



Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

Agenda - Monday, June 21, 2021 - 6:00 PM

Call to Order

Roll Call

Invocation and Pledge of Allegiance given by Director Ulysses Brewer

PRESENTATION(S)

- [1.](#) Presentation of the Budget Variance Report by Finance Director TyRhonda Henderson
- [2.](#) Presentation of the land purchase by the Airport Authority given by Airport Director Paul Mehrlich.

CONSENT

- [3.](#) Approval of the minutes of the regular meeting June 7, 2021. (CCD)
- [4.](#) Adopt a Resolution making appointments to various boards and commissions. (CCD)
- [5.](#) Adopt a Resolution allocating the \$1 million donation to the Animal Care and Adoption Center located in Ward 2. (FIN) Finance Director TyRhonda Henderson
- [6.](#) Adopt a Resolution authorizing the City Manager to enter into a construction contract with Tatum Excavating Company, Inc., (TEC), for East 46th Street, Tennessee Road and Sanderson Lane Rehabilitation Projects located in Ward 3. (PWD) Public Works Director Tyler Richards
- [7.](#) Adopt a Resolution authorizing the Airport Authority to purchase 38 acres of land adjacent to the Texarkana Regional Airport located in Ward 3. (Airport) Director Paul Mehrlich

REGULAR

- [8.](#) Consider the following action regarding a request to abandon certain portions of dedicated undeveloped Crescent Street and Dogwood Drive located in Ward 1.

Conduct a Public Hearing for comments concerning this request.

Adopt an Ordinance to approve the abandonment of certain portions of dedicated undeveloped Crescent Street and Dogwood Drive, located in Ward 1. (Gordon) (PWD-Planning) City Planner Mary Beck

CITIZEN COMMUNICATION

A limit of five (5) minutes per person is allotted for citizens to express their concerns to the Board of Directors, with a maximum of fifty (50) minutes reserved for Citizens Communication. The Board of Directors cannot respond to citizens' concerns during this time.

Be respectful of the Board of Directors, city staff, and the public by refraining from abusive conduct, personal charges, or verbal attacks.

NEXT MEETING DATE: Tuesday, July 6, 2021

ADJOURN

2021 City Calendar

Gateway Farmer's Market – Every Tuesday, Thursday and Saturday



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Presentation of the Budget Variance Report by Finance Director TyRhonda Henderson

AGENDA DATE: June 21, 2021

ITEM TYPE: Ordinance ☐ Resolution ☐ Other ☒: _____

DEPARTMENT: _____

PREPARED BY: _____

REQUEST: _____

EMERGENCY CLAUSE: _____

SUMMARY: _____

EXPENSE REQUIRED: _____

AMOUNT BUDGETED: _____

**APPROPRIATION
REQUIRED:** _____

**RECOMMENDED
ACTION:** _____

EXHIBITS: _____

CITY OF TEXARKANA, ARKANSAS
BUDGET VARIANCE REPORT
JANUARY - MARCH 2021

ACCOUNT DESCRIPTION	ANNUAL BUDGET	YTD ACTUALS	BUDGET VARIANCE	PERCENTAGE OF BUDGET
GENERAL PROP TAX REV	(2,408,100)	(247,646)	(2,160,454)	10.28%
SALES & OTHER TAXES REV	(11,051,803)	(3,133,092)	(7,918,711)	28.35%
FRANCHISE RECEIPTS REV	(2,633,000)	(765,105)	(1,867,895)	29.06%
LICENSES & PERMITS REV	(62,400)	(6,486)	(55,914)	10.39%
FROM OTHER GOV'TS REV	(1,402,000)	(127,067)	(1,274,933)	9.06%
FINES & FORFEITURES REV	(731,100)	(13,101)	(717,999)	1.79%
GRANTS REV	(411,142)	(341,994)	(69,148)	83.18%
OTHER REV	(184,430)	(55,850)	(128,580)	30.28%
INTERFUND REV	(448,715)	(133,409)	(315,306)	29.73%
ANIMAL SHELTER REV	(247,830)	(1,015,120)	767,290	409.60%
TOTAL REVENUE	(19,580,520)	(5,838,870)	(13,741,650)	29.82%
ADMINISTRATION EXPENDITURES	387,836	70,127	317,709	18.08%
FINANCE EXPENDITURES	579,820	96,806	483,014	16.70%
CITY CLERK EXPENDITURES	182,901	46,584	136,317	25.47%
BOD EXPENDITURES	152,518	42,963	109,555	28.17%
COURT EXPENDITURES	296,636	51,619	245,017	17.40%
PROBATION EXPENDITURES	206,054	44,196	161,858	21.45%
POLICE EXPENDITURES	8,333,901	1,869,921	6,463,980	22.44%
NARCOTICS EXPENDITURES	468,796	108,923	359,873	23.23%
FIRE EXPENDITURES	5,929,255	1,391,834	4,537,421	23.47%
AGENCY EXPENDITURES	4,088,429	595,998	3,492,431	14.58%
ANIMAL SHELTER EXPENDITURES	580,235	273,525	306,710	47.14%
FED JAG GRANT	10,941	-	10,941	0.00%
STOP SCHOOL VIOLENCE GRANT	87,187	13,599	73,588	15.60%
BJA CORONAVIRUS FUNDING GRANT	1,500	1,298	202	86.50%
TOTAL EXPENDITURES	21,306,009	4,607,393	16,698,616	21.62%



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Presentation of the land purchase by the Airport Authority given by Airport Director Paul Mehrlich.

AGENDA DATE: June 21, 2021

ITEM TYPE: Ordinance ☐ Resolution ☐ Other ☒: _____

DEPARTMENT:

PREPARED BY:

REQUEST:

EMERGENCY CLAUSE:

SUMMARY:

EXPENSE REQUIRED:

AMOUNT BUDGETED:

**APPROPRIATION
REQUIRED:**

**RECOMMENDED
ACTION:**

EXHIBITS:

Texarkana AR Board

21st June 2021



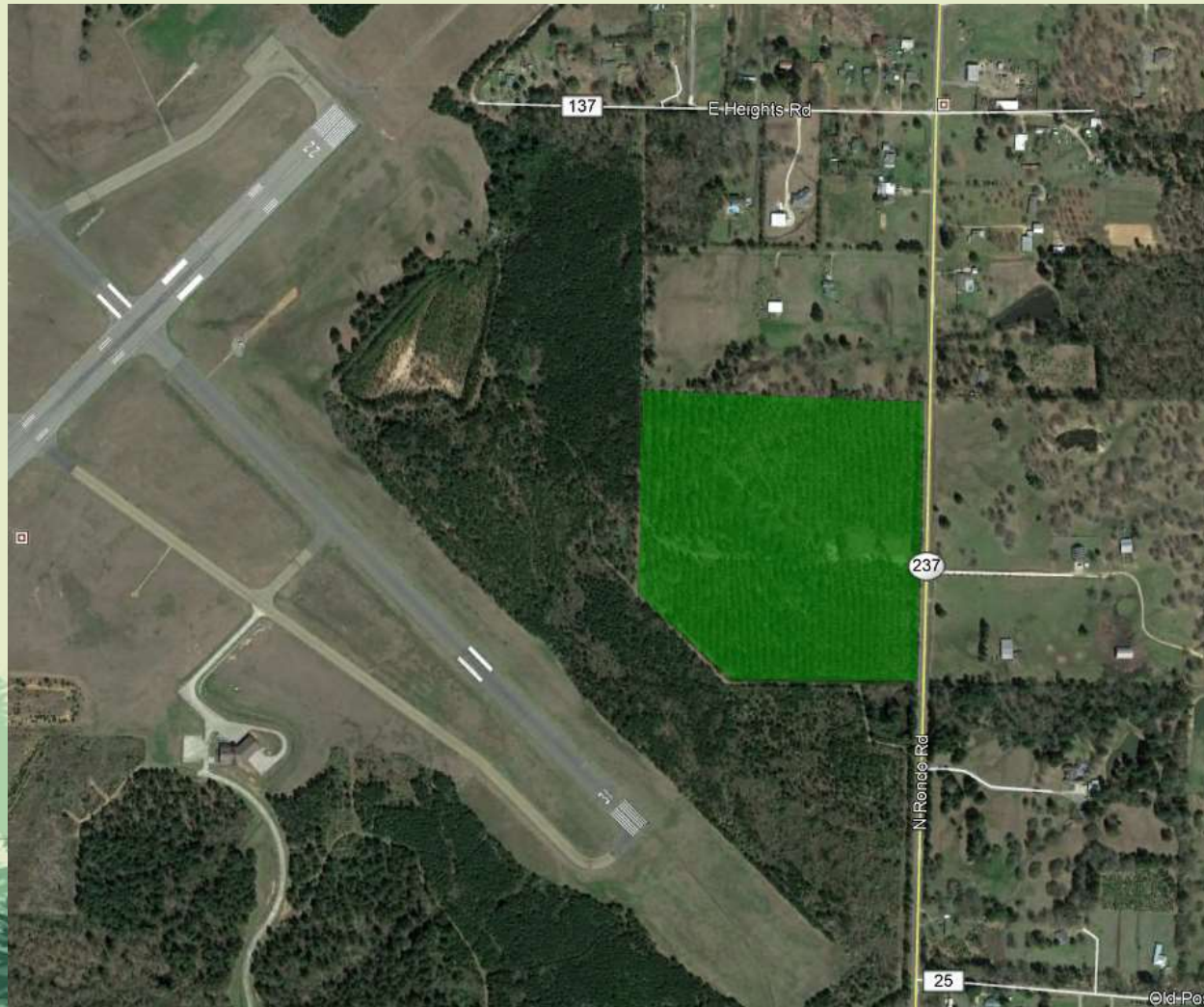
TEXARKANA
— REGIONAL AIRPORT —

Land Purchase

Existing Property Line



Desired Property



Ultimate Property Line



- Current Property is shaped like an L in the area. Not currently developable due to shape and safety area restrictions.
- New property is approximately 38 acres.
- Land was appraised at \$9,960.00 /Ac
- Purchase price is \$8,500.00 /Ac
- Will be requesting a grant from Arkansas Division of Aeronautics to reduce airports direct cost.
- Match will be covered with existing airport revenue.
- Will create an approximately 120 acre lot for future development.

Questions





CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Approval of the minutes of the regular meeting June 7, 2021. (CCD)
AGENDA DATE:	June 21, 2021
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Other <input checked="" type="checkbox"/> : Minutes
DEPARTMENT:	City Clerk Department
PREPARED BY:	Heather Soyars, City Clerk
REQUEST:	Approval of meeting minutes.
EMERGENCY CLAUSE:	N/A
SUMMARY:	Approval of meeting minutes
EXPENSE REQUIRED:	N/A
AMOUNT BUDGETED:	N/A
APPROPRIATION REQUIRED:	N/a
RECOMMENDED ACTION:	The City Clerk recommends Board approval.
EXHIBITS:	Meeting minutes.



Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

Minutes - Monday, June 07, 2021 - 6:00 PM

Mayor Brown called the meeting to order at 6:00 PM.

PRESENT: Mayor Allen Brown, Ward 1 Director Terry Roberts, Ward 2 Director Laney Harris, Assistant Mayor Ward 3 Steven Hollibush, Ward 4 Director Ulysses Brewer, Ward 5 Director Barbara Miner and Ward 6 Director Jeff Hart.

ALSO, PRESENT: City Manager Jay Ellington, City Attorney George Matteson, City Clerk/Assistant City Manager Heather Soyars and Deputy City Clerk Jenny Narens.

The Invocation was given by Assistant Mayor Steven Hollibush.

CONSENT

Director Hart made the motion to adopt the Consent agenda, Seconded by Assistant Mayor Hollibush. The motion carried and the following items were approved:

1. Approval of the minutes of the special called meeting May 14, 2021, and the regular meeting May 17, 2021. (CCD)
2. Resolution No. 2021-28 sets the date for a public hearing concerning the abandonment of certain portions of dedicated undeveloped Crescent Street and Dogwood Drive, located in Ward 1. (Gordon) (PWD-Planning)

REGULAR

3. Ordinance No. 18-2021 rezones a tract of land at 30 Legion Drive, located in Ward 3, from W-1 Wholesale and warehousing to R-1 Rural residential. (Boileau) (PWD-Planning)

Motion to suspend the rules and place the ordinance on its first reading in abbreviated form made by Director Hart, Seconded by Director Brewer.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

The motion carried 7-0 and the ordinance was read the first time in abbreviated form.

Motion to suspend the rules and place the ordinance on its second reading in abbreviated form made by Assistant Mayor Hollibush, Seconded by Director Hart.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

The motion carried 7-0 and the ordinance was read the second time in abbreviated form.

Motion to suspend the rules and place the ordinance on its third and final reading in abbreviated form made by Director Brewer, Seconded by Director Hart.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

The motion carried 7-0 and the ordinance was read the third and final time in abbreviated form.

Motion to adopt the ordinance made by Director Hart, Seconded by Director Roberts.

Mayor Brown asked if anyone would like to speak for or against this ordinance.

No one came forward.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

The motion carried 7-0 and the Mayor declared the ordinance adopted.

4. Ordinance No. 19-2021 supplements Ordinance No. 13-2021 to confirm the original, understood intent that the lease-purchase previously approved is bank qualified. (FIN)

Motion to suspend the rules and place the ordinance on its first reading in abbreviated form made by Assistant Mayor Hollibush, Seconded by Director Roberts.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

The motion carried 7-0 and the ordinance was read the first time in abbreviated form.

Motion to suspend the rules and place the ordinance on its second reading in abbreviated form made by Director Brewer, Seconded by Director Miner.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

The motion carried 7-0 and the ordinance was read the second time in abbreviated form.

Motion to suspend the rules and place the ordinance on its third and final reading in abbreviated form made by Director Roberts, Seconded by Assistant Mayor Hollibush.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

The motion carried 7-0 and the ordinance was read the third and final time in abbreviated form.

Motion to adopt the ordinance made by Director Hart, Seconded by Director Roberts.

Mayor Brown asked if anyone would like to speak for or against this ordinance.

No one came forward.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

The motion carried 7-0 and the Mayor declared the ordinance adopted.

5. **THIRD READING** - Adopt an Ordinance amending certain procedural provisions of the *City of Texarkana, Arkansas Code of Ordinances* pertaining to the Board of Directors' Rules of Order and Procedure. (BOD) (This item was added to the agenda at the request of Director Laney Harris.)

The ordinance was read the third time in abbreviated form.

Motion to adopt the ordinance made by Director Harris, motion failed for lack of second.

CITIZEN COMMUNICATION

No one came forward. Mayor Brown announced Gateway Farmers Market grand opening Saturday, June 12, 2021, and the Texarkana Regional Airport's groundbreaking of the new terminal Saturday, June 12, 2021.

EXECUTIVE SESSION

The Board entered Executive Session at 6:17 PM.

The Mayor reconvened the meeting at 6:24 PM.

6. Resolution No. 2021-29 reappoints Sandy Varner and appoints Les Munn to the Advertising and Promotion Commission. (CCD)

Motion to adopt the resolution made by Assistant Mayor Hollibush, Seconded by Director Miner.

Voting Yea: Mayor Brown, Director Roberts, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

Voting Nay: Director Harris

The motion carried 6-1 and the Mayor declared the resolution adopted.

NEXT MEETING DATE: Monday, June 21, 2021

ADJOURN

Motion to adjourn made by Director Hart, Seconded by Assistant Mayor Hollibush.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

The meeting adjourned at 6:27 PM.

APPROVED this the 21st day of June 2021.

Allen L. Brown, Mayor

Heather Soyars, City Clerk



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Adopt a Resolution making appointments to various boards and commissions. (CCD)
AGENDA DATE:	June 21, 2021
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Other <input type="checkbox"/> : _____
DEPARTMENT:	City Clerk
PREPARED BY:	Heather Soyars
REQUEST:	Appoint members to various boards and commissions.
EMERGENCY CLAUSE:	N/A
SUMMARY:	<p>Electric Board of Review – reappoint Director Ulysses Brewer (1 year term) and appoint City Electrical Inspector Roger Douglas</p> <p>Heating & Air Conditioning Board of Review – appoint City Plumbing Inspector Chris Hutcheson</p> <p>Personnel Policy Committee – reappoint Eric Ethridge, Marian Holder and Linda Matthews</p> <p>Plumbing Board of Review – appoint City Plumbing Inspector Chris Hutcheson</p> <p>Public Facilities Board – appoint City Manager E. Jay Ellington</p> <p>TAPERS – appoint City Manager E. Jay Ellington</p>
EXPENSE REQUIRED:	N/A
AMOUNT BUDGETED:	N/A
APPROPRIATION REQUIRED:	N/A
RECOMMENDED ACTION:	The City Manager and staff recommend approval.
EXHIBITS:	Resolution, Boards and Commission member list, applications

RESOLUTION NO. _____

WHEREAS, vacancies exist on various boards and commissions; and

WHEREAS, it is necessary appointments to be made to fill the vacant positions;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Texarkana, Arkansas, that the following appointment is hereby approved:

<u>Board/Commission</u>	<u>Appointee</u>	<u>Term Date</u>
Electric Board of Review	Director Ulysses Brewer Roger Douglas, City Electric Inspector	03/06/2021----2022 Term of Employment
Heating & Air Conditioning Board of Review	Chris Hutcheson, City Plumbing Inspector	Term of Employment
Personnel Policy Committee	Eric Ethridge Marian Holder Linda Matthews	01/06/2021----2023 01/06/2021----2023 01/06/2021----2023
Plumbing Board of Review	Chris Hutcheson, City Plumbing Inspector	Term of Employment
Public Facilities Board	E. Jay Ellington, City Manager	11/30/2018----2021
TAPERS	E. Jay Ellington, City Manager	

PASSED AND APPROVED this 21st day of June, 2021.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney

Electric Board of Review

Authorized by Texarkana, Arkansas Code 7-133
2 – YEAR TERMS

	<u>Appointment</u>	<u>Term Date</u>	<u>Term</u>	<u>Ward</u>
VACANCY SWEPCO Representative (A.T. “Buddy” Shepard) no longer working	Resolution No. 2017-10 Reappointment 02/06/2017	03/06/2016----2018		
Wade Williams 36 Meadow Road 903-277-1650	Resolution No.	03/06/2018----2020	4	N/A
Thomas Thornsberry Electrical Contractor 352 Meadowridge Cir 870-772-9085 903-748-4886	Resolution No. 2019-43 Reappointment 11/18/2019	03/06/2019----2021	3	3
Director Ulysses Brewer P.O. Box 235 870-773-0276 870-571-6125	Resolution No. 2020-4 Appointment 02/18/2020	03/06/2020----2021 *Note: only a 1-year term*	N/A	N/A
VACANCY Staff Electric Inspector City Hall 870-779-4979	Resolution No. Appointment	Term of Job	N/A	N/A

HEATING & AIR CONDITIONING BOARD OF REVIEW

Authorized by Texarkana Code 7-124----126
3 – YEAR TERMS

	<u>Appointment</u>	<u>Term Date</u>	<u>Term</u>	<u>Ward</u>
Jeff Castle 2700 East 39 th Street 870-774-2077 (home) 903-824-5555 (work)	Resolution No. 2017-10 Reappointment 02/06/2017	11/21/2016----2019	9	5
Thomas Bui 3028 East 9 th Street 870-773-1958 (home) 870-773-8193 (work)	Resolution No. 2017-17 Reappointment 04/03/2017	11/21/2016----2019	5	3
VACANCY –		11/21/2016----2019		
Charlie Cook 6 Lauren Drive 870-772-5137 (home)	Resolution No. 2018-4 Reappointment 01/18/2018	11/21/2017----2020	7	6
VACANCY – Staff Plumbing Inspector City Hall 870-779-4980 (work)	N/A	Term of Employment	N/A	N/A

*Texarkana, AR Code of Ordinances Sec 7-124 Mechanical heating and air conditioning contractor

PERSONNEL POLICY COMMITTEE

2 – YEAR TERMS

	<u>Appointment</u>	<u>Term Date</u>	<u>Term</u>	<u>Ward</u>
Eric Ethridge City Hall	Resolution No. Appointment	01/06/2019----2021		
Marian Holder City Hall	Resolution No. Appointment	01/06/2019----2021		
Linda Matthews City Hall	Resolution No. Appointment	01/06/2019----2021		
Dara Cornett TAPD	Resolution No. 2020-7 Reappointment	01/06/2020----2022		
Tracie Lee City Hall	Resolution No. 2020-7 Reappointment	01/06/2020----2022		
Jenny Narens City Hall	Resolution No. 2020-7 Reappointment	01/06/2020----2022		

PUBLIC FACILITIES BOARD

3 – YEAR TERMS

	<u>Appointment</u>	<u>Term Date</u>	<u>Term</u>	<u>Ward</u>
Mary Beck City Hall	Resolution No. Appointment	11/30/2018----2021		
Vacancy City Hall	Resolution No. Appointment	11/30/2018----2021		
Tyler Richards City Hall	Resolution No. Appointment	11/30/2018----2021		
Jamie Finley City Hall	Resolution No. Appointment	11/30/2019----2022		
Eric Ethridge City Hall	Resolution No. Appointment	11/30/2019----2022		

