

ARKANSAS STATE HIGHWAY COMMISSION

THOMAS B. SCHUECK
CHAIRMAN
LITTLE ROCK



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SPRINGDALE

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VICE CHAIRMAN
ARKANSAS CITY

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P.O. Box 2261 • Little Rock, Arkansas 72203-2261
Phone (501) 569-2000 • Voice/TTY 711 • Fax (501) 569-2400
www.AzDOT.gov • www.IDriveArkansas.com

SCOTT E. BENNETT, P.E.
DIRECTOR

October 15, 2019

Ms. Marty Garrity, Director
Bureau of Legislative Research
Arkansas Legislative Council
State Capitol Building, Room 315
Little Rock, Arkansas 72201

Dear Ms. Garrity:

As required by Act 1315 of 1997, transmitted is the quarterly report on the following land conveyances for the period of July 1, 2019 through September 30, 2019.

If you need additional information, please contact Jennifer Williams, Division Head of Right of Way, at (501) 569-2311.

Sincerely,

A handwritten signature in blue ink that reads "Scott E. Bennett".

Scott E. Bennett, P.E.
Director

c: Deputy Director and Chief Operating Officer
Deputy Director and Chief Engineer
Assistant Chief Engineer – Design
Right of Way Division



ARKANSAS DEPARTMENT OF TRANSPORTATION

ARDOT.gov | IDriveArkansas.com | Scott E. Bennett, P.E., Director

RIGHT OF WAY DIVISION

10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261
Phone: 501.569.2311 | Fax: 501.569.2018 | Toll Free: 877.569.0120

August 19, 2019

Mr. Justin Brown
48 Ellis Road
Pottsville, AR 72858

RE: Job # 080236, Tract 102XR

Dear Mr. Brown:

Enclosed, you will find for your records, a copy of the recorded Deed and Minute Order 2019-070 authorizing the release of Tract 102XR on the above-mentioned project. This deed and minute order have been filed in the county records of Pope County.

Thank you for your patience to this matter. Should you have any questions or need further assistance, please let me know. I can be reached at 501-569-2318.

Yours truly,

A handwritten signature in black ink, appearing to read 'S. Whittle', is written over the typed name.

Sherman Whittle
Property Manager
Right of Way Division

SEW
Enclosure:
cc: District #8 Engineer



CERTIFICATE OF RECORD
DOCUMENT NUMBER: 2019-06397
FILED: 08/13/2019 09:00 AM
POPE COUNTY, ARKANSAS
RACHEL L. OERTLING
TRACY LUSK, D.C.
PAGES: 3
FEE: \$ 25.00

Job No. 080236
Tract No. 102XR


QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Thomas B. Schueck, Chairman of the Arkansas State Highway Commission, for and in behalf of the Arkansas State Highway Commission, Grantor, in consideration of the sum of NINE HUNDRED FIFTY AND NO/100 DOLLARS (\$950.00) cash in hand paid to the Arkansas State Highway Commission, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, and by direction of a Resolution of the Arkansas State Highway Commission incorporated in Minute Order No. 2019-070 dated the 24th day of July, 2019, authorizing and directing the execution of this instrument as an act of the Commission, do hereby grant, bargain, sell, convey, quitclaim, and relinquish unto, Justin Brown and Marcy Brown, husband and wife, Grantees, and unto their heirs and assigns forever, all of the right, title, interest and equity of the Arkansas State Highway Commission in and to the following lands, lying and being situated in the County of Pope, State of Arkansas, to-wit:

Job No. 080236
Tract No. 102XR

Part of the Lot 2 of Country Manors Subdivision to the County of Pope, being part of the Northwest Quarter of the Southeast Quarter of Section 30, Township 7 North, Range 19 West, Pope County, Arkansas, more particularly described as follows:

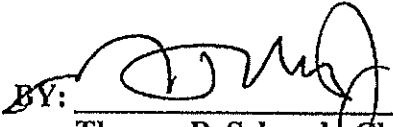

This instrument was prepared by
David S. Long, Title Attorney
Arkansas Department of Transportation
P.O. Box 2261, Little Rock, Arkansas 72203



