



ARKANSAS DEPARTMENT OF TRANSPORTATION

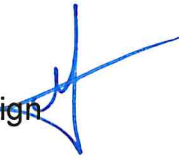
ArDOT.gov | IDriveArkansas.com | Lorie H. Tudor, P.E., Director  
10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261 | Phone: 501.569.2000


## INTEROFFICE MEMORANDUM

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**April 10, 2023**

**TO:** Lorie H. Tudor, P.E., Director

**THROUGH:** Michael D. Fugett, Assistant Chief Engineer - Design 

**FROM:** Kevin T. White, Division Head, Right of Way Division 

**SUBJECT:** **Surplus Quarterly Report – First Quarter 2023**

Attached is the quarterly report of land conveyances for the first quarter of 2023 for the period of January 1, 2023 through March 31, 2023. As required by Act 1315 of 1997, a report is submitted by the Department to the Legislature. A draft letter for the Director's signature is also attached.

Attachments

# ARKANSAS STATE HIGHWAY COMMISSION

**DALTON A. "ALEC" FARMER, JR.**  
CHAIRMAN  
JONESBORO

**PHILIP TALDO**  
VICE CHAIRMAN  
SPRINGDALE

**KEITH GIBSON**  
FORT SMITH



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

**MARIE HOLDER**  
LITTLE ROCK

**DAVID M. HAAK**  
TEXARKANA

**LORIE H. TUDOR, P.E.**  
DIRECTOR

April 10, 2023

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 January 1, 2023 thru March 31, 2023.

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

Sincerely,

A handwritten signature in blue ink that reads "Lorie H. Tudor".

Lorie H. Tudor, 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 | Lorie H. Tudor, P.E., Director

10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261 | Phone: 501.569.2000

# INTEROFFICE MEMORANDUM

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**April 10, 2023**

**TO:** Kevin T. White P.E., Division Head, Right of Way Division

**THROUGH:** Cathy Mitchell, Section Head - Administrative, Right of Way Division

**FROM:** Katie Gilbertson, Property Management, Right of Way Division

**SUBJECT:** Surplus Quarterly Report – First Quarter  
January 1, 2023, thru March 31, 2023

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Attached is the Quarterly Report of Surplus Property Sales.

<u>Job</u>	<u>Tract</u>	<u>MO Date</u>	<u>Deed Filed</u>	<u>Grantee</u>
009926	32R	2/22/2023	3/14/2023	United States of America, by and through the Secretary of Agriculture
003653	12	2/22/2023	4/10/2023	City of Stamps

ARKANSAS STATE HIGHWAY COMMISSION

MINUTE ORDER

District: Nine

Page 1 of 3 Pages

County: Benton

Category: Mitigation Property

**WHEREAS,** the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 32R, Job No. 9926, from Fred A. Kirk and Mary P. Kirk, husband and wife, by Warranty Deed dated December 2, 1992, and filed of record on January 20, 1993, as Book 93, Page 05759Y, in the Circuit Clerk's office for Benton County, Arkansas; and

**WHEREAS,** the property was purchased as a capital asset for the sum of EIGHTY THOUSAND FIVE HUNDRED and NO/100 DOLLARS (\$80,500.00) and is not subject to re-acquisition by a prior owner pursuant to Ark. Code Ann § 27-67-322; and

**WHEREAS,** the Commission had an agreement with United States Forest Service, Department of Agriculture to donate the property as mitigation land for the forest lands acquired for the construction project. The property is more particularly described as follows:

Part of the East Half of the West Half and part of the West Half of the East Half of Section 9, Township 17 North, Range 32 West, Benton County, Arkansas, more particularly described as follows:

Starting at the Northeast Corner of the Southwest Quarter of the Northeast Quarter of said Section 9 for the point of beginning; thence South 3° 19' 07" West a distance of 2595.31 feet to the Southeast Corner of the Northwest Quarter of the Southeast Quarter of said Section 9; thence North 87° 20' 56" West along the South line of said Northwest Quarter of the Southeast Quarter a distance of 1263.63 feet; thence North 22° 39' 37" West a distance of 896.81 feet; thence North 41° 26' 45" West a distance of 1189.00 feet; thence South 74° 22' 07" West a distance of 56.24 feet; thence North 41° 56' 45" West a distance of 112.00 feet; thence North 3° 48' 15" East a distance of 64.00 feet; thence South 79° 56' 45" East a distance of 189.00 feet; thence North 2° 33' 15" East a distance

