



Legislation Details (With Text)

File #: ORD-16:083 **Version:** 1 **Name:** Vacating a developed street right of way
Type: Ordinance **Status:** Passed
File created: 12/7/2016 **In control:** City Council
On agenda: **Final action:** 1/3/2017
Title: AN ORDINANCE VACATING A DEVELOPED STREET RIGHT- OF- WAY AS REQUESTED BY HJE,LLC/HJE III
Sponsors:
Indexes: Abandonment
Code sections:
Attachments: 1. Engineering & Planning Department Letter, 2. Petition, 3. Updated Plat, 4. Utility Letters

Date	Ver.	Action By	Action	Result
1/3/2017	1	City Council	Passed	Pass
12/20/2016	1	City Council	Waived Second Reading	Pass

AN ORDINANCE VACATING A DEVELOPED STREET RIGHT- OF- WAY LOCATED IN:

THAT PORTION OF RIGHT-OF-WAY FOR AZALEA LANE WHICH LIES SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF AGGIE ROAD (30.0 FOOT HALF RIGHT-OF-WAY), LYING IN THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1A, ACCORDING TO THE RECORD PLAT OF AGGIE VILLAGE 2ND REPLAT, AS RECORDED IN BOOK "C", PAGE 56, PUBLIC RECORDS OF CRAIGHEAD COUNTY, AT JONESBORO, ARKANSAS; THENCE SOUTH 89°41'25" EAST, ALONG THE NORTH LINE OF SAID LOT 1A AND THE SOUTH RIGHT-OF-WAY LINE OF SAID AGGIE ROAD, A DISTANCE OF 70.00 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF AZALEA LANE (50.0 FOOT RIGHT-OF-WAY) AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°41'25" EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID AGGIE ROAD, A DISTANCE OF 50.00 FEET TO A POINT LYING ON THE EAST RIGHT-OF-WAY LINE OF SAID AZALEA LANE; THENCE SOUTH 00°09'53" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 207.93 FEET; THENCE NORTH 89°19'08" WEST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID AZALEA LANE, A DISTANCE OF 50.00 FEET; THENCE NORTH 00°09'53" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID AZALEA LANE, A DISTANCE OF 207.61 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL 10,389 SQ. FT. OR 0.24 ACRES, MORE OR LESS.

WHEREAS, the City Council at its regular meeting on December 20, 2016, pursuant to Ark. Stats. Section 14-301-302 through 14-301-304 heard the request of HJE LLC to vacate a developed street right-of-way; and

WHEREAS, the City Council held a public hearing and heard all persons desiring to be heard in connection with this matter; and

WHEREAS, the respective utilities have consented to said abandonment; and

WHEREAS, the abandonment of said portion of a developed street will not adversely affect the City of Jonesboro, 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 the undeveloped street right-of-way described above.

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 of Jonesboro, Arkansas, and recorded in the Deed Records of Craighead County, Arkansas.

SECTION 3. The vacating and abandonment by the City of its rights and the rights of the public generally in the above described developed street are in the public interest and will promote the public peace and welfare.

PASSED AND APPROVED this 3rd day of January, 2017.