EMPLOYEES RETIREMENT SYSTEM COMMITTEE

Authorized by Texarkana, Arkansas Code 18-1---7

	Appointment	Term	Ward
Debbie Nolte Chief Probation Officer 903-798-3018 nolte@txkusa.org	Resolution No. 6192 Appointment 08/18/2014	1	N/A
Dara Cornett Bi-State Building Finance 903-798-3234 dcornett@txkusa.org	Resolution No. 2021-14 Appointment 03/5/2021	1	N/A
Mayor Allen Brown 4 Hickory Drive 870-773-1923 ab@allenbrownmayor.com	Resolution No. 2021-1 Appointment 01/04/2021	1	6
Director Laney Harris 2005 Stephanie 903-244-2298 Laneyharris.ward2@yahoo.com	Resolution No. 2021-1 Appointment 01/04/2021	1	2
City Manager 216 Walnut Street 870-779-4926	Resolution No.	N/A	N/A



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Adopt a Resolution allocating the \$1 million donation to the Animal Care and Adoption Center located in Ward 2. (FIN) Finance Director TyRhonda Henderson
AGENDA DATE:	June 21, 2021
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Other <input type="checkbox"/> : _____
DEPARTMENT:	Animal Care & Adoption Center
PREPARED BY:	Finance Director TyRhonda Henderson
REQUEST:	To amend the FY 2021 General Fund Budget for \$1 million for the inclusion of these expenditures and associated donation.
EMERGENCY CLAUSE:	N/A
SUMMARY:	The Animal Care & Adoption Center received a donation of \$1 million in February 2021, which will be used in addition to the remainder of the loan proceeds to complete construction and pay the remaining principal loan balance. Please see the breakdown of expenditures below: \$708, 667.07 to pay the remaining principal balance on the loan. \$57, 426.30 will be used to complete construction on the new building. \$233, 906.63 will be used to rehabilitate the old Animal Care & Adoption Center building.
EXPENSE REQUIRED:	\$1 million
AMOUNT BUDGETED:	
APPROPRIATION REQUIRED:	\$1 million
RECOMMENDED ACTION:	The City Manager and Animal Care & Adoption Center Interim Director recommend approval.
EXHIBITS:	Resolution

RESOLUTION NO. _____

WHEREAS, the Texarkana Animal Care and Adoption Center (ACAC) is the recipient of a One Million Dollar specific bequest by the late Neva McCormick; and

WHEREAS, it is necessary to amend the FY2021 Budget to account for such bequest; and

WHEREAS, it has been determined that the best use of the bequest proceeds is to apply the same to the current construction of the new ACAC facilities and the rehabilitation of the ACAC existing (old) facilities, in the following amounts:

\$708,667.07 to pay the balance of the loan for construction of the new facilities,

\$57,426.30 for completion of construction of the new facilities, and

\$233,906.63 for rehabilitation of the existing (old) facilities, and

WHEREAS, The City Manager and staff recommend approval;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Texarkana, Arkansas, that the FY2021 Budget is hereby amended to recognize receipt of the above-described bequest and to appropriate the same in the amounts and for the purposes set forth above.

PASSED AND APPROVED this 21st day of June, 2021.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney



City of Texarkana, Arkansas

Office of the City Manager

216 Walnut Street, Texarkana, AR 71854

PO Box 2711 Texarkana, AR 75504-2711

Phone (870) 779-4952 Fax (870) 774-3170

To: Mayor Brown and Board of Directors
From: Jay Ellington, City Manager
Brenda Williamson, Animal Care & Adoption Center Interim Director
Date: June 11, 2021
Subject: Animal Care & Adoption Center Building

The new Shelter received a donation of \$1,000,000 in February 2021 which will be used in addition to the remainder of the loan proceeds to complete construction and pay the remaining principal loan balance. Please see the breakdown of expenditures below:

- \$708,667.07 to pay the remaining principal balance on the loan.
- \$57,426.30 will be used to complete construction on the new building.
- \$233,906.63 will be used to rehabilitate the old Animal Care & Adoption Center building.

I would recommend we amend the General Fund budget for \$1,000,000 for the inclusion of these expenditures and associated donation. I would like to proceed with adding this budget amendment to the June 21st agenda for the board meeting.

Jay Ellington, City Manager

Brenda Williamson, Animal Care & Adoption Center Interim Director



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Adopt a Resolution authorizing the City Manager to enter into a construction contract with Tatum Excavating Company, Inc., (TEC), for East 46th Street, Tennessee Road and Sanderson Lane Rehabilitation Projects located in Ward 3. (PWD) Public Works Director Tyler Richards

AGENDA DATE: 06/21/2021

ITEM TYPE: Ordinance ☐ Resolution ☒ Other ☐: _____

DEPARTMENT: Public Works Department

PREPARED BY: Tracie Lee, Assistant Public Works Director

REQUEST: Adopt a Resolution to Enter into a Construction Contract with TEC for East 46th Street, Tennessee Road and Sanderson Lane Rehabilitation Projects.

EMERGENCY CLAUSE: This item will be approved by a resolution; therefore, it will not need an emergency clause.

SUMMARY: A resolution for the award of the construction contract to TEC, Inc. in the amount of four hundred ninety-seven thousand, nine hundred ninety-seven dollars and zero cents (\$497,997.00) for East 50th Street Rehabilitation.

On Tuesday July 25, 2021, a bid opening was conducted at City Hall for the referenced project. Two qualified bids were received that met the bidding requirements. Tyler Richards, Public Works Director reviewed the bids and found no errors in the submission. The low bid by TEC, Inc. was accepted by the Public Works Director to be submitted to the Board of Directors for approval.

TEC, Inc. is licensed in the State of Arkansas and is located in Texarkana, Texas. TEC, Inc. is very experienced and capable to complete the project.

Award of this contract to TEC, Inc. meets all bidding requirements. Funds were budgeted and are available for the award of this contract.

EXPENSE REQUIRED: \$497,997.00

AMOUNT BUDGETED: \$687,345.38

**APPROPRIATION
REQUIRED:** \$0.00

**RECOMMENDED
ACTION:**

City Manager and staff recommend board approval.

EXHIBITS:

Resolution, TEC Bid Proposal and Francis Excavating Bid Proposal.

RESOLUTION NO. _____

WHEREAS, after advertisement, a low bid in the amount of \$497,997.00 was submitted by Tatum Excavating Company, Inc., (TEC), for East 46th Street, Tennessee Road, and Sanderson Lane Rehabilitation Projects; and

WHEREAS, funds for such construction are budgeted; and

WHEREAS, the City Manager and staff recommend Board approval;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the City of Texarkana, Arkansas, that the City Manager is authorized to enter into a construction contract with TEC for the purposes and in the amount set forth above.

PASSED AND APPROVED this 21st day of June, 2021.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney



**Bid Tabulation
for
East 46th Street Sanderson Lane & Tennessee Road Rehabilitation**

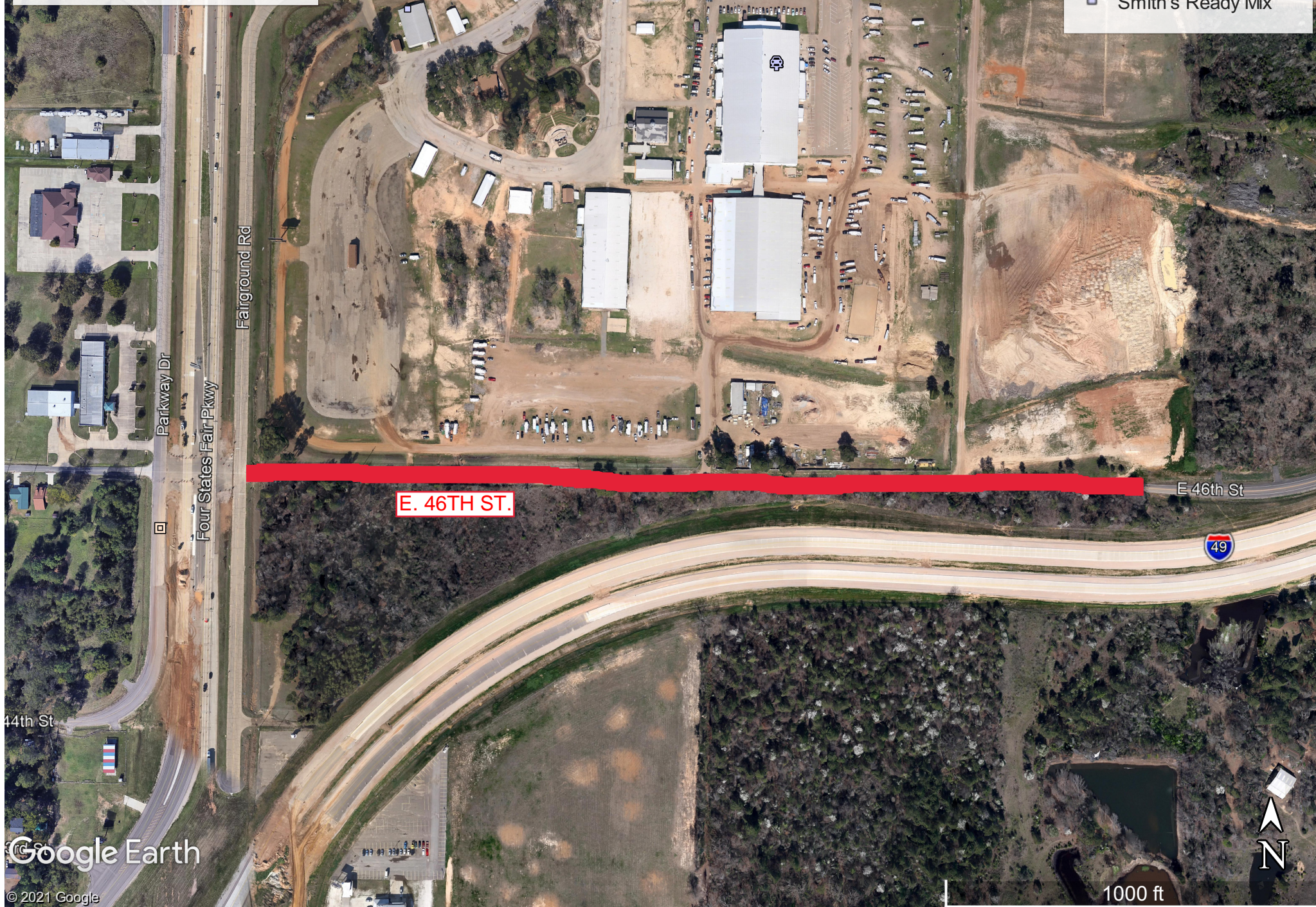
				TEC - Tatum Excavating Company, Inc. Texarkana, TX		Francis Excavating Queen City, TX	
Item #	Description	Est Qty	U/M	Unit Price	Total	Unit Price	Total
1	Sanderson Lane	1	LS	\$87,409.55	\$87,409.55	\$89,551.75	\$89,551.75
2	East 46th Street	1	LS	\$190,004.85	\$190,004.85	\$225,286.33	\$225,286.33
3	Tennessee Road	1	LS	\$220,582.60	\$220,582.60	\$255,278.04	\$255,278.04
	BASE BID				\$497,997.00		\$570,116.12

Untitled Map

Write a description for your map.

