

## Resolution 2022 - 45

### **A RESOLUTION APPROVING AMOUNTS OF LIENS TO BE CERTIFIED TO THE WHITE COUNTY TAX COLLECTOR AGAINST CERTAIN PROPERTIES IN THE CITY OF SEARCY, ARKANSAS, AS A RESULT OF GRASS CUTTING EXPENSES AND ABATEMENT OF OTHER NUISANCES; AND FOR OTHER PURPOSES.**

WHEREAS, in accordance with Ark. Code Ann. § 14-54-901, and Chapter 9 of the Searcy Code of Ordinances, the City of Searcy has corrected conditions existing on certain lots or other real property within the City of Searcy and is entitled to compensation pursuant to Ark. Code Ann. § 14-54-901 and Section 9-2-4-5 of the Searcy Code of Ordinances; and

WHEREAS, state law also provides for a lien against the subject properties, with the amount of the lien to be determined by the City Council at a hearing held after notice to the owner(s) thereof by certified mail or publication (see Exhibit "A" attached hereto), with said amount (plus ten percent collection penalty) to be thereafter certified to the White County Tax Collector; and

WHEREAS, a hearing for the purpose of determining such liens has been set for 6:00 p.m. on the 13<sup>th</sup> day of December, 2022, in order to allow for service of the attached notice of this hearing upon the listed property owner(s), by certified mail or publication as might have been necessary.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEARCY, ARKANSAS:

SECTION 1: That after notice to property owner(s), a public hearing was held at 6:00 p.m. on the 13<sup>th</sup> day of December, 2022, for the purpose of determining the amount of liens, if any, to be filed against certain real property as the result of grass cutting and abatement of other nuisances by the City of Searcy.

SECTION 2: That after said public hearing, the amounts listed in Exhibit "A" are hereby certified and are to be forwarded to the White County Tax Collector pursuant to Ark. Code Ann. § 14-54-903 and Section 9-2-4-5 of the Searcy Code of Ordinances.

SECTION 3: That this Resolution shall be in full force and effect from and after its passage and approval, until the lien has been satisfied.

PASSED AND ADOPTED on this 13<sup>th</sup> day of December, 2022.

/s/ Kyle Osborne

Mayor of Searcy

ATTEST:

/s/ Jerry Morris

City Clerk

# Public Hearing

## Exhibit A

Notice is hereby given that lien amounts upon the following described lands will be considered by the Searcy City Council at their meeting on December 13, 2022 at 6:00 pm, at 401 W Arch Ave. (Searcy City Hall) in Searcy, AR 72143. The owner(s) or lien holders have the right to contest the lien amount before the City Council at the public hearing.

Parcel: Tract 1: 016-02335-000, Tract 2: 016-02336-000 & 016-02336-001

Address: Tract 1: Small Strip behind 602 W Beebe Capps Expwy.

Tract 2: 602 & 606 W Beebe Capps Expwy.

Owner: Avatar Investments LLC

Legal: Tract 1:

All that part of Lot 18 of Block 1 of Raines Addition of the Woodruff Addition to the City of Searcy, White County, Arkansas, that lies North of the North right of way line of the abandoned M & NA Railroad, being more particularly described as follows: Commencing at a found  $\frac{1}{2}$  "rebar of the Southeast Corner of Lot 15, Block 1 of said Raines Addition; thence S  $00^{\circ}21'34''$  along the East line of said Lot 18 a distance of 23.86 feet to a set cotton spindle; thence departing from said East line N  $88^{\circ}27'44''$  W a distance of 150.24 feet to a calculated point on the West line of said Lot 18; thence N  $00^{\circ}33'34''$  E along the West line of said Lot 18 a distance of 21.18 feet to a found  $\frac{1}{2}$  "rebar for the Northwest Corner of said Lot 18; thence S  $89^{\circ}29'08''$  E along the North line of said Lot 18 a distance of 150.13 feet to the point of beginning, containing 0.08 acres, more or less.

Tract 2:

A part of Block 1. Raines Addition of the Woodruff Addition to the City of Searcy, Arkansas, more particularly described as follows: Commencing at the Southeast Corner of Lot 15, Block 1 of said Raines Addition; thence South  $00^{\circ}32'01''$  West along the West right of way of Fir Street, 124.04 feet for the Point of Beginning; thence continuing South  $00^{\circ}32'.01''$  West along said West right of way 51.38 feet to the new North right of way of State Highway #36, thence South  $88^{\circ}23'41''$  West along said right of way, 1.11 feet; thence South  $49^{\circ}45'55''$  West along said right of way 15.64 feet; thence South  $88^{\circ}27'21''$  West along said right of way 270.05 feet; thence North  $35^{\circ}55'54''$  West along said right of way 28.90 feet to the East right of way of Pecan Street; thence North  $00^{\circ}32'01''$  East along said East right of way 54.06 feet to the North right of way of abandoned M & NA Railroad; thence South  $88^{\circ}27'05''$  East along said abandoned right of way for railroad 300.0 feet back to the point of beginning.

Lien: \$864.20

Parcel: 016-02351-000

Address: 1107 W. Vine Ave.

Owner: Wesley Harrison & Jessica Harrison

Legal: The North 80 feet of the West Half (W1/2) of Block 5, Sander's Subdivision of Jones' Addition to Searcy, Arkansas, described as follows: Commencing at the Northwest Corner of Block 5 of said Sander's Subdivision and run thence South 80 feet; thence running East 83 feet; thence running North 80 feet to the Northeast Corner of the W1/2 of Block 5, Sander's Subdivision of Jones' Addition to Searcy, Arkansas, thence running West 83 feet to the point of beginning, being 80 feet North and South 83 feet East & West.

Lien: \$415.60

Parcel: 016-03426-000  
Address: 128 Western Hills  
Owner: Graywalt Properties  
Legal: Lot Fifteen (15), Block One (1), Western Hills Addition to the City of Searcy, Arkansas, as filed February 15, 1973, in plat cabinet B-4 at sleeve 38 (originally filed in plat book 4 at page 77), with the correction plat filed July 9, 1973, in plat cabinet B-4 at sleeve 38 (originally filed in plat book 4 at page 86), and the replat of Lots 13-17 of Block 1 filed June 25, 1975, in plat cabinet A at sleeve 4, all in the plat records of White County, Arkansas.  
Lien: \$435.20

Parcel: 016-00306-001  
Address: 600 N. Spruce St.  
Owner: Aaron Huffaker & Melanie Tims  
Legal: Beginning at the Northeast Corner of Southwest Quarter (SW ¼) of Section Three (3) Township Seven (7) North, Range Seven (7) West, and run thence South 150 feet; thence West 143 feet; thence North 150 feet; thence East to point of beginning.  
Lien: \$1983.10

Parcel: 016-01259-102  
Address: 405 E. Beebe Capps Expwy.  
Owner: Hull & Rowden Davis LLC  
Legal: Lot (3) of DHR Addition to the City of Searcy, Arkansas, as shown on Plat Cabinet C-1 at Sleeve 86, of the records of White County, Arkansas.  
Lien: \$525.60