



**Committee of the Whole
and
City Council
Meeting Agenda
October 9, 2023
October 10, 2023
6:00 PM
Bentonville City Hall**

Note – The public, members of the City Council, and City staff, may have the option to attend this meeting by remote means. For public health reasons, those who attend in person should keep in mind hygiene, the use of facial coverings, and social distancing.

Public comments can be submitted by email submitted to cc.comments@bentonvillear.com by at least 4:00 p.m. on the day of the meeting. Those comments will be communicated to the members of the Council and the Mayor. Accommodation has also been made to allow Bentonville citizens to make “live” public comments orally in the event they cannot attend the meeting in person. To do so, please send an email indicating a desire to make public comments remotely to cc.comments@bentonvillear.com by at least 1:00 p.m. on the day of the meeting and a reply email will be sent with instructions about how your comments can be made. Making comments will require you to register with your name, address, phone number and email address. The pre-existing limitations (3 minutes) and procedures with respect to oral public comments will still apply.

*If you would like to attend the Committee of the Whole Meeting virtually, please register at the following link by 4:00 p.m. on October 9, 2023:

https://us02web.zoom.us/webinar/register/WN_23VLK52nSqa0TI3IGWrtHw

*If you would like to attend the City Council Meeting virtually, please register at the following link by 4:00 p.m. on October 10, 2023:

https://us02web.zoom.us/webinar/register/WN_ctqqvmFjSvikwK8golvpkA

Call to Order

Pledge of Allegiance

Moment of Silence

Roll Call

Approval of Minutes: September 26, 2023

I. Committee of the Whole - Monday Night Only Items

1. **Financial Review - 2023 Budget vs. Actual**

Informational

- 2. **Sales Tax Review** **Informational**
- 3. **Cash Reserves** **Informational**
- 4. **Impact Fee Questions Answered** **Informational**
- 5. **Emergency Response Disaster Plan Overview** **Informational**

II. New Business

- 1. **September Commercial Landscape Award - 405 South Walton** **Informational**
 Recognition by City Council of the landscaping on commercial property located at 405 S Walton Blvd home of Arvest Bank. The property was selected by the Tree & Landscape Advisory Committee and is the September 2023 Commercial Landscaping of the Month award winner.
- 2. **September Residential Landscape Award - 704 West Central Avenue** **Informational**
 Recognition by City Council of the landscaping of residential property at 704 W Central Ave. The property was selected by the Tree & Landscape Advisory Committee and is the September 2023 Residential Landscaping of the Month award winner.
- 3. **Fire Prevention Week Proclamation** **Informational**
- 4. **Blindness Awareness Month & White Cane Safety Day Proclamation** **Informational**
- 5. **Accepting a Land Donation for 8th Street Gateway Park** **Resolution**
 Resolution authorizing the Mayor and City Clerk to accept an approximate 100 acre land donation for the 8th Street Gateway Park Project. No budget adjustment is needed.
- 6. **Accepting a Land Donation for Razorback Greenway** **Resolution**
 Resolution authorizing the Mayor and City Clerk to accept a land donation for the Razorback Greenway, south of SW 14th street to Bentonville High School. No budget adjustment is needed.
- 7. **Setting Public Hearing for Utility Easement Vacation (VAC23-0018)** **Resolution**
 Resolution setting a Public Hearing for October 24, 2023 for a Utility Easement Vacation located at Lot 61 of The Farms Subdivision (VAC23-0018).

III. Utility Board

1. **Award Bid IFB-23-56 for 48" Water Main Materials** **Resolution**

Approve a Resolution to award Bid IFB-23-56, for 48" water main materials, to Northwest Arkansas Winwater in the amount of \$129,258.67, plus applicable taxes. Approved by Utility Board 5-0. No budget adjustment is needed.

2. **Budget Adjustment to Authorize the Purchase of a Trimble Reference Station** **Resolution**

Resolution to adjust the 2023 Budget for Account 47510, authorizing the Electric Department to purchase an upgraded Trimble Reference Station in the amount of \$23,142.00 (plus applicable taxes), due to outdated software components. There is no increase associated with this Budget Adjustment. Approved by Utility Board 5-0. A Budget Adjustment is needed to correct Vendor information within the line item.

IV. Planning

1. **Final Plat - Walnut Grove Subdivision Phase 1, Southwest Barron Rd and Piercy Rd (FP23-0006)** **Ordinance***

An Ordinance accepting a final plat of Walnut Grove Subdivision, Phase 1 to The City of Bentonville, Arkansas; and for other purposes.
The Planning Commission voted 7-0 recommending approval.

2. **Rezone - Brewer, 1112 NE Monroe St (RZ23-0067)** **Ordinance***

An Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Low Density Single Family Residential to DN-2, Downtown Medium Density Residential; and for other purposes.
The Planning Commission voted 7-0 recommending approval.

3. **Rezone - Guntupalli and Mallampati, 1386 Southwest Gator Boulevard (RZ23-0066)** **Resolution**

A Resolution amending the City of Bentonville Future Land Use Map for a specific area from Residential Estate to Low-Density Residential; and for other purposes.
The Planning Commission voted 7-0 recommending approval.

4. **Rezone - Guntupalli and Mallampati, 1386 Southwest Gator Boulevard (RZ23-0066)** **Ordinance***

An Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, Agricultural to R-1, Low Density Single Family Residential; and for other purposes.
The Planning Commission voted 7-0 recommending approval.

Public Comments on Tonight's Agenda Items (Limited Public Forum)



City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:		Submitted By:	
Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

<input type="checkbox"/> Informational	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Enter into an Agreement	<input type="checkbox"/> Change Order
<input type="checkbox"/> Recognizing Funds	<input type="checkbox"/> Budget Adjustment	<input type="checkbox"/> Waiver of Bid	<input type="checkbox"/> Emergency Clause
Ordinance	Resolution	Informational	

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$
-----------------------------	----

Budget Impact

Is this Item Budgeted? YES NO ITEM HAS NO COST OTHER: _____

Budget Adjustment (to be completed by Finance when applicable)

Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		\$	\$
		\$	\$
		\$	\$
		\$	\$

Fund(s) Impacted

(check all that apply)

General Fund **Utility Fund** **Street Fund** **Other(s):** _____

Budget Impact Notes for Consideration (Optional):

Tree & Landscape Committee

**Arvest Bank
405 S Walton Boulevard**

September 2023
Commercial Landscape of the Month Award





City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:		Submitted By:	
Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

<input type="checkbox"/> Informational	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Enter into an Agreement	<input type="checkbox"/> Change Order
<input type="checkbox"/> Recognizing Funds	<input type="checkbox"/> Budget Adjustment	<input type="checkbox"/> Waiver of Bid	<input type="checkbox"/> Emergency Clause
Ordinance	Resolution	Informational	

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$
-----------------------------	----

Budget Impact

Is this Item Budgeted? YES NO ITEM HAS NO COST OTHER: _____

Budget Adjustment (to be completed by Finance when applicable)

Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		\$	\$
		\$	\$
		\$	\$
		\$	\$

Fund(s) Impacted

(check all that apply)

General Fund **Utility Fund** **Street Fund** **Other(s):** _____

Budget Impact Notes for Consideration (Optional):

Tree & Landscape Committee

September 2023

Residential Landscape of the Month Award

**Scott and Jayne Smith
704 W Central Avenue**



PROCLAMATION

WHEREAS: The City of Bentonville, Arkansas is committed to ensuring the safety and security of all those living and visiting Bentonville. Fire is a serious public safety concern both locally and nationally, and homes are where people are at greatest risk from fire; and

WHEREAS: U. S. fire departments responded to 382,500 residential building fires in 2022 according to the United States Fire Administration (USFA). There were 2,760 civilian fire deaths, 10,320 civilian injuries and \$10.95 billion in direct property damage in 2022. On average, a fire department in the U.S. responds to a fire every 21 seconds. Fires nationally were responsible for 3,790 civilian deaths, 72% of which were in the home, and

WHEREAS: When the smoke alarm sounds, Bentonville's residents may have less than two minutes to escape to safety and residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS: Bentonville's residents should practice the home fire escape drill at least twice a year, during the day and at night, and residents should teach children to escape on their own in case adults can't help them; and

WHEREAS: Bentonville's residents should practice using different ways out and in a real emergency should get low and go under the smoke to get out quickly; and

WHEREAS: Bentonville's residents should get out and stay out, never going back inside the home for people, pets, or things; and


WHEREAS: Bentonville's residents should make sure everyone in the home knows how to call 9-1-1 from a cell phone or a neighbor's phone; and

WHEREAS: Bentonville's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention education; and

WHEREAS: The 2023 Fire Prevention Week theme, "Cooking safety starts with YOU! Pay attention to fire prevention™" works to educate the public about simple but important steps they can take to help reduce the risk of fire when cooking at home, keeping themselves and those around them safe.

NOW, THEREFORE, I Stephanie Orman, Mayor of the City of Bentonville do hereby proclaim the week of October 8-14, 2023, as "**Fire Prevention Week**" in the City of Bentonville, Arkansas. I urge all the people of Bentonville to make and practice a home fire escape plan.

Given this 10th day of October 2023, in Bentonville, in the great State of Arkansas, in the United States of America.


Stephanie Orman, Mayor
City of Bentonville



PROCLAMATION

WHEREAS: Blindness and vision impairment affects many people all around the world. The World Health Organization estimates that at least 2.2 billion people have a near or distance vision impairment. In at least 1 billion of these, vision impairment could have been prevented or is yet to be addressed; and

WHEREAS: Blind and visually impaired people lead normal lives. They have families, work jobs, ride transit, volunteer, and communicate just like everyone else. However, this is a community that relies on special tools and resources that help them cope with limited or no vision; and

WHEREAS: Blindness Awareness Month is important as it gives the blind and visually impaired a voice and an opportunity for telling their own stories as well as increasing the visibility of the community. Hopefully, through Blindness Awareness Month, society as a whole can become more informed about blindness and help others overcome the stigma of their disabilities; and

WHEREAS: The observance of Blindness Awareness Month also brings awareness to the need for screenings to help identify vision issues. Early intervention can prevent loss of sight or slow the progression of a disease; and

WHEREAS: The white cane, which every blind citizen of Bentonville has the right to carry, demonstrates and symbolizes the ability to achieve a full and independent life and the capacity to work productively in competitive employment.

NOW, THEREFORE, I, Stephanie Orman, Mayor of the City of Bentonville, do hereby proclaim October 2023 as **Blindness Awareness Month** and October 15, 2023 **White Cane Safety Day**, in Bentonville Arkansas.

Given this 10th day of October 2023, in Bentonville, in the Great State of Arkansas, in the United States of America.



Stephanie Orman, Mayor
City of Bentonville



City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:		Submitted By:	
Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

<input type="checkbox"/> Informational	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Enter into an Agreement	<input type="checkbox"/> Change Order
<input type="checkbox"/> Recognizing Funds	<input type="checkbox"/> Budget Adjustment	<input type="checkbox"/> Waiver of Bid	<input type="checkbox"/> Emergency Clause
<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Informational	

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$
-----------------------------	----

Budget Impact

Is this Item Budgeted? YES NO ITEM HAS NO COST OTHER: _____

Budget Adjustment (to be completed by Finance when applicable)

Account Number (ORG-OBJECT)	Account Description	\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue

Fund(s) Impacted

(check all that apply)

General Fund **Utility Fund** **Street Fund** **Other(s):** _____

Budget Impact Notes for Consideration (Optional):

Memo



To: City Council, Mayor Orman
From: David Wright, Parks and Recreation Director
Date: October 5, 2023
Re: City Council approval of a resolution authorizing Mayor to accept land donation from Trailblazers for the 8th Street Gateway Park.

Parks and Recreation Staff requests City Council's approval of resolution authorizing Mayor to accept a land donation from the Trailblazers for the 8th Street Gateway Park project.

In 2019, Walmart and the members of the Walton Family donated packaged the property for the future park and donated to the Trailblazers. The intent of the donation, and agreed upon by the City, was for the land to be donated to the City for a future flagship public park. The Trailblazers have held onto the land and provided necessary maintenance during the interim.

After the Design Excellence Grant funding, and the passing of a bond, the project is nearing the stage of public bidding. Since we are so close to bidding, it is the appropriate time to accept the land donation.

Our design team is tracking towards construction documents being ready by the end of the year. We expect bidding to occur in Q1 2024 with construction soon to follow.

If you have any questions regarding this item, please email me at dwright@bentonvillear.com.

Attachments:

Warranty Deed

**This Instrument Prepared By
and after Recording Return to:**

J. Cliff McKinney
Quattlebaum, Grooms & Tull PLLC
111 Center Street, Suite 1900
Little Rock, Arkansas 72201
501-379-1700

QUITCLAIM DEED

BENTONVILLE/BELLA VISTA TRAILBLAZER'S ASSOCIATION, INC., an Arkansas nonprofit corporation ("Grantor"), for and in consideration of the sum of Ten and No/100 United States Dollars (\$10.00) and other good and valuable consideration in hand paid by **CITY OF BENTONVILLE**, an Arkansas municipal corporation ("Grantee"), the receipt and sufficiency of which is hereby acknowledged, does hereby grant and quitclaim unto Grantee, and unto its successors and assigns forever, all its right, title, interest and claim in and to the real property situated in Benton County, Arkansas, described in Exhibit 1 attached hereto and incorporated herein (the "Property").

The Property is being conveyed to Grantee on the express condition that the following restrictions and covenants apply to the Property, which are deemed accepted by Grantee by acceptance of this deed (collectively, the "Covenants"):

1. The Property and any present or future improvements thereon shall be used only for purposes of providing public access to natural spaces for recreational purposes only;
2. Neither the Property nor any present or future improvements thereon may be mortgaged, encumbered, hypothecated, conveyed, sold, or transferred by Grantee or any successor or affiliate of Grantee;
3. Neither the Property nor more than one-quarter of the square footage of any present or future improvements may be leased or subleased by Grantee or any successor or affiliate of Grantee;
4. Grantee will not install or upgrade, or permit to be installed or upgraded, any utilities on, across, or through the Premises except minor underground service lines;
5. The rights granted and conveyed to Grantee in and to the Property pursuant to this deed may not be assumed, assigned, or conveyed to any other person or entity; and
6. The Property and any present or future improvements thereon shall revert to Grantor if Grantee violates the terms of this deed or permits the Property to be used in violation of this deed.

The title to the Property hereby conveyed to Grantee is expressly a fee simple subject to condition subsequent, such condition being that the Covenants are not breached. Upon any breach of the Covenants, Grantor, its successors or assigns, has the express right of entry and power of termination to terminate this conveyance to Grantee and revert title to the Property back to Grantor.

Grantor, in its sole discretion, reserves the right to waive, remove, or reduce some or all of the Covenants; provided, any such waiver, removal, or reduction shall only be evidenced by and effective after an instrument, executed and acknowledged by Grantor, is duly recorded in the real property records of Benton County, Arkansas expressly describing any such waiver, removal or reduction of the Covenants. In no event shall any action or inaction of Grantor be deemed an implied waiver of any of the Covenants.

Further, Grantor reserves a non-exclusive, perpetual easement for pedestrian and bicycle ingress and egress over the Property ("Access Easement") for the benefit of Grantor, its successors and/or assigns, and all land now or hereinafter owned by Grantor, its, heirs, successors and/or assigns (collectively, "Benefited Property"). Said Access Easement shall be appurtenant to and run with the Benefited Property and shall burden and run with the Property. The Access Easement includes the right to enter the Property for the purpose of installing and/or maintaining bike paths and trails.

TO HAVE AND TO HOLD the Property unto Grantee, and unto its successors and assigns forever, with all appurtenances thereunto belonging in "AS IS, WHERE IS, WITH ALL FAULTS AND WITHOUT ANY REPRESENTATION OR WARRANTY WHATSOEVER, EXPRESS OR IMPLIED" condition and subject to all matters of record or fact.

EFFECTIVE this ____ day of August, 2023.

BENTONVILLE/BELLA VISTA TRAILBLAZER'S ASSOCIATION, INC., an Arkansas nonprofit corporation

By: _____
Name: _____
Title: _____

STATE OF ARKANSAS)
) ss: ACKNOWLEDGMENT
COUNTY OF BENTON)

On this day, before me, a Notary Public, duly commissioned, qualified, and acting, with and for said County and State, appeared in person the within named _____, to me well known, who stated and acknowledged that he/she was the _____ of Bentonville/Bella Vista Trailblazer's Association, Inc., an Arkansas nonprofit corporation, and had so signed, executed and delivered said foregoing instrument on behalf of the company for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this ____ day of August, 2023.