Legend



-  Ameri Cold Logistics
-  Smith's Ready Mix



Untitled Map

Write a description for your map.

Legend

-  Ameri Cold Logistics
-  Smith's Ready Mix



Untitled Map

Write a description for your map.

Legend

SANDERSON LN.

Google Earth

© 2021 Google

900 ft

Four States Fair Pkwy



Collins Dr

Sugarland Dr

White Willow Pl

Country Estate Dr

N Sanderson Ln

Sugar Hill Rd

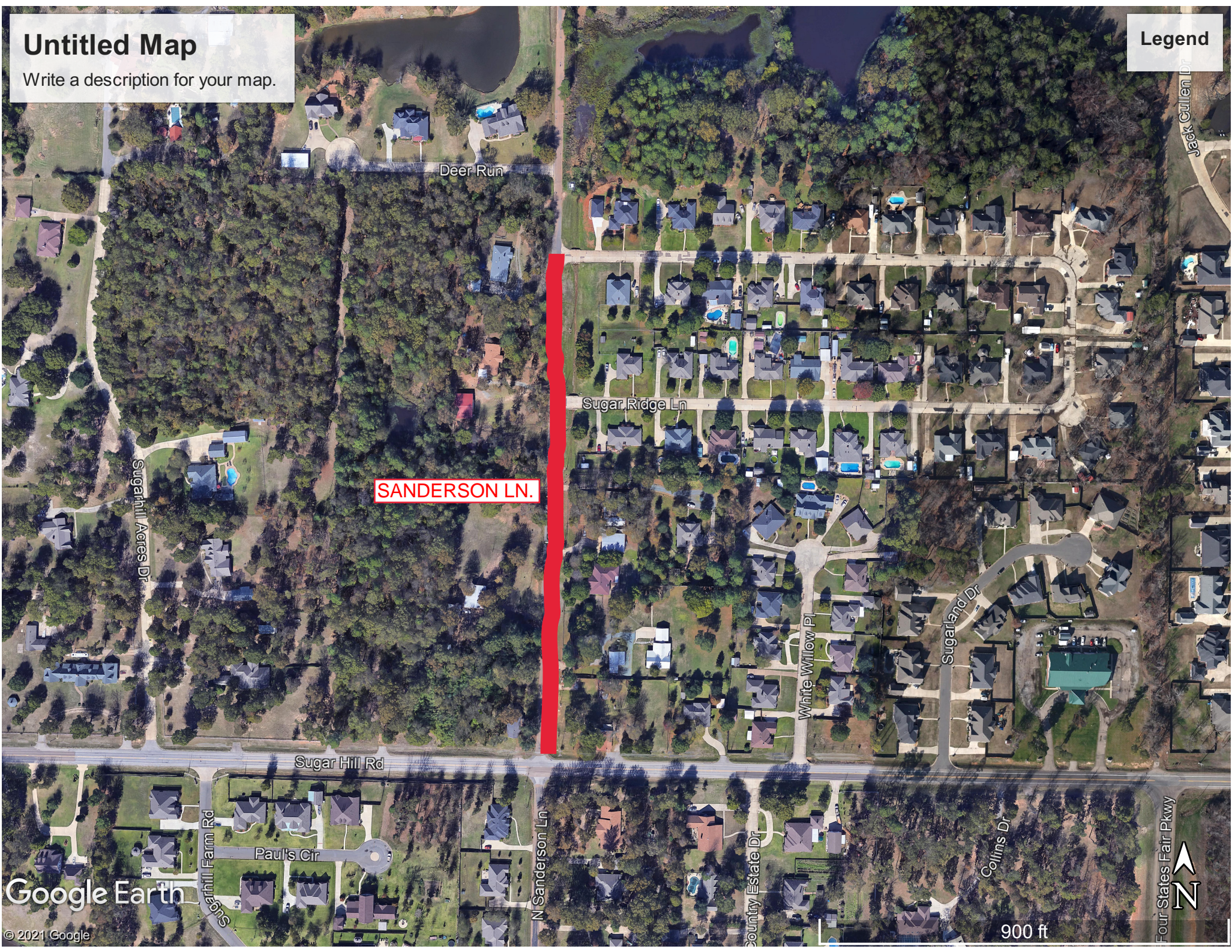
Paul's Cir

Sugarhill Farm Rd

Sugarhill Acres Dr

Deer Run

Jack Cullen Dr

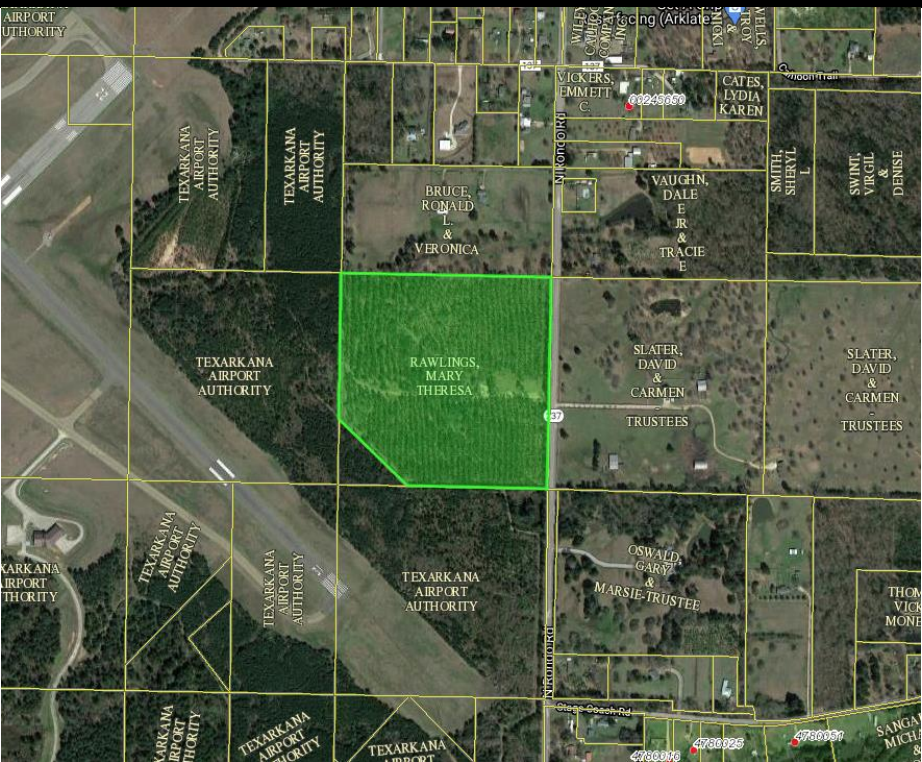




CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Adopt a Resolution authorizing the Airport Authority to purchase 38 acres of land adjacent to the Texarkana Regional Airport located in Ward 3. (Airport) Director Paul Mehrlich
AGENDA DATE:	06/21/2021
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Other <input type="checkbox"/> : _____
DEPARTMENT:	Airport
PREPARED BY:	Paul Mehrlich
REQUEST:	Allow the airport to purchase 38 acres of land using existing airport revenues. All land purchases require the approval of both city councils.
EMERGENCY CLAUSE:	N/A
SUMMARY:	Seller is asking \$8,500 /Ac, the purchase as been approved by the airport board. Purchase will create a 120 acre parcel on the East side of the airport for future aeronautic development.
EXPENSE REQUIRED:	0
AMOUNT BUDGETED:	0
APPROPRIATION REQUIRED:	0
RECOMMENDED ACTION:	

EXHIBITS:



RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF TEXARKANA, ARKANSAS, APPROVING THE REQUEST OF THE TEXARKANA AIRPORT AUTHORITY FOR PURCHASING APPROXIMATELY 38 ACRES OF LAND ADJOINING CURRENT AIRPORT PROPERTY; AUTHORIZING THE CITY MAYOR TO SIGN AND EXECUTE ANY DOCUMENTS NECESSARY FOR THE PURCHASE OF THE AFOREMENTIONED LAND; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Cities of Texarkana, Arkansas, and Texarkana, Texas, created the Texarkana Airport Authority by means of reciprocal ordinances codified in Chapter 6 – Aviation, Article II – Texarkana Airport Authority, of the *City of Texarkana, Arkansas, Code of Ordinances* and Chapter 4 – Airports, Article II – Airport Authority, of the *City of Texarkana, Texas, Code of Ordinances*; and

WHEREAS, the Texarkana Airport Authority requests approval to purchase 38 acres of land adjacent to existing Airport property in order to create a 120 acre parcel in the east side of the Airport for future aeronautic development; and

WHEREAS, the purchase will not be completed until required written consent of the Board of Directors of Texarkana, Arkansas, and the City Council of Texarkana, Texas, and per Section 6-36 (b) of the *City of Texarkana, Arkansas, Code of Ordinances* and Section 4-31 of the *City of Texarkana, Texas, Code of Ordinances* has been satisfied; and

WHEREAS, Airport funds are available and, thus, no allocation, nor budget amendment is necessary; and

WHEREAS, the City Manager and staff recommend approval.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Texarkana, Arkansas, that the above described acquisition is approved.

PASSED AND APPROVED this 21st day of June, 2021.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Consider the following action regarding a request to abandon certain portions of dedicated undeveloped Crescent Street and Dogwood Drive located in Ward 1. Conduct a Public Hearing for comments concerning this request. Adopt an Ordinance to approve the abandonment of certain portions of dedicated undeveloped Crescent Street and Dogwood Drive, located in Ward 1. (Gordon) (PWD-Planning) City Planner Mary Beck
AGENDA DATE:	06/21/2021
ITEM TYPE:	Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Other <input :<="" td="" type="checkbox"/>
DEPARTMENT:	Public Works/Planning
PREPARED BY:	Mary Beck
REQUEST:	Vacate undeveloped right of way in Wooten's 2 nd Subdivision.
EMERGENCY CLAUSE:	None requested
SUMMARY:	The Planning Commission recommends vacating portions of undeveloped right of way for single family home development within the property lines of one owner. The property is wooded, undeveloped and has no utilities present or plans for utility lines in this location. The location is the southern most portions of Crescent Drive and Dogwood Drive as described in the City Manager Memo. (The original petition was joined by the current owner, the daughter of the original applicant who purchased all the land described during this process).
EXPENSE REQUIRED:	0
AMOUNT BUDGETED:	0
APPROPRIATION REQUIRED:	0
RECOMMENDED ACTION:	The City Manager and staff recommend approval.
EXHIBITS:	Resolution, Petition, Memo to City Manager, deeds, map.