ARKANSAS STATE HIGHWAY COMMISSION

MINUTE ORDER

District: Nine

Page 2 of 3 Pages

County: Benton

Category: Mitigation Property

of 744.56 feet to the proposed south right of way line of U.S. Highway 412; thence North 73° 03' 44" East along said proposed right of way line a distance of 183.27 feet; thence North 86° 11' 46" East along said proposed right of way line a distance of 308.06 feet; thence North 75° 55' 28" East along said proposed right of way line a distance of 300.37 feet; thence North 75° 30' 58" East along said proposed right of way line a distance of 350.32 feet; thence North 79° 34' 55" East along said proposed right of way line a distance of 352.28 feet; thence North 67° 21' 06" East along said proposed right of way line a distance of 100.50 feet; thence North 40° 02' 18" East along said proposed right of way line a distance of 238.54 feet; thence North 73° 03' 34" East along said proposed right of way line a distance of 100.00 feet; thence South 47° 27' 12" East along said proposed right of way line a distance of 197.23 feet; thence South 68° 16' 41" East along said proposed right of way line a distance of 128.06 feet; thence South 80° 22' 22" East along said proposed right of way line a distance of 111.80 feet; thence North 63° 35' 59" East along proposed right of way line a distance of 121.66 feet; thence North 17° 53' 12" East along said proposed right of way line a distance of 280.18 feet; thence South 53° 11' 30" East along said proposed right of way line a distance of 134.37 feet to the East line of the Northwest Quarter of the Northeast Quarter of said Section 9; thence South 2° 35' 41" West leaving said proposed right of way line and along the East line of said Northwest Quarter of the Northeast Quarter a distance of 619.10 feet to the point of beginning and containing 134.17 acres, more or less.

**NOW THEREFORE**, the Chairman of the Commission is authorized and directed to execute a Donation Deed conveying the right, title, interest or equity of the above-described property to United States Forest Service, Department of Agriculture; 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 Donation Deed in the records of Benton County, Arkansas;

ARKANSAS STATE HIGHWAY COMMISSION

MINUTE ORDER

District: Nine

Page 3 of 3 Pages

County: Benton

Category: Mitigation Property

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:

Alec Farmer Chairman  
Philip Tabor Vice-Chairman  
Keith Gibson Member  
Marie Hadden Member  
David M. Hark Member  
l.e.g.

Submitted By:

[Signature]  
Assistant Chief Engineer - Design

Approved:

Lorie H. Tudor Director  
Minute Order No. 2023-011

Date Passed FEB 22 2023

STATE OF ARKANSAS)

)ss

C E R T I F I C A T E

COUNTY OF SALINE)

I, Christie Heidelberg, 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. 2023-015 adopted by the Commission on the 22nd day of February, 2023, as set forth therein, and as the same appears in the records of the Arkansas State Highway Commission.

Christie Heidelberg

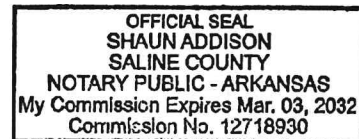
Christie Heidelberg, Commission Secretary  
Arkansas State Highway Commission

Subscribed and sworn to before me this 27th day of February, 2023.

My Commission Expires:

March 3, 2032

Shaun Addison  
Notary Public





Job No. 9926  
Tract No. 32R

**WARRANTY DEED  
DONATION**

**KNOW ALL MEN BY THESE PRESENTS:**

THAT I, Alec Farmer, Chairman of the Arkansas State Highway Commission, for and in behalf of the **Arkansas State Highway Commission, Grantor**, for and in consideration of the mutual covenants and benefits inuring to the parties hereto, does hereby grant, bargain, deliver, and donate, with general warranty of title, to the **United States of America, by and through the Secretary of Agriculture, Grantee**, and its assigns, all rights, title and interests to the following land being described as follows, to-wit:

Part of the East Half of the West Half and part of the West Half of the East Half of Section 9, Township 17 North, Range 32 West, Benton County, Arkansas, more particularly described as follows:

Starting at the Northeast Corner of the Southwest Quarter of the Northeast Quarter of said Section 9 for the point of beginning; thence South 3° 19' 07" West a distance of 2595.31 feet to the Southeast Corner of the Northwest Quarter of the Southeast Quarter of said Section 9; thence North 87° 20' 56" West along the South line of said Northwest Quarter of the Southeast Quarter a distance of 1263.63 feet; thence North 22° 39' 37" West a distance of 896.81 feet; thence North 41° 26' 45" West a distance of 1189.00 feet; thence South 74° 22' 07" West a distance of 56.24 feet; thence North 41° 56' 45" West a distance of 112.00 feet; thence North 3° 48' 15" East a distance of 64.00 feet; thence South 79° 56' 45" East a distance of 189.00 feet; thence North 2° 33' 15" East a distance of 744.56 feet to the proposed south right of way line of U.S. Highway 412; thence North 73° 03' 44" East along said proposed right of way line a distance of 183.27 feet; thence North 86° 11' 46" East along said proposed right of way line a distance of 308.06 feet; thence North 75° 55' 28" East along said proposed right of way line a distance of 300.37 feet; thence North 75° 30' 58" East along said proposed right of way line a distance of 350.32 feet; thence North 79° 34' 55" East along said proposed right of way line a distance of 352.28 feet; thence North 67° 21' 06" East along said proposed right of way line a distance of 100.50 feet; thence North 40° 02' 18" East along said proposed right of way line a distance of 238.54 feet; thence North 73° 03' 34" East along said proposed right of way line a distance of 100.00 feet; thence South 47°