Notary Public

My Commission Expires:

(SEAL)

I certify under penalty of false swearing that this instrument is exempt from the real property transfer tax.
This affidavit is made in compliance with Ark. Code Ann. § 26-60-110(b)(2)(C).

GRANTEE OR AGENT: **CITY OF BENTONVILLE**, an Arkansas municipal corporation
GRANTEE'S ADDRESS:

GRANTEE'S SIGNATURE

EXHIBIT 1

PARCEL DESCRIPTION

BENTONVILLE/BELLA VISTA TRAILBLAZERS ASSOCIATION INC.

Lot 1 of North Arkansas Wholesale 8th Street Subdivision, as shown on Plat Book 2015, Page 33, to the City of Bentonville, Benton County, Arkansas, situated in the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) of Section 36, Township 20 North, Range 31 West, and being described by metes and bounds as follows:

BEGINNING at a 5/8" rebar found at the Northeast corner of said Southwest Quarter (SW1/4);

THENCE along the East line of said Southwest Quarter (SW1/4), South 02°24'12" West, 288.10 feet to a 1/2" rebar with cap stamped "1703" found on the North right-of-way line of SW 8th Street per Plat Book 2009, Page 1898;

THENCE along said North right-of-way line, the following six (6) courses:

1. North 86°47'03" West, 144.84 feet;
2. North 03°12'57" East, 44.53 feet;
3. North 86°47'03" West, 37.02 feet to a found 1/2" rebar (bent);
4. South 03°12'57" West, 44.53 feet to a 1/2" rebar;
5. North 86°47'03" West, 461.83 feet to a found 1/2" rebar;
6. Northwesterly along the arc of a curve to the right 622.82 feet, having a radius of 655.00 feet, through a central angle of 54°28'51", having a chord bearing and distance of North 59°32'37" West, 599.62 feet;

THENCE leaving said North right-of-way line, South 87°26'56" East, passing a 3/8" rebar found at 630.52 feet, and continuing for a total distance of 1,172.80 feet to the **POINT OF BEGINNING** and containing 285,003 square feet or 6.54 acres, more or less.

PARCEL DESCRIPTION

BENTONVILLE/BELLA VISTA TRAILBLAZERS ASSOCIATION INC.

Lot 2 of North Arkansas Wholesale 8th Street Subdivision, as shown on Plat Book 2015, Page 33, to the City of Bentonville, Benton County, Arkansas, situated in the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) and Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section 36, Township 20 North, Range 31 West, and being described by metes and bounds as follows:

BEGINNING at a 1/2" rebar found at the Northeast corner of said Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4);

THENCE North 87°16'03" West, 317.34 feet to a found 1/2" rebar;

THENCE South 02°36'45" West, 293.64 feet to a found 1/2" rebar with cap stamped "1703";

THENCE North 87°24'01" West, 264.39 feet to a found 1/2" rebar;

THENCE South 02°36'54" West, 963.97 feet to the North right-of-way line of SW 14th Street;

THENCE along said North right-of-way line, North 87°02'52" West, passing an aluminum cap stamped "ATHD883" found at a distance of 52.26 feet, and continuing for a total distance of 77.26 feet to an aluminum cap stamped "ATHD883";

THENCE leaving said North right-of-way line, North 02°23'11" East, passing a 5/8" rebar with cap stamped "1227" at a distance of 461.54 feet, and continuing for a total distance of 1,258.64 feet;

THENCE North 06°02'52" East, 30.18 feet to a found 5/8" rebar with cap stamped "1227";

THENCE North 86°35'08" West, 662.72 feet to a found 5/8" rebar with cap stamped "1227";

THENCE North 02°18'35" East, 6.61 feet to a found 1/2" rebar;

THENCE North 02°31'17" East, passing a 1/2" rebar found at a distance of 144.87 feet, passing a 1/2" rebar found at a distance of 190.69 feet, passing a 1/2" rebar found at a distance of 268.15 feet, passing a 1/2" rebar found at a distance of 442.07 feet, and passing a 1/2" rebar found at a distance of 539.94 feet, for a total distance of 1,276.64 feet;

THENCE South 87°26'56" East, 40.58 feet;

THENCE South 67°45'13" East, 1.28 feet to a 1/2" rebar with cap stamped "1703" found on the South right-of-way line of SW 8th Street per Deed Book 2009, Page 1898;

THENCE along said South right-of-way line of SW 8th street the following eleven (11) courses:

1. South 30°22'19" East, 35.93 feet;
2. Southeasterly along the arc of a curve to the left 709.38 feet, having a radius of 745.00 feet, through a central angle of 54°33'22", having a chord bearing and distance of South 57°38'59" East, 682.88 feet to a found 1/2" rebar;
3. South 72°14'23" East, 45.36 feet;
4. South 86°47'03" East, 153.49 feet to a found 1/2" rebar;
5. North 74°42'49" East, 34.66 feet;
6. South 86°47'03" East, 295.06 feet to a found 1/2" rebar;
7. South 03°12'57" West, 40.01 feet;
8. South 86°47'03" East, 36.70 feet;
9. North 03°12'57" East, 40.01 feet;
10. South 86°47'03" East, 107.88 feet;
11. South 86°47'52" East, 3.27 feet to a rebar with cap stamped "1759" found on the East line of the aforementioned Southwest Quarter (SW1/4);

THENCE along said East line, South 02°35'41" West, passing a 5/8" rebar found at a distance of 381.26 feet, and continuing for a total distance of 948.02 feet, to the **POINT OF BEGINNING** and containing 1,498,691 square feet or 34.40 acres, more or less.

PARCEL DESCRIPTION

BENTONVILLE/BELLA VISTA TRAILBLAZERS ASSOCIATION INC.

Lot 1 of a Lot Split of Allen Subdivision South, as shown on Plat Instrument L202130842 of the public records of Benton county, Arkansas, and being described by metes and bounds as follows:

BEGINNING at the Northeast corner of said Lot 1, also being on the West right-of-way line of SW I Street which bears a found 1/2" rebar with cap (destroyed), South 87°02'37" East, 4.51 feet;

THENCE along said West right-of-way line of SW I Street, the following five (5) courses:

1. South 02°30'39" West, 266.15 feet;
2. Southerly along the arc of a curve to the right 32.70 feet, having a radius of 452.00 feet, through a central angle of 04°08'41", having a chord bearing and distance of South 04°35'00" West, 32.69 feet;
3. South 06°39'22" West, 131.57 feet;
4. Southerly along the arc of a curve to the left 36.17 feet, having a radius of 500.00 feet, through a central angle of 04°08'40", having a chord bearing and distance of South 04°35'00" West, 36.16 feet;
5. South 02°30'40" West, 87.27 feet;

THENCE leaving said West right-of-way line, South 51°05'05" West, 73.30 feet to the North right-of-way line of SW 8th Street per L202019318;

THENCE along said North right-of-way line, the following five (5) courses:

1. North 88°51'02" West, 452.51 feet;
2. North 74°48'51" West, 45.35 feet;
3. North 88°51'02" West, 153.42 feet;

4. South 72°42'52" West, 34.79 feet;
5. North 88°51'02" West, 533.47 feet to the Southwest corner of said Lot 1;
THENCE leaving said North right-of-way line, North 02°42'54" East, passing a 5/8" rebar found at 172.66 feet, continuing for a total distance of 501.62 feet to a found 5/8" rebar;
THENCE North 02°48'56" East, 91.41 feet to the Northwest corner of said Lot 1;
THENCE South 89°59'56" East, passing a 1/2" rebar found at 4.55 feet, and continuing for a total distance of 913.84 feet to a found 1/2" rebar;
THENCE South 87°25'44" East, 99.46 feet to a found 5/8" rebar with cap stamped "1304";
THENCE South 87°02'37" East, 268.33 feet, to the **POINT OF BEGINNING** and containing 767,108 square feet or 17.61 acres, more or less.

PARCEL DESCRIPTION

BENTONVILLE/BELLA VISTA TRAILBLAZERS ASSOCIATION INC.

Lot 2 of a Lot Split of Allen Subdivision South, as shown on Plat Instrument L202130842 of the public records of Benton county, Arkansas, and being described by metes and bounds as follows:

BEGINNING at the Southeast corner of said Lot 2, also being the West right-of-way line of South I Street;
THENCE North 87°16'02" West, 313.24 feet;
THENCE North 87°08'03" West, 279.13 feet;
THENCE North 87°05'53" West, passing a 1" pipe found at a distance of 45.00 feet, and continuing for a total distance of 368.21 feet;
THENCE North 86°09'11" West, 90.08 feet;
THENCE North 02°42'30" East, 255.54 feet;
THENCE Northwesterly along the arc of a curve to the left 259.03 feet, having a radius of 687.33 feet, through a central angle of 21°35'34", having a chord bearing and distance of North 63°30'57" West, 257.50 feet;
THENCE North 02°48'44" East, 201.87 feet to a 1/2" rebar with cap stamped "PS #1507" found on the South right-of-way line of SW 8th Street;
THENCE along said South right-of-way line, South 88°51'02" East, 1,219.27 feet;
THENCE leaving said South right-of-way line, South 51°49'32" East, 65.27 feet to the West right-of-way line of SW I Street;
THENCE along said West right-of-way line, the following five (5) courses:
1. South 02°30'40" West, 235.13 feet to a chiseled "X" on concrete sidewalk;
2. Southerly along the arc of a curve to the left 36.90 feet, having a radius of 500.00 feet, through a central angle of 04°13'42", having a chord bearing and distance of South 00°23'50" West, 36.89 feet;
3. South 01°43'00" East, 127.64 feet;
4. Southerly along the arc of a curve to the right 33.35 feet, having a radius of 452.00 feet, through a central angle of 04°13'38", having a chord bearing and distance of South 00°23'50" West, 33.34 feet;
5. South 02°30'23" West, 127.90 feet to the **POINT OF BEGINNING** and containing 666,792 square feet or 15.31 acres, more or less.

PARCEL DESCRIPTION

BENTONVILLE/BELLA VISTA TRAILBLAZERS ASSOCIATION INC.

Lot 4 of a Lot Split of Allen Subdivision South, as shown on Plat Instrument L202130842 of the public records of Benton county, Arkansas, and being described by metes and bounds as follows:

BEGINNING at a 1/2" rebar with cap stamped "PS 1507" found at the Northwest corner of said Lot 4, also being on the South right-of-way line of SW I Street per L202019318;

THENCE along the South right-of-way line of SW 8th Street, the following fifteen (15) courses:

1. Easterly along the arc of a curve to the left 81.19 feet, having a radius of 1,045.00 feet, through a central angle of 04°27'05", having a chord bearing and distance of North 76°09'23" East, 81.17 feet to a found 1/2" rebar with cap stamped "PS 1507";
2. South 16°20'17" East, 12.34 feet to a found 1/2" rebar with cap stamped "PS 1507";
3. Easterly along the arc of a curve to the left 26.72 feet, having a radius of 1,057.34 feet, through a central angle of 01°26'53", having a chord bearing and distance of North 73°12'32" East, 26.72 feet to a found 1/2" rebar with cap stamped "PS 1507";
4. North 17°14'40" West, 12.34 feet to a found 1/2" rebar with cap stamped "PS 1507";
5. Easterly along the arc of a curve to the left 39.47 feet, having a radius of 1,045.00 feet, through a central angle of 02°09'51", having a chord bearing and distance of North 71°23'59" East, 39.47 feet to a found 1/2" rebar with cap stamped "PS 1507";
6. North 70°19'03" East, 149.87 feet to a found 1/2" rebar with cap stamped "PS 1507";
7. North 84°23'47" East, 45.22 feet to a found 1/2" rebar;
8. North 70°19'03" East, 110.57 feet to a found 1/2" rebar with cap stamped "PS 1507";
9. Easterly along the arc of a curve to the right 42.26 feet, having a radius of 944.00 feet, through a central angle of 02°33'55", having a chord bearing and distance of North 71°36'00" East, 42.26 feet to a found 1/2" rebar with cap stamped "PS 1507";
10. North 55°06'44" East, 34.22 feet to a found 1/2" rebar with cap stamped "PS 1507";
11. Easterly along the arc of a curve to the right 233.32 feet, having a radius of 955.00 feet, through a central angle of 13°59'53", having a chord bearing and distance of North 81°50'14" East, 232.74 feet to a found 1/2" rebar with cap stamped "PS 1507";
12. South 01°08'57" West, 24.22 feet to a found 1/2" rebar with cap stamped "PS 1507";
13. South 88°51'03" East, 75.00 feet to a found 1/2" rebar with cap stamped "PS 1507";
14. North 01°08'57" East, 25.00 feet to a found 1/2" rebar with cap stamped "PS 1507";
15. South 88°51'03" East, 58.86 feet to a found 1/2" rebar with cap stamped "PS 1507";

THENCE leaving said South right-of-way line, South 02°48'44" West, 201.87 feet;

THENCE Westerly along the arc of a curve to the left 265.56 feet, having a radius of 687.33 feet, through a central angle of 22°08'13", having a chord bearing and distance of North 85°22'50" West, 263.91 feet;

THENCE Southwesterly along the arc of a curve to the right 61.27 feet, having a radius of 189.50 feet, through a central angle of 18°31'27", having a chord bearing and distance of South 23°29'48" West, 61.00 feet;

THENCE Southwesterly along the arc of a curve to the right 69.96 feet, having a radius of 295.56 feet, through a central angle of 13°33'46", having a chord bearing and distance of South 39°13'06" West, 69.80 feet;

THENCE Southwesterly along the arc of a curve to the right 85.27 feet, having a radius of 401.95 feet, through a central angle of 12°09'17", having a chord bearing and distance of South 52°15'14" West, 85.11 feet;

THENCE Westerly along the arc of a curve to the right 304.88 feet, having a radius of 550.00 feet, through a central angle of 31°45'38", having a chord bearing and distance of South 72°15'33" West, 300.99 feet;

THENCE South 88°08'21" West, 147.76 feet to the East right-of-way line of Melissa Drive per Plat Book 2008, Page 50480;

THENCE along said East right-of-way line of Melissa Drive the following three (3) courses:

1. North 01°55'36" West, 116.69 feet to a found 1/2" rebar with cap stamped "PS 1507";
2. Northerly along the arc of a curve to the left 63.95 feet, having a radius of 525.76 feet, through a central angle of 06°58'08", having a chord bearing and distance of North 05°24'33" West, 63.91 feet to a found 1/2" rebar;
3. North 10°07'08" West, 63.89 feet to the **POINT OF BEGINNING** and containing 208,436 square feet or 4.79 acres, more or less.

PARCEL DESCRIPTION

BENTONVILLE/BELLA VISTA TRAILBLAZERS ASSOCIATION INC.

Tract 12 of Hardcastle Estates, to the City of Bentonville, Benton County, Arkansas, as shown on Plat Book 2005, Page 1257, and being described by metes and bounds as follows:

BEGINNING at a 5/8" rebar found at the Northwest corner of said Tract 12 of Hardcastle Estates;

THENCE South 86°25'43" East, 461.61 feet to a 5/8" rebar found on the West right-of-way line of Melissa Drive per Plat Book 2005, Page 1257;

THENCE along said West right-of-way line of Melissa Drive, the following four (4) courses:

1. South 01°55'36" East, 126.66 feet to a found 5/8" rebar with cap stamped "1759";
2. Southeasterly along the arc of a curve to the left 168.51 feet, having a radius of 226.00 feet, through a central angle of 42°43'16", having a chord bearing and distance of South 23°17'14" East, 164.63 feet to a found 5/8" rebar with cap stamped "1759";
3. South 44°38'52" East, 490.78 feet to a found 5/8" rebar with cap stamped "1759";
4. Southeasterly along the arc of a curve to the left 161.49 feet, having a radius of 226.05 feet, through a central angle of 40°55'58", having a chord bearing and distance of South 65°07'00" East, 158.08 feet to a found mag nail with washer stamped "1759";

THENCE leaving said West right-of-way line, North 85°36'39" West, 1,050.54 feet to a found 5/8" rebar;

THENCE North 02°36'22" East, 75.74 feet to a found 1/2" rebar;

THENCE North 02°35'41" East, 566.76 feet to the **POINT OF BEGINNING** and containing 415,042 square feet or 9.53 acres, more or less.

PARCEL DESCRIPTION

BENTONVILLE/BELLA VISTA TRAILBLAZERS ASSOCIATION INC.

