



## Legislation Text

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**File #:** ORD-03:355, **Version:** 1

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AN ORDINANCE VACATING AND ABANDONING AN UNNAMED PLATTED STREET IN PATRICK'S 3<sup>RD</sup> ADDITION, RUNNING NORTH AND SOUTH BETWEEN McDANIEL STREET AND HOUGHTON STREET, AND FROM MATTHEWS AVENUE TO LOGAN AVENUE; TO VACATE AND CLOSE AN ALLEY IN BLOCK 2 OF PATRICK'S 2<sup>ND</sup> ADDITION RUNNING EAST AND WEST FROM HOUGHTON STREET TO ROLAND STREET; AND, TO VACATE AND CLOSE A FIVE FOOT UTILITY EASEMENT IN LOT 3 OF COBB & LEE SURVEY TO THE CITY OF JONESBORO

WHEREAS, a petition was duly filed with the City Clerk for the City of Jonesboro, Arkansas, on November 12, 2003, requesting that the Jonesboro City Council vacate and close all of the unnamed and platted street in Patrick's 3<sup>rd</sup> Addition running North and South between McDaniel Street and Houghton Street, and running North from Matthews Avenue and intersecting with Logan Avenue to the North; a platted alley in Block 2 of Patrick's 2<sup>nd</sup> Addition running East from Houghton Street and intersecting with Roland Street to the West between Matthews Avenue and Logan Avenue; and a five foot utility easement located in Lot 23 of Cobb and Lee Survey, all of which are shown on the boundary survey for Jonesboro Real Estate Holdings Company, Inc., Jonesboro, Arkansas, prepared by Associated Engineering and Testing, LLC dated February 4, 2003.; and

WHEREAS, notice of the hearing on said petition was given by publication of a notice once a week for two consecutive weeks in the *Jonesboro Sun* as required by Resolution No. 2003:79, passed and approved by the Jonesboro, Arkansas City Council on November 17, 2003 and a hearing on said petition was held at 6:10 p.m. on December 1, 2003, in the Huntington Building located at 900 West Monroe Street, Jonesboro, Arkansas; and

WHEREAS, after due notice as required by law, the Council has, at the time and place mentioned in the notice, heard all person desiring to be heard on the petition and has ascertained that the streets and alley or the parts thereof, hereinabove described, were previously dedicated to the public use as streets and as an alley and as a utility easement as herein described; that the unnamed street described above, the alley and the utility easement 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 the petitioner is the sole owner of the property abutting upon the part of the streets and alley to be vacated; and that public interest and welfare will not be adversely affected by the abandonment of the streets and alley.

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

SECTION 1: The City of Jonesboro, Arkansas, releases, vacates and abandons all its rights, together with the rights of the public generally in and to the street, alley and easement designated as follows:

All of the unnamed and platted street in Patrick's 3<sup>rd</sup> Addition, running North and South between McDaniel Street and Houghton Street, and running North from Matthews Avenue and intersecting with Logan Avenue to the North; a platted alley in Block 2 of Patrick's 2<sup>nd</sup> Addition running East from Houghton Street and intersecting with Roland Street to the West between Matthews Avenue and Logan Avenue; and a five foot utility easement located in Lot 23 of Cobb and Lee Survey, all of which are shown on the boundary survey for Jonesboro Real Estate Holdings Company, Inc., Jonesboro, Arkansas, prepared by Associated Engineering and Testing, LLC dated February 4, 2003.

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: This Ordinance shall take effect and be in force from and after its passage.

PASSED AND ADOPTED this 1<sup>ST</sup> day of December, 2003.