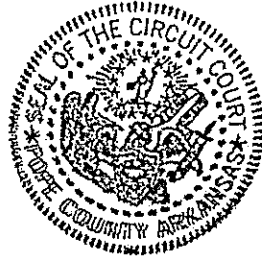
Beginning at a rebar with cap being used as the Northeast corner of Lot 2 of Country Manors Subdivision; thence South 02° 11' 29" West along the East line of Lot 2 of Country Manors Subdivision a distance of 95.33 feet to a point on the Northerly right of way line of Arkansas State Highway 247 as established by AHTD Job 080236; thence North 87° 52' 23" West along said right of way line a distance of 222.50 feet to a point on the Easterly right of way line of a 50 foot platted street as established by the Plat of Country Manors Subdivision; thence North 02° 14' 11" East along said right of way line a distance of 95.50 feet to a point on the North line of Lot 2 of Country Manors Subdivision; thence South 87° 49' 44" East along said North line a distance of 222.42 feet to the point of beginning and containing 21,227 square feet more or less as shown on plans prepared by the AHTD referenced as Job 080236.

Subject to Utility Easement number UD 08-10-005 upon sale as indicated on plans.

IN WITNESS WHEREOF, I have hereunto set my hand on this 24th day of July, 2019.

BY:  vice chair
Thomas B. Schueck Chairman
Arkansas State Highway Commission

THIS PORTION INTENTIONALLY LEFT BLANK

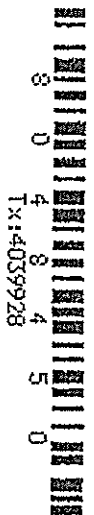


CERTIFICATE OF RECORD
DOCUMENT NUMBER: 2019-06396
FILED: 08/13/2019 09:00 AM
POPE COUNTY, ARKANSAS
RACHEL L. OERTLING
TRACY LUSK, D.C.
PAGES: 4
FEE: \$ 30.00

**ARKANSAS STATE HIGHWAY COMMISSION
COMMISSION MINUTE ORDER: 2019-070**

DISTRICT: 8

COUNTY: POPE



ARKANSAS STATE HIGHWAY COMMISSION

MINUTE ORDER

District: Eight

Page 1 of 2 Pages

County: Pope

Category: Surplus Property

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 102XR, Job No. 080236, from Scott Bratton and Jennifer L. Bratton, husband and wife, by Warranty Deed dated May 29, 2009, and filed of record on May 29, 2009, as Miscellaneous Book 2009-30, Page 744, in the Circuit Clerk's office for Pope County, Arkansas; and

WHEREAS, Justin Brown of Pottsville, Arkansas has requested to purchase Tract No. 102XR, Job No. 080236, which the District Engineer for District 8 has determined is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, Tract No. 102XR was acquired as surplus property by the Commission and is exempt from reacquisition by the former owners under Ark. Code Ann. § 27-67-322. Mr. Brown offered to purchase the tract for NINE HUNDRED FIFTY AND NO/100 DOLLARS (\$950.00), representing the Fair Market Value by three Commission appraisers.

WHEREAS, the Commission acquired Tract No. 102XR for FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00), which the tract is more particularly described as follows:

Part of the Lot 2 of Country Manors Subdivision to the County of Pope, being part of the Northwest Quarter of the Southeast Quarter of Section 30, Township 7 North, Range 19 West, Pope County, Arkansas, more particularly described as follows:

Beginning at a rebar with cap being used as the Northeast corner of Lot 2 of Country Manors Subdivision; thence South 02° 11' 29" West along the East line of Lot 2 of Country Manors Subdivision a distance of 95.33 feet to a point on the Northerly right of way line of Arkansas

ARKANSAS STATE HIGHWAY COMMISSION

MINUTE ORDER

District: Eight

Page 2 of 2 Pages

County: Pope

Category: Surplus Property

State Highway 247 as established by AHTD Job 080236; thence North 87° 52' 23" West along said right of way line a distance of 222.50 feet to a point on the Easterly right of way line of a 50 foot platted street as established by the Plat of Country Manors Subdivision; thence North 02° 14' 11" East along said right of way line a distance of 95.50 feet to a point on the North line of Lot 2 of Country Manors Subdivision; thence South 87° 49' 44" East along said North line a distance of 222.42 feet to the point of beginning and containing 21,227 square feet more or less as shown on plans prepared by the AHTD referenced as Job 080236.