A portion of Tract 10 of a Lot Split of Tract 9 of Hardcastle Estates, to the City of Bentonville, Benton County, Arkansas, as shown on Plat Records 2005, Page 1257, and being described by metes and bounds as follows:

BEGINNING at a 5/8" rebar found at the Southwest corner of said Tract 10 of Hardcastle Estates;

THENCE along the West line of said Tract 10, North 02°35'41" East, 381.26 feet to a 5/8" rebar with cap stamped "1759" found on the South right-of-way line of SW 8th Street per Plat Book 2008, Page 50480;

THENCE along said South right-of-way line, the following two (2) courses:

1. South 86°47'52" East, 200.36 feet to a found 5/8" rebar with cap stamped "1759";
2. Easterly along the arc of a curve to the left 217.85 feet, having a radius of 1,045.00 feet, through a central angle of 11°56'39", having a chord bearing and distance of North 87°13'48" East, 217.45 feet to a 5/8" rebar with cap stamped "1759" found on the West right-of-way line of Melissa Drive per Plat Book 2008, Page 50480;

THENCE along the West right-of-way line of Melissa Drive, the following three (3) courses:

1. South 10°07'08" East, 63.26 feet to a found 5/8" rebar;
2. Southerly along the arc of a curve to the right 57.08 feet, having a radius of 473.78 feet, through a central angle of 06°54'13", having a chord bearing and distance of South 05°22'35" East, 57.05 feet to a found 5/8" rebar;
3. South 01°55'36" East, 290.03 feet to a found 5/8" rebar;

THENCE leaving said West right-of-way line, North 86°25'43" West, 461.61 feet to the **POINT OF BEGINNING** and containing 172,187 square feet or 3.95 acres, more or less.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT ACCEPTING THE DONATION OF APPROXIMATELY ONE HUNDRED (100) ACRES OF LAND, FOR THE 8TH STREET GATEWAY PARK PROJECT, FROM TRAILBLAZERS; AND FOR OTHER PURPOSES.

WHEREAS, the 8th Street Gateway Park Project is getting ready to go out to bid; and

WHEREAS, this land donation, from Trailblazers, will provide the property for this flagship public park and allow the project to progress.

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

Section 1: That the Mayor and City Clerk are authorized to enter into an agreement, with Trailblazers, accepting a land donation of approximately one hundred (100) acres for the 8th Street Gateway Park Project;

Section 2 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Resolutions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2023.

APPROVED:

STEPHANIE ORMAN, MAYOR

ATTEST:

KIRBY ROMINES, CITY CLERK



City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:		Submitted By:	
Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

<input type="checkbox"/> Informational	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Enter into an Agreement	<input type="checkbox"/> Change Order
<input type="checkbox"/> Recognizing Funds	<input type="checkbox"/> Budget Adjustment	<input type="checkbox"/> Waiver of Bid	<input type="checkbox"/> Emergency Clause
<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Informational	

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$
-----------------------------	----

Budget Impact

Is this Item Budgeted? YES NO ITEM HAS NO COST OTHER: _____

Budget Adjustment (to be completed by Finance when applicable)

Account Number (ORG-OBJECT)	Account Description	\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue

Fund(s) Impacted

(check all that apply)

General Fund **Utility Fund** **Street Fund** **Other(s):** _____

Budget Impact Notes for Consideration (Optional):

Memo



To: City Council, Mayor Orman
From: David Wright, Parks and Recreation Director
Date: September 28, 2023
Re: City Council approval of a resolution authorizing Mayor to accept land donation from Trailblazers for the Razorback Greenway.

Parks and Recreation Staff requests City Council's approval of resolution authorizing Mayor to accept a land donation from the Trailblazers for the Razorback Greenway.

In 2016, The City of Bentonville received a grant to reroute the Razorback Greenway off of SE P Street to a dedicated Greenway Trail that included a tunnel under 14th Street. Soon after designing the trail, we were asked by Walmart hold on our project as they reviewed how the Greenway proceeded through the property. Later we learned Walmart was planning on a new corporate campus and they wanted the trail to move through the center of their campus.

Since this time, we have worked with Walmart and the Trailblazers on a design of a tunnel and trail that connects to the existing Razorback Greenway behind Bentonville High School. The Trailblazers were able to acquire land and we worked through design and flood studies and are soon ready to move forward. This donation provides us the land to construct this future trail.

Additionally, the Trailblazers have offered to take on the cost and construction management of the future tunnel. Parks and Recreation is responsible for the construction of the trail. Design is 90% complete and is currently under review by Arkansas Department of Transportation, who is the grantor for our construction grant. Our hope is this project is ready to construct early 2024 with completion well before the opening of the Walmart Campus.

If you have any questions regarding this item, please email me at dwright@bentonvillear.com.

Attachments:

Warranty Deed

**This Instrument Prepared By
and after Recording Return to:**

J. Cliff McKinney
Quattlebaum, Grooms & Tull PLLC
111 Center Street, Suite 1900
Little Rock, Arkansas 72201
501-379-1700

QUITCLAIM DEED

BENTONVILLE/BELLA VISTA TRAILBLAZER'S ASSOCIATION, INC., an Arkansas nonprofit corporation ("Grantor"), for and in consideration of the sum of Ten and No/100 United States Dollars (\$10.00) and other good and valuable consideration in hand paid by **CITY OF BENTONVILLE**, an Arkansas municipal corporation ("Grantee"), the receipt and sufficiency of which is hereby acknowledged, does hereby grant and quitclaim unto Grantee, and unto its successors and assigns forever, all its right, title, interest and claim in and to the real property situated in Benton County, Arkansas, described in Exhibit 1 attached hereto and incorporated herein (the "Property").

The Property is being conveyed to Grantee on the express condition that the following restrictions and covenants apply to the Property, which are deemed accepted by Grantee by acceptance of this deed (collectively, the "Covenants"):

1. The Property and any present or future improvements thereon shall be used only for purposes of providing public access to natural spaces for recreational purposes only;
2. Neither the Property nor any present or future improvements thereon may be mortgaged, encumbered, hypothecated, conveyed, sold, or transferred by Grantee or any successor or affiliate of Grantee;
3. Neither the Property nor more than one-quarter of the square footage of any present or future improvements may be leased or subleased by Grantee or any successor or affiliate of Grantee;
4. Grantee will not install or upgrade, or permit to be installed or upgraded, any utilities on, across, or through the Premises except minor underground service lines;
5. The rights granted and conveyed to Grantee in and to the Property pursuant to this deed may not be assumed, assigned, or conveyed to any other person or entity; and
6. The Property and any present or future improvements thereon shall revert to Grantor if Grantee violates the terms of this deed or permits the Property to be used in violation of this deed.

The title to the Property hereby conveyed to Grantee is expressly a fee simple subject to condition subsequent, such condition being that the Covenants are not breached. Upon any breach of the Covenants, Grantor, its successors or assigns, has the express right of entry and power of termination to terminate this conveyance to Grantee and revert title to the Property back to Grantor.

Grantor, in its sole discretion, reserves the right to waive, remove, or reduce some or all of the Covenants; provided, any such waiver, removal, or reduction shall only be evidenced by and effective after an instrument, executed and acknowledged by Grantor, is duly recorded in the real property records of Benton County, Arkansas expressly describing any such waiver, removal or reduction of the Covenants. In no event shall any action or inaction of Grantor be deemed an implied waiver of any of the Covenants.

I certify under penalty of false swearing that this instrument is exempt from the real property transfer tax. This affidavit is made in compliance with Ark. Code Ann. § 26-60-110(b)(2)(C).

GRANTEE OR AGENT: CITY OF BENTONVILLE, an Arkansas municipal corporation
GRANTEE'S ADDRESS:

GRANTEE'S SIGNATURE

EXHIBIT 1

Lot 7, Block 2, Bland Valley Estate, a subdivision to the City of Bentonville, Benton County, Arkansas, as shown on Plat Record O at Pages 288 and 289.

AND

Lot 5, Goldmeier Estates Subdivision, Bentonville, Benton County, Arkansas, as shown on Plat record Instrument No. L202206593, being more particularly described as follows:

A Part of Lot 1, Harp's Subdivision to the City of Bentonville according to Plat book P2, page 629 and part of the Parcel described at Instrument #L202111338 and a part of the Northwest Quarter of the Northeast Quarter and a part of the Southwest Quarter of the Northeast Quarter, Section 5, Township 19 North, Range 30 West, Benton County, Arkansas and being described by metes and bounds from an on-the-ground survey performed on February 23, 2021 by CEI Engineering Associates, Inc. as Follows:

COMMENCING at a 1/2" rebar found at the southwest corner of Lot 2, of said Harp's Subdivision; THENCE along the south boundary of aforementioned Lot 1, North 87°24'33" West, 141.94 feet to a 5/8" rebar capped LS #1618 and the POINT OF BEGINNING; THENCE continuing along said south boundary, North 87°24'33" West, 32.72 feet to a 5/8" rebar capped LS #1618; THENCE leaving said south boundary, North 20°56' 22" West, 328.85 feet to a 5/8" rebar capped LS #1618; THENCE North 28°23'25" West 246.16 feet to a wooden fence post found at the southwest corner of Lot 2, Vail Addition according to Plat Book 1, Page 543; Thence along said south boundary, South 87°26'29" East, 41.84 feet to a 5/8" rebar capped LS #1618; THENCE leaving said boundary, South 27°29'41" East, 206.31 feet to a 5/8" rebar capped LS #1618; THENCE South 20°56'22" East, 364.34 feet to the POINT OF BEGINNING containing 18,153 square feet or 0.42 acres or less.

AND

Lot 3, Vail Addition, Bentonville, Benton County, Arkansas, as shown on Informal Plat of Lot 2, Vail Addition creating Lots 3 & 4, filed for record on May 20, 2021, as Instrument No. L202137942.

**Subject to easements, rights-of-way, and protective covenants of record, if any,
Subject to all prior mineral reservations and oil and gas leases.**

David Wright

From: Erin Rushing <erin@wearetrailblazers.org>
Sent: Wednesday, August 30, 2023 8:35 AM
To: David Wright
Subject: Trailblazers to City donation
Attachments: Deed to City 082923.pdf

David, it's only been 11 years in the works...but please see attached draft deed for the properties associated with the reroute of the Razorback greenway from BHS to NEO campus.

I am still working on an easement through the BHS property with their legal team.

Please let me know if you have any questions.



R. Erin Rushing, PLA
CEO
Phone | 479-231-1365
Mobile | 479-531-9147
erin@wearetrailblazers.org
WeAreTRAILBLAZERS.org

TRAILBLAZERS

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT ACCEPTING A LAND DONATION, FROM TRAILBLAZERS, FOR THE RAZORBACK GREENWAY TRAIL CONNECTION FROM SW 14TH STREET TO BENTONVILLE HIGH SCHOOL; AND FOR OTHER PURPOSES.

WHEREAS, this project is nearing the final stages of approval with construction anticipated early next year;

WHEREAS, this land donation, from Trailblazers, will provide the property for this trail connection and allow the project to progress; and

WHEREAS, Trailblazers will cover the project cost for construction and construction management.

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

Section 1: That the Mayor and City Clerk are authorized to enter into an agreement, with Trailblazers, accepting a land donation for the Razorback Greenway Trail connection from SW 14th Street to the Bentonville High School;

Section 2 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Resolutions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2023.

APPROVED:

STEPHANIE ORMAN, MAYOR

ATTEST:

KIRBY ROMINES, CITY CLERK



City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:		Submitted By:	
Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

<input type="checkbox"/> Informational	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Enter into an Agreement	<input type="checkbox"/> Change Order
<input type="checkbox"/> Recognizing Funds	<input type="checkbox"/> Budget Adjustment	<input type="checkbox"/> Waiver of Bid	<input type="checkbox"/> Emergency Clause
<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Informational	

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$
-----------------------------	----

Budget Impact

Is this Item Budgeted? YES NO ITEM HAS NO COST OTHER: _____

Budget Adjustment (to be completed by Finance when applicable)

Account Number (ORG-OBJECT)	Account Description	\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue

Fund(s) Impacted

(check all that apply)


General Fund **Utility Fund** **Street Fund** **Other(s):** _____

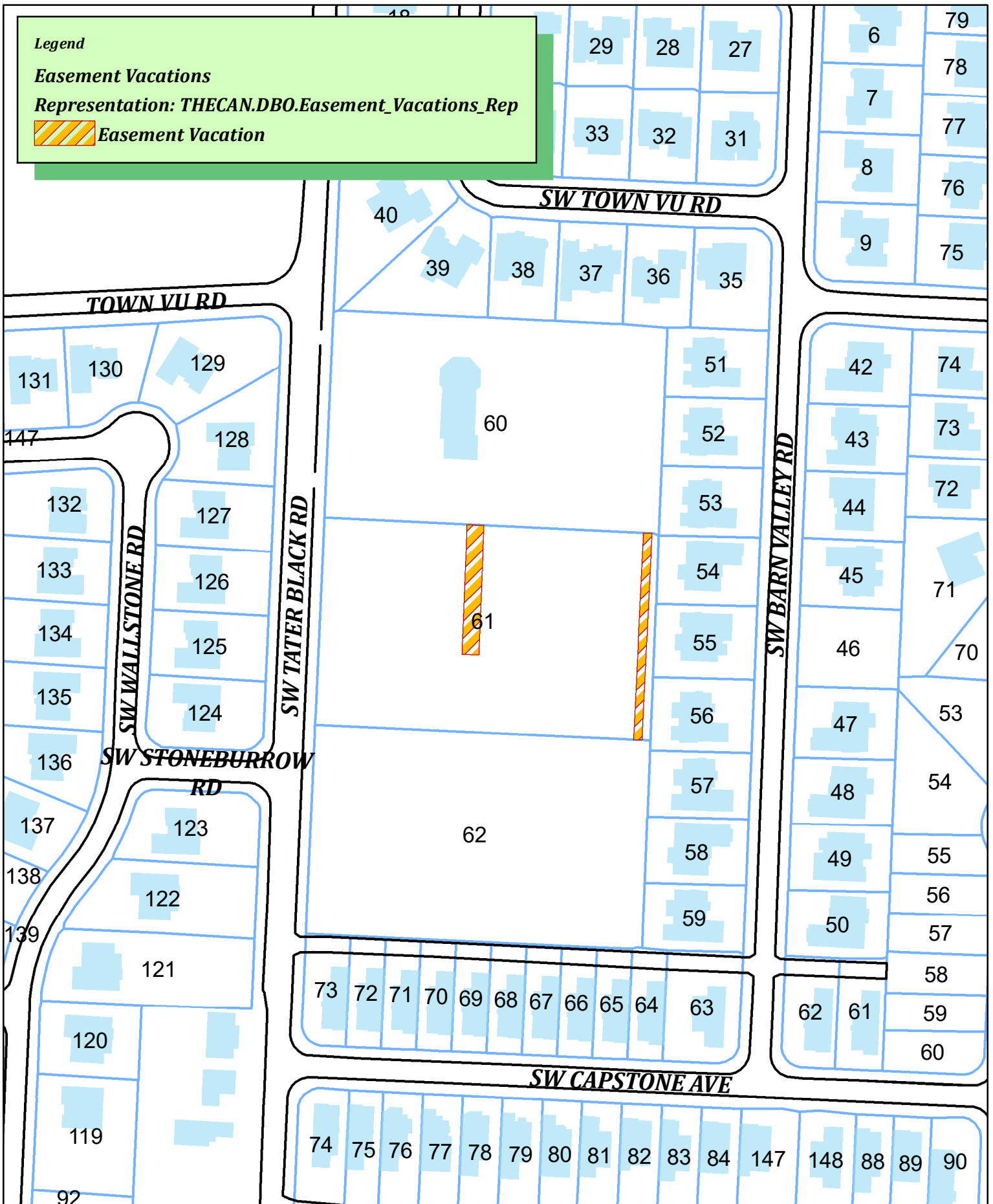
Budget Impact Notes for Consideration (Optional):

