



Legislation Text

File #: ORD-11:010, **Version:** 1

AN ORDINANCE TO ABANDON 2.0 FEET OF THE RIGHT-OF-WAY ALONG THE WEST SIDE OF VINE STREET BETWEEN HUNTINGTON AVENUE AND MONROE STREET WITHIN THE CITY OF JONESBORO, ARKANSAS AS REQUESTED BY MAYOR HAROLD PERRIN, CRAIGHEAD COUNTY, JONESBORO, ARKANSAS

WHEREAS, a petition was duly filed with the City of Jonesboro, Arkansas, on the 16th day of December, 2010, asking the City Council to vacate and abandon 2.0 ft. of right of way located at 307 Vine Street along the west side of Vine Street between Huntington Ave. and Monroe Street, as described as follows shown on the Abandonment Plat accompanying the Petition; AND

WHEREAS, after due notice as required by law, the 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 right of way or the portion thereof, herein before described, has been right of way that has not been actually used by the public generally or the utilities for a period of at least five (5) years subsequent to the filing of the plat; that all the easement holders and adjacent owners 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 2.0 ft. right of way;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS:

Section 1. The City of Jonesboro, Arkansas, releases, vacates, and abandons all its rights, together with the rights of the public generally, within and to the 2.0 ft. right of way designated as follows:

THE WEST 2.0 FEET OF THE RIGHT-OF-WAY FOR VINE STREET BETWEEN HUNTINGTON AVENUE AND MONROE STREET, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 OF "HUNTINGTON MISSION CHURCH REPLAT", RECORDED IN BOOK C PAGE 209 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY; THENCE N89°32'23"E A DISTANCE OF 2.0 FEET; THENCE S01°21'58"W A DISTANCE OF 370.0 FEET; THENCE S89°31'15"W A DISTANCE OF 2.0 FEET TO THE SOUTHEAST CORNER OF LOT 1 OF "HUNTINGTON MISSION CHURCH REPLAT"; THENCE N01°21'58"E A DISTANCE OF 370.0 FEET TO THE POINT OF BEGINNING, CONTAINING 740 SQUARE FEET (0.017 ACRES).

Section 2. A copy of the ordinance duly certified by the city clerk shall be filed in the office of the Recorder of the county and recorded in the deed records of the county.

Section 3: Since all utility companies and abutting property owners have declared and consented that this abandonment will not adversely affect public access, but it will cause a noncompliant building to be taken out of the pre-existing public right of way, an emergency is declared to exist and this ordinance being necessary for the preservation of the peace, health, and safety, shall take effect immediately upon passage.

PASSED AND ADOPTED this 18th day of January, 2011.