



Legislation Details (With Text)

**File #:** ORD-17:005    **Version:** 1    **Name:** 5509 Viney Creek Utility Easement Abandonment  
**Type:** Ordinance    **Status:** Passed  
**File created:** 2/9/2017    **In control:** City Council  
**On agenda:**    **Final action:** 2/21/2017

**Title:** AN ORDINANCE ABANDONING AND VACATING THE UNDEVELOPED UTILITY EASEMENT IN: THE 15' UTILITY EASEMENT LYING WITHIN LOT 49 OF THE REPLAT TO ADD LOT 48, SOUTHBEND SUBDIVISION PHASE ONE, JONESBORO, ARKANSAS, AS SHOWN BY PLAT RECORDED IN PLAT CABINET "C", PAGE 193, PUBLIC RECORDS OF CRAIGHEAD COUNTY, AT JONESBORO, ARKANSAS, RECORDED APRIL 22, 2008.

**Sponsors:**

**Indexes:** Abandonment

**Code sections:**

**Attachments:** 1. Engineering & Planning Department Letters.pdf, 2. Petition, 3. Survey, 4. Utility Letters

Date	Ver.	Action By	Action	Result
2/21/2017	1	City Council	Passed	Pass

AN ORDINANCE ABANDONING AND VACATING THE UNDEVELOPED UTILITY EASEMENT IN: THE 15' UTILITY EASEMENT LYING WITHIN LOT 49 OF THE REPLAT TO ADD LOT 48, SOUTHBEND SUBDIVISION PHASE ONE, JONESBORO, ARKANSAS, AS SHOWN BY PLAT RECORDED IN PLAT CABINET "C", PAGE 193, PUBLIC RECORDS OF CRAIGHEAD COUNTY, AT JONESBORO, ARKANSAS, RECORDED APRIL 22, 2008.

WHEREAS, the City Council at its regular meeting on February 21, 2017, pursuant to Ark. Stats. Section ]4-301-302 through ]4-301-304 heard the request of Lee Raymond Mott & Christine J. Mott, Susan Wells and Jay Edward Wheeler to abandon the utility easement; and

WHEREAS, the City Council held a public hearing and heard all persons desiring to be heard in connection with this matter; and

WHEREAS, the respective utilities have consented to the abandonment; and

WHEREAS, the abandonment of said utility easement will not adversely affect the City of Jonesboro, and would be in the best interest of all parties concerned.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas, that;

SECTION 1. The City of Jonesboro, Arkansas hereby vacates and abandons all if its rights together with the rights of the public generally, in and to the the 15' utility easement lying within lot 49 of the replat to add lot 48, Southbend Subdivision Phase One, Jonesboro, Arkansas, as shown by plat recorded in plat cabinet "C", page 193, public records of Craighead County, at Jonesboro, Arkansas, recorded April 22, 2008.

SECTION 2. A copy of this Ordinance duly certified by the City Clerk shall be filed in the office of the

Recorder of Craighead County at Jonesboro, Arkansas, and recorded in Deed Records of Craighead County, Arkansas.

SECTION 3. The closing, vacating and abandonment by the City of its rights and the rights of the public generally in the above described utility easement are in the public interest and will promote the public peace and welfare.

PASSED AND APPROVED this 21st day of February, 2017.