Subject to Utility Easement number UD 08-10-005 upon sale as indicated on plans.

NOW THEREFORE, the above-described property is declared surplus and upon receipt and consideration of the sum of NINE HUNDRED FIFTY AND NO/100 DOLLARS (\$950.00) from Justin Brown of Pottsville, Arkansas, the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying the right, title, interest or equity of the above-described properties to Justin Brown and Marcy Brown, husband and wife; and hereby releasing the same from the State Highway System, that the Right of Way Division is directed and authorized to record a copy of this Minute Order and the Quitclaim Deed in the records of Pope County, Arkansas; and, if necessary, the right of way shall be remonumented to reflect the boundaries designated herein. Any Federal-Aid funds from this disposal shall be credited to Federal-Aid funds or otherwise credited as permitted by Federal Law.

Approved

Chairman
Vice-Chairman
Member
Member
Member

Submitted By

Assistant Chief Engineer - Design

Approved

Minute Order No

2019 070

Date Passed

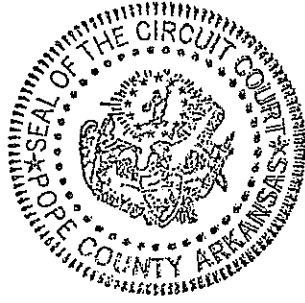
JUL 24 2019

Leg.

Form 19-456

Rev 1/13/2016

L:\Commission\MO080236-102XR



CERTIFICATE OF RECORD
DOCUMENT NUMBER: 2019-05240
FILED: 07/02/2019 08:20 AM
POPE COUNTY, ARKANSAS
RACHEL L. OERTLING
DEBBIE PRICE, D.C.
PAGES: 3
FEE: \$ 25.00

Job No. 8564
Tract Nos. 6, 4

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Thomas B. Schueck, Chairman of the Arkansas State Highway Commission, for and in behalf of the **Arkansas State Highway Commission, Grantor**, in consideration of the sum of ONE THOUSAND ONE HUNDRED AND NO/100 DOLLARS (\$1,100.00) cash in hand paid to the Arkansas State Highway Commission, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, and by direction of a Resolution of the Arkansas State Highway Commission incorporated in Minute Order No. 2019047 dated the 1st day of MAY, 2019, authorizing and directing the execution of this instrument as an act of the Commission, do hereby grant, bargain, sell, convey, quitclaim, and relinquish unto, **Hardrock Construction, Inc., Grantee**, and unto its successors and assigns forever, all of the right, title, interest and equity of the Arkansas State Highway Commission in and to the following lands, lying and being situated in the County of Pope, State of Arkansas, to-wit:

Job No. 8564

Tract No.6 (now being Tract No. 1)

TRACT 1 DESCRIPTION: A part of the SE1/4 SE1/4, of Section 20, T-7-N, R-20-W, in the City of Russellville, in Pope County, Arkansas, being more particularly described as follows and as shown on this survey plat (surveyed by Cornerstone Land Surveying on 8-9-2018, for Kevin Smoke, Job# R18-236):



This instrument was prepared by
David S. Long, Title Attorney
Arkansas Department of Transportation
P.O. Box 2261, Little Rock, Arkansas 72203

Commencing at a state monument for the SE corner of said SE1/4 SE1/4, thence N 87°28'11" W 309.41 feet to the true point of beginning, thence N 87°28'11" W 22.86 feet to a point, thence N 11°04'09" E 137.77 feet to a point, thence S 87°58'48" E 9.05 feet to a found "t" post, thence S 05°19'08" W 136.49 feet to the point of beginning, containing 0.05 acre more or less, subject to any easements or rights of way of record.


