



Legislation Details (With Text)

**File #:** ORD-11:094    **Version:** 1    **Name:** Abandonment of a utility easement at 2416 Sea Island Drive as requested by Murray Benton

**Type:** Ordinance    **Status:** Passed

**File created:** 12/15/2011    **In control:** City Council

**On agenda:**    **Final action:** 12/20/2011

**Title:** AN ORDINANCE TO VACATE AND ABANDON A 15' UTILITY EASEMENT ON SEA ISLAND DRIVE AND DECLARING AN EMERGENCY FOR THE PURPOSE OF EXPEDITING CONSTRUCTION BY THE PROPERTY OWNER MURRAY BENTON

**Sponsors:**

**Indexes:** Abandonment

**Code sections:**

**Attachments:** 1. Plat, 2. Planning Letter, 3. Petition, 4. Utility letters

Date	Ver.	Action By	Action	Result
12/20/2011	1	City Council	Passed	Pass

AN ORDINANCE TO VACATE AND ABANDON A 15' UTILITY EASEMENT AND DECLARING AN EMERGENCY FOR THE PURPOSE OF EXPEDITING CONSTRUCTION BY THE PROPERTY OWNER. CRAIGHEAD COUNTY, JONESBORO, ARKANSAS.

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

SECTION ONE: The City of Jonesboro, Arkansas, hereby releases, vacates and abandons all of its rights, together with the rights of the public generally, in and to the 15' Utility Easement designated as follows:

**DESCRIPTION:**

THE EAST 15 FEET OF LOT 36 OF THE PLAT OF PRESTON OAKS, JONESBORO, ARKANSAS, AS RECORDED IN BOOK "C", PAGE 165 IN THE PUBLIC RECORDS IN JONESBORO, CRAIGHEAD COUNTY, ARKANSAS.

CONTAINING IN ALL 2,638 SQ. FT. OR 0.06 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

SECTION TWO: It is further found that due to the immediate need of the property owner to complete construction during this work season and based on the fact that the abandonment was approved by all utility providers and no utilities were constructed in this easement and all utilities are accessed from the street side of this property, an emergency is declared to exist and this ordinance being necessary for the preservation of the public peace, health and safety, shall take effect from and after its passage and approval.

SECTION THREE: A copy of the ordinance duly certified by the City Clerk shall be filed in the office of the recorder of Craighead County, Arkansas and shall be filed in the Deed Records of such office.

PASSED AND ADOPTED this 20<sup>th</sup> day of December, 2011.