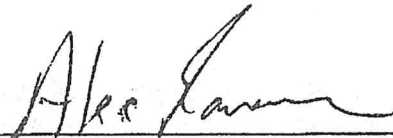
27' 12" East along said proposed right of way line a distance of 197.23 feet; thence South 68° 16' 41" East along said proposed right of way line a distance of 128.06 feet; thence South 80° 22' 22" East along said proposed right of way line a distance of 111.80 feet; thence North 63° 35' 59" East along proposed right of way line a distance of 121.66 feet; thence North 17° 53' 12" East along said proposed right of way line a distance of 280.18 feet; thence South 53° 11' 30" East along said proposed right of way line a distance of 134.37 feet to the East line of the Northwest Quarter of the Northeast Quarter of said Section 9; thence South 2° 35' 41" West leaving said proposed right of way line and along the East line of said Northwest Quarter of the Northeast Quarter a distance of 619.10 feet to the point of beginning and containing 134.17 acres, more or less.

TO HAVE AND TO HOLD the same unto the said Grantee and unto its successors and assigns forever.

And the Grantor hereby covenants with the said Grantee that the Grantor will forever warrant and defend the title to said lands against all lawful claims, whatsoever.

IN WITNESS WHEREOF, the Arkansas State Highway Commission, has caused these presents to be executed by its Chairman on this 22 day of February, 2023.

BY:

  
Alec Farmer, Chairman  
Arkansas State Highway Commission

**THIS PORTION INTENTIONALLY LEFT BLANK**

# ACKNOWLEDGMENT

STATE OF ARKANSAS)

) SS

COUNTY OF SALINE)

**BE IT REMEMBERED**, that on this day before the undersigned, a Notary Public, duly commissioned, qualified and acting within and for the County and State, appeared in person the within named Alec Farmer, to me personally well known, who stated that he was Chairman of the Arkansas State Highway Commission, and was duly authorized in that capacity to execute the foregoing instrument for and in the name and behalf of said Arkansas State Highway Commission, pursuant to Minute Order No. 2023- 015, Minutes of February 22, 2023, and further stated and acknowledged that he had so signed, executed and delivered the foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 22 day of February, 2023.

(seal)



Christie Heidelberg  
Christie Heidelberg, Notary Public



STATE OF ARKANSAS  
DEPARTMENT OF FINANCE AND ADMINISTRATION  
MISCELLANEOUS TAX SECTION  
P.O. BOX 896, LITTLE ROCK, AR 72203-0896

## Affidavit of Compliance



File Number: T-40634

**Grantee:** UNITED STATES OF AMERICA, BY AND THROUGH THE SECRETARY  
**Mailing Address:** OF AGRICULTURE  
605 W MAIN ST  
RUSSELLVILLE AR 728013614

**Grantor:** ARKANSAS STATE HIGHWAY COMMISSION  
**Mailing Address:** PO BOX 2261  
LITTLE ROCK AR 722032261

**Property Purchase Price:** \$0.00  
**Tax Amount:** \$0.00

**County:** BENTON  
**Date Issued:** 03/13/2023  
**Affidavit ID:** 88201216

User Name: MACKENZIE  
CERTIFICATE OF RECORD  
STATE OF ARKANSAS, COUNTY OF BENTON  
I hereby certify that this instrument was  
Filed and Recorded in the Official Records  
L202312096 3/14/2023 12:29:58 PM  
Granda DeShields, Circuit Clerk  
BENTON CO, AR FEE \$30.00

The grantee/grantor claims the following exemption to the Real Estate Transfer Tax.

A transfer to or from the United States, the State of Arkansas, or any of the instrumentalities, agencies, or political subdivisions of the United States or the State of Arkansas.

