

**ORDINANCE NO. 2012-13**

**AN ORDINANCE VACATING AND ABANDONING THE PORTION OF GUM STREET LYING BETWEEN BLOCKS 47 AND 52 IN THE ORIGINAL TOWN OF SEARCY, ARKANSAS**

**WHEREAS, Searcy Special School District**, being the adjoining landowner desires to abandon and vacate the portion of Gum Street lying between Blocks 47 and 52 in the Original Town of Searcy, Arkansas, and having filed a Petition asking the Searcy City Council to vacate and abandon said property; and

**WHEREAS**, said landowner represents that the portion of Gum Street lying between Blocks 47 and 52 in the Original Town of Searcy, Arkansas, has been used as a street by the public for a period in excess of five years; however, it would be in the best interest of the City and the operations of the Ahlf Jr. High to close that portion of Gum Street lying between Blocks 47 and 52 in the Original Town of Searcy, Arkansas, to allow the expansion of the Ahlf Jr. High facilities as follows:

- A. New classrooms and office space to be tied into the existing school facilities without any unsafe street crossing or the exposure of the students to inclement weather;
- B. New handicapped accessible covered drop-off area which will improve the stacking zones with short term parking for school patrons without a street crossing, and;
- C. New parking for staff and visitors would be available allowing school patrons and visitors to attend after hours school events without a street crossing.

**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 determined it would be in the best interest of the City and the operations of the Ahlf Jr. High to

close that portion of Gum Street lying between Blocks 47 and 52 in the Original Town of Searcy, Arkansas.

**NOW, THEREFORE,** be it hereby ordained by the City Council of the City of Searcy, Arkansas:

**Section 1:** That the City of Searcy, Arkansas, hereby releases, vacates, and abandons all its rights, together with the rights of the public generally, to the portion of Gum Street lying between Blocks 47 and 52 in the Original Town of Searcy, Arkansas. That the same be and hereby is abandoned and vacated as a platted street and that the fee simple title thereto be, and hereby is, vested in said landowners as the abutting property owners, its successors and assigns subject to the following:

A. Reserved right of way required to serve existing Entergy customers with respect to the secondary service cable overhead electric distribution line located at the intersection of Gum Street and Moore Avenue.

B. Centerpoint Energy is currently in the process of “retiring” an existing gas line located under the above referenced section of Gum Street; however, said process has not been completed. Centerpoint Energy will continue with the “retiring” process in a timely fashion and will notify the Searcy Special School District or its legal representative upon completion so that construction can commence.

**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.

**PASSED AND ADOPTED** this 13<sup>th</sup> day of March, 2012.

**/s/ David Morris**  
**DAVID MORRIS, MAYOR**

**ATTEST:**

**/s/ Margaret Meads**  
**MARGARET MEADS, CITY CLERK**