



Office of the City Clerk-Treasurer
301 W. Chestnut
Rogers, Arkansas 72756
479-621-1117
www.rogersar.gov

6:00 P.M. STATE OF THE CITY PRESENTATION - Mayor Greg Hines
City Hall Council Chambers

***AMENDED* COMMITTEE SCHEDULE**

DISCLAIMER: The City of Rogers makes no claims, promises, or guarantees regarding the participants ability to attend any public meeting virtually. Technology resources, virtual meeting platforms, and the Internet may occasionally be interrupted or made unavailable by causes beyond the City's reasonable control. The City cannot guarantee that participants will have the opportunity to participate virtually at all times. Public Forums, Public Hearings, and scheduled items of business will not be tabled or postponed due to technological issues. If you are representing a published item of business or wish to speak at a public hearing, in person attendance is required.

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: Jessica Rush, CITY CLERK-TREASURER

DATE: February 25, 2025

The following committee meetings will be held on **Tuesday, February 25, 2025** prior to the City Council Meeting:

05:30 p.m. - PUBLIC WORKS COMMITTEE: (Townzen*, Brashear, Kendall)

Committee Room #1 OR <https://us02web.zoom.us/j/86007136036> OR (312)626-6799 ID; [860 0713 6036](https://us02web.zoom.us/j/86007136036)

To Discuss: (a) RWU Monthly Report

05:30 p.m. - PUBLIC SAFETY COMMITTEE: (Wolf*, Reithemeyer, Minor)

Committee Room #2 OR <https://us02web.zoom.us/j/83166031884> OR (312)626-6799 ID: [831 6603 1884](https://us02web.zoom.us/j/83166031884)

To Discuss: (a) An Ordinance Declaring A Nuisance Structure And Ordering The Razing And Removal Of Said Structure Within The City Of Rogers, Arkansas, Located At 1233 W. Walnut Street

05:40p.m. - TRANSPORTATION COMMITTEE: (Kendall*, Surly, Minor)

Committee Room #1 OR <https://us02web.zoom.us/j/86007136036> OR (312)626-6799 ID; [860 0713 6036](https://us02web.zoom.us/j/86007136036)

To Discuss: (a) A Resolution Amending The 2025 Budget; Appropriating \$235,750.00 From Airport Fund Reserves Into Account #315-15-81148 Westside Taxilane Phase 1; Authorizing The Mayor And City Clerk To Enter Into A Contract Amendment With Garver, LLC, Of North Little Rock, Arkansas, For Design And Bid Phase Engineering Services For Construction Of An Aircraft Taxilane At The Rogers Executive Airport - FI004E

05:45 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE:

(Minor*, Townzen, Hayes) Committee Room #1 OR <https://us02web.zoom.us/j/86007136036> OR (312)626-6799 ID; [860 0713 6036](https://us02web.zoom.us/j/86007136036)

To Discuss: (a) A Resolution Authorizing The Mayor And City Clerk To Enter Into A Right-Of-Way And Utility Easement Agreement With Black Hills Energy Arkansas, Inc.



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6:00 P.M. STATE OF THE CITY PRESENTATION - Mayor Greg Hines
City Hall Council Chambers

ROGERS CITY COUNCIL
***AMENDED* AGENDA**

FEBRUARY 25, 2025

6:30 PM

In Person Rogers City Council Chambers

OR via [ZOOM LINK](#) OR By Phone (312) 626-6799 ID: 861 8235 4084

DISCLAIMER: The City of Rogers makes no claims, promises, or guarantees regarding the participants ability to attend any public meeting virtually. Technology resources, virtual meeting platforms, and the Internet may occasionally be interrupted or made unavailable by causes beyond the City's reasonable control. The City cannot guarantee that participants will have the opportunity to participate virtually at all times. Public Forums, Public Hearings, and scheduled items of business will not be tabled or postponed due to technological issues. If you are representing a published item of business or wish to speak at a public hearing, in person attendance is required.

PUBLIC HEARING:

1. An Ordinance Declaring A Nuisance Structure And Ordering The Razing And Removal Of Said Structure Within The City Of Rogers, Arkansas, Located At 1233 W. Walnut Street

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. February 11, 2025

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. ORD. Re: Declaring A Nuisance Structure And Ordering The Razing And Removal Of Said Structure Within The City Of Rogers, Arkansas, Located At 1233 W. Walnut Street PUBLIC SAFETY COMMITTEE

- | | | | |
|----|----------|---|--|
| 2. | RES. Re: | Amending The 2025 Budget; Appropriating \$235,750.00 From Airport Fund Reserves Into Account #315-15-81148 Westside Taxilane Phase 1; Authorizing The Mayor And City Clerk To Enter Into A Contract Amendment With Garver, LLC, Of North Little Rock, Arkansas, For Design And Bid Phase Engineering Services For Construction Of An Aircraft Taxilane At The Rogers Executive Airport - FI004E | TRANSPORTATION
COMMITTEE |
| 3. | RES. Re: | Authorizing The Mayor And City Clerk To Enter Into A Right-Of-Way And Utility Easement Agreement With Black Hills Energy Arkansas, Inc. | COMMUNITY
ENVIRONMENT &
WELFARE
COMMITTEE |

OLD BUSINESS:

NEW BUSINESS:

- | | | |
|----|----------|---|
| 1. | ORD. Re: | Accepting The Final Plat For The Gaffigan Family Trust Property, Rogers, Benton County, Arkansas; The Dedication Of Utility Easements And Other Public Ways Therein |
|----|----------|---|

APPOINTMENTS:

ANNOUNCEMENTS:

ORDINANCE NO. 25-_____

**AN ORDINANCE DECLARING A NUISANCE STRUCTURE AND ORDERING THE
RAZING AND REMOVAL OF SAID STRUCTURE WITHIN THE CITY OF ROGERS,
ARKANSAS, LOCATED AT 1233 W. WALNUT STREET; PROVIDING FOR THE
EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

WHEREAS, RPC Land Holdings, LLC, are the owners of certain real property situated in Rogers, Benton County, Arkansas, more particularly described as follows:

LEGAL DESCRIPTION: Part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Township 19 North, Range 30 West, Benton County Arkansas, being more particularly described as follows: Beginning at a point 264.00 feet North of the SW corner of the said SW $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence North 174.00 feet; thence East 308.23 feet; thence South 174.00 feet; thence West to the Point of Beginning. Subject to the right of way of North 13th Street across the West side thereof.

Part of the $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Township 19 North, Range 30 West, described as follows: Beginning at a point of which is North 00°56'37" West 438.01 feet and North 89°30'58" East 30 feet from the SW corner of the said SW $\frac{1}{4}$ of the NW $\frac{1}{4}$; run thence North 89°30'58" East 278.23 feet; run thence North 00°39'59" West 12.51 feet; run thence South 89°50'59" West 278.23 feet; run thence South 00°56'37" East 14.31 feet to the place of beginning.

Layman's Description 1233 W. Walnut Street, Rogers, AR 72756
Tax Parcel No. 02-01243-001

WHEREAS, the structure on the property is unfit for human habitation, constitutes a fire hazard, and is otherwise a dangerous to human life, or constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, and further is unsightly, and is considered an unsafe and unsightly structure in violation of City of Rogers' Code of Ordinance, §§ 18-55 through 18-68; more specifically, the following violations have been found to exist in violation of the International Property Maintenance Code, which is adopted by reference in the Rogers' Code of Ordinances §§ 10-32 and 10-33:

1. 2021 IPMC- Section 111.1.5 Dangerous Structure or Premises 2021 IPMC- section 111.1.1 - Unsafe structures.

An unsafe *structure* is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the *structure* by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such *structure* contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Inspection Findings: The structure has been damaged by a tornado event that occurred May 26/27/2024. The damage is extensive and poses a public hazard or nuisance. It appears roof damage and possible structural damage was caused by the storms, that has not been repaired. The damage is visible from West Walnut and North 13th Street and from all sides within the property boundaries.

2. 2021 IPMC – Section 304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions.
Inspection findings: Roof has been damaged to the extent it has been covered with tarps.
3. 2021 IPMC – Section 304.6 – Exterior walls: All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.
Inspection findings: The exterior of this structure has been damaged from the storm. Attachments are loose and falling away and the surface has been breached causing the potential for water intrusion.
4. 2021 IPMC – Section 304.13 Protective treatment.
All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.
Inspection findings: Most windows have been boarded up but some components are loose and falling away from structure.
5. 2021 IPMC – Section 301.3 Vacant structures and land.
All vacant structures and *premises* thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.
Inspection findings: The building could be considered unsightly. The building also may pose a public hazard as it is not secured from public accessibility.

WHEREAS, the owner has been notified by the City of Rogers prior to the consideration of this Ordinance, that the structure on the property is in violation of various ordinances of the City of Rogers;

WHEREAS, pursuant to City of Rogers' Code of Ordinances § 18-57, the owner was given fourteen (14) calendar days from November 5, 2024 to abate or correct documented violations;

WHEREAS, pursuant to City of Rogers' Code of Ordinances § 18-57, a follow up inspection was conducted on November 19, 2024;

WHEREAS, the owner has failed, neglected, or refused to comply with the Notice to correct the documented violations, and as such, the matter of condemning, razing and removing

the building may be referred to the City Council pursuant to City of Rogers' Code of Ordinances § 18-58;

WHEREAS, pursuant to City of Rogers' Code of Ordinances § 18-59(d); a Compliance Inspection was conducted by the Office of Building Inspections on February 25, 2025, which concluded that violations currently exist; and

WHEREAS, pursuant to Ark. Code Ann. § 14-56-203 and City of Rogers' Code of Ordinances Chapter 18, Article III, if repair or removal is not done within the required time frame, the City shall have the power to order the removal or razing of, or to remove or raze any buildings that in the opinion of the Council have become dilapidated, unsightly, unsafe, unsanitary, obnoxious, or detrimental to the public welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS THAT:

Section 1: The structure located at 1233 W. Walnut Street, Rogers, Arkansas, is dilapidated, unsightly, and unsafe; and is in the best interest of the City of Rogers to proceed with the removal of this dilapidated, unsightly, and unsafe structure;

Section 2: The owner is hereby ordered to raze (demolish) and remove the dilapidated, unsightly, and unsafe structure located on the aforesaid property; and, is further ordered to abate the unsightly conditions on the property. Said work shall be completed within thirty (30) days from the passage of this Ordinance. The manner of razing (demolishing) and removing said structure shall be to dismantled by hand or bulldoze and then disposed of all debris, completely cleaning up the property to alleviate any unsightly conditions, in a manner consistent with City of Rogers' Code of Ordinances Chapters 10, 18, and 20, and all other state laws and regulations pertaining to the demolition or removal of residential structures;

Section 3: If the aforesaid work is not completed within thirty (30) days, the Mayor, or the Mayor's authorized representative, is hereby directed to cause the aforesaid structure to be razed (demolished) and removed; and the unsafe, unsanitary and unsightly conditions abated; and the City of Rogers shall have a lien upon the aforesaid described real property for the cost of razing (demolishing) and removing said structure and abating said aforementioned conditions, said costs to be determined at a hearing before the City Council;

Section 4: Emergency Clause: The need to raze and remove a certain structure is immediate and in order to protect the public peace, health, safety and welfare an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval;

Section 5: 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 6: Repeal of Conflicting Ordinances and Resolutions: 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 this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: John Vanetta, Deputy Fire Chief- Risk Reduction

Prepared By: John M. Pesek, Senior Staff Attorney

For Consideration By: Public Safety Committee

RESOLUTION NO. R25-__

A RESOLUTION AMENDING THE 2025 BUDGET; APPROPRIATING TWO HUNDRED THIRTY-FIVE THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$235,750.00) FROM AIRPORT FUND RESERVES INTO ACCOUNT #315-15-81148 WESTSIDE TAXILANE PHASE 1; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT AMENDMENT WITH GARVER, LLC, OF NORTH LITTLE ROCK, ARKANSAS, FOR DESIGN AND BID PHASE ENGINEERING SERVICES FOR CONSTRUCTION OF AN AIRCRAFT TAXILANE AT THE ROGERS EXECUTIVE AIRPORT; AND FOR OTHER PURPOSES.

WHEREAS, The City desires to enter into a contract amendment with Garver, LLC, of North Little Rock, Arkansas, to include design and bid phase engineering services for construction of an aircraft taxi lane at the Rogers Executive Airport;

WHEREAS, The City Council previously passed Resolution R24-92 appropriating funding for the environmental phase engineering services of said project;

WHEREAS, Funding has been allocated from funds allocated to the Rogers Executive Airport under the Bipartisan Infrastructure Law with an airport improvement grant anticipated in Fiscal Year 2025; and

WHEREAS, Taxi lane infrastructure is needed to continue the growth and development of the airport and support the growth of the NWA region.

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

Section 1: The 2025 budget is amended to appropriate the sum of two hundred thirty-five thousand seven hundred fifty dollars (\$235,750.00) from Airport Fund Reserves into Account #315-15-81148 West Side Taxi Lane Phase I for the execution of a contract amendment with Garver, LLC and administration expenses;

Section 2: The Mayor and City Clerk are authorized to enter into a Contract Amendment with Garver, LLC, for design and bid phase services associated with the West Side Taxi Lane Phase I project at the Rogers Executive Airport in an amount not to exceed of two hundred twenty-eight thousand two hundred fifty dollars (\$228,250.00) plus applicable taxes, if any;

Section 3: Execution of said contract amendments with Garver, LLC shall be contingent upon the approval of the Federal Aviation Administration, as may be required;

Section 4: 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 5: Repeal of Conflicting Provisions: All resolutions of the City Council, or part of resolutions of the City Council in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: David R. Krutsch, Airport Director – Rogers Executive Airport

Prepared By: John M. Pesek, Senior Staff Attorney

For Consideration By: Transportation Committee

RESOLUTION NO. R25-_____

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO
A RIGHT-OF-WAY AND UTILITY EASEMENT AGREEMENT WITH BLACK HILLS
ENERGY ARKANSAS, INC.; AND FOR OTHER PURPOSES.**

WHEREAS, Black Hills Energy Arkansas, Inc. of Fayetteville, Arkansas desires a right-of-way and easement to place underground facilities at the intersection of West Easy Street and North 8th Street; and

WHEREAS, the City believes it appropriate to allow Black Hills Energy a right-of-way and easement to place a gas line on property located at the intersection of West Easy Street and North 8th Street as depicted in Exhibit “A.”

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

Section 1: The Mayor and City Clerk are hereby authorized to enter into an easement agreement with Black Hills Energy Arkansas, Inc. for the purpose of placing utilities at the intersection of West Easy Street and North 8th Street, as shown in Exhibit “A”;

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 resolutions of the City Council, or parts of resolutions of the City Council, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Director Community Development

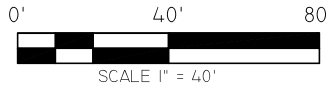
Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Community Environment & Welfare Committee

AREA TABLE		
EASEMENT TYPE	ACRES	SQ. FT.
NEW EASEMENT	0.094±	4,076±
EXISTING EASEMENT	0.002±	100±
TEMP. CONSTRUCTION	0.355±	15,482±
OVERALL EASEMENT	0.449±	19,559±

EXHIBIT A

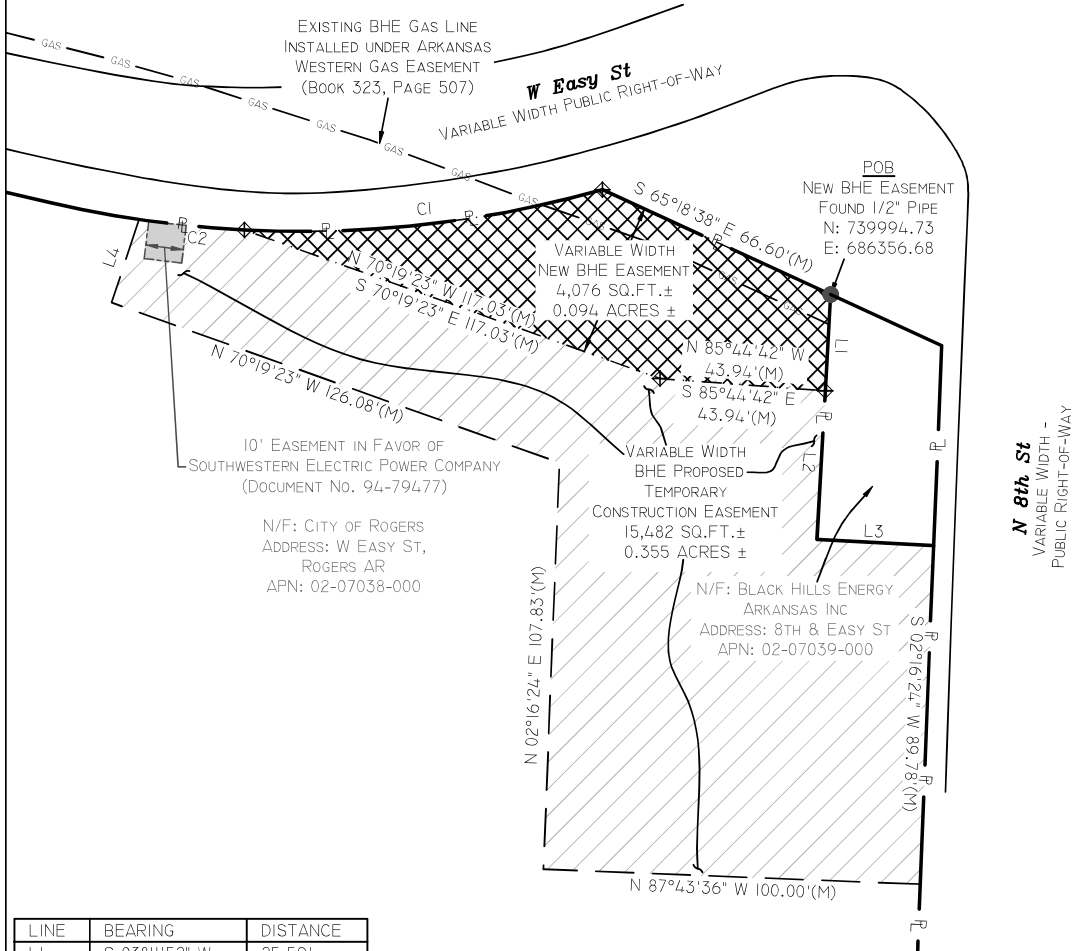
THIS MAP HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.



CERTIFICATION

I, PAXTON R. SINGLETON CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN WARRANTY DEED - DOCUMENT NO. L201926687; THIS EXHIBIT IS A PROPOSED EASEMENT FOR A PUBLIC UTILITY. THE PURPOSE OF THIS EXHIBIT IS FOR RIGHT OF WAY OR EASEMENT ACQUISITION ONLY AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN HEREON.

THIS ____ DAY OF DECEMBER 2023



LINE	BEARING	DISTANCE
L1	S 03°11'52" W	25.59'
L2	S 03°11'52" W	39.41'
L3	S 86°50'08" E	30.97'
L4	N 18°08'11" E	23.22'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
CI	293.38'	95.96'	95.53'	N 83°34'09" E
CI	293.38'	28.10'	28.09'	S 84°18'59" E

●	FOUND MONUMENT	---	NEW B.H.E. EASEMENT RIGHT-OF-WAY
⊕	COMPUTED POINT	---	TEMP. CONSTRUCTION EASEMENT
POB	POINT OF BEGINNING	---	EXISTING EASEMENT
▨	TEMP. CONSTRUCTION HATCH	---	DEED LINE
▩	NEW B.H.E. EASEMENT HATCH	---	EXISTING UNDERGROUND GAS LINE
▧	EXISTING EASEMENT HATCH	---	

NOTES:

- SUBJECT PROPERTY SURVEYED AND MAPPED FOR: BLACK HILLS ENERGY
- AREA BY COORDINATE COMPUTATION METHOD.
- ALL DISTANCES ARE IN HORIZONTAL GRID DISTANCES IN U.S. SURVEY FEET.
- PROPERTY SUBJECT TO ANY VALID & ENFORCEABLE EASEMENTS, RESTRICTIONS, & RIGHT-OF-WAY.
- SURVEY BASED ON PHYSICAL EVIDENCE AND EXISTING MONUMENTATION FOUND DURING THIS SURVEY.
- THIS EXHIBIT IS BEING PREPARED AS COUNTERPART TO AN ONGOING LIMITED BOUNDARY & TOPOGRAPHIC SURVEY CONDUCTED BY BLEW & ASSOCIATE P.A. FOR BLACK HILLS ENERGY UNDER THE SUPERVISION OF PAXTON SINGLETON, IN THE MONTHS OF OCTOBER & NOVEMBER OF 2021.



