

ORDINANCE NO. 3192

AN ORDINANCE ABANDONING UTILITY EASEMENTS AND ROAD RIGHT OF WAY IN SAGE MEADOWS PHASE I-D TO THE CITY OF JONESBORO, ARKANSAS.

WHEREAS, the City Council at its regular meeting on January 17th, 2000, pursuant to Ark. Stats. Section 14-301-302 through 14-301-304 heard the request of Sage Meadows Development Company to abandon two five foot utility easements running East and West along Lots T-49 and T-50 of Sage Meadows, Phase I-D, and a 60 foot road right of way located between Lots T-49 and T-50 in Sage Meadows Phase I-D; and

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

WHEREAS, Sage Meadows Development Company has received approval from all utility companies for the abandonment of said easements and road right of way; and

WHEREAS, the abandonment of said easements and road right of way would not adversely affect any utility companies 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 of its rights together with

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the right of the public generally, in and to the two five foot utility easements running East and West along Lots T-49 and T-50 of Sage Meadows, Phase I-D, described as follows:

An easement lying within Lot T-50, according to the plat of Sage Meadows Phase I-D, as recorded in the public records of Craighead County at Jonesboro, Arkansas, being more particularly described as follows: Commencing at the Southwest Corner of Lot T-50 aforesaid; thence South  $75^{\circ}47'35''$  East, along the Southerly line of said Lot T-50, a distance of 15.0 feet to the point of beginning of the herein described parcel; thence continue South  $75^{\circ}48'35''$  East, along said Southerly line, a distance of 85.00 feet to a point of curvature of a curve concave Northwesterly, having a radius of 25.00 feet; thence Northeasterly along the arc of said curve, through a central angle of  $90^{\circ}00'00''$ , a distance of 39.27 feet to the end of said curve; thence North  $75^{\circ}47'35''$  West, a distance of 5.00 feet to a point on a curve concave Southwesterly, having a radius of 20.00 feet and whose radius point bears North  $75^{\circ}47'35''$  West; thence Southwesterly, along the arc of said curve, through a central angle of  $90^{\circ}00'00''$ , a distance of 31.42 feet to other point of tangency of said curve; thence North  $75^{\circ}47'35''$  West, a distance of 85.00 feet to a point; thence South  $14^{\circ}12'25''$  West, a distance of 5.00 feet to the point of beginning, containing in all 602 square feet or 0.014 acres, more or less, subject to easements, restrictions, reservations and rights of way of record; and

An easement lying within Lot T-49, according to the plat of Sage Meadows, Phase I-D, as recorded in the public records of Craighead County, at Jonesboro, Arkansas, being more particularly described as follows: Commencing at the Northwest Corner of Lot T-49 aforesaid; thence South  $75^{\circ}47'35''$  East, along the Northerly line of said Lot T-49, a distance of 15.0 feet to the point of beginning of the herein described parcel; thence continue South  $75^{\circ}47'35''$  East, along said Northerly line, a distance of 85.00 feet to a point of curvature

of a curve concave Southwesterly, having a radius of 25.00 feet; thence Southeasterly along the arc of said curve, through a central angle of 90°00'00", a distance of 39.27 feet to the end of said curve; thence North 75°47'35" West, a distance of 5.00 feet to a point on a curve concave Southwesterly, having a radius of 20.00 feet and whose radius point bears North 75°47'35" West; thence Northwesterly, along the arc of said curve, through a central angle of 90°00'00", a distance of 31.42 feet to the point of tangency of said curve; thence North 75°47'35" West, a distance of 85.00 feet to a point; thence North 14°12'25" East, a distance of 5.00 to the point of beginning, containing in all 602 square feet or 0.014 acres, more or less, subject to easements, restrictions, reservations and rights of way of record;

The City of Jonesboro, Arkansas further hereby vacates and abandons all of its rights together with the right of the public generally, in and to the following described road right of way located between Lots T-49 and T-50 in Sage Meadows Phase I-D:

A road right of way lying within Sage Meadows Phase I-D, according to the plat of Sage Meadows, Phase I-D, as recorded in the public records of Craighead County, at Jonesboro, Arkansas, being more particularly described as follows: The road right of way for Western Gales Cove, as shown on the plat of Sage Meadows Phase I-D aforesaid, said parcel bound on the East by the Westerly right of way line of Western Gales Drive, bound on the West by the Easterly line of Lot C-1A, bound on the North by the Southerly line of Lot T-50 and bound on the South by the Northerly line of Lot T-49, said parcel being subject to utility easements which will remain in effect over the West 15.0 feet and the East 5.0 feet thereof, containing in all 7,768 square feet or 0.178 acres, more or less, subject to easements, restrictions, reservations and rights of way of record.

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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 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 easements and road right of way is in the public interest and will promote the public peace 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 this 7<sup>th</sup> day of February, 2000.

DEED BK 796 PG 753 - 756  
DATE 05/18/2009  
TIME 10:48:08 AM  
RECORDED IN,  
OFFICIAL RECORDS OF  
CRAIGHEAD COUNTY  
ANN HUDSON  
CIRCUIT CLERK  
\_\_\_\_\_, D.C.  
RECEIPT# 188801