And Also

Tract No. 4 (now being Tract No. 2)

TRACT 2 DESCRIPTION: A part of the NE1/4 NE1/4, of Section 29, T-7-N, R-20-W, in the City of Russellville, in Pope County, Arkansas, being more particularly described as follows and as shown on this survey plat (surveyed by Cornerstone Land Surveying on 8-9-2018, for Kevin Smoke, Job# R18-236):

Commencing at a state monument for the NE corner of said NE1/4 NE1/4, thence N 87°28'11" W 309.41 feet to the true point of beginning, thence N 87°28'11" W 22.86 feet to a point, thence S 11°04'09" W 422.53 feet to a point, thence S 88°08'31" E 5.28 feet to a found "t" post, thence N 16°49'47" E 247.03 feet to a point, thence N 11°04'07" E 100.00 feet to a point, thence N 05°45'53" E 75.77 feet to a set iron pin, thence N 05°19'08" E 3.87 feet to the point of beginning, containing 0.22 acre more or less, subject to any easements or rights of way of record.

IN WITNESS WHEREOF, I have hereunto set my hand on this 1st day of July, 2019.

BY: 

Thomas B. Schueck, Chairman
Arkansas State Highway Commission



CERTIFICATE OF RECORD
DOCUMENT NUMBER: 2019-05239
FILED: 07/02/2019 08:20 AM
POPE COUNTY, ARKANSAS
RACHEL L. OERTLING
DEBBIE PRICE, D.C.
PAGES: 7
FEE: \$ 45.00

ARKANSAS STATE HIGHWAY COMMISSION

COMMISSION MINUTE ORDER: 2019-047

DISTRICT: 8

COUNTY: POPE



ARKANSAS STATE HIGHWAY COMMISSION

MINUTE ORDER

District: Eight

Page 1 of 3 Pages

County: Pope

Category: Surplus Property

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 6, Job No. 8564, from William S. Newton, lawful age and unmarried; James E. Newton and Martha S. Newton, husband and wife (the "Newtons"), by Warranty Deed dated September 19, 1972, and filed of record on October 20, 1972, as Record Book 11-T, Page 254, in the Circuit Clerk's office for Pope County, Arkansas; and

WHEREAS, the Commission acquired property known as Tract No. 4, Job No. 8564, from Roy B. Johnston and Minnie Johnston, husband and wife (the "Johnstons"), by Warranty Deed dated September 19, 1972, and filed of record on October 20, 1972, as Record Book 11-T, Page 242, in the Circuit Clerk's office for Pope County, Arkansas; and

WHEREAS, Kevin Smoke of Russellville, Arkansas has requested to purchase Tract Nos. 6 and 4, Job No. 8564, now being parts of Tract Nos. 1 and 2, respectively, which the District Engineer for District 8 has determined is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, the heirs of the Newtons and Johnstons have executed waivers of their right to reacquire. Mr. Smoke offered to purchase both tracts for ONE THOUSAND ONE HUNDRED AND NO/100 DOLLARS (\$1,100.00), representing the Fair Market Value by three Commission appraisers.

WHEREAS, the Commission acquired Tract No. 6 for THREE HUNDRED FIFTY AND NO/100 DOLLARS (\$350.00), which the tract, being a part of Tract No. 1, is more particularly described as follows:

ARKANSAS STATE HIGHWAY COMMISSION

MINUTE ORDER

District: Eight

Page 2 of 3 Pages

County: Pope

Category: Surplus Property

TRACT 1 DESCRIPTION: A part of the SE1/4 SE1/4, of Section 20, T-7-N, R-20-W, in the City of Russellville, in Pope County, Arkansas, being more particularly described as follows and as shown on this survey plat (surveyed by Cornerstone Land Surveying on 8-9-2018, for Kevin Smoke, Job# R18-236):

Commencing at a state monument for the SE corner of said SE1/4 SE1/4, thence N 87°28'11" W 309.41 feet to the true point of beginning, thence N 87°28'11" W 22.86 feet to a point, thence N 11°04'09" E 137.77 feet to a point, thence S 87°58'48" E 9.05 feet to a found "t" post, thence S 05°19'08" W 136.49 feet to the point of beginning, containing 0.05 acre more or less, subject to any easements or rights of way of record.

