

903
ORDINANCE NO. ~~921A~~

AN ORDINANCE TO VACATE AND ABANDON A CERTAIN ALLEY IN THE CITY OF JONESBORO, ARKANSAS.

BE IT ORDAINED by the Mayor and Council of the City of Jonesboro, Arkansas:

Whereas, a petition was duly filed with the city council of the City of Jonesboro, Arkansas on the 20th day of June, 1955, asking the City Council to vacate and abandon that portion of the alley designated on the plat of Block Two of Wilson's First Addition to the City of Jonesboro, Arkansas, as same appears in Deed Record 26, Page 241, in the office of Circuit Clerk of Jonesboro, Arkansas, designated as follows, to-wit:

A ten foot alley running East and West from Puryear Street to Wilson Street, in Block Two of Wilson's First Addition to the City of Jonesboro, Arkansas, same being ten feet in width and 375 feet in length. Said alley is bounded on the North by Lots one through five and on the South by Lots six through ten of said Wilson's First Addition; and

WHEREAS, after due notices as required by law, the City Council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the alley hereinabove described has heretofore been dedicated to the public use as an alley; and has not been actually used by the public generally for a period of at least five years subsequent to the filing of the plat; that all the owners of the property abutting to the portion of the alley to be vacated have filed with the City Council their written consent to such abandonment; and that public interest and welfare will not be adversely affected by the abandonment of such alley;

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

Section 1. The City of Jonesboro, Arkansas, hereby releases, vacates and abandons all its rights, together with the rights of the public generally, RESERVING HOWEVER, in the City Water and Light Plant of Jonesboro, Arkansas, its successors and assigns, the right and easement to maintain existing sewer, water and utility lines beneath the alley site herein described together with the right of the City Water and Light

Plant to go on said lands for the purpose of building, repairing and maintaining existing sewer, water and utilities line.

Section 2. A copy of the Ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of this County and shall be recorded in the deed records of Craighead County.

Section 3. It being found that this alley was platted for public use, and that the public has never used said alley for at least five years, and that it is in the public's best interest to vacate and abandon said alley; now therefore, an emergency is hereby declared to exist and it being necessary for the immediate preservation of the public's peace, health and safety, that this Ordinance shall be in full force and effect after its passage and adoption.

Passed and adopted this 5th day of July, 1955.