

## **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. The payment of a filing fee in the amount of \$150.00 is required at the time the application is filed.
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: \_\_\_\_\_

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**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)