

**ORDINANCE NO. 2023 - 25**

**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 had granted the City of Searcy, Arkansas, a 20 foot drainage easement more particularly described on Exhibit A, attached hereto and made a part hereof by this reference (the "Drainage Easement") which was recorded November 7, 2017, in Misc. Book 2017, Page 14137 of the records of White County, Arkansas, 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 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.** This Ordinance shall take effect and be in force from and after its passage and to the extent of any conflict with Ordinance No. 2023-15 adopted on March 14, 2023, it is the intent of the Searcy City Council for this ordinance to amend and or repeal Ordinance No. 2023-15 to any extent needed.

**PASSED AND ADOPTED THIS 19<sup>th</sup> DAY OF May, 2023**

**/s/ Mat Faulkner**

**Mayor of Searcy**

**ATTEST:**

**/s/ Jerry Morris**

**City Clerk**

# EXHIBIT "A"

A 20 FT DRAINAGE EASEMENT LYING IN THE SOUTHEAST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  AND SOUTHWEST  $\frac{1}{4}$  OF THE NORTHEAST  $\frac{1}{4}$  OF SECTION 13 (SE  $\frac{1}{4}$  - NW  $\frac{1}{4}$  & SW  $\frac{1}{4}$  - NE  $\frac{1}{4}$ , SEC. 13). TOWNSHIP 7 NORTH, RANGE 7 WEST (T7N, R7W), CITY OF SEARCY, WHITE COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 20 FT WIDE STRIP LYING NORTH OF AND ADJACENT TO THE NORTH RIGHT-OF-WAY LINE OF THE NATURAL GAS PIPELINE COMPANY OF AMERICA PER CASE NO. LR-66-C-160 LYING BETWEEN THE EAST RIGHT-OF-WAY LINE OF JANET STREET (AKA JANET DRIVE) AND THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 67-167.