

**ORDINANCE NO. 2587**

**AN ORDINANCE ABANDONING A PORTION OF EASEMENT FOR HIGGINBOTTOM CREEK LOCATED IN THE CITY OF JONESBORO, ARKANSAS.**

WHEREAS, the City Council at its regular meeting on November 21, 1994, heard the request of Mickey Seeman to abandon a portion of the easement of Higginbottom Creek which runs along his South property line; and

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

WHEREAS, Mickey Seeman has constructed a swimming pool which encroaches on approximately five feet of easement which runs along his South property line; and

WHEREAS, the abandonment of the north five feet of the West 65 feet of the 20 feet easement running along the South end of Lot 7, Block C of Windover Heights, a Replat of Southridge Subdivision, Phase I, Jonesboro, Arkansas, would not adversely affect the use of said easement and would be in the best interest of all parties concerned.

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

SECTION 1: The City of Jonesboro, Arkansas, hereby vacates and abandons all of its rights together with the right of the public generally, in the North five feet of the West 65 feet of the 20 feet easement for Higginbottom Creek which runs along the South side of Lot 7, Block C of Windover Heights, a Replat of Southridge Subdivision, Phase I, Jonesboro, Arkansas.

SECTION 2: A copy of this ordinance duly certified by the City Clerk shall be filed in the office of Recorder of Craighead County at Jonesboro, Arkansas, and recorded in the 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 portion of the easement for Higginbottom Creek is in the public interest and will promote the public pace and welfare. And further, the City Council finds that an emergency exists and this ordinance being necessary for the protection and promotion of the public health, welfare and safety, the same shall take effect from and after its passage and approval.

PASSED AND ADOPTED THE 21st of November, 1994

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RECORDED

<sup>Dead</sup>  
BOOK 506 PAGE 283-284

DATE 6-17-96 TIME 10:41 AM.

CRAIGHEAD COUNTY  
PAT FLEETWOOD, CLERK

BY Shannon Vickers