Legend

Easement Vacations

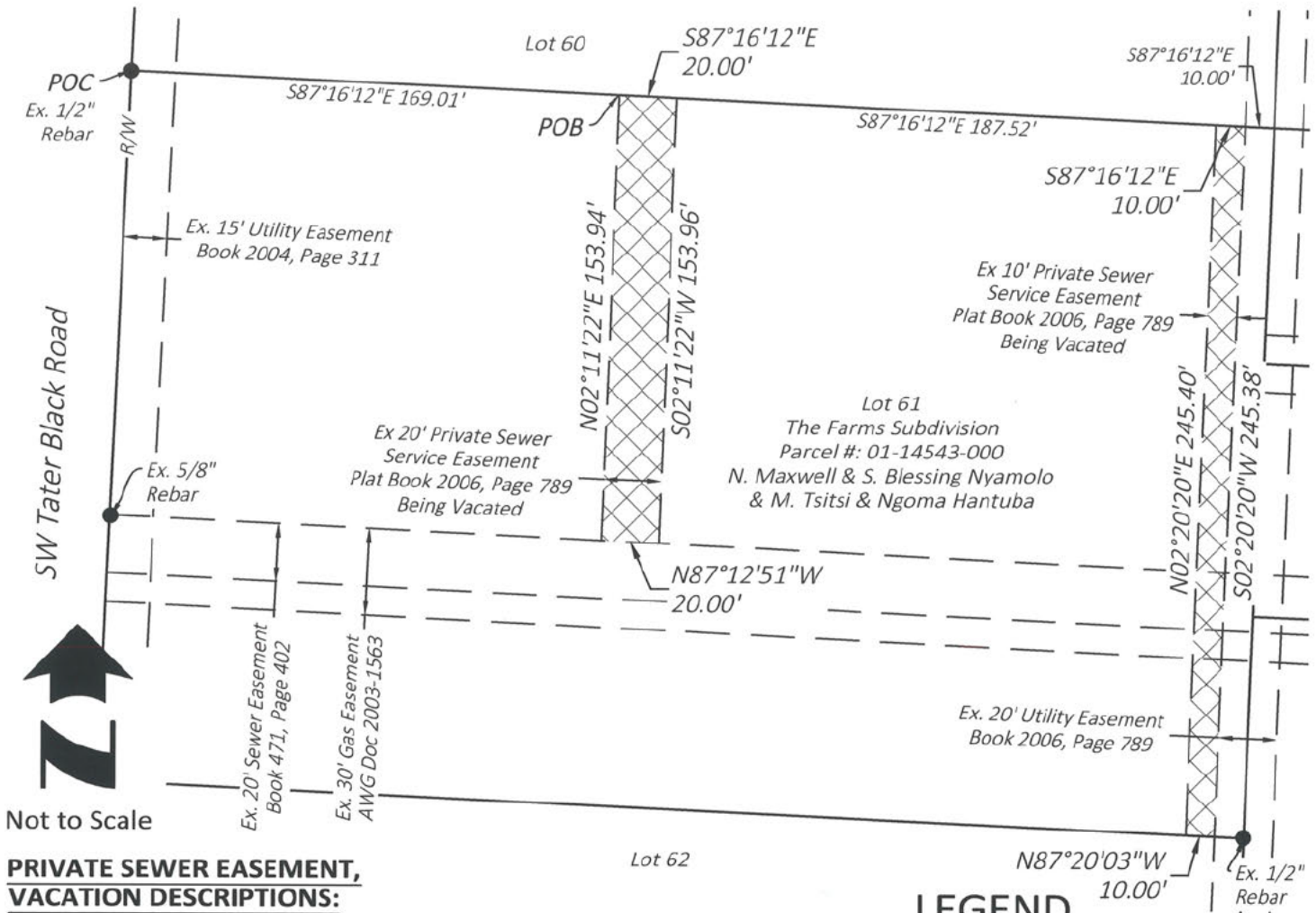
Representation: THECAN.DBO.Easement_Vacations_Rep

 **Easement Vacation**



VAC23-0018
Proposed Easement Vacation
SW Tater Black Rd.





Not to Scale




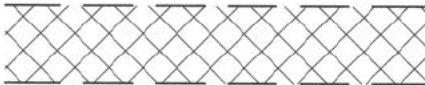

PRIVATE SEWER EASEMENT, VACATION DESCRIPTIONS:

Part of Lot 61, The Farms Subdivision to the City of Bentonville, according to Final Plat filed in Plat Book 2006 at Page 789, Benton County, Arkansas, and being more particularly described as follows: COMMENCING at the northwest corner of Lot 61; thence South 87°16'12" East a distance of 169.01 feet to the northwest corner of a 20' Private Sewer Easement and the POINT OF BEGINNING; thence South 87°16'12" East along the north line of said easement a distance of 20.00 feet; thence South 02°11'22" West along the east line of said easement a distance of 153.96 feet; thence North 87°12'51" West along the south line of said easement a distance of 20.00 feet; thence North 02°11'22" East along the west line of said easement a distance of 153.94 feet to the POINT OF BEGINNING.

AND

All of the 10' Private Sewer Easement across the West 10 feet of the East 20 feet of Lot 61.

LEGEND

-  Boundary Line
-  Ex. Right of Way Line
-  Ex. Easement Line
-  Vacated Easement
-  Ex. Rebar

Not a Survey

Page 1 of 1



2407 SE COTTONWOOD STREET • BENTONVILLE, AR 72712 • 479.273.2209 • HALFF.COM

**EXHIBIT 'A'
PRIVATE SEWER SERVICE
EASEMENT VACATION**

Bentonville, Benton Co., Arkansas

Drawn By:	JDS
Date:	07.24.2023
Project No.:	NTB-01
Drawing Name:	EXHIBIT

RESOLUTION NO. _____

IN THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

WHEREAS, a petition was duly filed with the City Council of Bentonville, Arkansas by NTBM, LLC requesting a utility easement vacations (VAC23-0018) within the City of Bentonville, Arkansas be vacated, which said utility easements is described as follows:

Part of Lot 61, The Farms Subdivision to the City of Bentonville, according to Final Plat filed in Plat Book 2006 at Page 789, Benton County, Arkansas, and being more particularly described as follows:

COMMENCING at the northwest corner of Lot 61; thence South 87°16'12" East a distance of 169.01 feet to the northwest corner of a 20' Private Sewer Easement and the POINT OF BEGINNING; thence South 87°16'12" East along the north line of said easement a distance of 20.00 feet; thence South 02°11'22" West along the east line of said easement a distance of 153.96 feet; thence North 87°12'51" West along the south line of said easement a distance of 20.00 feet; thence North 02°11'22" East along the west line of said easement a distance of 153.94 feet to the POINT OF BEGINNING.

AND

All of the 10' Private Sewer Easement across the West 10 feet of the East 20 feet of Lot 61.

WHEREAS, Ark. Code Ann. Section 14-301-302(c) provides that the City Council shall by resolution fix a day for the hearing of the petition and shall direct the City Clerk and Recorder to give notice of the meeting, by publication, once per week for two (2) consecutive weeks in some newspaper published in and having general circulation in Bentonville, Benton County, Arkansas.

NOW, THEREFORE, BE IT RESOLVED, by the City of Bentonville, Arkansas, that the petition to close the above described utility easement is set for a hearing October 24, 2023 at 6:00 p.m. in the City Council Room of the City of Bentonville, Arkansas, and the Bentonville City Clerk and Recorder is directed to give notice of this meeting by publication as set forth by Ark. Code Ann. Section 14-301-302(c).

The above and foregoing resolution was passed, approved, and adopted the ____ day of _____ 2023 at a regular meeting of the City Council of the City of Bentonville, Arkansas.

Kirby Romines, City Clerk
Bentonville, Arkansas

Stephanie Orman, Mayor
City of Bentonville, Arkansas



City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:		Submitted By:	
Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

<input type="checkbox"/> Informational	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Enter into an Agreement	<input type="checkbox"/> Change Order
<input type="checkbox"/> Recognizing Funds	<input type="checkbox"/> Budget Adjustment	<input type="checkbox"/> Waiver of Bid	<input type="checkbox"/> Emergency Clause
<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Informational	

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$
-----------------------------	----

Budget Impact

Is this Item Budgeted? YES NO ITEM HAS NO COST OTHER: _____

Budget Adjustment (to be completed by Finance when applicable)

Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		\$	\$
		\$	\$
		\$	\$
		\$	\$

Fund(s) Impacted

(check all that apply)

General Fund **Utility Fund** **Street Fund** **Other(s):** _____

Budget Impact Notes for Consideration (Optional):

ITEM	QNTY	UNIT	PART NO.	DESCRIPTION	NW Winwater Cost	Extended Cost	Lead Time
1	60	FT	4614	48" DUCTILE TYTON DIP CL350 (20' LENGTH) NOM BCL/AC (D)	\$895.65	\$53,739.00	4-6 weeks
2	4	EA	4615	48" MJ BOLT PACK MJ GASKET/BOLTS AND NUTS	\$798.05	\$3,192.20	4-6 weeks
3	4	EA	4616	48" DUCTIL MEGALUGS 1148DEC RESTRAINTS	\$3,372.50	\$13,490.00	4-6 weeks
4	1	EA	4617	48" L301 BELL ADAPTER X MJS DIAPERS/GASKETS INCLUDED	\$14,555.12	\$14,555.12	TBD
5	1	EA	4618	48" L301 SPIGOT X MJS DIAPERS/GASKETS INCLUDED	\$14,702.05	\$14,702.05	TBD
6	2	EA	4619	48" LONG SLEEVE EXPOXY COATED	\$14,790.15	\$29,580.30	6-8 weeks
						\$129,258.67	

RESOLUTION NO. _____

A RESOLUTION AWARDED BID IFB-23-56 TO NORTHWEST ARKANSAS WINWATER, FOR WATER MAIN MATERIALS NEEDED FOR THE INVENTORY WAREHOUSE, IN THE AMOUNT OF ONE HUNDRED TWENTY-NINE THOUSAND TWO HUNDRED FIFTY-EIGHT DOLLARS AND SIXTY-SEVEN CENTS (\$129,258.67), PLUS APPLICABLE TAXES; AND FOR OTHER PURPOSES.

WHEREAS, Northwest Arkansas Winwater was the sole submission for bid IFB-23-56;

WHEREAS, this agreement covers the delivery of 48” water main materials; and

WHEREAS, this will be paid with budgeted funds.

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

Section 1: The Mayor and City Clerk are authorized to enter into an agreement, with Northwest Arkansas Winwater, for the delivery of water main materials for the Inventory Warehouse, in the amount of one hundred twenty-nine thousand two hundred fifty-eight dollars and sixty-seven cents (\$129,258.67) plus applicable taxes;

Section 2 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

STEPHANIE ORMAN, MAYOR

ATTEST:

KIRBY ROMINES, CITY CLERK



City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:		Submitted By:	
Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

<input type="checkbox"/> Informational	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Enter into an Agreement	<input type="checkbox"/> Change Order
<input type="checkbox"/> Recognizing Funds	<input type="checkbox"/> Budget Adjustment	<input type="checkbox"/> Waiver of Bid	<input type="checkbox"/> Emergency Clause
<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Informational	

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$
-----------------------------	----

Budget Impact

Is this Item Budgeted? YES NO ITEM HAS NO COST OTHER: _____

Budget Adjustment (to be completed by Finance when applicable)

Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		\$	\$
		\$	\$
		\$	\$
		\$	\$

Fund(s) Impacted

(check all that apply)

General Fund **Utility Fund** **Street Fund** **Other(s):** _____

Budget Impact Notes for Consideration (Optional):



Navigation Electronics, Inc

Jonesboro, Arkansas
72455

Josh Bettis

Quote #: Q15887

Date: Aug 8, 2023

josh_bettis@neigps.com

Arkansas Survey & Construction Sales

(800) 949-1446

(870) 273-6333

CITY OF BENTONVILLE

Charlie Barnes

cbarnes@bentonvillear.com

(M) (479) 531-0020 (O) (479) 271-5946

BILL TO

3200 SW Municipal Dr

BENTONVILLE, AR 72712

SHIP TO

3200 SW Municipal Dr

BENTONVILLE, AR 72712

Line #	Part Number	Description	Qty	List Price	Gov. Discount	Gov. Total
1.	109100-10	Trimble Alloy GNSS Receiver + Zephyr 3 Geodetic Antenna, includes: Zephyr 3 Geodetic Cable - GPS 30m LMR-400 TNC/TNC Alloy Accessory Kit includes: 120030 - 2.4 GHz Wifi stick antenna 176767 - 1 Li-Ion Smart Battery 107000 - Power Supply 78651 - Power Cord Kit 78656 - Power Cord, 6 ft 59044 DB9 - Power Cable - 1.5m, DB9(F) Y to OS/7P/M to Power Jack 19309-00 - DB9 Data Cable - 1.8m, DB9/M-DB9/F, Data 50150-00 - Cable - 2M ETHERNET 10Base-T CAT5 74399-00 - Cable USB mini-B Plug Host to A JACK 74408-00 - Cable USB mini-B plug to A plug 41124 - Tripod Clip EM/TM3 Tripod 27953 - Tripod Clip Screws	1	\$ 16,015.00	\$ 800.75	\$ 15,214.25
2.	109UPG-100HZ	Trimble Alloy Upgrade - 100Hz Data Rate	1	\$ 550.00	\$ 27.50	\$ 522.50
3.	109UPG-24GB	Trimble Alloy Upgrade - 24GB Memory	1	\$ 830.00	\$ 41.50	\$ 788.50
4.	109UPG-GAL	Trimble Alloy Upgrade - Enable Galileo	1	\$ 1,655.00	\$ 82.75	\$ 1,572.25
5.	109UPG-BDS	Trimble Alloy Upgrade - Enable Beidou	1	\$ 1,655.00	\$ 82.75	\$ 1,572.25
6.	109UPG-BATT	Trimble Alloy Upgrade - Dual (second) battery	1	\$ 215.00	\$ 10.75	\$ 204.25
7.	EWTAP-ALLOY-HW	TPP - Hardware - TAP Alloy Receiver	4	\$ 860.00	\$ 172.00	\$ 3,268.00

Grand Total

\$ 23,142.00

Purchase orders should be addressed to:

Navigation Electronics, Inc

124 Toledo Dr.

Lafayette, LA 70506

Please email a copy of your order to: josh_bettis@neigps.com



NEI is a Certified
Woman Owned Small Business

Quote: Q15887

FOB: Origin, customer pays all shipping costs

Terms: Net 30

Delivery: 5 Days ARO

Valid Until: Dec 31, 2022

Order Placement Procedures

Complete and Sign this Quotation

Sign this quotation and return via email or facsimile before the expiration date: Dec 31, 2022

Complete Lease Agreement

If this order is to be leased, complete the lease agreement sent to you, following the enclosed instructions. Order fulfillment will start after the lease is approved. Please note that due to fluctuations in interest rates, leasing terms cannot be guaranteed, contact House Account to lock in rates.

Credit Card Payment

Avoid a credit card surcharge by making an **ACH payment**. Contact accounting@neigps.com for or call 337-237-1413 or 800-949-1446 for setup instructions.

Quote # Q15887

Client Representative

X _____
Approved By (Signature)

X _____
Approved By (Name)

Date

Purchase Order Number



Alloy

GNSS Reference Receiver

The Future of GNSS is here

The Trimble® Alloy GNSS receiver offers powerful performance with the latest GNSS technology in a sleek new design that is easy and intuitive to use. Whether you need GNSS for campaign work or in permanent installations, the flexible configuration delivers reliable, robust data when and where you need it.

Modernized GNSS Tracking

Using powerful Trimble 360 receiver technology in combination with dual Trimble Maxwell™ 7 chipsets, the Alloy GNSS receiver supports all known and planned GNSS constellations, ensuring your GNSS data is robust and reliable including GPS Block IIIA and BeiDou Generation III.

Intelligent Design

Review Key Info at a Glance

With a four-line angled display you can read all important information such as satellite tracking, position solution type, data logging, IP address, Wi-Fi, firmware information and battery status right on the home screen. Setup and verifying status information is now quick and easy.

Plug in and get to work

Multiple ports are easily accessible without the need for adapters in a configuration that makes it simple to plug in a variety of external sensors and antennas.

Power when you need it

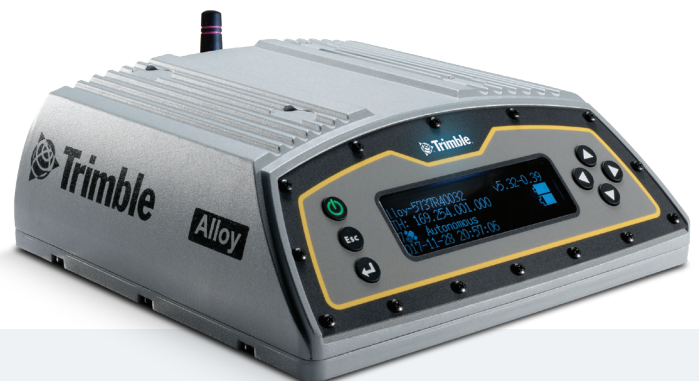
The Alloy receiver provides the most robust power options for any GNSS system. Featuring multiple power inputs with dual hot-swappable batteries, power over Ethernet, and advanced power management features, the Trimble Alloy GNSS receiver is ideal for any GNSS base station deployment.

Stackable Design

With a versatile, stackable design the Alloy GNSS receiver is built with a lightweight rugged aluminum alloy chassis which features IP68 certification. When you need to organize multiple units for deployment, simply stack and prep.

