

ORDINANCE NO. 3646

AN ORDINANCE ABANDONING A PORTION OF JEFFERSON AVENUE, RUNNING EAST OF CHRISTIAN CREEK DRAINAGE DISTRICT NO. 30 IN THE WILSON'S SECOND ADDITION TO THE CITY OF JONESBORO, CRAIGHEAD COUNTY, ARKANSAS.

WHEREAS, a petition was duly filed with the City Clerk for the City of Jonesboro, Arkansas, by Mary Tolbert and Roy Cooper, the abutting landowners of the property in question, to abandon an undeveloped portion of Jefferson Avenue, located East of Christian Creek Drainage District No. 30 in the Wilson's Second Addition to the City of Jonesboro, Arkansas; and

WHEREAS, after due notice 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 street or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a street herein described; has not been actually used by the public generally for a period of at least five (5) years subsequent to the filing of the plat; that all the owners of the property abutting upon the portion of the street to be vacated have filed with the Council their written consent to the abandonment; and that public interest and welfare will not be adversely affected by the abandonment of the street; and

WHEREAS, the vacating, abandonment and closing of said portion of Jefferson Avenue which is undeveloped would be in the best interest of the public and would promote the welfare and well being of the majority of the public; and

WHEREAS, the abandonment of said portion of Jefferson Avenue 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 the right of the public generally, in and to all that part of Jefferson Avenue (60 feet in width), which lies East of Christian Creek Drainage District No. 30; North of Lot 13, Block 9, and South of Lot 1, Block 8, of Wilson's Second Addition to the City of Jonesboro, Craighead County, Arkansas, as recorded in Book 48 Page 67 of the public records of Jonesboro, Craighead County, 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 portion of Jefferson Avenue 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 20th day of June, 2006.

DEED BK 726 PG 519 - 520
DATE 06/23/2006
TIME 08:50:28 AM
RECORDED IN,
OFFICIAL RECORDS OF
CRAIGHEAD COUNTY
ANN HUDSON
CIRCUIT CLERK
RECEIPT # 150572, D.C.