

ORDINANCE NO. 2023 - 15

**AN ORDINANCE VACATING AND ABANDONING
ALL OF THE PUBLIC DRAINAGE EASEMENT
LYING WITHIN A 20 FT WIDE STRIP NORTH AND
ADJACENT TO THE NORTH RIGHT-OF-WAY LINE
OF THE NATURAL GAS PIPELINE COMPANY OF
AMERICA AND LYING BETWEEN THE EAST
RIGHT-OF-WAY LINE OF JANET STREET AND THE
WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 67-167**

WHEREAS, Taylor Farms, LLC being the adjoining landowner of the public drainage easement more particularly described on Exhibit A, attached hereto and made a part hereof by this reference (the “Drainage Easement”) and having filed a Petition asking the Searcy City Council to vacate and abandon said Drainage Easement; and

WHEREAS, said landowner represents that the Drainage Easement has not actually been used by the public for at least five (5) years; and

WHEREAS, the petitioner owns all of the adjoining real property to the Drainage Easement; and

WHEREAS, after due notice as required by law, the Searcy City 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 easement sought to be vacated and abandoned had heretofore been dedicated to the public but has not been actually used by the public for a period of time of at least five (5) years.

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

SECTION 1. That the City of Searcy, Arkansas, hereby releases, vacates, and abandons all of its rights, together with the rights of the public generally, to the Drainage Easement as shown on the Vacation Plat attached hereto as Exhibit B. That the same be and hereby is abandoned and vacated as a public drainage way and that the fee simple title thereto be, and hereby is, vested in said landowner as the abutting property owner, its successors and assigns.

SECTION 2. That a copy of this Ordinance, duly certified by the City Clerk of the City of Searcy, Arkansas shall be recorded in the office of the Recorder of White County, Arkansas.

SECTION 3. The City Council finds that in light of the need to provide for the public peace, health, safety and welfare of the Citizens of Searcy, Arkansas, an emergency exists and that this ordinance shall be in full force and effect immediately upon the passage of this ordinance and this emergency clause.

PASSED AND ADOPTED THIS 14th DAY OF MARCH, 2023

/s/ Mat Faulkner

Mayor of Searcy

ATTEST:

/s/ Jerry Morris

City Clerk

EXHIBIT A: LEGAL DESCRIPTION.

An easement for drainage purposes being a part of the SE ¼ of the NW ¼ of Section 13, T-7-N, R-7-W, being more particularly described as follows: Commencing at a found ½" rebar (PS #1737) at the intersection of the East right of way line of Janet Street (AKA Janet Drive) and the Southern right of way line of Natural Gas Pipeline Company of America (NGPCA) Per Case No. LR-66-C-160; thence N01°14'41"E along the East right of way line of Janet Street a distance of 22.81 to a set ½" rebar (capped PS #1737); thence N01°19'19"E along said right of way line a distance of 58.27 feet to a point at the intersection of said East right of way line of Janet Street and the Northerly right of way line of Natural Gas Pipeline Company of America (NGPCA) Per Case No. LR-66-C-160 for the POINT OF BEGINNING; thence continuing along said right of way of Janet Street, N01°19'19"E a distance of 32.45 feet to a calculated point; thence departing from said right of way line, N68°58'26"E a distance of 90.59 feet to a calculated point; thence S21°01'34"E a distance of 105.00 feet to a calculated point on the Southern right of way line of Natural Gas Pipeline Company of America (NGPCA) Per Case No. LR-66-C-160; thence along said right of way line, S68°58'26"W a distance of 35.00 feet to a calculated point; thence departing from said right of way line, N21°01'34"W a distance of 75.00 feet to a calculated point on the Northern right of way line of Natural Gas Pipeline Company of America (NGPCA) Per Case No. LR-66-C-160; thence S68°58'00"W along said Northern right of way line a distance of 67.93 feet to the point of beginning, containing 0.13 Acres, more or less, as shown on survey by PS #1737. Subject to all existing easements for roads or other purposes.

EXHIBIT B: VACATION PLAT.

Easement Description

SURVEYED:

An easement for drainage purposes being a part of the SE 1/4 of the NW 1/4 of Section 13, T.24N, R.7.W, being more particularly described as follows: Commencing at a found "N" rebar (tagged #1127) at the NW corner of the NW 1/4 of Section 13, T.24N, R.7.W, and extending South 89°19'19"E along the East right of way line of Javel Street a distance of 22.81 to a set "N" rebar (tagged PS #1127); thence S89°19'19"E along said right of way line a distance of 58.27 feet to a point at the intersection of said East right of way line of Javel Street and the Northern right of way line of Natural Gas Pipeline Company of America (NGPCA) Per Case No. LK-86-C-162; thence S89°19'19"E along said right of way line a distance of 22.45 feet to a calculated point; thence S27°07'36"E a distance of 102.00 feet to a calculated point on the Southern right of way line of Natural Gas Pipeline Company of America (NGPCA) Per Case No. LK-86-C-162; thence S27°07'36"E a distance of 28.45 feet to a calculated point; thence S42°48'12"W a distance of 29.29 feet to a calculated point on the Northern right of way line of Natural Gas Pipeline Company of America (NGPCA) Per Case No. LK-86-C-162; thence S89°19'19"E along said Northern right of way line a distance of 17.50 feet to the point of beginning, containing 0.13 Acres, more or less, as shown on Survey #1127. Subject to all existing easements for roads or other purposes.

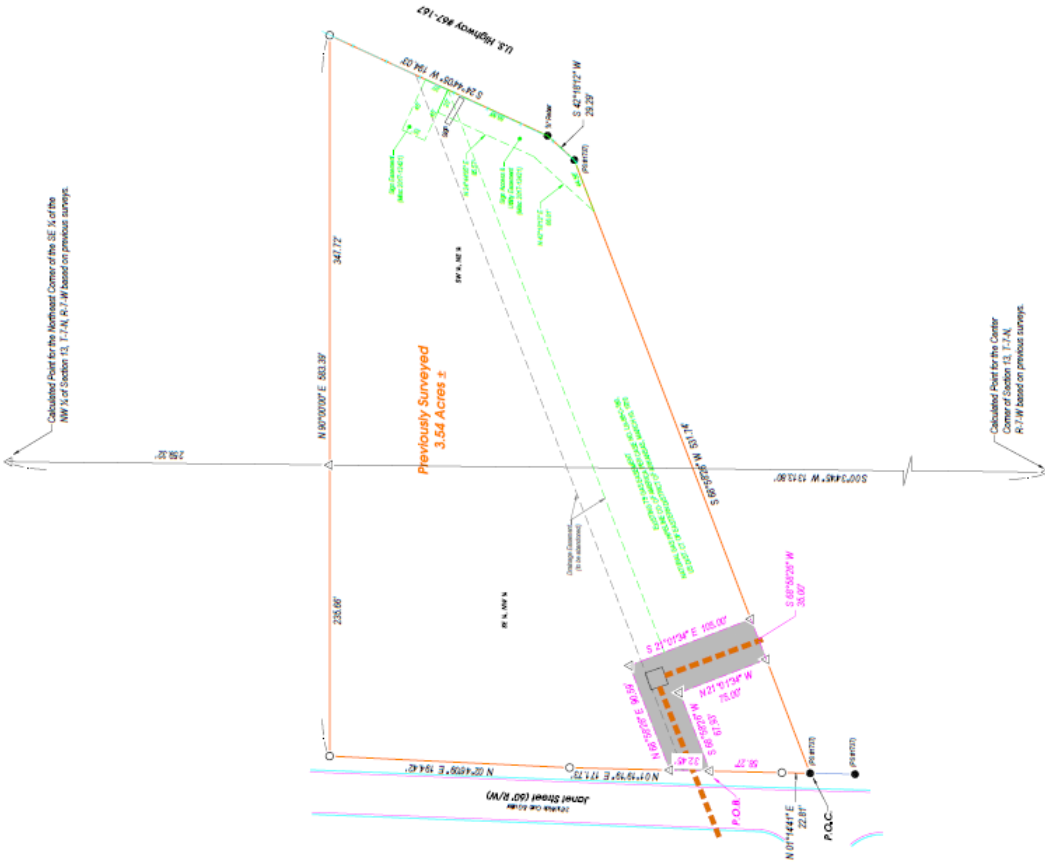
Certification

I certify that this plat represents a survey in October, 2022, by me or under my supervision from existing monuments, natural or artificial, and from reliable surveying instruments, and is true and correct based on existing measurements at the time of completion.

- NOTES:
- This is an original boundary survey call from parent parcel listed in Deed Book 1999, Page 2342.
 - This survey and certification is the property of the surveyor and is intended for the use and benefit of the surveyor and the clients listed.
 - The conditions of this survey require timely entry from the date of the surveyor's signature for all items set out on this "Rebar" unless noted otherwise.
 - All items set out on this "Rebar" unless noted otherwise.
 - Only copies with surveyor's signature in blue ink are valid copies.
 - The measurement completed for this survey includes the description furnished by clients (Book 1999, Page 2342) and the surveyor's independent search for easements of record.
 - Surveyor has made no investigation or independent search for easements of record.
 - Encumbrances, restrictive covenants, ownership, life evidence, or any other facts that an accurate and current title search may disclose.
 - The surveyor is not responsible for the accuracy of any information provided to obtain or obtain any evidence, location of monuments or underground utilities or their right of way width. For any information regarding any utilities contact the appropriate agencies.

Legend

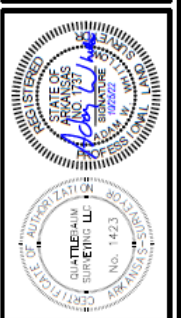
- Found "N" Rebar (unless noted)
- Set "N" Rebar (tagged #1127)
- Calculated Point
- Fence Line
- Easement Line



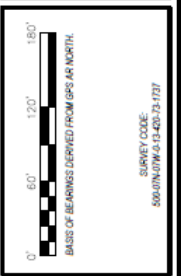
301 EAST LINCOLN AVE. LAS VEGAS, NV 89101
 (801) 266-2774 (801) 279-2699 FAX
QUATTLEBAUM SURVEYING, LLC
 BOUNDARY • TOPO • CONSTRUCTION

DATE	APPROVED
10/25/22	AWW
JDC	10/25/22
PROJECT	22-312 Drainage Eas
SHEET	1 of 1

No.	Revisions	Date	By



EASEMENT SURVEY FOR:
Taylor Farms, LLC



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Taylor Farms, LLC