WHEREAS, the Commission acquired Tract No. 4 for SEVEN HUNDRED FIFTY AND NO/100 DOLLARS (\$750.00), which the tract, being a part of Tract No. 2, is more particularly described as follows:

TRACT 2 DESCRIPTION: A part of the NE1/4 NE1/4, of Section 29, T-7-N, R-20-W, in the City of Russellville, in Pope County, Arkansas, being more particularly described as follows and as shown on this survey plat (surveyed by Cornerstone Land Surveying on 8-9-2018, for Kevin Smoke, Job# R18-236):

Commencing at a state monument for the NE corner of said NE1/4 NE1/4, thence N 87°28'11" W 309.41 feet to the true point of beginning, thence N 87°28'11" W 22.86 feet to a point, thence S 11°04'09" W 422.53 feet to a point, thence S 88°08'31" E 5.28 feet to a found "t" post, thence N 16°49'47" E 247.03 feet to a point, thence N 11°04'07" E 100.00 feet to a point, thence N

ARKANSAS STATE HIGHWAY COMMISSION

MINUTE ORDER

District: Eight

Page 3 of 3 Pages

County: Pope

Category: Surplus Property

05°45'53" E 75.77 feet to a set iron pin, thence N 05°19'08" E 3.87 feet to the point of beginning, containing 0.22 acre more or less, subject to any easements or rights of way of record.

NOW THEREFORE, the above-described properties are declared surplus and upon receipt and consideration of the sum of ONE THOUSAND ONE HUNDRED AND NO/100 DOLLARS (\$1,100.00) from Kevin Smoke, the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying the right, title, interest or equity of the above-described properties to Hardrock Construction, Inc., an Arkansas corporation; and hereby releasing the same from the State Highway System, that the Right of Way Division is directed and authorized to record a copy of this Minute Order and the Quitclaim Deed in the records of Pope County, Arkansas; and, if necessary, the right of way shall be remonumented to reflect the boundaries designated herein. Any Federal-Aid funds from this disposal shall be credited to Federal-Aid funds or otherwise credited as permitted by Federal Law.

Approved:

[Signature] Chairman

[Signature] Vice-Chairman

[Signature] Member

[Signature] Member

[Signature] Member

Leg.