Benefits

- Dual Trimble Maxwell 7 chipsets combined with a powerful processor provides the ultimate in tracking and processing power
- Ethernet and Wi-Fi support provide ease of access, configuration, and transfer of data. Using the built-in web interface gives instant access to a simple-to-use configuration suite
- Dual hot-swappable internal batteries with integrated charging makes the Alloy receiver suitable for use in the office or remote locations, and anywhere in between
- The intelligent design features multiple connectors and stackable housing, making the Alloy receiver easy to configure for deployment
- Seamless integration to Trimble Pivot™ platform software for easy Real-Time Network operations
- Designed to an IP68 certification the Alloy receiver is ready for any environment
- Includes firmware for life so it's easy to keep your Alloy reference receiver up-to-date with the latest features, enhancements and security updates, free to install from alloy.trimble.com



Alloy

GNSS Reference Receiver



Security 24/7

Using Trimble Sentry™ technology, you can easily configure alerts that will automatically inform you of any changes to the position, data logging, configuration, tracking, power, communications, and system access events. Combined with advanced security measures such as anti-spoofing, Trimble Sentry technology ensures continued operation of your Trimble Alloy GNSS receiver.

Trimble RTX on Board

The Alloy GNSS receiver is available with Trimble RTX™ advanced positioning technology allowing for rapid real-time network coordination. Whether this is for base station deployment or monitoring, Trimble RTX technology remains locked onto your real world absolute position.

Communication

The Trimble Alloy GNSS receiver supports a wide range of communication protocols including Ethernet (IPv4 / IPv6), Bluetooth®, and Wi-Fi for flexible easy access via the built-in multi-language web interface and mini-web interface for mobile devices.

Data

Storage

The Alloy GNSS receiver can store more data in less space by using specialized compression formats. Up to twelve independent high-rate data logging sessions can be stored internally. USB compatibility ensures data portability with external data transfer and temporary external storage.

Access

Leveraging advanced communication protocols, data can be accessed via the web interface, built-in FTP server, or configured to be pushed to remote FTP sites or email accounts in multiple industry formats.



SPECIFICATIONS¹

GNSS TECHNOLOGY

Trimble RTX worldwide corrections
 Advanced Trimble dual Maxwell 7 GNSS chipset provide 672 channels for simultaneous satellite tracking and anti-spoofing capabilities
 Trimble ProPoint[®] GNSS positioning engine. Engineered for improved accuracy and productivity in challenging GNSS conditions.
 Trimble EVEREST[™] Plus multipath signal rejection
 Trimble 360 receiver technology
 High-precision multiple correlator for GNSS pseudorange measurements
 Spectrum Analyzer to troubleshoot GNSS jamming
 Trimble Sentry delivers anti-spoofing security
 Unfiltered, unsmoothed pseudorange measurements data for low noise, low multipath error, low-time domain correlation and high dynamic response

SATELLITE TRACKING

GPS: L1C, L1 C/A, L2E (L2P), L2C, L5
 GLONASS: L1 C/A² and unencrypted P code, L2 C/A and unencrypted P code, L3 CDMA
 Galileo: E1, E5A, E5B and E5AltBOC, E6
 BeiDou: B1, B2, B3, B1C, B2A, B2B
 QZSS: L1 C/A, L1C, L1S, L2C, L5, LEX/L6³
 IRNSS: L5, S-Band
 SBAS: L1 C/A (EGNOS/MSAS GAGAN/SDCM), L1 C/A and L5 (WAAS)
 L-Band: Trimble RTX

INPUT/OUTPUT FORMATS

Correction formats: CMR, CMR+, CMRx, GAGAN, RTX, RTCM 2.x, RTCM 3.x
 Observables: RT17, RT27, BINEX, RTCM 3.x
 Position/Status I/O: NMEA-0183 v2.30, GSOFF
 Up to 100 Hz output
 10 MHz external frequency input
 Normal input level 0 to +13 dBm
 Maximum input level +17 dBm, ±35 V DC
 Input impedance 50 Ohms @ 10 MHz; DC blocked

1 PPS output
 Event input
 Met/Tilt sensor support

POSITIONING PERFORMANCE

Differential positioning

Code differential GNSS positioning ⁴	Horizontal	0.25 m + 1 ppm RMS
	Vertical	0.50 m + 1 ppm RMS
SBAS differential positioning accuracy ⁵	Horizontal	0.50 m RMS
	Vertical	0.85 m RMS

Static GNSS surveying⁴

High-accuracy static	Horizontal	3 mm + 0.1 ppm RMS
	Vertical	3.5 mm + 0.4 ppm RMS
Static and Fast static	Horizontal	3 mm + 0.5 ppm RMS
	Vertical	5 mm + 0.5 ppm RMS

Real-Time kinematic surveying⁴

Single baseline < 30km	Horizontal	8 mm + 1 ppm RMS
	Vertical	15 mm + 1 ppm RMS
Networked RTK ⁶	Horizontal	8 mm + 0.5 ppm RMS
	Vertical	15 mm + 0.5 ppm RMS

Initialization time typically < 10 seconds
 Initialization reliability typically > 99.9%

SPECIFICATIONS¹

COMMUNICATION

Serial Ports:	Two 9-pin Male Two 7-pin Lemo
USB: one Mini-B USB 5-pin / RDNIS (Device and Host modes)	
Ethernet: one RJ45 (Full-duplex, auto-negotiate 100Base-T)	HTTP, HTTPS, TCP/IP, IPv4 / IPv6, UDP, FTP, NTRIP Caster, NTRIP Server, NTRIP Client, Proxy server Routing table, NTP Server, NTP Client support Email Alerts and File Push DNS client support SNMP Agent
Wi-Fi: 802.11 b/g, access point and client mode, WPA/WPA2/WEP64/WEP128 encryption	
Bluetooth ⁷ : Integrated 2.4 GHz Bluetooth; supports three simultaneous connections	

DATA LOGGING

Storage capacity:	Onboard Memory (Journaling)	up to 24 GB ⁸
Maximum data logging rate	100 Hz	
Maximum combined data logging rate	188 Hz	
File durations	1 minute to continuous	
Storage sessions	12 concurrent independent sessions with dedicated memory pooling	
File formats	T02, T04, BINEX, RINEX v2.x/3.0x, Google Earth KML/KMZ	
File naming conventions	Multiple	
Data retrieval and transfer	HTTP, FTP Server, USB	
Events	Definable file protection on events	

PHYSICAL SPECIFICATIONS

Alloy receiver dimensions (L x W x H)	20.98 cm x 21.36 cm x 7.62 cm (8.41 in x 8.26 in x 3 in)	
Alloy receiver dimensions with brackets attached (L x W x H)	26.77 cm x 21.36 cm x 8.3 cm (8.41 in x 10.54 in x 3.27 in)	
Weight	2.34 kg (5.17 lbs)	

ENVIRONMENT

Operating temperature ^{9,10}	-40 °C to +65 °C (-40 °F to +149 °F)	
Storage temperature	-40 °C to +80 °C (-40 °F to +176 °F)	
Humidity	100% condensing	
Shock	Operating	40 g per MIL-STD-810G Table 5.16.6-VII
	Non operating	75 g per MIL-STD-810G Table 5.16.6-VII Designed to survive 1 m bench drop
Vibration	Operating	MIL-STD-810G Fig. 5.14.6C-1 Category 4
	Ingress protection	IP68 Certified per IEC-60529 - waterproof/dustproof (1 m submersion for 1 hr)

USER INTERFACE

Front panel display	4-line x 32 character reversible OLED display 7 button input configuration Adjustable LED backlighting
Multiple language support for front panel and web UI – Chinese, Dutch, English, Finnish, French, German, Italian, Japanese, Norwegian, Polish, Portuguese, Russian, Spanish, Swedish	
Web user interface: Allows remote configuration, data retrieval, and firmware updates over HTTPS/HTTP	

ANTENNA SUPPORT

Output voltage	5 V DC nominal
Maximum output current	150 mA
Maximum cable loss	12 dB
Recommended antennas	Trimble Zephyr™ 3 Geodetic, Trimble GNSS-Ti v2 Choke Ring



Alloy

GNSS Reference Receiver

SPECIFICATIONS¹

SECURITY	
HTTP login	
HTTPS/SSL	
Programmatic interface authentication	
NTRIP	
IP filtering	
ELECTRICAL	
Power over Ethernet (PoE) 802.3af (Type 1), 802.at (Type 2)	
10.8 to 28.0 V DC input on 2 Lemo ports	User-configurable power-on voltage
	User-configurable power-down voltage
User-configurable 12 V DC power output on serial port #2	
Integrated dual hot-swappable smart batteries (7.4 V, 7800 mA-hr, Li-Ion batteries) with up to 15 hours of continuous operation	
Seamless switching between external/internal power sources	
Configurable minimum input voltage for battery charging	
Integrated battery charging circuitry	
Power consumption – 3.8 W or higher, dependent on user settings	
REGULATORY COMPLIANCE	
FCC Part 15 (Class B device), CISPR 32, 24	
RED CE Mark	
RCM	
UN 38.3 – ST/SG/AC.10/27/Add.2 Rev.5 (Li-Ion battery)	
IEC 62133(Ed.2) and EN 62133: 2013 (Li-Ion battery)	
RoHS, China RoHS, WEEE	

1 Specifications subject to change without notice.
 2 L2 C/A on GLONASS-M satellites.
 3 LEX/L6 supported on QZSS Block I satellites.
 4 Accuracy may be subject to degradation by multipath interference, obstructions, satellite geometry and atmospheric conditions. Always follow recommended survey practices.
 5 Depends on WAAS/EGNOS system performance.
 6 Networked RTK PPM values are reference to the closest physical base station.
 7 Bluetooth type approvals are country specific.
 8 Trimble's highly efficient T02 data logging format makes this equivalent to 32 GB to 55 GB for competitive receivers.
 9 Operating temperature when connected to external DC supply. To protect the removable Li-Ion batteries from extreme temperatures, the battery charger only operates from 5 °C to 35 °C (41 °F to 95 °F).
 10 If operated only with batteries and no external DC supply, operating temperature is -20 °C to +55 °C (-4 °F to +131 °F).

Contact your local Trimble Authorized Distribution Partner for more information

NORTH AMERICA
 Trimble Inc.
 10368 Westmoor Dr
 Westminster CO 80021
 USA

EUROPE
 Trimble Germany GmbH
 Am Prime Parc 11
 65479 Raunheim
 GERMANY

ASIA-PACIFIC
 Trimble Navigation
 Singapore PTE Limited
 3 HarbourFront Place
 #13-02 HarbourFront Tower Two
 Singapore 099254
 SINGAPORE



RESOLUTION NO. _____

A RESOLUTION ADJUSTING THE 2023 BUDGET; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH NAVIGATION ELECTRONICS, INC., FOR THE PURCHASE OF A TRIMBLE REFERENCE STATION, IN THE AMOUNT OF TWENTY-THREE THOUSAND ONE HUNDRED FORTY-TWO DOLLARS (\$23,142.00), PLUS APPLICABLE TAXES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Bentonville Electric Department is requesting to purchase an upgraded Trimble Reference Station due to outdated software components;

WHEREAS, the current Trimble software is still using Windows XP and is no longer supported; and

WHEREAS, a budget adjustment will be needed for this purchase to update Vendor name in the related line item.

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

Section 1: The Mayor and City Clerk are authorized to enter into an agreement with Navigation Electronics Inc., in the amount twenty-three thousand one hundred forty-two dollars (\$23,142.00) plus applicable taxes, for the purchase of a Trimble Reference Station;

Section 2: The 2023 Budget is adjusted to reflect that funds within account 47510 be used for this purchase;

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2023.

Attest:

KIRBY ROMINES, City Clerk

APPROVED:

STEPHANIE ORMAN, Mayor



Consent Agenda Item

For the Planning Commission meeting on October 9, 2023

Reviewer: Luke Aitken, Planning Technician

Details

1. Final Plat: Walnut Grove Phase 1, RLP Developments, LLC, Southwest Barron Road and Piercy Road, R-1, Low-density Single-family Residential, *FP23-0006*

This property is located at the Northeast Corner of Southwest Barron Road and Piercy Road. It is currently zoned R-1, Single Family Residential. Adjacent zonings include R-1, Single Family Residential to the North and East, A-1, Agriculture to the South, and I-1, Light Industrial to the West. The applicant is proposing a final plat for Phase 1 of Walnut Grove Subdivision. This includes the southwest portion of the approved Preliminary Plat. This plat will create 83 single-family lots. The plat dedicates utility easements to serve the newly created lots. All requirements of the Zoning and Land Development code are being met. The plat dedicates right-of-way along Barron and Piercy Road to meet the requirements of the Master Street Plan. There are no waivers associated with this project.

