NOT MEET STATE LAW REQUIREMENT FOR FILING WITH THE CITY CLERK. SEE THE CITY CLERK FOR ADDITIONAL INSTRUCTIONS.

**PETITION FOR ABANDONMENT
OF A UTILITY EASEMENT**

BOARD OF DIRECTORS MEETING DOCKETED FOR _____, AT
_____ P.M.

A petition is hereby submitted to the Board of Directors of the City of Little Rock, Arkansas, requesting an abandonment of the following described utility easement:

GENERAL DESCRIPTION: _____

LOCATION: _____

SIZE: _____ SQ. FT. _____ ACRES _____

Title to this utility easement is in:

(Name) _____

Present use of the property the utility easement serves: _____

Desired use of the utility easement after closure: _____

It is understood that notice of the public hearing hereon before the Little Rock Board of Directors will be circulated by the applicant at his expense to all parties in interest.

(OWNER)

(MAIL ADDRESS)

(AGENT)

HOME
PHONE: _____
BUSINESS
PHONE: _____

BOARD OF DIRECTORS APPROVED: _____

ORDINANCE NO.: _____

DEPARTMENT DIRECTOR BY: _____

STREET RIGHT-OF-WAY DEDICATION AGREEMENT

LOCATION/ADDRESS: _____

DATE: _____

DOCKETED FOR MEETING ON: _____

I, _____, do hereby agree / disagree to dedicate to the public any needed right-of-way as required by the Master Street Plan for a public street abutting property owned by me adjacent to the abandonment.

I, _____, agree / disagree to provide at my expense an easement deed and/or other documents as necessary conveying such right-of-way to the public.

APPLICANT/OWNER _____ DATE _____

(IF THE ABOVE SIGNATURE REPRESENTS AN APPLICANT, ATTACHMENT OF A LETTER IS REQUIRED AUTHORIZING THIS PERSON TO ACT IN BEHALF OF THE TITLE-HOLDER.)

**NOTICE OF PUBLIC HEARING BEFORE
THE LITTLE ROCK BOARD OF DIRECTORS ON A
PETITION TO ABANDON A UTILITY EASEMENT**

To all owners of lands serving the boundary of the utility easement:

Location/Description: _____

Petitioner: _____ Telephone Number _____

Address: _____

Agent or Attorney: _____

Telephone Number: _____

Notice is hereby given that a public hearing on the said petition will be held by the Little Rock Board of Directors in the Board of Directors Chambers, Second Floor, City Hall, on _____, at _____ P.M.

All parties in interest may appear and be heard at said time and place or may notify the Department of Planning and Development of their views on this matter by letter. All persons interested in this petition are invited to call or visit the Department of Planning and Development, 723 West Markham. The staff contact person is _____ at 371-4790.

APPLICANT (Owner or Authorized Agent): _____

DATE: _____

The City of Little Rock complies with all civil rights provisions of federal laws and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. The City of Little Rock does not discriminate on the basis of race, color, creed, religion, sex, national origin, age, disability, income status, marital status, sexual orientation, gender identity, genetic information, political opinions or affiliation, in admission or access to and treatment in the City's programs and activities, as well as the city's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the City's nondiscrimination policies may be directed to the Title VI Coordinator, 500 West Markham Street, Little Rock, AR 72201, 501-371-4475.

This notice is available from the Title VI Coordinator in large print or recording. Free language assistance for those with Limited English Proficiency is available upon request.

La ciudad de Little Rock cumple con todas las disposiciones de derechos civiles de los estatutos federales y autoridades relacionadas que prohíben la discriminación en programas y actividades que reciben asistencia financiera federal. La ciudad de Little Rock no discrimina por motivos de raza, color, credo, religión, sexo, origen nacional, edad, discapacidad, estado de ingresos, estado civil, orientación sexual, identidad de género, información genética, las opiniones políticas o afiliación, en la admisión o acceso y tratamiento en los programas y actividades de la ciudad, así como de contratación de empleados de la ciudad. Las quejas de supuesta discriminación y consultas sobre la política antidiscriminatoria de la ciudad pueden ser dirigidas a, Coordinador del Título VI, 500 West Markham Street, Little Rock, AR 72201, 501-371-4475.

AFFIDAVIT

I hereby certify that I have properly notified all owners of record as directed in the instructions for filing a petition for abandonment. Further, that proof of such notice has been provided to the staff of the Department of Planning and Development in compliance with the instructions.

APPLICANT (Owner or Authorized Agent): _____

(Name)

(Date)

AFFIDAVIT

I, _____ certify by my signature below that I hereby authorize _____ to act as my agent regarding the _____ of the below described property.

Property described

as: _____

Signature of Title Holder

Date

Subscribed and sworn to me a Notary Public on this _____ day of _____.

Notary Public

My Commission Expires:
