

MINUTES OF MEETING
BOARD OF DEVELOPMENTAL DISABILITIES SERVICES
PHYSICAL MANAGEMENT SUBCOMMITTEE
August 16, 2017
Conway Human Development Center
Conway, Arkansas

The Physical Management Subcommittee meeting of the Board of Developmental Disabilities Services (DDS) was held August 16, 2017 at the Conway Human Development Center. The meeting convened at 9:30 a.m. pursuant to the call of acting Subcommittee Chair Randy Laverty.

MEMBERS PRESENT: Suzann McCommon, Randy Laverty, David Rosegrant, Johnathan Jones and Jeff Gonyea.

STAFF PRESENT: DDS Director Melissa Stone, Avis Lane, Dale Woodall, James Brader, Tammy Benbrook and Jeff Gonyea.

OTHERS PRESENT: Jan Fortney and Mike McCreight.

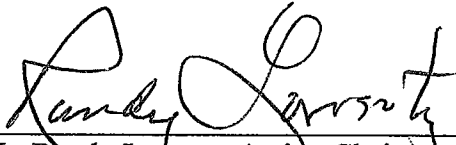
Mr. Laverty called the meeting to order and welcomed everyone in attendance.

Mr. Brader presented information to the Board regarding a request to place an easement on Booneville Human Development Center property currently occupied by USDA. (Attachment 1). The request involves an existing roadway which leads to the homeowner's property. A legal easement is needed for mortgage purposes and USDA is willing to accommodate the request as their operation will not be affected. Mr. Gonyea made a motion to approve the easement request. Mr. Rosegrant seconded the motion which passed unanimously.

Mr. Brader updated the Board on the property in Alexander. Since DDS closed the facility in 2011 there are no ICF funds to maintain it and vandalism has been extensive. Pathfinders currently houses clients on the property under a DDS lease agreement which extends to 2022. The city of Alexander is interested in utilizing the property as a training facility for the police department. Mr. Brader and Mr. McCreight met with city officials to work out the details of transferring the title of the property. The city agreed that Pathfinders' lease on the property would carry forward for the duration of the lease with the city serving as landlord. Mr. Laverty asked for clarification that DDS had no future plans for the property. Ms. Stone advised there are no plans or funds to maintain the property. Mr. Laverty made a motion to transfer the property with the stipulation that Pathfinders' lease is extended until 2022. Ms. Stone seconded the motion which passed unanimously.

Mr. Laverty called for a motion for the meeting to be adjourned. Ms. McCommon made a motion for the meeting to be adjourned. Mr. Rosegrant seconded the motion which passed unanimously. The meeting adjourned at 9:50 a.m.

ATTEST:



Mr. Randy Laverty, Acting Chair
Physical Management Subcommittee


Executive Secretary

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned for a good and valuable consideration, the receipt hereof is hereby acknowledged, THE STATE OF ARKANSAS, DEPARTMENT OF HUMAN SERVICES, DIVISION OF DEVELOPMENTAL SERVICES, GRANTOR, does hereby grant unto Lam T. Ton and Anna T. Ton, husband and wife, GRANTEES, and unto their successors or assigns forever, the right to enter upon the lands of the undersigned lying in the County of Logan, State of Arkansas, and more particularly described below and incorporated by reference:

EASEMENT AREA:

All that part of the following described land lying West of the East line of the SW1/4 NW1/4 described as follows:

A road easement across a part of the SW1/4 of the NW1/4 and part of the SE1/4 of the NW1/4 of Section 21, T-5-N, R-28-W in Logan County, Arkansas more particularly described as beginning at the SE corner of the NW1/4 of the NW1/4 of Section 21
thence East, a distance of 15.00 feet; thence along a fence on the following courses: S 03 degrees 03' 53" W, a distance of 85.74 feet; S 06 degrees 54' 48" W, a distance of 65.80 feet; S 04 degrees 53' 17" W, a distance of 82.15 feet; S 01 degrees 51' 01" W, a distance of 277.18 feet; S 01 degrees 56' 10" W, a distance of 59.19 feet; S 01 degrees 27' 32" W, a distance of 374.91 feet to a point on the North right of way of Highway 23; thence along the right of way S 62 degrees 53' 22" W, a distance of 45.88 feet to a pipe fence post; thence leaving the highway N 29 degrees 56' 01" E, a distance of 7.15 feet to a pipe fence post; thence N 02 degrees 35' 19" E, a distance of 960.18 feet; thence S 87 degrees 49' 08" E, a distance of 18.91 feet to the POINT OF BEGINNING; said described tract containing 0.66 Acres, more or less.

GRANTEE'S PROPERTY:

A part of the NW 1/4 of the NW 1/4 of Section 21 and part of the NE 1/4 of the NE1/4 of Section 20 in T-5-N, R-28-W Logan County, Arkansas more particularly described as beginning at a 4 inch pipe fence corner marking the SW corner of the NE 1/4 of the Ne 1/4 of Section 20; thence N 02 degrees 34' 36" E, along the West line of the NE 1/4 of the NE 1/4, a distance of 980.86 feet; thence S 88 degrees 22' 37" E, a distance of 2652.82 feet to the East line of the NW 1/4 of the NW 1/4 of Section 21; thence S 02 degrees 09' 28" W, a distance of 999.07 feet to the SE corner of the NW 1/4 of the NW 1/4; thence N 87 degrees 49' 08" W, a distance of 1332.05 feet to the SW corner of the NW 1/4 of the NW 1/4; thence N 88 degrees 08' 49" W, a distance of 1327.84 feet to the POINT OF BEGINNING; said described tract containing 60.42 Acres, more or less.

The Easement Area shall be used to permit and enable present and future owners of the above described Grantee's Property, their heirs and assigns to pass over the lands in the Easement Area for the purpose of ingress and egress to and from the Grantee's Property for pedestrian and motor vehicle use.

The undersigned covenants that it is the owner of the above described lands and that the said land is free and clear of encumbrances and liens of whatsoever character, except those held by the following: a lease with United States Department of Agriculture (USDA), and any future renewals thereof. This easement shall be subject to all future leases of said land with any other person or person(s) or entity.

GRANTEE is responsible for damages caused by use of the right of way. In granting this easement and right of way, the GRANTOR does not deed away the ownership of any land. Use of the easement shall not unreasonably interfere with the use of the lands by the Grantor and/or any lessee of the Grantor.

The Easement Area shall at all times be maintained. This Easement may not be modified, amended, or terminated without the prior consent of GRANTOR. The covenant set forth herein shall run with the land and be binding on and insure to the benefit of the parties hereto and their respective heirs, legal representatives, successors and assigns. Failure to comply with the terms set forth herein may result in the revocation of this Easement

IN WITNESS WHEREOF, the undersigned have set their hand and seal this ____ day of _____, 2017.

_____, 2017

Arkansas Department of Human Services
Developmental Disabilities Services Board

By: _____

ACKNOWLEDGMENT

STATE OF ARKANSAS)

COUNTY OF _____)

BE IT REMEMBERED, that on this day came before me, the undersigned, a Notary Public, within and for the County and State aforesaid, duly commissioned, _____, to me well known as the Chair of the Developmental Disabilities Services Board, Grantor in the foregoing easement, and stated that he/she had executed the same for the consideration and purposes therein mentioned and set forth.

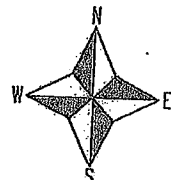
WITNESS my hand and seal as Notary Public this ____ day of _____, 2017,

NOTARY PUBLIC

My Commission Expires:

Ton Property

SE CORNER
NW 1/4 NW 1/4
21-5-28



LEGEND
 POB Point of Beginning
 ○ Found Rebar
 --- Fence Line



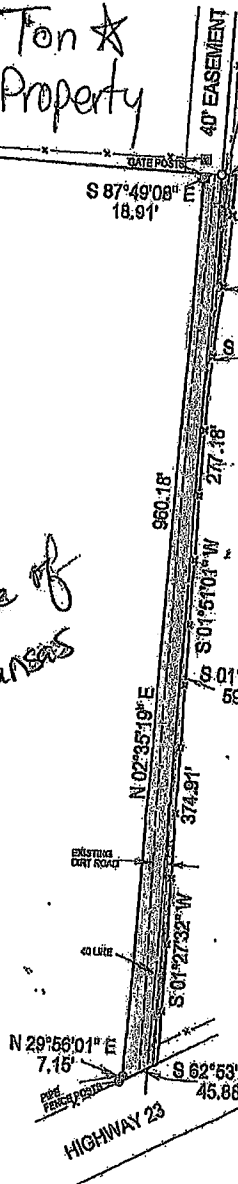
Bearings are Grid North

State of
Arkansas

Updike

EASEMENT

A road easement across a part of the SW 1/4 of the NW 1/4 and part of the SE 1/4 of the NW 1/4 of Section 21, T-5-N, R-28-W in Logan County, Arkansas more particularly described as beginning at the SE corner of the NW 1/4 of the NW 1/4 of Section 21 thence East, a distance of 15.00 feet; thence along a fence on the following courses: S 03° 03' 53" W, a distance of 85.74 feet; S 06° 54' 48" W, a distance of 65.80 feet; S 04° 53' 17" W, a distance of 82.15 feet; S 04° 57' 01" W, a distance of 277.18 feet; S 01° 56' 10" W, a distance of 59.19 feet; S 01° 27' 32" W, a distance of 374.91 feet to a point on the North right of way of Highway 23 thence along the right of way S 62° 53' 22" W, a distance of 45.88 feet to a pipe fence post; thence leaving the highway N 29° 56' 01" E, a distance of 7.15 feet to a pipe fence post; thence N 02° 35' 19" E, a distance of 960.18 feet; thence S 87° 49' 08" E, a distance of 18.91 feet to the POINT OF BEGINNING; said described tract containing 0.86 Acres, more or less.



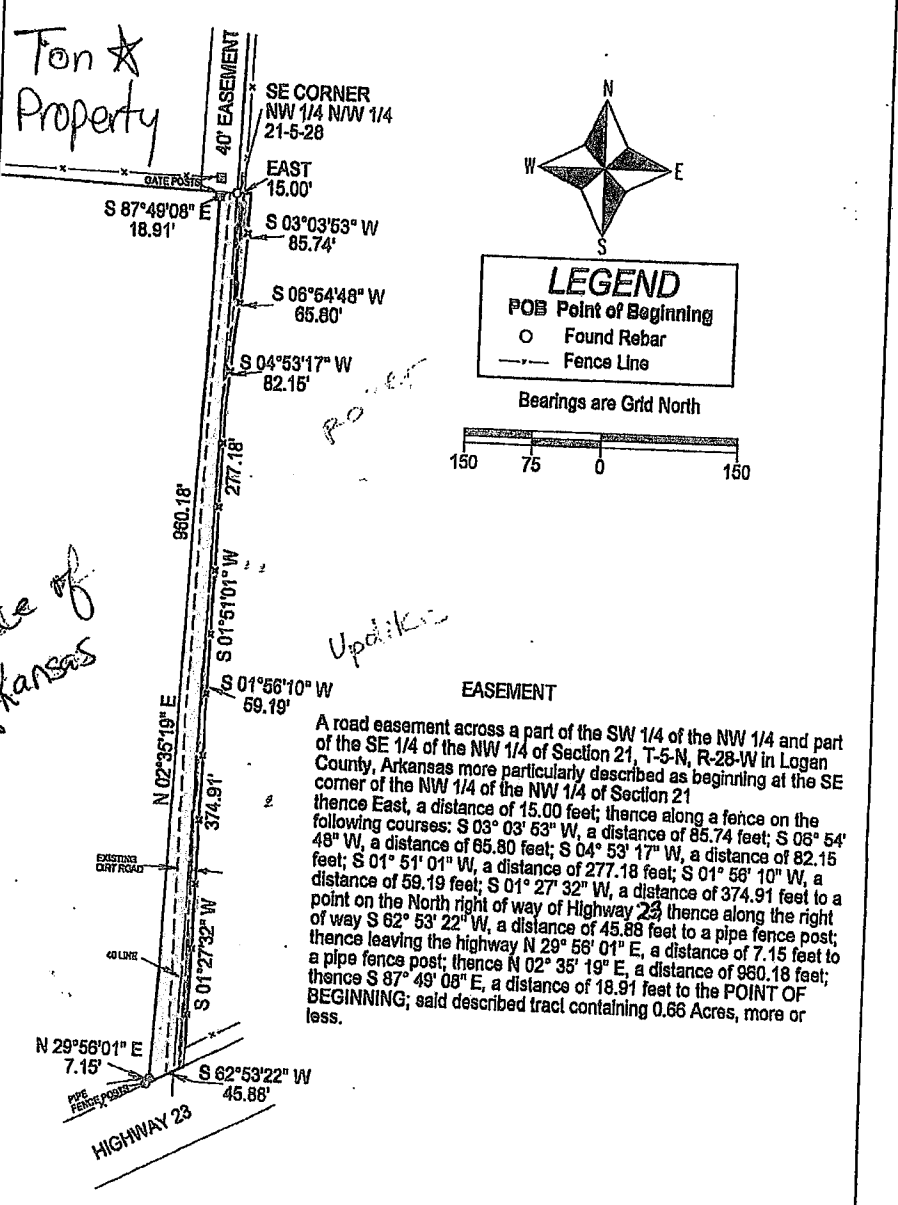
This survey does not constitute a title search by surveyor. Survey is made subject to any facts that of record and accurate title search might reveal.

Unless specifically shown hereon no statement or guarantee is made concerning the presence of pipelines, walls, cables, fences, or other subsurface encumbrances that might affect the title or use of surveyed property.

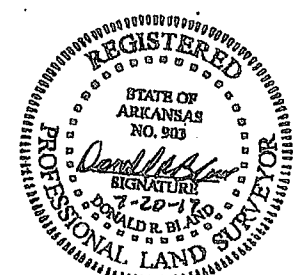
This document is for the use and benefit of the person whose name appears hereon, and those who purchase, mortgage or guarantee the same within a period of sixty (60) days from the date shown hereon. Further use of this document will not be warranted.

DON BLAND SURVEYING, INC.
 PROFESSIONAL LAND SURVEYORS SINCE 1981
 P.O. BOX 866 DANVILLE, AR 72833
 PHONE: (479) 265-2281
 BUCKNERVILLE, AR PH: (479) 675-2042
 FAX: (479) 493-7471 EMAIL: d.bland@arksvast.com

CLIENT:	JASON LE TOM
STATE PLAT CODE:	500-65N-28W-0-16-330-42-0503 500-65N-28W-0-21-440-42-0503 500-65N-28W-0-20-110-42-0503
DATE:	7-20-17
JOB #	28-17ES



A road easement across a part of the SW 1/4 of the NW 1/4 and part of the SE 1/4 of the NW 1/4 of Section 21, T-5-N, R-28-W in Logan County, Arkansas more particularly described as beginning at the SE corner of the NW 1/4 of the NW 1/4 of Section 21 thence East, a distance of 15.00 feet; thence along a fence on the following courses: S 03° 03' 53" W, a distance of 85.74 feet; S 08° 54' 48" W, a distance of 65.80 feet; S 04° 53' 17" W, a distance of 82.15 feet; S 01° 51' 01" W, a distance of 277.18 feet; S 01° 56' 10" W, a distance of 59.19 feet; S 01° 27' 32" W, a distance of 374.91 feet to a point on the North right of way of Highway 23; thence along the right of way S 62° 53' 22" W, a distance of 45.88 feet to a pipe fence post; thence leaving the highway N 29° 58' 01" E, a distance of 7.15 feet to a pipe fence post; thence N 02° 35' 19" E, a distance of 980.18 feet; thence S 87° 49' 08" E, a distance of 18.91 feet to the POINT OF BEGINNING; said described tract containing 0.66 Acres, more or less.



This survey does not constitute a title search by surveyor. Survey is made subject to any facts that a current and accurate title search might reveal.

Unless specifically shown hereon no claimant or guarantee is made concerning the presence of pipelines, walls, cables, fences, or other subsurface structures that might affect the title or use of surveyed property.

This document is for the use and benefit of the person whose name appears hereon, also those who purchase, mortgage or guarantee title thereto within a period of sixty (60) days from the date shown hereon. Further use of this document will not be warranted.

DON BLAND SURVEYING, INC.

PROFESSIONAL LAND SURVEYORS SINCE 1981

P.O. BOX 866 DANVILLE, AR. 72833

BOONVILLE, AR. P.H. (479) 675-2042

FAX: (479) 495-7421

EMAIL: www.survey@arkwest.com

CLIENT:	JASON LE TOM
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