Legend

 Pending PC Item

SW LEE LN

SW BARRON RD

PIERCY RD



FP23-0006
Final Plat
Walnut Grove Subdivision Phase 1
Lots 1-82

1 inch = 308 feet

Page 4

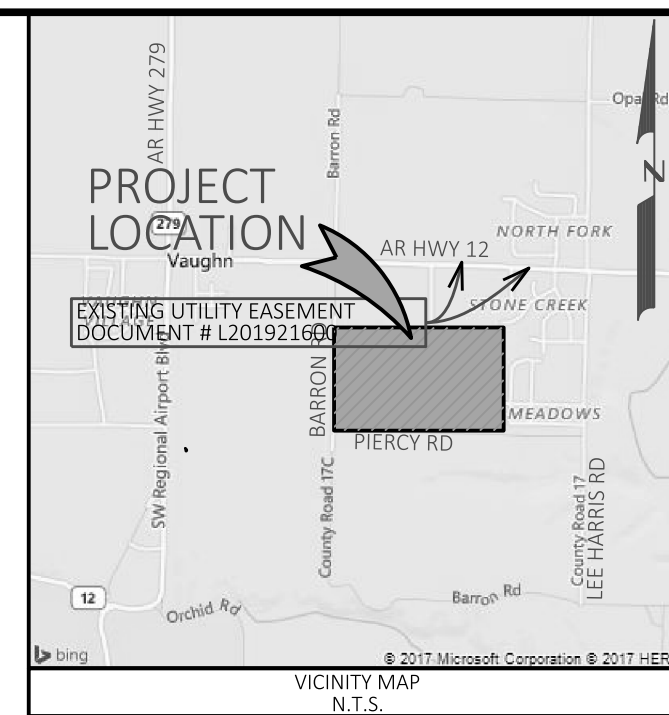


ADJOINING PROPERTY OWNER'S					
INDEX #	PARCEL #	NAME	ADDRESS	LOT/BLOCK SUBDIVISION	ZONING
1	01-13346-000	NICKELL INVESTMENTS LLC	3232 W DRAKESTONE, FAYETTEVILLE, AR 72704-6367	LOT # 9 HIGH MEADOWS SUBDIVISION	R-1
2	01-13349-000	KYLINN W KRAMPF	8600 SW SHADY RD, BENTONVILLE, AR 72713	LOT # 12 HIGH MEADOWS SUBDIVISION	R-1
3	01-13350-000	PEDIGREE PROPERTIES INC	53 KINTIRE DR, BENTONVILLE, AR 72715	LOT # 13 HIGH MEADOWS SUBDIVISION	R-1
4	01-13351-000	PHOUNG WEEKS	352 WALNUT RIDGE LN, FAYETTEVILLE, AR 72704	LOT # 14 HIGH MEADOWS SUBDIVISION	R-1
5	01-13352-000	CHRISTOPHER L & HOLLY E McMASTER	6606 SW SHADY RD, BENTONVILLE, AR 72713	LOT # 15 HIGH MEADOWS SUBDIVISION	R-1
6	01-13353-000	JESSE HENSLEY	6606 SW SHADY RD, BENTONVILLE, AR 72713	LOT # 16 HIGH MEADOWS SUBDIVISION	R-1
7	01-13354-000	BRADLEY S STEFFENS	6610 SW SHADY RD, BENTONVILLE, AR 72713	LOT # 17 HIGH MEADOWS SUBDIVISION	R-1
8	01-13355-000	MARTHA FITCH	6612 SW SHADY RD, BENTONVILLE, AR 72713	LOT # 18 HIGH MEADOWS SUBDIVISION	R-1
9	01-13356-000	JASON HEDEN	6614 SW SHADY RD, BENTONVILLE, AR 72713	LOT # 19 HIGH MEADOWS SUBDIVISION	R-1
10	01-13357-000	ARNULFO PEREZ	13980 LC HICKMAN RD, GRAVETTE, AR 72736	LOT # 20 HIGH MEADOWS SUBDIVISION	R-1
11	01-13358-000	STEVE L & AMANDA V MORRISON	6702 SW SHADY RD, BENTONVILLE, AR 72713	LOT # 21 HIGH MEADOWS SUBDIVISION	R-1
12	01-13359-000	BRYAN LEMUS	6704 SW SHADY RD, BENTONVILLE, AR 72713	LOT # 22 HIGH MEADOWS SUBDIVISION	R-1
13	01-13360-000	PAUL & SARA VINSON	6706 SW SHADY RD, BENTONVILLE, AR 72713	LOT # 23 HIGH MEADOWS SUBDIVISION	R-1
14	01-13361-000	STRAWBERRY RIVER INVESTMENTS	11187 E STONEBRIAR DR, BENTONVILLE, AR 72712	LOT # 24 HIGH MEADOWS SUBDIVISION	R-1
15	01-13362-000	EDIE JUSTIN BOLINGER	6411 SW MEADOW WELLS AVE, BENTONVILLE, AR 72713	LOT # 25 HIGH MEADOWS SUBDIVISION	R-1
16	15-18762-000	WAYNE ALEXANDER TRUST	PO BOX 698, PINEVILLE, MO 64856		NONE
17	01-08215-100	RLP INVESTMENTS INC	PO BOX 3207, BENTONVILLE, AR 72712		A-1
18	01-08215-115	CAROLYN GRIMSLEY FAMILY IRREVOCABLE TRUST	6349 LEE HARRIS RD, BENTONVILLE, AR 72713		A-1
19	01-11495-000	GEORGIA M LITTELL TRUST	84438 707 TRAIL, SALEM, NE 68433	LOT # 2 VAUGHN SUBDIVISION	R-1
20	01-11494-000	FT SCOTT PROPERTY LLC	PO BOX 8050 MAIL STOP 0555, BENTONVILLE, AR 72716	LOT # PT1 VAUGHN SUBDIVISION	L-1
21	01-07968-050	RONALD L MOORE	6565 BARRON RD, BENTONVILLE, AR 72713	LOT # PT1 HARRIS ADDITION	A-1
22	01-16729-001	MICHAEL JOHN & LEONA BETH PERKINS REV TRUST	7355 SW REGIONAL AIRPORT BLVD, BENTONVILLE, AR 72713		A-1
23	01-16729-000	DANA MICHELLE REYNOLDS	6108 SW LEE LN, BENTONVILLE, AR 72712	LOT # PT1 HARRIS ADDITION	A-1
24	01-07968-013	EDWARD & IMELDA FRAIL REV TRUST	6103 SW LEE LN, BENTONVILLE, AR 72713		A-1
25	01-13908-000	RICE FAMILY LIVING TRUST	6405 SW PUPPY PL, BENTONVILLE, AR 72713	LOT #9 STONECREEK SUBDIVISION	R-1

PARENT TRACT SURVEY DESCRIPTION:

A PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF THE NW 1/4 OF SAID SECTION 21; THENCE ALONG THE WEST LINE OF SAID NW 1/4 N 02°05'21" E 992.10'; THENCE LEAVING SAID WEST LINE S 87°08'10" E 263.81'; THENCE N 02°07'17" E 330.55' TO THE NORTH LINE OF THE S 1/2 OF SAID NW 1/4; THENCE ALONG SAID NORTH LINE S 87°15'21" E 2378.04' TO THE NE CORNER OF THE SE 1/4 OF THE NW 1/4; THENCE ALONG THE EAST LINE OF SAID NW 1/4 S 02°09'46" W 1324.40' TO THE SE CORNER OF SAID NW 1/4; THENCE ALONG THE SOUTH LINE OF SAID NW 1/4 N 87°12'19" W 2640.35' TO THE POINT OF BEGINNING AND CONTAINING 78.23 ACRES. PROPERTY IS SUBJECT TO THE RIGHT OF WAYS OF THE COUNTY ROADS AND TO ANY EASEMENTS OF RECORD.



LOT AREA TABLE			
LOT #	AREA (SF)	LOT #	AREA (SF)
1	8.262	42	6.222
2	7.704	43	6.222
3	6.222	44	6.222
4	6.222	45	6.222
5	6.222	46	6.222
6	6.222	47	6.222
7	6.222	48	6.222
8	6.222	49	6.222
9	6.222	50	7.704
10	6.222	51	7.704
11	6.457	52	6.222
12	12.409	53	6.222
13	6.093	54	6.222
14	6.291	55	6.222
15	7.600	56	6.222
16	7.843	57	6.222
17	6.222	58	6.222
18	6.222	59	6.222
19	6.222	60	6.222
20	6.222	61	7.704
21	6.222	62	7.704
22	6.222	63	7.768
23	6.222	64	7.760
24	6.222	65	6.263
25	6.222	66	6.260
26	7.704	67	6.257
27	7.704	68	6.254
28	6.222	69	6.250
29	6.222	70	6.247
30	6.222	71	6.244
31	6.222	72	6.241
32	6.222	73	6.238
33	6.222	74	8.843
34	6.222	75	13.822
35	6.222	76	10.251
36	6.222	77	6.291
37	7.704	78	6.380
38	7.704	79	6.469
39	7.704	80	6.552
40	7.704	81	6.602
41	6.222	82	8.161

CURVE TABLE					
Curve No.	Radius	Arc Length	Chord Length	Chord Bearing	Delta Angle
1	18.00	28.68	25.32	S42°33'49"E	90°35'43"
2	18.50	29.06	26.16	N47°44'02"E	90°00'00"
3	18.50	29.06	26.16	S42°15'58"E	89°59'60"
4	18.50	22.04	20.76	N58°36'04"E	111°44'03"
5	360.00	18.81	18.81	N25°5'53"E	177°00'24"
6	310.00	12.57	12.57	N26°18'01"E	177°40'39"
7	310.00	72.33	72.17	N18°27'16"E	166°37'52"
8	310.00	48.89	48.84	N07°15'07"E	170°57'50"
9	360.00	50.73	50.69	N08°48'15"E	171°55'35"
10	100.00	26.12	26.04	S79°47'00"E	165°02'05"
11	335.00	144.58	143.46	N15°05'52"E	155°16'21"
12	56.50	88.75	79.90	S42°15'58"E	89°59'60"
13	18.00	16.87	16.26	N65°53'32"E	126°18'59"
14	60.00	56.22	54.18	N65°53'32"E	126°18'59"
15	60.00	94.25	84.85	S42°15'58"E	90°00'00"
16	60.00	56.22	54.18	N29°34'33"E	126°18'59"
17	18.00	16.87	16.26	N29°34'33"E	126°18'59"
18	18.50	29.06	26.16	N47°44'02"E	89°59'60"
19	18.50	29.06	26.16	S42°15'58"E	90°00'00"
20	18.00	28.46	25.59	N47°26'11"E	89°24'17"
21	34.00	52.54	47.46	S42°56'57"E	91°28'03"
22	4965.00	13.67	13.67	N02°03'36"E	179°50'32"
23	4965.00	57.55	57.55	N01°38'56"E	179°20'09"
24	5000.00	71.72	71.72	N01°43'40"E	179°10'41"
25	46.00	99.96	81.42	N60°03'59"W	55°29'43"
26	46.00	44.09	42.42	S30°11'27"W	125°05'10"
27	46.00	42.99	41.44	S65°57'37"W	126°27'10"
28	46.00	11.11	11.08	N09°39'06"E	166°09'53"
29	46.00	11.11	11.08	S85°48'59"W	166°09'53"
30	46.00	72.26	65.05	N47°44'02"E	90°00'00"
31	46.00	13.49	13.44	N49°14'53"E	163°12'01"

NOTES:

LOTS DESIGNATED AS "COMMON AREA" WILL BE OWNED AND MAINTAINED BY EITHER THE DEVELOPER OR THE PROPERTY OWNERS ASSOCIATION.

SIDEWALK CONSTRUCTION SHALL BE THE RESPONSIBILITY OF THE BUILDER OR OWNER/DEVELOPER AT THE TIME OF BUILDING PERMIT ISSUANCE AND IN ACCORDANCE WITH THE CITY OF BENTONVILLE DESIGN STANDARDS. ANY DAMAGE THAT OCCURS WITHIN THE RIGHT-OF-WAY DURING THE HOME/LOT CONSTRUCTION ACTIVITIES SHALL BE THE RESPONSIBILITY OF THE HOME/BUILDER OR OWNER/DEVELOPER TO REPLACE TO CITY STANDARDS. THIS INCLUDES ANY EXISTING SIDEWALKS OR ADA RAMPS THAT ARE DAMAGED.

THERE MAY BE NO FENCES OR ANY STRUCTURE BUILT IN ANY DRAINAGE EASEMENTS.

NO RESIDENTIAL LOT SHALL BE PERMITTED DIRECT ACCESS TO A COLLECTOR, MINOR, OR MAJOR ARTERIAL STREET. ALL RESIDENTIAL SUBDIVISION DEVELOPMENT CONTIGUOUS TO A COLLECTOR, MINOR, OR MAJOR ARTERIAL STREET SHALL ORIENT FRONTAGE TO A LOCAL STREET, AND OF THE BACK OF THE PROJECT, WITHOUT ACCESS TO THE SAID MAJOR STREETS.

THE SURVEYOR HAS NOT MADE A SEPARATE INVESTIGATION OR SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, OR RESTRICTIVE COVENANTS. ANY EASEMENTS SHOWN HEREON CAME TO THE ATTENTION OF THE SURVEYOR IN THE COURSE OF HIS RESEARCH OF THE PROPERTY BOUNDARY. OTHER RECORD EASEMENTS, ENCUMBRANCES, OR COVENANTS MAY EXIST ON THE SURVEYED PROPERTY.

SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT CONSIDERED A PART OF THIS SURVEY AND NO INVESTIGATION OF THESE CONDITIONS WERE MADE.

NO WETLANDS WERE FOUND ON THIS SITE PER FTN PROJECT NO. 18270-1936-001.

THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED WETLANDS DETERMINATION AND PLAT RECORD. IN ADDITION, NO INDEPENDENT STUDY OF WETLANDS DETERMINATION OF THE SURVEYED PROPERTY HAS BEEN DONE BY THE SURVEYOR AND NO OPINION OF WETLANDS DETERMINATION IS INCLUDED IN THIS SURVEY.

THE PROPERTY SURVEYED IS WITHIN THE MUNICIPAL LIMITS OF BENTONVILLE, ARKANSAS.

"BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND OR OWNER IS TO OBTAIN RIGHT-OF-WAY PERMIT FROM THE CITY OF BENTONVILLE TRANSPORTATION DEPARTMENT"

"OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO ENSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE"

DEFINITIONS:
 B.L. - BUILDING LINE
 BRW - BOTTOM OF RETAINING WALL
 CPP - CORRUGATED PLASTIC PIPE
 D.E. - DRAINAGE EASEMENT
 EX - EXISTING
 FES - FLARED END SECTION
 F.H.A. - FIRE HYDRANT ASSEMBLY
 FL - FLOW LINE
 G.P.M. - GALLONS PER MINUTE
 HE - HORIZONTAL ELLIPTICAL
 I.E. - INVERT ELEVATION
 LF - LINEAL FEET
 R - RADIUS
 RCP - REINFORCED CONCRETE PIPE
 R.O.W. - RIGHT OF WAY
 S.F. - SQUARE FEET
 TC - TOP OF CURB
 TP - TOP OF PAVEMENT
 T-RIM - TOP OF RIM
 TRW - TOP OF RETAINING WALL
 TW - TOP OF WALK
 U.E. - UTILITY EASEMENT
 U.G.E. - UNDERGROUND ELECTRIC

PROJECT INFORMATION:

CURRENT ZONING: R-1

R-1 SETBACKS:
 PER CITY OF BENTONVILLE CODE

PHASE SUMMARY:
 PHASE 1- 83 LOTS

TOTAL SITE AREA: 78.23 ACRES
 PHASE 1 AREA: 18.66 ACRES
 PARCEL NUMBERS: 01-07968-052
 & 01-07968-062

PROJECT ADDRESS:
 BARRON RD & PIERCY RD
 BENTONVILLE, AR 72712

SURVEY NOTES:

1. THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE SEAL AND SIGNATURE OF THE SURVEYOR.
2. BASIS OF BEARINGS: ARKANSAS STATE PLANE COORDINATES-NORTH ZONE PER GPS OBSERVATION USING MONUMENT #116 OF THE CITY OF BENTONVILLE GPS GRID AS A POINT OF ORIENTATION.
3. THIS SURVEY MEETS CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND PLATS FOR THE STATE OF ARKANSAS.
4. NO CURRENT ABSTRACT OR TITLE OPINION WAS FURNISHED TO THE SURVEYOR AT THE TIME OF THIS SURVEY. THEREFORE ALL EASEMENTS, RIGHTS-OF-WAY, OR RESTRICTIONS, OF RECORD, MAY NOT BE SHOWN HEREON.

FLOOD CERTIFICATION:

THIS PROPERTY IS NOT LOCATED WITHIN ANY PRESENTLY ESTABLISHED 100-YEAR FLOOD PLAIN, AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP FOR BENTON COUNTY, ARKANSAS AND INCORPORATED AREAS. MAP NUMBER:05007CO245 K. EFFECTIVE DATE:JUNE 05, 2012.

CERTIFICATE OF OWNERSHIP:

WE THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED, AND SUBDIVIDED AND DO HEREBY LAY OFF, PLAT, SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC THE STREETS, ALLEYS, DRIVES, EASEMENTS, ETC. AS SHOWN ON SAID PLAT.

DATE OF EXECUTION: _____ SIGNED: _____

NAME AND ADDRESS: _____

PRINT NAME: _____
 SOURCE OF TITLE: D.R.

PAGE _____

CERTIFICATE OF APPROVAL:
 PURSUANT TO THE BENTONVILLE LAND DEVELOPMENT CODE AND ALL OTHER CONDITIONS AND APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

DATE OF EXECUTION: _____

SIGNED: _____
 BENTONVILLE PLANNING COMMISSION CHAIRMAN

SIGNED: _____
 MAYOR CITY OF BENTONVILLE

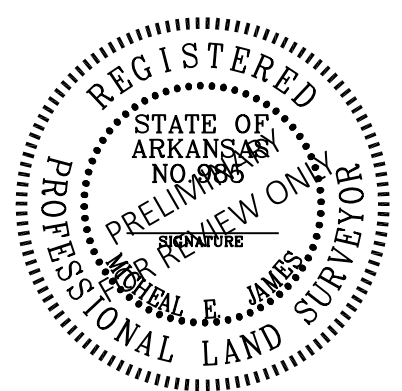
SIGNED: _____
 CITY CLERK OF BENTONVILLE

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE HEREON PLATTED AND DESCRIBED SURVEY WAS COMPLETED AND MONUMENTS WERE FOUND OR SET AS SHOWN ON NOVEMBER 7, 2017.

MICHAEL E. JAMES, PLS #985
 BENTON COUNTY SURVEYOR

IF THE SIGNATURE ON THIS SEAL IS NOT RED COLORED, THE PLAT IS A COPY THAT SHOULD BE ASSUMED TO CONTAIN UNAUTHORIZED ALTERATIONS. THE CERTIFICATION CONTAINED ON THIS DOCUMENT SHALL NOT APPLY TO ANY COPIES. ALL INFORMATION SHOULD BE DISREGARDED UNLESS VERIFIED BY THE PROFESSIONAL LAND SURVEYOR WHOSE SIGNATURE APPEARS TO THE SIDE.



1	PER CITY COMMENTS	RDH	08-28-23
2	PER CITY COMMENTS	ZAM	08-14-23
NO.	REVISIONS	BY	DATE

CIVIL ENGINEERING, INC.

