

ORDINANCE NO. 2468

AN ORDINANCE VACATING, CLOSING AND ABANDONING SOUTH STREET 30 FEET IN WIDTH AND BOUNDED ON THE WEST SIDE BY DUDLEY STREET AND ON THE EAST SIDE BY INDUSTRIAL DRIVE.

WHEREAS, AFTER DUE NOTICE, THE CITY COUNCIL AT THE SPECIAL PUBLIC HEARING ON APRIL 5, 1993, HEARD ALL PERSONS DESERVING TO BE HEARD; AND

WHEREAS, THE VACATING, ABANDONMENT, AND CLOSING OF WOULD BE IN THE BEST INTEREST OF THE PUBLIC AND WOULD PROMOTE THE WELFARE AND WELL BEING OF THE MAJORITY OF THE PUBLIC.

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

SECTION ONE: THE CITY OF JONESBORO, ARKANSAS, HEREBY RELEASES, VACATES, CLOSES AND ABANDONS ALL OF ITS RIGHTS TOGETHER WITH THE RIGHT OF THE PUBLIC GENERALLY, SUBJECT TO EXISTING UTILITY EASEMENTS, IN AND TO SOUTH STREET AS DESCRIBED IN DEDICATION DEED EXECUTED BY W.O. DUDLEY AND LOLA DUDLEY, HIS WIFE DATED NOVEMBER 11, 1957, FILED NOVEMBER 15, 1957, AND RECORDED IN DEED RECORD 139 PAGE 43 AT JONESBORO, ARKANSAS, AND AS SHOWN ON PLAT OF DUDLEY'S FIRST ADDITION TO THE TOWN OF NETTLETON, ARKANSAS, FILED NOVEMBER 15, 1957, AND RECORDED IN DEED RECORD 123 PAGE 47 AT JONESBORO, ARKANSAS, AND AS SHOWN ON PLAT OF DUDLEY'S SUBDIVISION OF A PART OF BLOCKS B, C, D, E, F, AND G OF DUDLEY'S FIRST ADDITION TO THE TOWN NETTELTON, ARKANSAS, FILED APRIL 23, 1962, AND RECORDED IN DEED RECORD 123 PAGE 150 AT JONESBORO, ARKANSAS.

SECTION TWO: 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 THREE: THE CLOSING, VACATING AND ABANDONMENT BY THE CITY OF ITS RIGHTS AND THE RIGHTS OF THE PUBLIC GENERALLY IN THE ABOVE DESCRIBED SOUTH STREET 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 5TH DAY OF APRIL, 1993.

RECORDED

*Deed*  
BOOK 506 PAGE 259-260

DATE 6-17-96 TIME 10:24 AM.

CRAIGHEAD COUNTY  
PAT FLEETWOOD, CLERK

BY Shanna Vickers

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WHEREAS, after due notice, the City Council at the special public hearing on April 5<sup>th</sup>, 1993, heard all persons deserving to be heard; and

WHEREAS, South Street 30 feet in width and bounded on the west side by Dudley Street and on the east side by Industrial Drive; and

WHEREAS, the vacating, abandonment, and closing of South Street would be in the best interest of the public and would promote the welfare and well being of the majority of the public.

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

Section 1. The City of Jonesboro, Arkansas, hereby releases, vacates, closes and abandons all of its rights together with the right of the public generally, subject to existing utility easements, in and to South Street as described in Dedication Deed executed by W.O. Dudley and Lola Dudley, his wife, dated November 11, 1957, filed November 15, 1957, and recorded in Deed Record 139 Page 43 at Jonesboro, Arkansas, and as shown on Plat of Dudley's First Addition to the Town of Nettleton, Arkansas, filed November 15, 1957, and recorded in Deed Record 123 Page 47 at Jonesboro, Arkansas, and as shown on Plat of Dudley's Subdivision of a Part of Blocks B, C, D, E, F, and G of Dudley's First Addition to the Town of Nettleton, Arkansas, filed April 23, 1962, and recorded in Deed Record 123 Page 150 at Jonesboro, Arkansas.

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 South Street 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 April 5<sup>th</sup>, 1993.