

ORDINANCE NUMBER 2016 - 21

AN ORDINANCE ABANDONING AND VACATING AN ALLEYWAY IN BLOCK 36 OF THE CITY OF SEARCY, 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, Harding University, Inc. (Harding University), an Arkansas corporation, as the owner of property in Block 36 abutting a platted alleyway more particularly described as:

All of that 16' alleyway within Block 36, Original Town, Searcy,
White County, Arkansas

(the "Right of Way"); and

WHEREAS, Harding University represents that the Right of Way, all situated in the City of Searcy, Arkansas, described in the Petition filed with the office of the Clerk-Treasurer of the City of Searcy, Arkansas, has not been used by the public for a period of more than five years; 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 Right of Way dedicated to the public and sought to be vacated and abandoned has not been actually used by the public for a period of at least five years.

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 Block 36 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 alleyway and that fee simple title to the Right of Way is hereby vested, assigned, and granted to the persons over whose property the Right of Way runs.

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 development and revitalization 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 July 2016.

The City of Searcy, Arkansas

By: /s/ David Morris
Mayor David Morris

Attest:

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