



ORDINANCE NO. 10-2021

AN ORDINANCE PROVIDING FOR THE VACATION AND ABANDONMENT OF AN UNDEVELOPED RIGHT-OF-WAY LOCATED AS PART OF GEORGE STREET WITHIN THE CITY OF TEXARKANA, ARKANSAS; AND FOR OTHER PURPOSES

WHEREAS, a petition was duly filed with the Board of Directors of the City of Texarkana, Arkansas, on the 9th day of November, 2020, asking that the Board of Directors vacate and abandon a thirty foot (30') wide unimproved portion of George Street, more specifically described as follows:

Lying between Lot 6 of Block 1 and Lots 1 and 7 of Block 4 (but also including any portion of such 30' wide strip that extends to the north of said Lot 7) of the WESTBROOK SUBDIVISION of Texarkana, Miller County, Arkansas, and being approximately 30' in width and 193.3' in length, of approximately .1331 acres more or less and being shown on that plat recorded in Book MPB, Page 195, of the Real Estate and Plat Records Miller County, Arkansas;

SAVE AND EXCEPT, HOWEVER, all rights of the city or the public to install, occupy, maintain, remove replace, and access utilities (including any transmission or communication lines) in such areas are reserved and remain.
(Legal Description by others and not independently verified by preparer)

WHEREAS, after due notice as required by law, the Board of Directors has, at the time and place mentioned in said notice, heard all persons desiring to be heard on the

question and has ascertained that said portions of right-of-way herein above and herein after described, have heretofore been dedicated to the public use as right-of-way herein described; have not been actually used by the public for a period of at least five (5) years subsequent to the filing of the plats; that all owners of the property abutting upon the portions of said right-of-way, respectively, to be vacated have been filed with the Board of Directors their written consent to the abandonment; and that public interest and welfare will not be adversely affected by the abandonment of said portion of right-of-way; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Texarkana, Arkansas:

SECTION 1. The City of Texarkana, Arkansas, releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the following described rights-of-way:

Lying between Lot 6 of Block 1 and Lots 1 and 7 of Block 4 (but also including any portion of such 30' wide strip that extends to the north of said Lot 7) of the WESTBROOK SUBDIVISION of Texarkana, Miller County, Arkansas, and being approximately 30' in width and 193.3' in length, of approximately .1331 acres more or less and being shown on that plat recorded in Book MPB, Page 195, of the Real Estate and Plat Records Miller County, Arkansas;

SAVE AND EXCEPT, HOWEVER, all rights of the city or the public to install, occupy, maintain, remove replace, and access utilities (including any transmission or communication lines) in such areas are reserved and remain.
(Legal Description by others and not independently verified by preparer)

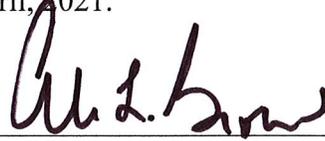
SECTION 2. All rights and areas abandoned hereby remain subject to any other persons or entities which may claim and interest and, further, without warranty revert and shall deemed to be included as a part of the property originally encumbered and, specifically: (i) revert, as to the southern fifteen feet (15') of said abandoned area, to and

become part of the existing lot or parcel adjacent thereto to the south; and (ii) revert, as to the northern fifteen feet (15') of said abandoned area, to and become part of the existing lot or parcel adjacent thereto to the north.

SECTION 3. A copy of this ordinance, duly certified by the City Clerk, shall be filed in the office of the recorder of Miller County, Arkansas, and recorded in the deed records of the county.

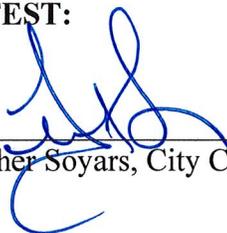
SECTION 4. This ordinance shall take effect and be in force from and after its passage.

PASSED AND APPROVED this 19th day of April, 2021.



Allen L. Brown, Mayor

ATTEST:



Heather Soyars, City Clerk

APPROVED:



George Matteson, City Attorney

NOTARY PUBLIC

STATE OF ARKANSAS
COUNTY OF MILLER
CITY OF TEXARKANA

) State of Arkansas
) County of Miller
) City of Texarkana

On this, the 19th day of April, 2021, before me a notary public, Jenny Narens, personally appeared known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained. In witness hereof, I hereunto set my hand and official notary seal.

Jenny Narens
Signature

JENNY NARENS
MILLER COUNTY
NOTARY PUBLIC - - ARKANSAS
My Commission Expires Mar. 27, 2027
Commission No. 12700685