

ORDINANCE NO. 3410

AN ORDINANCE ABANDONING A 15 FEET SEWER EASEMENT RUNNING THROUGH A PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS.

WHEREAS, the City Council at its regular meeting on May 5, 2003, heard the request of Farmer Enterprises, Inc. and Home Depot U.S.A., Inc. to abandon a 15 foot sewer easement described as: Part of the Northeast Quarter of Section 31, Township 14 North, Range 4 East, Jonesboro, Craighead County, Arkansas, more particularly described as follows: Commencing at the Southwest Corner of the Northwest Quarter of the Northeast Quarter of said Section 31; thence North 89°17'41" East a distance of 132.00 feet; thence North 00°54'00" West a distance of 828.70 feet to the point of beginning; a 15 foot wide sewer easement being 7.5 feet either side of and parallel with the following described centerline: thence North 89°25'00" East a distance of 621.40 feet; thence North 49°56'37" East a distance of 447.39 feet to the point of termination; sides of said easement being lengthened or foreshortened so as to intersect with proposed 15 foot wide 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, Home Depot U.S.A., Inc. is in the process of constructing a facility to house its business on said property and that it is necessary to abandon the easement.

WHEREAS, City Water & Light has given approval for abandonment of said easement as arrangements have been made to re-route the sewer easement; and

WHEREAS, the abandonment of said easement 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 the right of the public generally, in and to a 15 foot sewer easement described as: Part of the

Northeast Quarter of Section 31, Township 14 North, Range 4 East, Jonesboro, Craighead County, Arkansas, more particularly described as follows: Commencing at the Southwest Corner of the Northwest Quarter of the Northeast Quarter of said Section 31; thence North 89°17'41" East a distance of 132.00 feet; thence North 00°54'00" West a distance of 828.70 feet to the point of beginning; a 15 foot wide sewer easement being 7.5 feet either side of and parallel with the following described centerline: thence North 89°25'00" East a distance of 621.40 feet; thence North 49°56'37" East a distance of 447.39 feet to the point of termination; sides of said easement being lengthened or foreshortened so as to intersect with proposed 15 foot wide easement.

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 easement 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 5<sup>th</sup> day of May, 2003.

DEED BOOK 651 PAGE 93 - 94  
DATE 07/25/2003  
TIME 10:14:55 AM  
RECORDED IN,  
OFFICIAL RECORDS OF  
CRAIGHEAD COUNTY  
ANN HUDSON  
CIRCUIT CLERK  
*Shannon Vibera* D.C.  
RECEIPT# 105850