Submitted By

[Signature]
Assistant Chief Engineer - Design

Approved

[Signature] Director

Minute Order No

2019 047

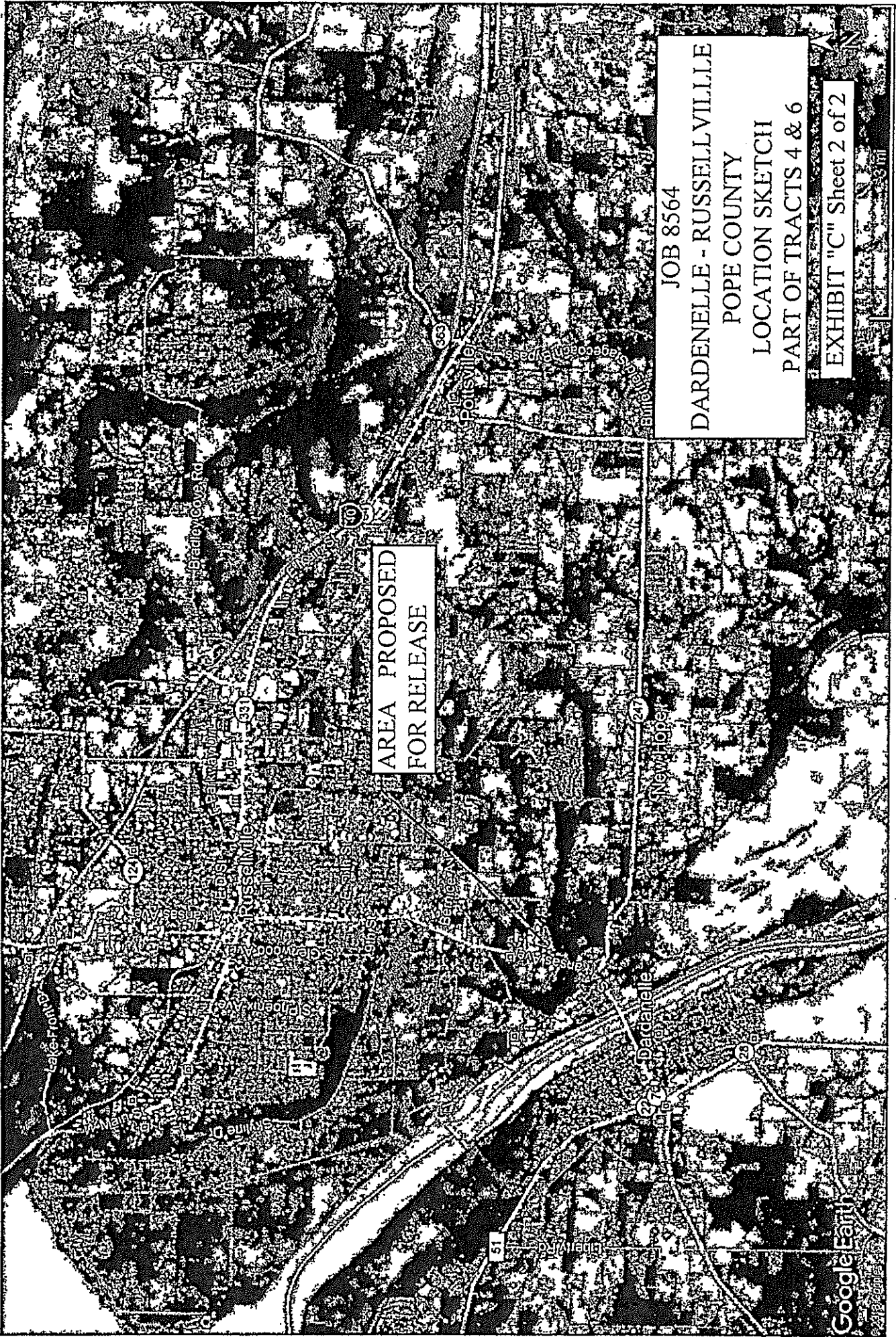
Date Passed

MAY 1 2019

AREA PROPOSED
FOR RELEASE

JOB 8564
DARDENELLE - RUSSELLVILLE
POPE COUNTY
LOCATION SKETCH
PART OF TRACTS 4 & 6

EXHIBIT "C" Sheet 1 of 2



AREA PROPOSED FOR RELEASE

JOB 8564

DARDELLE - RUSSELLVILLE
POPE COUNTY
LOCATION SKETCH
PART OF TRACTS 4 & 6

EXHIBIT "C" Sheet 2 of 2

Google Earth

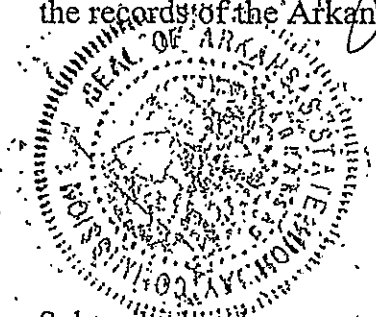
STATE OF ARKANSAS)

)ss

CERTIFICATE

COUNTY OF PULASKI)

I, Lindy H. Williams, Secretary and Custodian of the Records of Proceedings of the Arkansas State Highway Commission, do hereby certify, and state under oath, that the foregoing written matter contains a true, complete and perfect transcript of Minute Order No. 2019-047 adopted by the Commission on the 15 day of May, 2019, as set forth therein, and as the same appears in the records of the Arkansas State Highway Commission.



Lindy H. Williams

Lindy H. Williams, Commission Secretary
Arkansas State Highway Commission

Subscribed and sworn to before me this 4th day of June, 2019.

My Commission Expires:

5/1/2022

Randy Cobb

Notary Public