P.O. Box 12, 701 S Mt Olive, Siloam Springs, Arkansas 72761
 (479)524-9956 Phone or (479)524-4747 Fax
 E-MAIL: mail@civilengineeringss.com

FINAL PLAT FOR

WALNUT GROVE SUBDIVISION PHASE 1

BENTONVILLE, ARKANSAS

SURVEY BY: JAMES SURVEYING P.O. Box 617 Gentry, AR 72734 (479) 736-8416	OWNER/DEVELOPER RLP INVESTMENTS, INC P.O. Box 3207 BENTONVILLE, AR 72713 (479) 268-4128	PLAT CODE: 500-19N-31W-0-21-400-04-0985
JOB NUMBER 1677	DATE JUNE 23, 2023	SCALE: 1"=100' H 1"= -NA- V
SHEET NO. 1 OF 4		

NW CORNER
SW1/4, NW1/4
21-19-31

BENTONVILLE
G.P.S.
MONUMENT 116
EL - 1263.60

EXISTING UTILITY EASEMENT
DOCUMENT # L201921600

EXISTING UTILITY EASEMENT
PLAT - BOOK 2013 PAGE 162

22
S87°15'21"E 2378.04

83
FUTURE
PHASES

BASIN 2
100-YEAR W.S.
ELEV-1226.27

S87°08'10"E 263.81

S87°08'10"E
31.58

6.00'
1.00'

N02°44'02"E
28.70

S87°15'58"E
112.43

S02°08'20"W 218.11

75.34

56.50

20' UE

57.19

20' UE

56.50

20' UE

56.50

20' UE

56.50

20' UE

56.50

20' UE

56.50

20' UE

56.50

20' UE

56.50

20' UE

56.50

20' UE

56.50

20' UE

56.50

20' UE

56.50

20' UE

56.50

20' UE

56.50

20' UE

56.50

20' UE

56.50

20' UE

56.50

20' UE

56.50

20' UE

56.50

N54°37'15"E
71.69

N27°06'39"E
40.06

S54°37'15"W
68.81

S27°06'39"W
41.37

S62°32'19"E 227.68

20.00' DE

N43°05'52"E 186.80

S43°05'52"W 188.82

S46°54'08"E
20.00

S27°17'24"W
56.61

S18°27'16"W
48.03

S05°00'33"W
64.49

N87°15'58"W
28.70

S02°44'02"W 546.19

80.00' UE & DE

S87°15'58"E 673.00

GRAVEL ACCESS DRIVE

N87°15'58"W 747.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

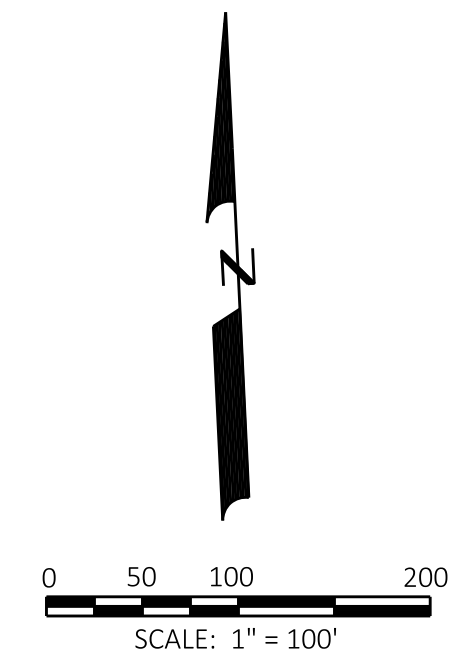
S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00

S87°15'58"E 740.00



- LEGEND**
- EASEMENT
 - ⊙ BENTONVILLE G.P.S. MONUMENT 116
 - ⊗ FOUND ALUMINUM CAP
 - ⊗ FOUND MAG NAIL
 - ⊗ FOUND IRON PIPE
 - ▲ FOUND RAILROAD SPIKE
 - FOUND IRON PIN
 - ▨ LIGHT DUTY ASPHALT PAVING
 - ▨ CONCRETE SIDEWALK (BY DEVELOPER)
 - ▨ GRAVEL ACCESS DRIVE
 - ▨ CONCRETE ACCESS DRIVE
 - - - STORM SEWER CENTERLINE
 - SANITARY SEWER MANHOLE
 - ⊙ FIRE HYDRANT ASSEMBLY
 - ⊗ GATE VALVE
 - OVER HEAD ELECTRIC LINE
 - ⊗ POWER/UTILITY POLE

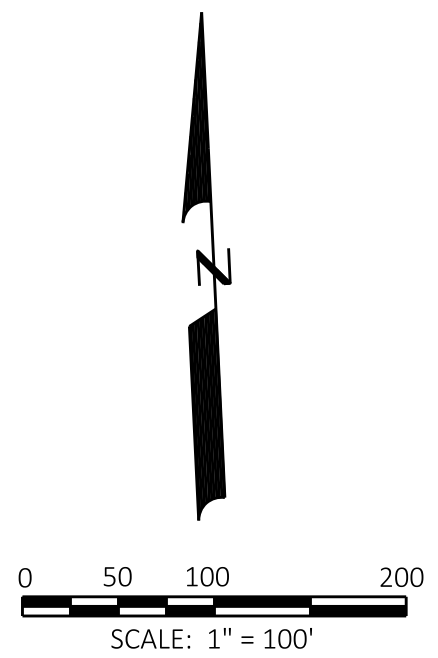
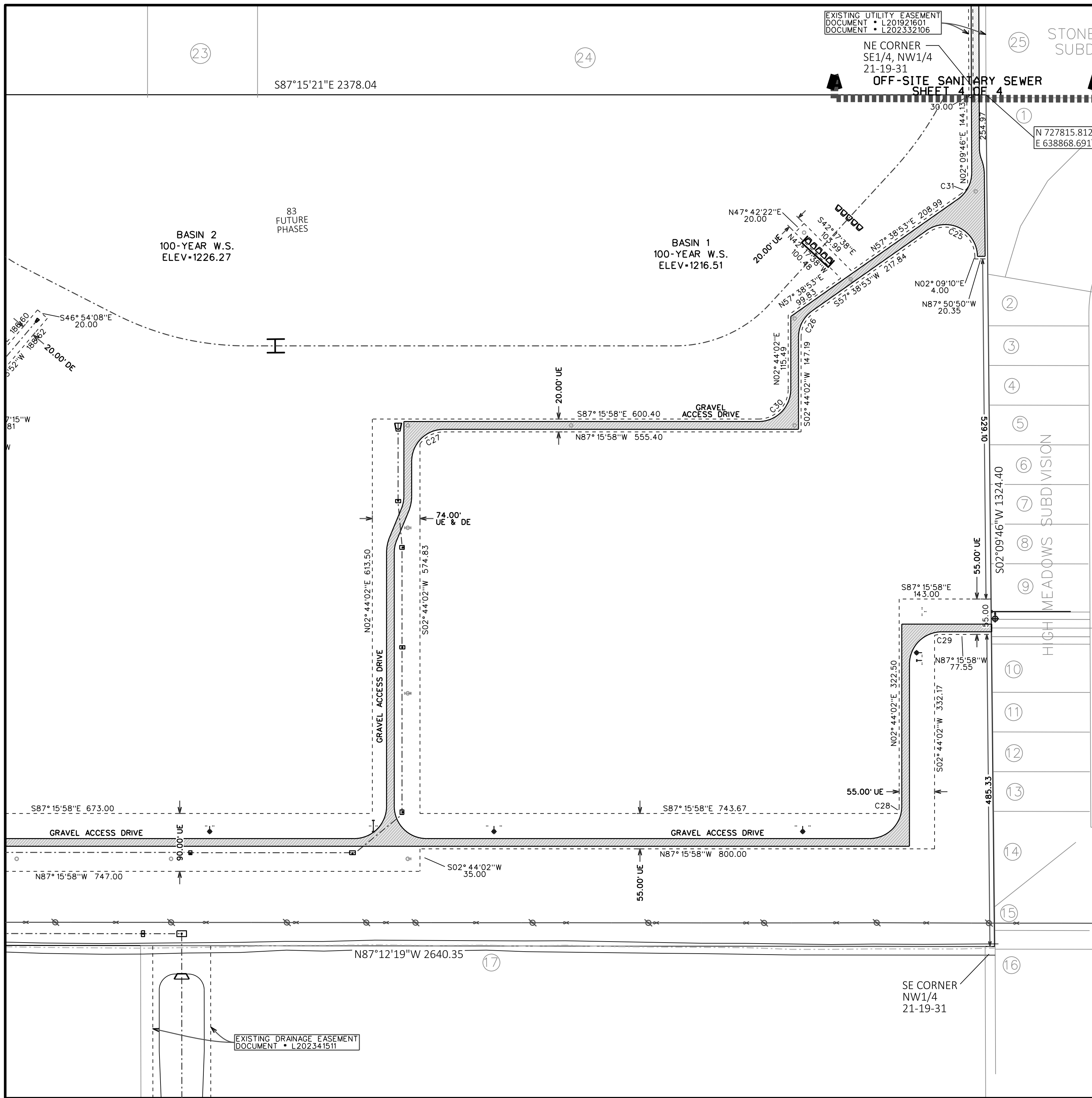
1	PER CITY COMMENTS	RDH	08-28-23
2	PER CITY COMMENTS	ZAM	08-14-23
NO.	REVISIONS	BY	DATE

CIVIL ENGINEERING, INC.
P.O. Box 12, 701 S Mt Olive, Siloam Springs, Arkansas 72761
(479)524-9956 Phone or (479)524-4747 Fax
E-MAIL: mail@civilengineeringss.com

FINAL PLAT FOR WALNUT GROVE SUBDIVISION PHASE 1 BENTONVILLE, ARKANSAS			
SURVEY BY: JAMES SURVEYING PO Box 617 Gentry, AR 72734 (479) 736-8416	OWNER/DEVELOPER RLP INVESTMENTS, INC P.O. Box 3207 BENTONVILLE, AR 72713 (479) 268-4128	PLAT CODE: 500-19N-31W-0-21-400-04-0985	
JOB NUMBER 1677	DATE JUNE 23, 2023	SCALE: 1"=100' H 1"= -NA- V	SHEET NO. 2 OF 4

SITE TBM
N 726621.056
E 636181.697
EL 1294.46

P.O.B.
SW CORNER
NW1/4
SECTION 21
T-19-N, R-31-W

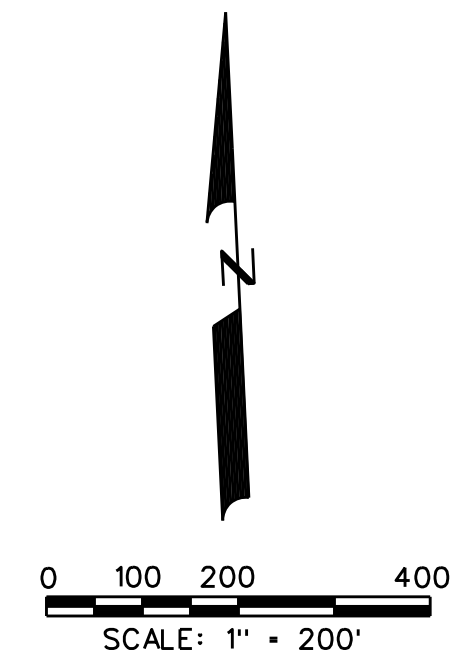
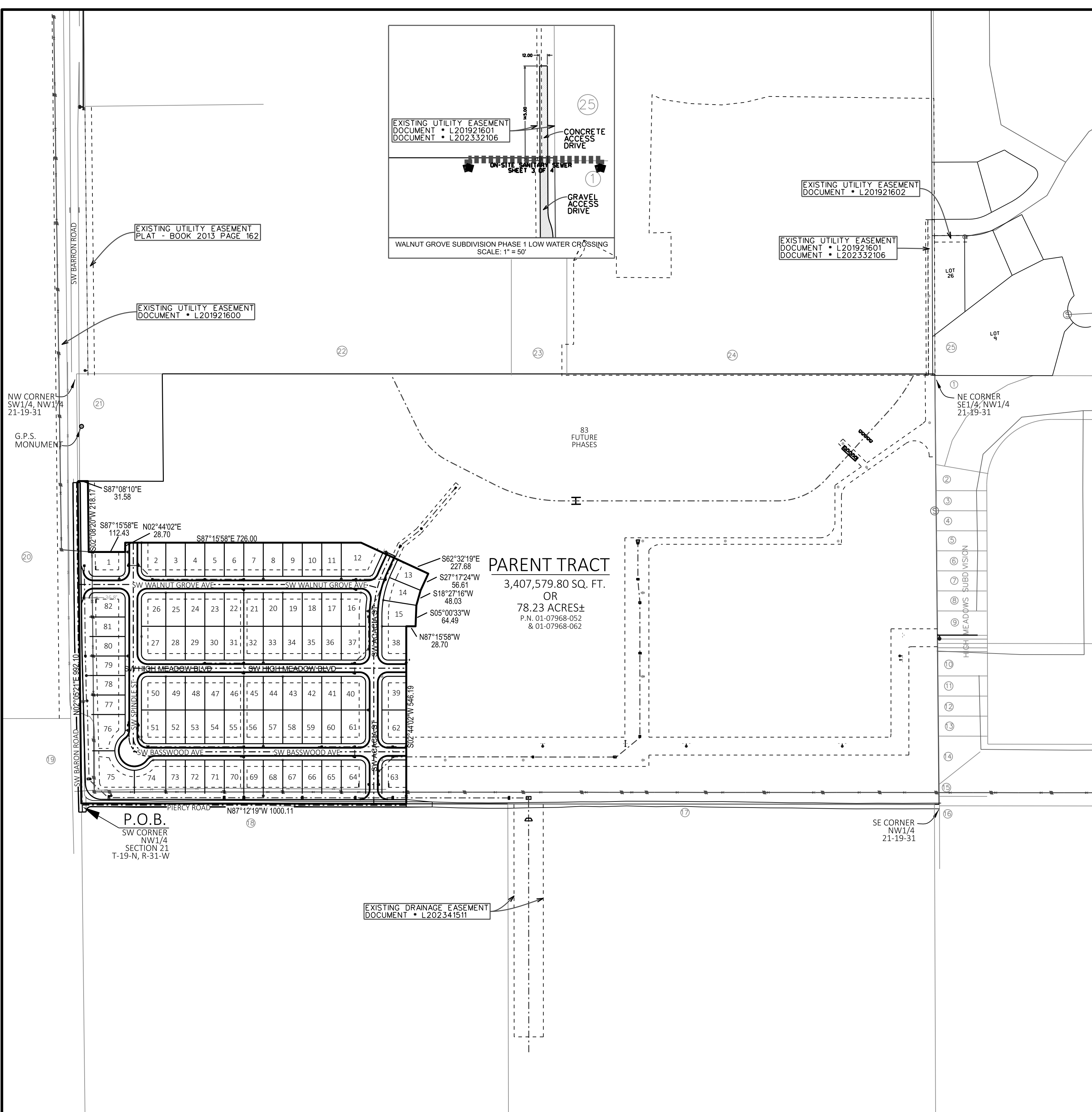
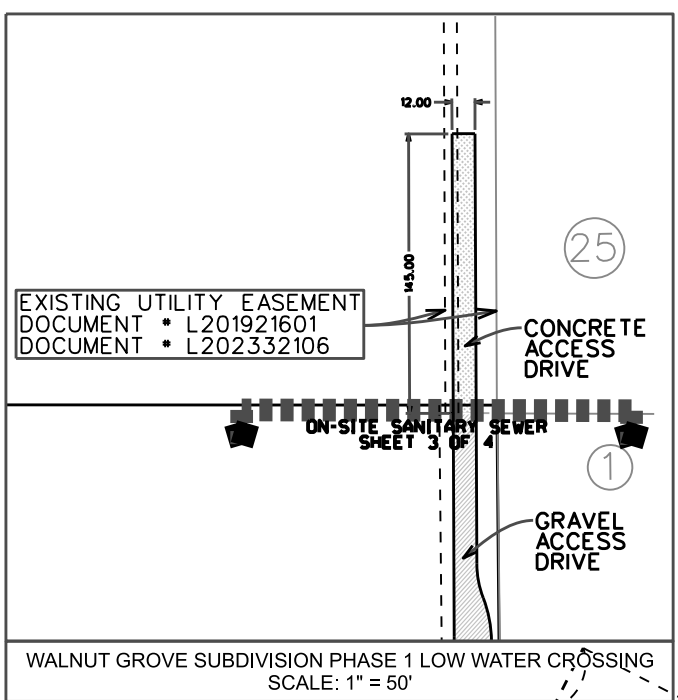


- LEGEND**
- EASEMENT
 - ⊙ BENTONVILLE G.P.S. MONUMENT 116
 - ⊗ FOUND ALUMINUM CAP
 - ⊗ FOUND MAG NAIL
 - ⊗ FOUND IRON PIPE
 - ▲ FOUND RAILROAD SPIKE
 - FOUND IRON PIN
 - ▨ LIGHT DUTY ASPHALT PAVING
 - ▨ CONCRETE SIDEWALK (BY DEVELOPER)
 - ▨ GRAVEL ACCESS DRIVE
 - ▨ CONCRETE ACCESS DRIVE
 - - - STORM SEWER CENTERLINE
 - SANITARY SEWER MANHOLE
 - FIRE HYDRANT ASSEMBLY
 - ⊕ GATE VALVE
 - OVER HEAD ELECTRIC LINE
 - ⊗ POWER/UTILITY POLE