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE VACATION AND ABANDONMENT OF A CERTAIN UNDEVELOPED RIGHT-OF-WAY LOCATED WITHIN WOOTEN'S 2ND EDITION, TO THE CITY OF TEXARKANA, ARKANSAS; AND FOR OTHER PURPOSES

WHEREAS, a petition was duly filed with the Board of Directors of the City of Texarkana, Arkansas, on the 20th day of April, 2021, asking that the Board of Directors vacate and abandon certain undeveloped, unused, or unimproved portion of right-of-way located within WOOTEN'S 2ND EDITION to the City of Texarkana, Miller County, Arkansas, more specifically described as follows:

The following described rights-of-way located within WOOTEN'S 2ND EDITION to the City of Texarkana, Miller County, Arkansas, as now appearing on that Plat recorded at Vol. 179, Page 65 in the Records of Miller County, Arkansas:

The south portion of sixty foot (60') wide Crescent Drive beginning at a line connecting the south property line of Lot 8, Block 10 and south property line of Lot 8, Block 9, and continuing north along said Crescent Drive until a line connecting the north property line of Lot 6, Block 10, and the north property line of Lot 5, Block 8.

And also,

The south portion of sixty foot (60') wide Dogwood Drive beginning at a line connecting the east property line of Lot 5, Block 8, and the east property line of Lot 6, Block 9, and continuing south along said Dogwood Drive until it intersects with the centerline of the Crescent Drive (said point of connection with the centerline of Crescent Drive being located within that portion of Crescent Drive simultaneously abandoned by this Ordinance).

(Legal description references provided by others and not independently verified by preparer.)

WHEREAS, after due notice as required by law, the Board of Directors has, at the time and place mentioned in said notice, heard all persons desiring to be heard on the question and has ascertained that said portions of right-of-way herein above and herein after described, have heretofore been dedicated to the public use as street and associated right-of-way herein described; have not been actually used by the public for a period of at least five (5) years subsequent to the filing of the plats; that all owners of the property abutting upon the portions of said right-of-way, respectively, to be vacated have been filed with the Board of Directors their written consent to the abandonment; and that public interest and welfare will not be adversely affected by the abandonment of said portion of alley; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Texarkana, Arkansas:

SECTION 1: The City of Texarkana, Arkansas, releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the following described rights-of-way:

The following described rights-of-way located within WOOTEN'S 2ND EDITION to the City of Texarkana, Miller County, Arkansas, as now appearing on that Plat recorded at Vol. 179, Page 65 in the Records of Miller County, Arkansas:

The south portion of sixty foot (60') wide Crescent Drive beginning at a line connecting the south property line of Lot 8, Block 10 and south property line of Lot 8, Block 9, and continuing north along said Crescent Drive until a line connecting the north property line of Lot 6, Block 10, and the north property line of Lot 5, Block 8.

And also,

The south portion of sixty foot (60') wide Dogwood Drive beginning at a line connecting the east property line of Lot 5, Block 8, and the east property

line of Lot 6, Block 9, and continuing south along said Dogwood Drive until it intersects with the centerline of the Crescent Drive (said point of connection with the centerline of Crescent Drive being located within that portion of Crescent Drive simultaneously abandoned by this Ordinance).

(Legal description references provided by others and not independently verified by preparer.)

SECTION 2. All rights and areas abandoned, without warranty, revert and shall deemed to be included as a part of the property originally encumbered, and, specifically, as divided at the centerline of said right-of-way to the lot or parcel adjacent thereto.

SECTION 3: A copy of this ordinance, duly certified by the City Clerk, shall be filed in the office of the recorder of Miller County, Arkansas, and recorded in the deed records of the county.

SECTION 4: This ordinance shall take effect and be in force from and after its passage.

PASSED AND APPROVED this 21st day of June, 2021.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney



CITY OF TEXARKANA ARKANSAS

DEPARTMENT OF PUBLIC WORKS

216 WALNUT ST 71854-6024

P O BOX 2711 TEXARKANA ARKANSAS 75504-2711

PHONE (870) 779-4971 – FAX (870) 773-2395

MEMORANDUM

TO: David Haak, Interim City Manager

FROM: Mary L. Beck, City Planner

DATE: May 13, 2021

SUBJECT: Board of Directors Agenda item for 06-07-2021 Vacating right-of-way (ROW) - Petition by Jimmy Gordon, 57 Jenny Lane, Texarkana, AR 71854-8302, et. al., to abandon certain portions of dedicated undeveloped Crescent Street and Dogwood Drive in WOOTEN'S 2nd Subdivision.

LEGAL DESCRIPTION: 1) The south portion of sixty feet (60') wide Crescent Drive where it begins at Pine Hill Lane, north to the north property line of Lot No. 6, Block 10 on the west and north property line of Lot 6, Block 8 on the east; and, 2) vacating of Dogwood Drive from where it begins on the south end along Crescent Drive ending at the east property line of Lot No. 5, Block 8 on the north side of the right-of-way and the east property line of Lot No. 6, Block 9 on the south side, all part of WOOTEN'S 2ND SUBDIVISION, Texarkana, Miller County, Arkansas containing .9 acres more or less.

REASON FOR REQUEST: The applicant is purchasing (or has purchased) property adjacent to the Right of Way (ROW) on either side and wants to combine all the wooded, undeveloped land into one homesite for his daughter.

EXISTING LAND USES: Site: ROW
North: vacant
East: vacant
South: applicant's residence
West: vacant

EXISTING ZONING: Site: R-1 Rural residential
North: R-1 Rural residential
East: R-1 Rural residential



Explore and Enjoy Our Heritage

www.arkansas.txkusa.org

South: R-1 Rural residential
West: R-1 Rural residential

**COMPATIBILITY
WITH EXISTING
ZONING:**

The large rural tracts of land in this subdivision have only individual single-family homes with many streets that were platted in 1968 that have not been developed and no plans known for doing additional development of the privately owned lots. All property adjacent to the abandonment has adjacent ownership to developed and undeveloped right of way for future access if needed.

UTILITIES & TRANSPORTATION NETWORK:

This property is currently zoned R-1 Rural residential and has no utilities located in the ROW and there are no indications from records available it has ever been utilized nor is it now planned to be utilized for utility lines.

Responses from utility companies when asked if they objected to the abandonment request or requested an easement had no objections and no easements were requested:

This property is currently zoned R-1 Rural residential, it has not been built and has no utilities located in the ROW.

Responses from utility companies when asked if they objected to the abandonment request or requested an easement:

Centerpoint Energy – Brandon D. Brooks, April 23, 2021:
“Looks like Centerpoint does not have any facilities at this location.”

Southwest Arkansas Electric (REA) – May 10, 2021, at 3 p.m., staff (City Planner Mary Beck and Planning Assistant Jamie Finley) traveled onsite with REA employees at their request. In response to whether REA would like easements or had equipment at the location after looking at the area they said: *“We don’t have anything there,”* (Jeff Tollett), and *“That is not a problem,”* (David McDowell -engineer). Note: the SWREA lines/poles are shared by Sparklight (see comments below). MB

Windstream – Michael A. Latham, April 22, 2021:
“I don’t show any utilities in that those sections ours are all Aerial which are visible. Windstream does not see any issues.”

Cableone/Sparklight – Joe Langley, May 5, 2021:

“Now if that is to the right (east) of the turn going down to Jenny Ln in the wooded lot and not in the power easement then there is no objection to the ROW abandonment.”

TWU – J.D. Phillips, April 23, 2021:

1. *“ The Utility has no water or sewer mains in this section of Crescent Drive and Dogwood Drive.*
2. *The Utility does not oppose the abandonment of this section of ROW.”*

CONFORMANCE WITH APPLICABLE ORDINANCES AND/OR STATE STATUTES:

The *Arkansas Code of 1987 Annotated (14-56-422B)* requires the following – “All plans, recommended ordinances, and regulations shall be adopted through the following procedure for adoption of plans and regulations:

(1)

(A) The Planning Commission shall hold a public hearing on the plans, ordinances, and regulations proposed under this subchapter.

(B) Notice of public hearing shall be published in a newspaper of general circulation in the city, at least (1) time fifteen days prior to the hearing.

(2)

Following the public hearing, proposed plans may be adopted, and proposed ordinance and regulations may be recommended as presented, or in modified form, by a majority vote of the entire commission.

(3)

Following its adoption of plans and recommendation of ordinances and regulations, the commission shall certify adopted plans of recommended ordinances of and regulations to the legislative body of the city for its adoption.

(4)

The legislative body of the city may return the plans and recommended ordinances and regulations to the commission for further study or rectification, or, by a majority vote of the entire membership, may, by ordinance or resolution, adopt the plans and recommended ordinances or regulations submitted by the commission.

However, noting in this subchapter shall be construed to limit the city board's authority to recall the ordinances and resolutions by a vote of a majority of the council.

(5)

Following adoption by the legislative body, the adopted plans, ordinances, and regulations shall be filed in the office of the City Clerk. The City Clerk shall file, with the county recorder of the counties in which territorial jurisdiction is being exercised such plans, ordinances, and regulations as pertain to the territory beyond the corporate limits.

The required notice was published in the Sunday, May 23, 2021 edition of the Texarkana Gazette.

ROW abandonments do not require additional notification as all adjacent property owners are petitioners.

OPPOSITION: None (after onsite inspection by SWREA engineering staff.

PLANNING COMMISSION CERTIFICATION:

The Planning Commission met on May 11, 2021 and certified recommendation to abandon the unused, undeveloped portions of Crescent Drive and Dogwood Drive as described in the legal description. On a motion by Dr. Hickerson, seconded by Ms. Dunn, the motion passed 6-0 with no opposition and one absence.

Adger Smith, Chairman	yes
Anderson Neal, Vice Chairman	yes
George Coker	yes
Bertha Dunn	yes
Jason Dupree	absent
Randall Hickerson	yes
Boots Thomas	yes

BOARD ACTION REQUESTED:

The City Board is requested to:

Adopt a resolution to set a date for a hearing on June 7, 2021.

Hold a public hearing June 21, 2021.

To abandon the ROW, the *Arkansas Code of 1987 Annotated* requires every ordinance to be read three times before adoption.

These three readings may all occur at the same meeting or at the second and third subsequent meetings after the first reading of the ordinance.

This Instrument Prepared By: Karlton H. Kemp, Jr., Attorney at Law
P. O. Box 53
Texarkana, AR-TX 75504
Arkansas State Bar Card No.75069

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That We, **Jimmy Joe Gordon and Linda Diane Gordon, Co-Trustees of the JIMMY JOE GORDON AND LINDA DIANE GORDON TRUST DATED DECEMBER 16, 2020, GRANTORS**, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration, in hand paid by **Cody Clark and Lindsey Clark, husband and wife, GRANTEES**, the receipt of which is hereby acknowledged, hereby grant, bargain, sell and convey unto the said **GRANTEES, Cody Clark and Lindsey Clark, husband and wife**, and unto their heirs and assigns forever, the following lands lying in **Miller County, Arkansas**:

All of Lots Numbered Six (6), Seven (7), Eight (8) and Nine (9) in Block Numbered Nine (9) of WOOTEN'S 2ND SUBDIVISION, Texarkana, Miller County, Arkansas.

This conveyance and the warranty contained herein are subject to all prior, valid easements, rights-of-way, restrictive covenants, set-back lines, and oil, gas and other mineral conveyances, reservations, or leases of record in **Miller County, Arkansas**. This conveyance and the warranty contained herein are also subject to all visible and apparent easements, rights-of-way, and prescriptive rights, whether of record or not.

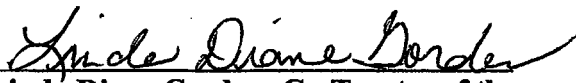
To have and to hold the same unto the said **GRANTEES**, and unto their heirs and assigns forever, with all appurtenances thereunto belonging.

And we hereby covenant with said **GRANTEES** that we will forever warrant and defend the title to the said lands against all claims whatever.

WITNESS our hands and seals on this 22ND day of APRIL,
2021.



**Jimmy Joe Gordon, Co-Trustee of the
JIMMY JOE GORDON AND LINDA
DIANE GORDON TRUST DATED
DECEMBER 16, 2020**



**Linda Diane Gordon, Co-Trustee of the
JIMMY JOE GORDON AND LINDA
DIANE GORDON TRUST DATED
DECEMBER 16, 2020**

STATE OF ARKANSAS
COUNTY OF MILLER

ACKNOWLEDGMENT

On this day, personally appeared before me, a Notary Public, duly commissioned, qualified and acting, within and for said County and State, appeared in person the within named **Jimmy Joe Gordon and Linda Diane Gordon, Co-Trustees of the JIMMY JOE GORDON AND LINDA DIANE GORDON TRUST DATED DECEMBER 16, 2020**, being the persons authorized by said Trust, to execute such instrument, stating their respective capacities as Co-Trustees in that behalf, to me personally well known, who stated that they are the **Co-Trustees of the JIMMY JOE GORDON AND LINDA DIANE GORDON TRUST DATED DECEMBER 16, 2020**, and were duly authorized as such Co-Trustees to execute the foregoing instrument for and in the name and behalf of said Trust, and further stated and acknowledged that they had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this
22ND day of APRIL, 2021.

Karlton H Kemp Jr
Notary Public

I certify under penalty of false swearing that
Documentary stamps or a documentary symbol
In the legally correct amount has been placed
On this instrument.



Karlton H Kemp Jr, Agent P.O. Box 53
TEXARKANA, TX 75104 Consideration for Deed is \$ 0 (61 FT)
Grantee or Grantee's Agent

Grantees: Cody Clark and wife, Lindsey Clark, 101 Miller County 525, Texarkana, Arkansas 71854

Grantors: Jimmy Joe Gordon and Linda Diane Gordon, Co-Trustees of the JIMMY JOE GORDON AND LINDA DIANE GORDON TRUST DATED DECEMBER 16, 2020, 57 Jenny Lane, Texarkana, Arkansas 71854

This Instrument Prepared By: Karlton H. Kemp, Jr., Attorney at Law
P. O. Box 53
Texarkana, AR-TX 75504
Arkansas State Bar Card No.75069

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That We, **Cody Clark and Lindsey Clark, husband and wife, GRANTORS**, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration, in hand paid by **Jimmy Joe Gordon and Linda Diane Gordon, Co-Trustees of the JIMMY JOE GORDON AND LINDA DIANE GORDON TRUST DATED DECEMBER 16, 2020, GRANTEES**, the receipt of which is hereby acknowledged, hereby grant, bargain, sell and convey unto the said **GRANTEES, Jimmy Joe Gordon and Linda Diane Gordon, Co-Trustees of the JIMMY JOE GORDON AND LINDA DIANE GORDON TRUST DATED DECEMBER 16, 2020** and unto their successors and assigns forever, the following lands lying in **Miller County, Arkansas**:

All of Lots Numbered One (1), Two (2), Three (3), Ten (10), Eleven (11) and Twelve (12) in Block Numbered Twenty-seven (27) of WOOTEN'S 2ND SUBDIVISION, Texarkana, Miller County, Arkansas.


This conveyance and the warranty contained herein are subject to all prior, valid easements, rights-of-way, restrictive covenants, set-back lines, and oil, gas and other mineral conveyances, reservations, or leases of record in **Miller County, Arkansas**. This conveyance and the warranty contained herein are also subject to all visible and apparent easements, rights-of-way, and prescriptive rights, whether of record or not.

To have and to hold the same unto the said **GRANTEES**, and unto their successors and assigns forever, with all appurtenances thereunto belonging.

And we hereby covenant with said **GRANTEES** that we will forever warrant and defend the title to the said lands against all claims whatever.

And we the **GRANTORS, Cody Clark and Lindsey Clark, husband and wife**, for and in consideration of the said sum of money, do hereby release and relinquish unto the said **GRANTEES** all our rights of dower, curtesy and homestead in and to the said lands.

WITNESS our hands and seals on this 22ND day of APRIL, 2021.


Cody Clark


Lindsey Clark

STATE OF ARKANSAS
COUNTY OF MILLER

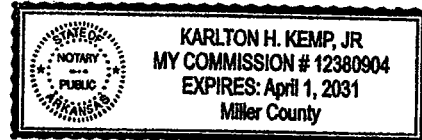
ACKNOWLEDGMENT

On this day, personally appeared before me, a Notary Public, duly commissioned, qualified and acting, within and for said County and State, appeared the within named **Cody Clark and Lindsey Clark, husband and wife**, to me personally well known, who stated that they had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this
22ND day of APRIL, 2021.

Karlton H Kemp Jr
Notary Public

I certify under penalty of false swearing that
The consideration for this Deed was \$ 0 (GIFT).
And if the consideration exceeded \$100.00, a
Documentary stamp tax receipt in the legally
Correct amount has been placed on this instrument.



Karlton H Kemp Jr, Agent P.O. Box 53
Texarkana, TX 75504
Grantee or Grantee's Agent

Grantees: Jimmy Joe Gordon and Linda Diane Gordon, Co-Trustees of the JIMMY JOE
GORDON AND LINDA DIANE GORDAN TRUST DATED DECEMBER 16, 2020, 57 Jenny
Lane, Texarkana, Arkansas 71854

Grantors: Cody Clark and wife, Lindsey Clark, 101 Miller County 525, Texarkana, Arkansas
71854

This Instrument Prepared By: Karlton H. Kemp, Jr., Attorney at Law
P. O. Box 53
Texarkana, AR-TX 75504
Arkansas State Bar Card No.75069

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That We, **Jon Glenn Fricks and Phyllis Fricks, husband and wife, GRANTORS**, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration, in hand paid by **Cody Clark and Lindsey Clark, husband and wife, GRANTEES**, the receipt of which is hereby acknowledged, hereby grant, bargain, sell and convey unto the said **GRANTEES, Cody Clark and Lindsey Clark, husband and wife**, and unto their heirs and assigns forever, the following lands lying in **Miller County, Arkansas**:

TRACT I:

All of Lots Numbered Four (4), Five (5), and Ten (10) in Block Numbered Nine (9) of WOOTEN'S 2ND SUBDIVISION, Texarkana, Miller County, Arkansas.

TRACT II:

All of Lots Numbered Six (6), Seven (7), Eight (8), and Nine (9) in Block Numbered Ten (10) of WOOTEN'S 2ND SUBDIVISION, Texarkana, Miller County, Arkansas.

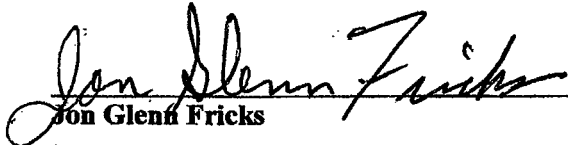
This conveyance and the warranty contained herein are subject to all prior, valid easements, rights-of-way, restrictive covenants, set-back lines, and oil, gas and other mineral conveyances, reservations, or leases of record in **Miller County, Arkansas**. This conveyance and the warranty contained herein are also subject to all visible and apparent easements, rights-of-way, and prescriptive rights, whether of record or not.

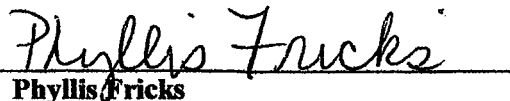
To have and to hold the same unto the said **GRANTEES**, and unto their heirs and assigns forever, with all appurtenances thereunto belonging.

And we hereby covenant with said **GRANTEES** that we will forever warrant and defend the title to the said lands against all claims whatever.

And we the **GRANTORS, Jon Glenn Fricks and Phyllis Fricks, husband and wife**, for and in consideration of the said sum of money, do hereby release and relinquish unto the said **GRANTEES** all our rights of dower, curtesy and homestead in and to the said lands.

WITNESS our hands and seals on this 22ND day of APRIL, 2021.


Jon Glenn Fricks


Phyllis Fricks

STATE OF ARKANSAS
COUNTY OF MILLER

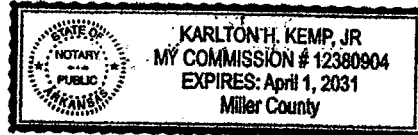
ACKNOWLEDGMENT

On this day, personally appeared before me, a Notary Public, duly commissioned, qualified and acting, within and for said County and State, appeared the within named **Jon Glenn Fricks and Phyllis Fricks, husband and wife**, to me personally well known, who stated that they had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this
22ND day of APRIL, 2021.

Karlton H Kemp Jr
Notary Public

I certify under penalty of false swearing that
The consideration for this Deed was **\$32,000.00**,
And if the consideration exceeded \$100.00, a
Documentary stamp tax receipt in the legally
Correct amount has been placed on this instrument.



Karlton H Kemp Jr, Agent P.O. Box 53
Texarkana, TX 75504
Grantee or Grantee's Agent

Grantee: Cody Clark and wife, Lindsey Clark, 101 Miller County 525, Texarkana, Arkansas
71854

Grantors: Jon Glenn Fricks and wife, Phyllis Fricks, 220 Manors Way, Texarkana,
Arkansas 71854

This Instrument Prepared By: Karlton H. Kemp, Jr., Attorney at Law
P. O. Box 53
Texarkana, AR-TX 75504
Arkansas State Bar Card No.75069

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That We, **Jason Austin Fricks and Melissa Fricks, husband and wife, GRANTORS**, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration, in hand paid by **Cody Clark and Lindsey Clark, husband and wife, GRANTEES**, the receipt of which is hereby acknowledged, hereby grant, bargain, sell and convey unto the said **GRANTEES, Cody Clark and Lindsey Clark, husband and wife**, and unto their heirs and assigns forever, the following lands lying in **Miller County, Arkansas**:

All of Lot Numbered Five (5) in Block Numbered Eight (8) of WOOTEN'S 2ND SUBDIVISION, Texarkana, Miller County, Arkansas.

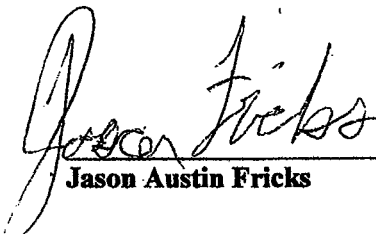
This conveyance and the warranty contained herein are subject to all prior, valid easements, rights-of-way, restrictive covenants, set-back lines, and oil, gas and other mineral conveyances, reservations, or leases of record in **Miller County, Arkansas**. This conveyance and the warranty contained herein are also subject to all visible and apparent easements, rights-of-way, and prescriptive rights, whether of record or not.

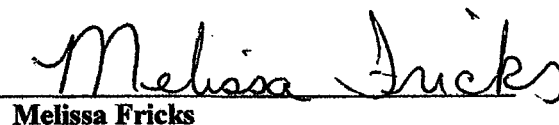
To have and to hold the same unto the said **GRANTEES**, and unto their heirs and assigns forever, with all appurtenances thereunto belonging.

And we hereby covenant with said **GRANTEES** that we will forever warrant and defend the title to the said lands against all claims whatever.

And we the **GRANTORS, Jason Austin Fricks and Melissa Fricks, husband and wife**, for and in consideration of the said sum of money, do hereby release and relinquish unto the said **GRANTEES** all our rights of dower, curtesy and homestead in and to the said lands.

WITNESS our hands and seals on this 22ND day of APRIL, 2021


Jason Austin Fricks


Melissa Fricks

STATE OF ARKANSAS
COUNTY OF MILLER

ACKNOWLEDGMENT

On this day, personally appeared before me, a Notary Public, duly commissioned, qualified and acting, within and for said County and State, appeared the within named **Jason Austin Fricks and Melissa Fricks, husband and wife**, to me personally well known, who stated that they had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this
22ND day of APRIL, 2021

Karlton H Kemp Jr
Notary Public

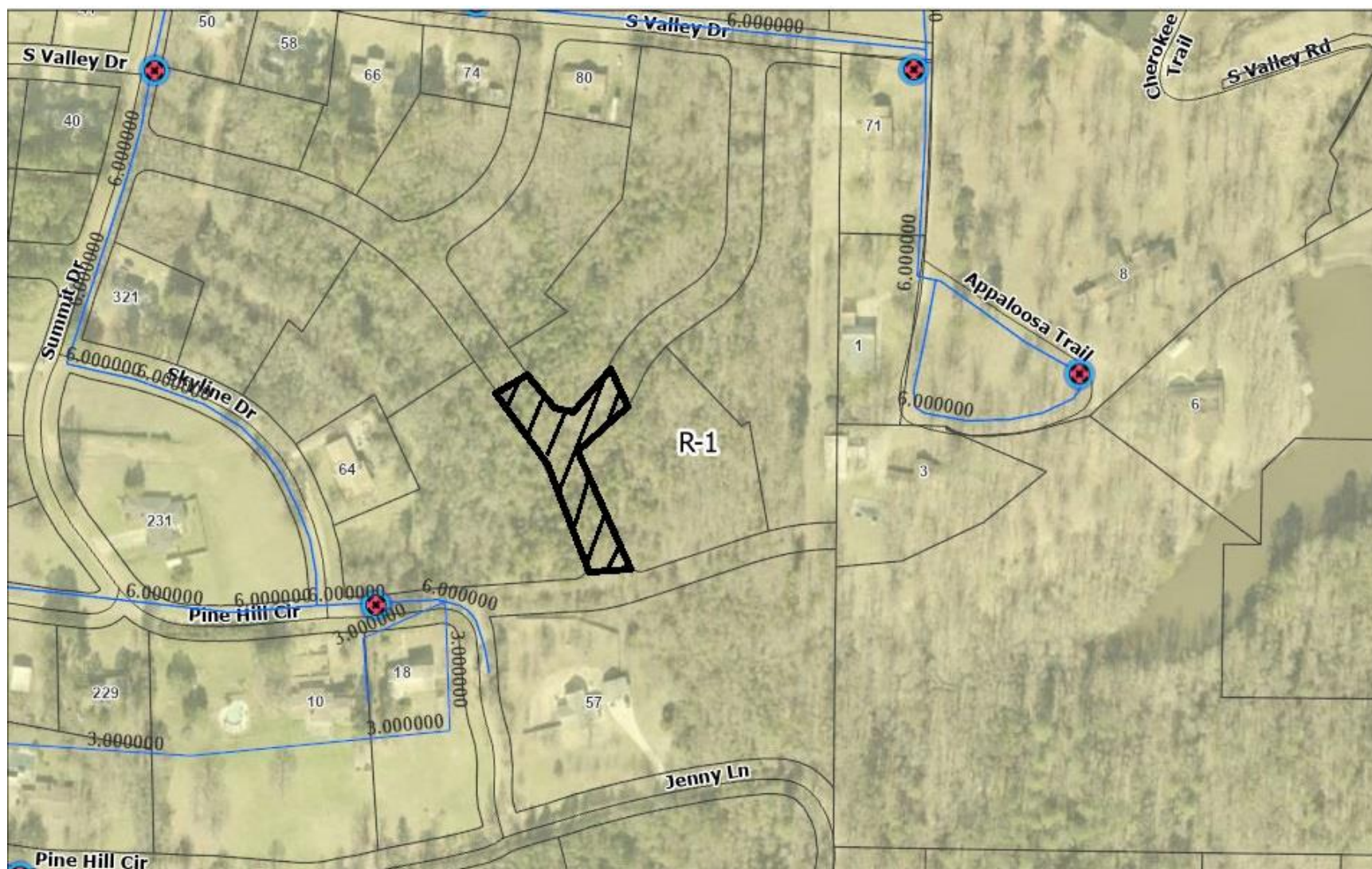


I certify under penalty of false swearing that
The consideration for this Deed was **\$5,000.00**,
And if the consideration exceeded \$100.00, a
Documentary stamp tax receipt in the legally
Correct amount has been placed on this instrument.

Karlton H Kemp Jr, Agent P.O. Box 5-3
Texarkana, TX 75504
Grantee or Grantee's Agent

Grantees: Cody Clark and wife, Lindsey Clark, 101 Miller County 525, Texarkana, Arkansas
71854

Grantors: Jason Austin Fricks and wife, Melissa Fricks, 231 Summit Drive, Texarkana,
Arkansas 71854



ABANDONMENT PETITION

Right-of-Way (Street, Alley, & Utility Easement)

COME (List names) Jimmy J Gordon, John Glen Fricks
Jason Austin Fricks

Petitioner(s) herein, and for their Petition to secure the vacation of the following
(street/alley/utility easement), to-wit (legal description of abandonment):

see attached

WHEREAS, Petitioner(s) would respectfully show the Board of Directors of the City of
Texarkana, Arkansas the following:

WHEREAS, The above (street/alley/utility easement) has been dedicated by virtue of
said property being platted and said plat being filed for record as provided by law in
Book 179, page 65, Records of Miller County, Arkansas.

WHEREAS, That the above (street/alley/utility easement) has not been used by the
public for a period of five (5) years.

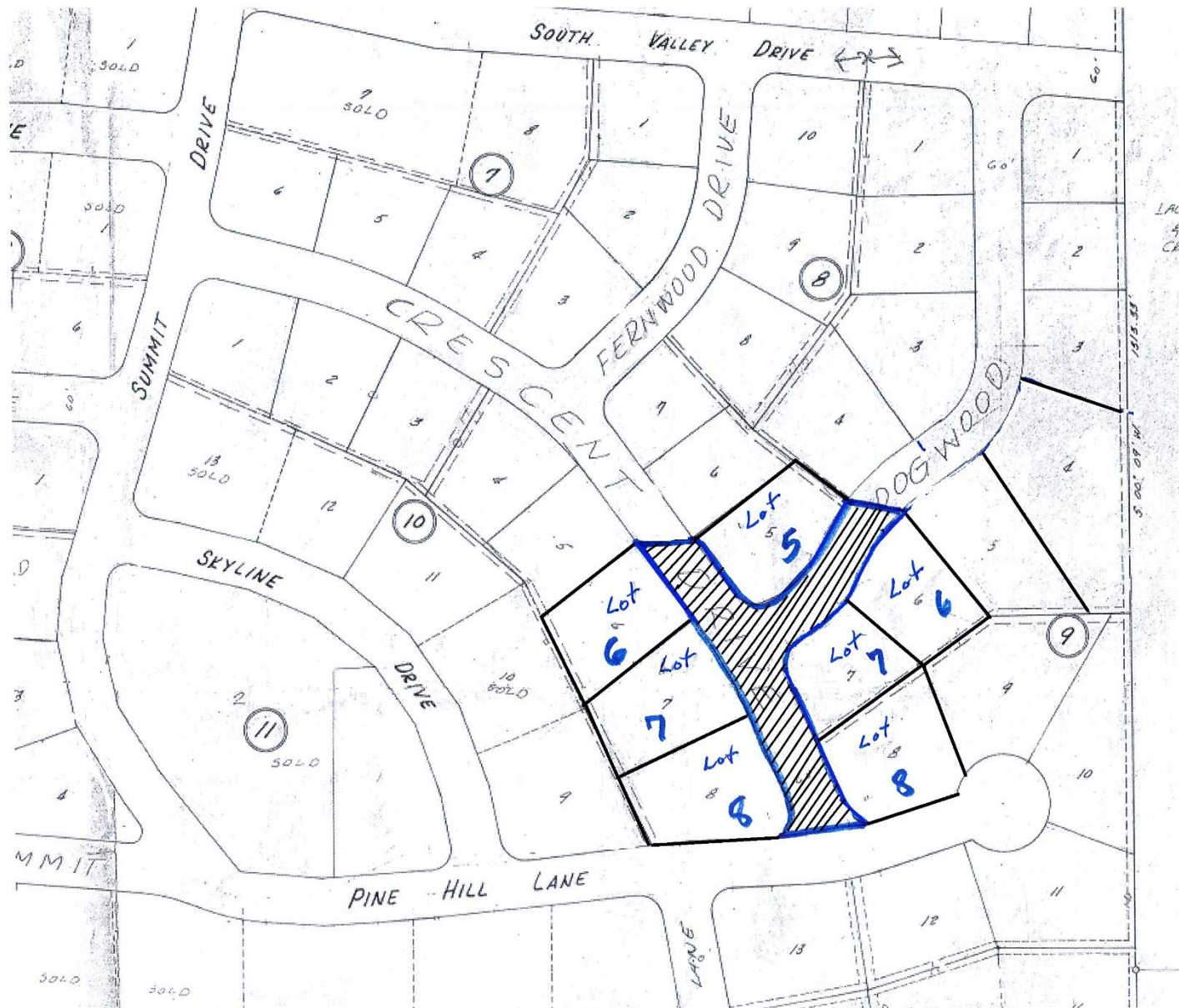
WHEREAS, That the (street/alley/utility easement) which Petitioner(s) seek(s) to vacate
is shown on the attached copy of the plat filed in the Office of the County Recorder
revealing the relevant portion(s) of said (street/alley/utility easement).

WHEREFORE, PREMISES CONSIDERED, Petitioner(s) pray(s) that the Board of Directors of
the City of Texarkana, Arkansas, fix a day for the hearing of this petition, providing for notice of
same in accordance with the laws of the State of Arkansas, and after such hearing vacate and
abandon said (street/alley/utility easement).

Jimmy J Gordon
Jason Austin Fricks
John Glen Fricks

John Glen Fricks
Jason Austin Fricks

Petitioner(s)

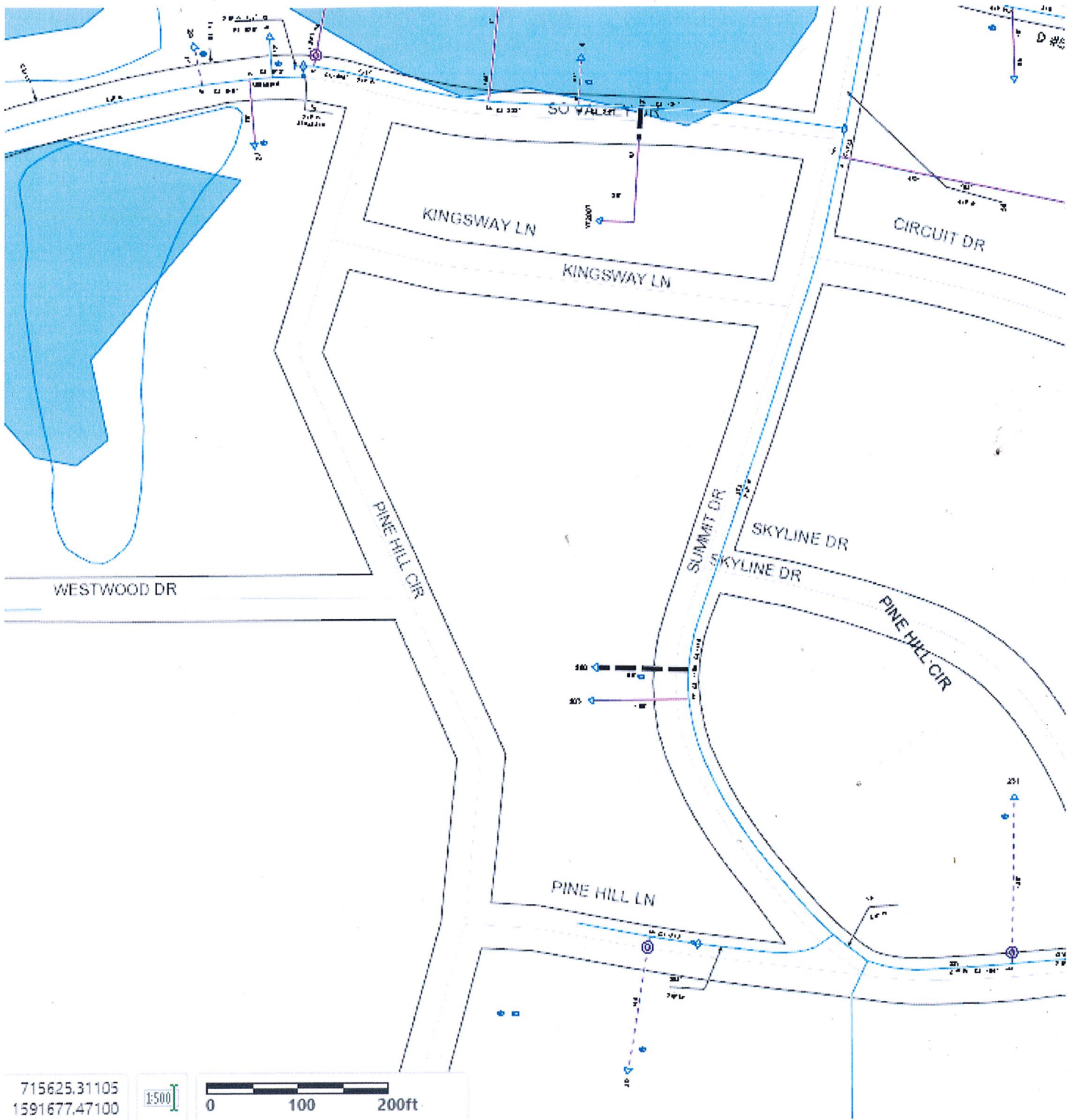


ARK-Beck, Mary

From: Brooks, Brandon D <Brandon.Brooks@centerpointenergy.com>
Sent: Friday, April 23, 2021 7:39 AM
To: ARK-Beck, Mary
Subject: RE: [External Email] ROW abandonment request

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Looks like CenterPoint does not have any facilities at that location.



Brandon Brooks
Operations Supervisor | Texarkana/Hope
870.779.6309 w. | 903.824.1304c.
CenterPointEnergy.com

ARK-Beck, Mary

From: ARK-Beck, Mary
Sent: Monday, May 10, 2021 3:37 PM
To: Jeff Tollett
Cc: Jamie Finley
Subject: RE: Wooten's ROW abandonment

Thank you and Mr. McDowell for verifying on site that REA has no problem with the ROW abandonment of the unused portions of Dogwood Drive and Crescent Road that are being petitioned to vacate. Feel free to make any additional comments that will be provided to the Planning Commission and Board of Directors.

From: Jeff Tollett <jtollett@swrea.com>
Sent: Monday, May 10, 2021 2:45 PM
To: ARK-Beck, Mary <mbeck@txkusa.org>
Subject: RE: Wooten's ROW abandonment

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Yes, we can take my truck.

Thanks,



Jeff Tollett

Southwest Arkansas Electric
Manager of Construction and Staking Ser...
8702163715 Work
8705848305 Mobile
jtollett@swrea.com
2904 e 9th street
Texarkana AR 71854
www.swrea.com



From: ARK-Beck, Mary <mbeck@txkusa.org>
Sent: Monday, May 10, 2021 2:25 PM
To: Jeff Tollett <jtollett@swrea.com>
Subject: RE: Wooten's ROW abandonment

ARK-Beck, Mary

From: Latham, Michael A <Michael.A.Latham@windstream.com>
Sent: Thursday, April 22, 2021 12:40 PM
To: ARK-Beck, Mary
Subject: RE: ROW abandonment request

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I don't show any utilities in that those sections ours are all Aerial which are visible. Windstream does not see any issues

Michael Latham
Network Technician-Operations
903-791-3107 office
903-748-1824 mobile
michael.a.latham@windstream.com



507 Olive St
Texarkana, TX, 75501
windstream.com

Sensitivity: Internal

From: ARK-Beck, Mary <mbeck@txkusa.org>
Sent: Thursday, April 22, 2021 11:52 AM
To: 'Brooks, Brandon D' <Brandon.Brooks@centerpointenergy.com>; Cabe C Bonner <ccbbonner@aep.com>; Latham, Michael A <Michael.A.Latham@windstream.com>; rick.syphers@cableone.biz; TWU-Smith, Gary <gsmith@txkusa.org>
Cc: ARK-Finley, Jamie <jamie.finley@txkusa.org>; ARK-Richards, Tyler <Tyler.Richards@txkusa.org>; ARK-Maxey, Shawn <shawn.maxey@txkusa.org>
Subject: ROW abandonment request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning!

Please review the attached map segment from WOOTEN'S 2ND SUBDIVISION showing undeveloped, platted right-of-way. Please advise of existing lines or planned expansion into this area or requests for easements or objections to vacating. I've attached the plat showing the recorded street names – Crescent Drive and Dogwood Drive.

- 1) Vacating the south portion of sixty feet (60') wide Crescent Drive where it begins at Park Hill Lane, north to the north property line of Lot No. 6, Block 10 on the west and north property line of Lot 6, Block 8 on the east;

and,

ARK-Beck, Mary

From: Langley, Joe <Joe.Langley@sparklight.biz>
Sent: Wednesday, May 5, 2021 3:05 PM
To: ARK-Beck, Mary
Subject: RE: Wooten's ROW abandonment

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Yes to the east, yes that is OK.

From: ARK-Beck, Mary <mbeck@txkusa.org>
Sent: Wednesday, May 5, 2021 2:55 PM
To: Langley, Joe <Joe.Langley@sparklight.biz>
Cc: Moses, Everett <Everett.Moses@sparklight.biz>
Subject: RE: Wooten's ROW abandonment

CAUTION: External source. **THINK BEFORE YOU CLICK!**

By right you mean to the east, yes, that is correct. Is that okay then?

From: Langley, Joe <Joe.Langley@sparklight.biz>
Sent: Wednesday, May 5, 2021 2:54 PM
To: ARK-Beck, Mary <mbeck@txkusa.org>
Cc: Moses, Everett <Everett.Moses@sparklight.biz>
Subject: RE: Wooten's ROW abandonment

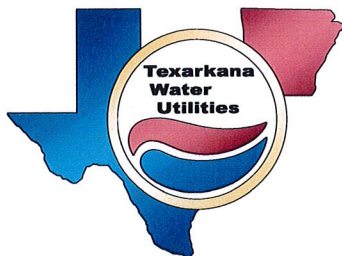
CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Now if that is to the right of the turn going down to Jenny Ln in the wooded lot and not in the power easement then there is no objection to the ROW abandonment.

From: Langley, Joe
Sent: Wednesday, May 5, 2021 1:05 PM
To: ARK-Beck, Mary <mbeck@txkusa.org>
Cc: Everett Moses (<Everett.Moses@sparklight.biz> <Everett.Moses@sparklight.biz>
Subject: Wooten's ROW abandonment

Yes we do object to the ROW abandonment here and we would like to stay within the easement. That cable is an aerial hardline that feeds through to the first house on Jenny Ln and across the street there to Pine Hill. Given the location and the terrain, rerouting those lines would be difficult and costly.

Joe Langley
Construction Coordinator / **Sparklight**
C: 903-293-6907
F: 903-792-3919



Texarkana Water Utilities

801 Wood Street, P.O. Box 2008, Texarkana, Texas 75504

(903) 798-3800 Phone
711 TTY
(903) 791-0724 Fax

MEMORANDUM

To: Mary Beck, City Planner, City of Texarkana, Arkansas
From: Gary L. Smith, P.E., Assistant Director, TWU
Date: April 23, 2021
Re: **ROW Abandonment – Crescent Drive and Dogwood Drive**

The Utility staff has reviewed the above referenced request and has the following comments:

1. The Utility has no water or sewer mains in this section of Crescent Drive and Dogwood Drive.
2. The Utility does not oppose the abandonment of this section of ROW.

If you should have any questions or require further information, please do not hesitate to contact me. Thank you.

Cc: J. D. Phillips, P.E., Executive Director, TWU
Kenny Icenhower, P.E., Design Engineer, TWU
Bill Moss, GIS Technician, TWU
Teresa Akard, Engineering Technician II, TWU