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed): \_\_\_\_\_

Grantee or Agent Name (signature): CURRAN'S ABSTRACT & TITLE Date: \_\_\_\_\_  
210 West Main ST

Address: Clarksville, AR 72830

City/State/Zip: \_\_\_\_\_

ARKANSAS STATE HIGHWAY COMMISSION

MINUTE ORDER

District: Three  
County: Lafayette  
Category: Miscellaneous

Page 1 of 1 Page

**WHEREAS,** the Arkansas State Highway Commission ("Commission") acquired property for highway rights of way for Job No. 3653, more commonly known as the "Old Lafayette County Rest Area" in Lafayette County, Arkansas; and




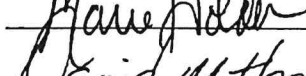

**WHEREAS,** Brenda Davis, the Mayor of Stamps, Arkansas ("City") has requested that the property be transferred to the City pursuant to Ark. Code Ann. § 27-65-109, for public purposes to support a veteran's memorial and roadside park, adjacent to the existing highway; and

**WHEREAS,** the Commission's interest in the property subject of the City's request is more specifically described as follows:

The Legal Description in Exhibit "A" and areas shown in red and depicted on Exhibits "B", and "C" attached hereto.

**NOW THEREFORE,** the Director is authorized to enter into a transfer agreement for the above-described property pursuant to Minute Order 2012-008, conditioned upon the City's continued maintenance of the property interests herein transferred for said highway purposes, and provided that in the event the City fails to use and maintain the properties described herein, or abandons same, the transfer agreement shall, upon 30 days notice, be terminated, and the transferred property shall revert back to the Commission.

Approved:

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

Chairman

Vice-Chairman

Member

Member

Member

Leg.

Form 19-456


Rev. 1/13/2016

L:\Commission\MO\OldLafayetteCoRestAreaRel2022.docx

Submitted By:

  
\_\_\_\_\_  
Assistant Chief Engineer - Design

Approved:

  
\_\_\_\_\_  
Director

Minute Order No.

2023-010

Date Passed

FEB 22 2023

STATE OF ARKANSAS)

)ss

C E R T I F I C A T E

COUNTY OF SALINE)

I, Christie Heidelberg, 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. 2023-014 adopted by the Commission on the 22<sup>nd</sup> day of February, 2023, as set forth therein, and as the same appears in the records of the Arkansas State Highway Commission.

Christie Heidelberg

Christie Heidelberg, Commission Secretary  
Arkansas State Highway Commission

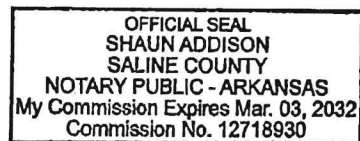
Subscribed and sworn to before me this 27<sup>th</sup> day of February, 2023.

My Commission Expires:

March 03, 2032

Shaun Addison

Notary Public







# TRANSFER AGREEMENT

202300424  
RECORDED ON  
04/10/2023 10:28:08 AM  
DANA PHILLIPS, CIRCUIT CLERK  
LAFAYETTE COUNTY  
LEWISVILLE, AR  
REC FEE: 20.00  
PAGES: 2

By and Between

The Arkansas State Highway Commission

And

City of Stamps, Arkansas

WHEREAS, Stacie Mitchell-Gweah, the Mayor of Stamps, Arkansas (the "City"), requested that the Arkansas State Highway Commission (the "Commission") convey its interest in certain real property located within Lafayette County, more specifically described herein below; and,

WHEREAS, on November 14, 2018, the Commission entered its Minute Order No. 2018-111, authorizing the Director of the Arkansas Department of Transportation to enter into such an agreement upon receipt of proper resolution from the City upon certain conditions; and,

WHEREAS, on July 22, 2022, the City passed Resolution No. 2022-3, authorizing Ms. Davis, to enter into this Transfer Agreement;

IT IS, THEREFORE, AGREED THAT:

1. The Commission transfers all of its right, title, and interest in the real property located in Lafayette County as specifically described in the attached Legal of Exhibit "A".
2. The City agrees to accept the Commission's interest in the said property and to use it solely for highway purposes; specifically, for the purpose of assuming ownership and responsibility for the Old Lafayette County Rest Area as shown in the attached right of way map in Exhibit "B" and also location sketch in Exhibit "C".
3. If the City fails to use and maintain the property interest herein conveyed for such highway purposes then the Commission may, upon 30 days' notice, terminate this Agreement; in which case, upon demand the City shall reconvey the interest to the Commission.
4. The City does not waive its sovereign immunity, but shall indemnify the Commission for any claim awarded by the Arkansas Claims Commission whatsoever arising from, or relating to, the City's use of the property.

This Transfer Agreement is effective as of the date last below written.

ARKANSAS STATE HIGHWAY COMMISSION

BY: Lorie H. Tudor 4/6/2023  
Lorie H. Tudor, P.E. Date  
Director

STAMPS, ARKANSAS

BY: Stacie Mitchell-Gweah 3/20/2023  
Stacie Mitchell-Gweah, Mayor Date