1	PER CITY COMMENTS	RDH	08-28-23
2	PER CITY COMMENTS	ZAM	08-14-23
NO.	REVISIONS	BY	DATE

CIVIL ENGINEERING, INC.
 P.O. Box 12, 701 S Mt Olive, Siloam Springs, Arkansas 72761
 (479)524-9956 Phone or (479)524-4747 Fax
 E-MAIL: mail@civilengineeringss.com

FINAL PLAT FOR WALNUT GROVE SUBDIVISION PHASE 1 BENTONVILLE, ARKANSAS			
SURVEY BY: JAMES SURVEYING PO Box 617 Gentry, AR 72734 (479) 736-8416	OWNER/DEVELOPER RLP INVESTMENTS, INC P.O. Box 3207 BENTONVILLE, AR 72713 (479) 268-4128	PLAT CODE: 500-19N-31W-0-21-400-04-0985	
JOB NUMBER 1677	DATE JUNE 23, 2023	SCALE: 1"=100' H 1"= -NA- V	SHEET NO. 3 OF 4



- LEGEND**
- EASEMENT
 - ⊙ BENTONVILLE G.P.S. MONUMENT 116
 - ⊗ FOUND ALUMINUM CAP
 - ⊘ FOUND MAG NAIL
 - ⊙ FOUND IRON PIPE
 - ⊙ FOUND RAILROAD SPIKE
 - FOUND IRON PIN
 - ▨ LIGHT DUTY ASPHALT PAVING
 - ▨ CONCRETE SIDEWALK (BY DEVELOPER)
 - ▨ GRAVEL ACCESS DRIVE
 - ▨ CONCRETE ACCESS DRIVE
 - - - STORM SEWER CENTERLINE
 - SANITARY SEWER MANHOLE
 - ⊙ FIRE HYDRANT ASSEMBLY
 - ⊙ GATE VALVE
 - OVER HEAD ELECTRIC LINE
 - ⊙ POWER/UTILITY POLE

1	PER CITY COMMENTS	RDH	08-28-23
2	PER CITY COMMENTS	ZAM	08-14-23
NO.	REVISIONS	BY	DATE

CIVIL ENGINEERING, INC.
P.O. Box 12, 701 S Mt Olive, Siloam Springs, Arkansas 72761
(479)524-9956 Phone or (479)524-4747 Fax
E-MAIL: mail@civilengineeringss.com

FINAL PLAT FOR			
WALNUT GROVE SUBDIVISION PHASE 1			
BENTONVILLE, ARKANSAS			
SURVEY BY: JAMES SURVEYING PO Box 617 Gentry, AR 72734 (479) 736-8416	OWNER/DEVELOPER RLP INVESTMENTS, INC P.O. Box 3207 BENTONVILLE, AR 72713 (479) 787-3000	PLAT CODE: 500-19N-31W-0-21-400-04-0985	
JOB NUMBER 1677	DATE NOVEMBER 2022	SCALE: 1"=200' H 1"= -NA- V	SHEET NO. 4 OF 4

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A FINAL PLAT OF WALNUT GROVE SUBDIVISION
PHASE 1 TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER
PURPOSES.**

(PROJECT NUMBER:FP23-0006)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the final plat of WALNUT GROVE SUBDIVISION PHASE 1, to the City of Bentonville, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on October 3, 2023;

WHEREAS, said final plat is attached hereto as Exhibit “A”;

WHEREAS, the Bentonville Planning Commission considered said final plat on the date stated, and at other times, and voted to recommend the approval of said final plat to the City Council; and

WHEREAS, the final plat of real property as described herein has been submitted to the City Council of the City of Bentonville and, after consideration and deliberation, said Council is of the opinion that said final plat should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the final plat of WALNUT GROVE SUBDIVISION PHASE 1 to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes;

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said final plat by certifying said acceptance on the approved final plat;

Section 3 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk



**Rezone - Brewer, 1112 NE Monroe St
(RZ23-0067)**

1112 Northeast Monroe Street

PC Date: 10/3/2023

Reviewer: Luke Aitken, Planning Technician

Staff Report Details

Project Number	RZ23-0067
Applicant / Current Owner	Stephen and Theresa Brewer
Site Area	+/- 0.37 Acres
Current Zoning	R-1, Low-Density Single-Family Residential
Requested Zoning	DN-2, Downtown Medium Density Residential
Current Future Land Use Map Designation	Medium Density Residential (MDR)
Requested Future Land Use Map Designation	N/A
Development Type / Use	N/A
Related projects	N/A

Property Description

This property is located at 1112 Northwest Monroe Street. It is currently zoned R-1, Single Family Residential. It contains an existing single-family home. Adjacent zonings are R-1, Single Family Residential, DN-2, Downtown Medium-Density Residential, and C-1, Neighborhood Commercial.

Project Details

The Future Land Use Plan depicts this property as Medium Density Residential (MDR) and it is surrounded by Medium Density Residential (MDR) land uses.

Medium-density residential areas include townhome or duplex residential properties with a typical density of 8-12 units per acre. These areas are found both near Downtown and in some recent growth areas. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc.

Relationship to the General Plan / Projected Traffic Impact

N/A

Public Comment

Has Staff Received Public Comment regarding this request? : **No**

Analysis / Waivers

The intent of the DN-2 district is to allow for an increased single-family density through small lot widths where alleys and infrastructure support such development and where small-lot single-family development provides an appropriate transition between large-lot residential areas and those of higher density. In some instances, such as the end of blocks, townhouses may be appropriate in this district.

The proposed zoning of DN-2 is consistent with the Future Land Use Plan and is compatible with the surrounding development patterns within this area of the city.

Conclusion

This request is consistent with the Future Land Use Plan and it is consistent with the uses of the surrounding zoning districts and development patterns located in the vicinity.

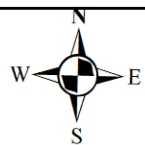
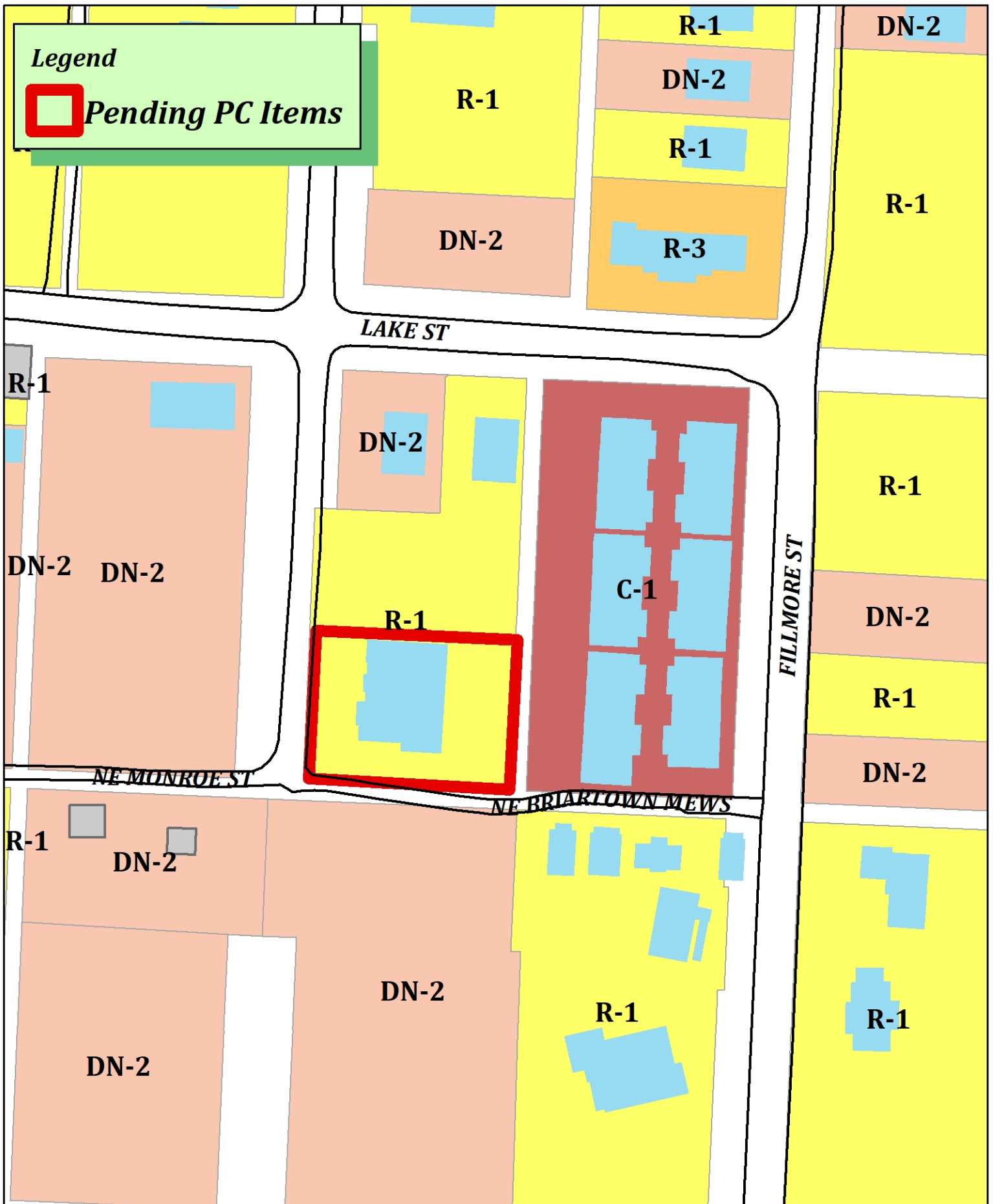
Additional Details

N/A

Legend



Pending PC Items



RZ23-0067
Stephen Brewer
1112 NE Monroe St
R-1 to DN-2



August 24, 2023

City of Bentonville
Planning and Community Development
305 SW A St.
Bentonville, AR 72712

RE: Rezoning Parcel No. 01-04584-000 from R-1 to DN-2

Dear Planning Staff,

We are requesting that our property, Parcel No. 01-04584-000, be rezoned from R-1, Low Density Single Family Residential to DN-2, Downtown Medium-Density Residential.

Our neighborhood is located between NE A St., NW A St., Park St. and Tiger Blvd. As per the current Future Land Use Plan, this area is designated as Medium Density Residential and the individual properties are gradually all being zoned to DN-2. This rezoning request is on a par with the character and recent changes of the overall neighborhood. There are multiple instances of DN-2 rezoning all along Main St., Park St., Monroe St., and Filmore St. that are all in near proximity to our property. We would like to rezone the Property to DN-2 in order make it conform with the Future Land Use Map, as well as to take advantage of the more modern regulations under the Downtown zoning codes. We have no immediate plans for redevelopment.

Any increase in traffic would be commensurate with recent redevelopment in the neighborhood, no signage is contemplated, any future development will conform to Bentonville's Downtown Design codes, and sewer and water are both available on Monroe St.

Sincerely,
Stephen and Theresa Brewer
832 687 8511

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF
BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING
CLASSIFICATION OF R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL
TO DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL; AND FOR
OTHER PURPOSES.
(PROJECT NUMBER: RZ23-0067)**

WHEREAS, Stephen Brewer and Theresa Brewer duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 27, BLOCK 10, W. A. BURKS ADDITION, AS SHOWN ON A PROPERTY LINE ADJUSTMENT OF LOTS 7, 8 AND THE SOUTH 10 FEET OF LOT 9, BLOCK 10, W. A. BURKS ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT BOOK 2016 AT PAGE 180.;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held October 3, 2023 in the Council Chambers of the City of Bentonville;

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat-Gazette for the time and in the manner required by law; and

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

Section 2 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk



Rezone - Guntupalli and Mallampati, 1386 Southwest Gator Boulevard (RZ23-0066)
1386 Southwest Gator Boulevard
PC Date: 10/3/2023
Reviewer: Luke Aitken, Planning Technician

Staff Report Details

Project Number	RZ23-0066
Applicant / Current Owner	VEERA RAO GUNTUPALLI & PAVANI MALLAMPATI
Site Area	+/- 20 Acres
Current Zoning	A-1, Agriculture
Requested Zoning	R-1, Low-Density Single-Family Residential
Current Future Land Use Map Designation	R-E, Residential Estate
Requested Future Land Use Map Designation	Low Density Residential (LDR)
Development Type / Use	N/A
Related projects	N/A

Property Description

This property is located at 1386 Southwest Gator Boulevard. It is currently zoned A-1, Agricultural. It contains an existing single-family home with a detached garage. Adjacent zonings are all R-1, Low-Density Single Family Residential.

Project Details

N/A

Relationship to the General Plan / Projected Traffic Impact

The Future Land Use Plan depicts this property as Residential Estate (RE) and is surrounded by Low-Density Residential. Low-density residential areas include detached single-family residential properties with a typical density of 3-8 units per acre. While lot size and overall density may vary from one part of the city to another, these areas represent the predominant form of residential development in Bentonville. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc.

Relationship to the General Plan / Projected Traffic Impact

Public Comment

Has Staff Received Public Comment regarding this request? : No

Analysis / Waivers


The intent of the R-1 District is to serve low-density developments in which housing is generally of the highest value and where strict separation of land uses is desired. Since R-1 Districts are separated from all commercial and industrial activity, access to connecting traffic arteries is essential. Although the proposed R1 is compatible with the surrounding development pattern in the area, the proposal is not consistent with the Future Land Use Map. Further, the existing sewer infrastructure is at capacity.

Conclusion

This request is not consistent with the Future Land Use Plan. Increasing the land use intensity beyond the current level of the future land use map may be premature until sewer service has been planned for.

Additional Details

Legend

 Pending PC Item



RZ23-0066

Pavani

1386 SW Gator Blvd

A-1 to R-1

1 inch = 223 feet



August 8th , 2023

Bentonville City Planning
305 SW A Street
Bentonville, AR 72712

RE: Rezoning request on 1386 SW GATOR BLVD; Parcel id: 18-08919-000

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following property to R1 - Low Density Residential in order to develop the area as per the R-1 Low Density. The plan is to build a single-family houses which will match the existing subdivisions around it.

Address	Parcel id	Current Zoning	Requested Zoning
1386 SW GATOR BLVD	18-08919-000	Agriculture	R1-Low Density Residential

This re-zone would allow us to be complainant with the city future land use plan. This will allow us to build single family R-1 Low density housing units which will support the future land use plan for this area and the growth.

Thank you,
The Seventh Living LLC
Muni Jampana

RESOLUTION NO. _____

A RESOLUTION AMENDING THE CITY OF BENTONVILLE FUTURE LAND USE MAP FOR A SPECIFIC AREA FROM RESIDENTIAL ESTATE TO LOW-DENSITY RESIDENTIAL; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: RZ23-0066)

WHEREAS, Veera Rao Guntupalli & Pavani Mallampati duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of RESIDENTIAL ESTATE to LOW-DENSITY RESIDENTIAL, which property is described as follows:

THE EAST 1/2 OF THE SW 1/4 OF THE NE 1/4 OF SECTION 13, TOWNSHIP 19 NORTH, OF RANGE 31 WEST, BENTON COUNTY, ARKANSAS, CONTAINING 20 ACRES, MORE OR LESS.;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held September 19, 2023 at the Council Chambers of the City of Bentonville;

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat Gazette for the time and in the manner required by law; and

WHEREAS, on October 3, 2023 the Planning Commission voted to recommend to the City Council that the petition be approved and that said future land use classification as presented on the property be changed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present land use classification of RESIDENTIAL ESTATE to LOW-DENSITY RESIDENTIAL on the City of Bentonville Future Land Use Map;

Section 2 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED AND APPROVED this ___ day of _____, 2023.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF
BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING
CLASSIFICATION OF A-1, AGRICULTURAL TO R-1, LOW DENSITY
SINGLE FAMILY RESIDENTIAL; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: RZ23-0066)**

WHEREAS, Veera Rao Guntupalli & Pavani Mallampati duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of A-1, AGRICULTURAL to R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

THE EAST 1/2 OF THE SW 1/4 OF THE NE 1/4 OF SECTION 13, TOWNSHIP 19 NORTH, OF RANGE 31 WEST, BENTON COUNTY, ARKANSAS, CONTAINING 20 ACRES, MORE OR LESS;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held September 19, 2023 in the Council Chambers of the City of Bentonville;

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat-Gazette for the time and in the manner required by law; and

WHEREAS, on October 3, 2023 the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of A-1, AGRICULTURAL to R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present zoning classification of A-1, AGRICULTURAL to R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

Section 2 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk