

ORDINANCE NUMBER 2013-05

AN ORDINANCE ABANDONING AND VACATING A PORTION OF THE RIGHT OF WAY
FOR VINE STREET AND TURNER STREET IN THE CITY OF SEARCY, ARKANSAS;
DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

The City Council of the City of Searcy, Arkansas, meeting in regular session, makes the following findings of fact and enacts the following provisions:

WHEREAS, College Church of Christ, Inc. (the College Church of Christ), an Arkansas corporation, as the owners of property abutting a dedicated a portion of Vine Street and Turner Street, in the City of Searcy, Arkansas, more particularly described as:

TRACT "A":

All that part of Vine Street lying South of Lots 1 and 12 of Block 1 of Van Patten-Adams Subdivision of I.M. Moore's Addition of Watkins and Quarles Addition to the City of Searcy, Arkansas and North of Lot 45 of I.M. Moore's Addition of Watkins and Quarles Addition to the City of Searcy, Arkansas, being 40 feet North and South by 180 feet± East and West.

TRACT "B":

All that part of North Turner Street being East of Lots 1 and 2 of Block 1 of Van Patten-Adams Subdivision of I.M. Moore's Addition of Watkins and Quarles Addition to the City of Searcy, Arkansas, North of Lot 45 of I.M. Moore's Addition of Watkins and Quarles Addition to the City of Searcy, Arkansas and West of Block 3 of Watkins and Quarles Addition to the City of Searcy Arkansas, being 40 feet East and West by 220.0 feet North and South.

(the "Right of Way"); and

WHEREAS, the College Church of Christ owns all of the property on either side of the street portions to be vacated and its operations require frequent crossing of the street by its members, visitors, and their vehicles; and

WHEREAS, the City Council finds that the present situation is hazardous to both the public and to members and guests of the College Church of Christ and that vacation of the street will not interfere with the interest of the public, but will serve the interest of the public and promote the general safety and welfare of the public, and that the street is not required for City purposes;

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.

NOW, THEREFORE, be it 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 of its rights, together with the rights of the public generally, in and to that portion of Vine Street and Turner Street more particularly described as the Right of Way located and being situated in the City of Searcy, Arkansas, and that the same be, and is hereby, abandoned and vacated as a dedicated street, road, or way and that fee simple title to the Right of Way is hereby vested, assigned and granted to College Church of Christ, 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 Circuit Clerk and ex officio recorder of White County, Arkansas.

Section 3. Emergency Clause. The need to provide for the continued industrial development in the City of Searcy, Arkansas, being necessary for the preservation of the public peace, health, safety and welfare, an emergency is hereby declared and this ordinance shall be in full force an effect from and after its passage.

Adopted this 12th day of February, 2013.

The City of Searcy, Arkansas

By: /s/ David Morris
Mayor David Morris

Attest:

/s/ Jerry Morris
Searcy City Clerk-Treasurer Jerry Morris