BLACK HILLS ENERGY EASEMENT EXHIBIT

EASEMENT ACROSS THE LANDS OF:
CITY OF ROGERS

W EASY ST,
ROGERS AR

EXHIBIT #: 28 OF 28

REVISION: 07/30/2024

DATE: 12/01/2023

DRAWN BY: CRH

CHECK BY: TS

SCALE: 1" = 40'

DOCUMENT NO. L201926687

SHEET 1 OF 1

BLEW

Surveying | Engineering | Environmental

3825 N. SHILOH DRIVE, FAYETTEVILLE, AR 72703
OFFICE: 888-933-2111 EMAIL: SUPPORT@BLEW.COM

ORDINANCE NO. 25- _____

AN ORDINANCE ACCEPTING THE FINAL PLAT FOR THE GAFFIGAN FAMILY TRUST PROPERTY, ROGERS, BENTON COUNTY, ARKANSAS; THE DEDICATION OF UTILITY EASEMENTS AND OTHER PUBLIC WAYS THEREIN; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the Final Plat has been submitted for the Gaffigan Family Trust Property, Rogers, Benton County Arkansas which is more particularly described as follows, to-wit:

LEGAL DESCRIPTION:

TRACT 2, OF A TRACT SPLIT FILED IN PLAT RECORD "29" AT PAGE 235 AND BEING LOCATED IN A PART OF THE NW 1/4 OF THE NW 1/4 AND A PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 17, TOWNSHIP 19 NORTH, RANGE 30 WEST IN BENTON COUNTY, ARKANSAS MORE PRECISELY DESCRIBED AS FOLLOWS: STARTING AT THE NW CORNER OF THE SOUTH 1/2 OF THE NW 1/4 OF THE NW 1/4; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 6.97 FEET; THENCE SOUTH 00 DEGREES 04 MINUTES 48 SECONDS WEST 526.44 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 49 SECONDS EAST 259.08 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 53 MINUTES 49 SECONDS EAST 394.14 FEET; THENCE SOUTH 00 DEGREES 02 MINUTES 59 SECONDS WEST 426.00 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 49 SECONDS WEST 394.14 FEET; THENCE NORTH 00 DEGREES 02 MINUTES 59 SECONDS EAST 426.00 FEET TO THE TRUE POINT OF BEGINNING. SUBJECT TO PRICE-ALLEY ROAD ALONG THE NORTH AND EAST SIDES AND ANY EASEMENTS OF RECORDS. SUBJECT TO EXISTING EASEMENTS, MINERAL RESERVATIONS, CONVEYANCES AND/OR LEASES, AND COVENANTS AND RESTRICTIONS OF RECORD, IF ANY.

WHEREAS, the City Council finds that said Final Plat is in conformance with the City of Rogers Code of Ordinances; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Rogers, Arkansas that said Final Plat be approved and the dedication of the utility easements and other public ways be accepted and confirmed.

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

Section 1: The Final Plat of Gaffigan Family Trust Property, Rogers, Benton County, Arkansas, as described in the Plat thereof, is hereby accepted, approved, and confirmed;

Section 2: All dedication of utility easements and other public ways as set forth in the Plat are hereby accepted by the City. The Mayor and City Clerk are authorized and directed to certify the aforesaid approval and acceptance upon the face of the Plat;

Section 3: Emergency Clause: As the facilities to be constructed within this subdivision will promote the economy of the City and will promote the public health and welfare, an emergency is declared to exist and this Ordinance shall be in full force and effect from the date of passage and approval;

Section 4: 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 5: 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 this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: John McCurdy, Director Community Development
Prepared by: John M. Pesek, Senior Staff Attorney