

ORDINANCE 2012- 03

WHEREAS, a petition was duly filed with the City Council of the City of Bryant, Arkansas on the 21 day of November, 2011 asking the City Council to vacate and abandon part of a the sewer easement condemned by the Arkansas Department of Human Services, Youth Services Division in Saline County Circuit Court No. 94-579-2.

WHEREAS, after due notice as required by law, the 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 or the portion thereof, hereinbefore described, has heretofore used as an easement herein described; has been substituted for a comparable easement dedicated on the Final Plat of Courtyard Cottages, an Addition to the City of Bryant, Saline County Arkansas, filed for record as Instrument No. 11-091878 in the real estate records of Saline County; that all the owners of property abutting upon the portion of the sewer easement to be vacated have filed with the council their written consent to the abandonment; and that public interest and welfare will not be adversely affected by the abandonment of that portion of the sewer easement described below and shown on the attached drawing.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYANT ARKANSAS:

Section 1. The City of Bryant, Arkansas releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to a portion of the sewer easement described below:

A PORTION OF THE EXISTING TEN FOOT PERMANENT EASEMENT RECORDED IN SALINE COUNTY, ARKANSAS, AS CIVIL CASE 94-579-2, SAID PORTION OF THAT EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE N.W. CORNER NE/4 SE/4 SECTION 16, T1S, R14W, SALINE COUNTY, ARKANSAS, THENCE S88°53'32"E 5.00 FEET TO A POINT ON THE CENTERLINE OF THE EXISTING 10-FOOT-WIDE EASEMENT, THENCE ALONG SAID CENTERLINE S3°02'37"W 796.84 FEET PARALLEL TO AND EAST OF THE WEST LINE OF THE NE/4 SE/4 OF SECTION 16, TO THE POINT OF BEGINNING OF THE PORTION OF SAID EASEMENT TO BE ABANDONED, THENCE S3°02'37"W 114.37 FEET , THENCE S86°49'25"E 329.58 FEET, THENCE S1°08'22"W 4.72 FEET TO THE POINT OF TERMINATION, SAID POINT BEING A POINT ON THE CENTERLINE OF THE EXISTING EASEMENT, AS WELL AS A POINT ON THE PROPERTY LINE OF THE PARCEL 840-11811-000

THE SIDELINES OF SAID 10 FOOT EASEMENT TO BE EXTENDED OR SHORTENED TO MEET AT ANGLE POINTS AND TERMINATE AT THE PROPERTY LINE OF PARCEL #840-11811-000.

Section 2. A copy of the ordinance duly certified by the city clerk shall be filed in the office of the recorder of the county and recorded in the deed records of the county.

Section 3. This ordinance shall take effect and be in force from and after its passage.

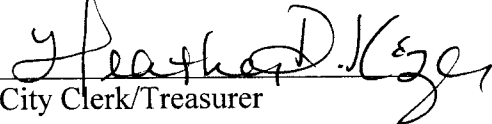
Passed this 26th day of January, 2012.

Adopted by the Bryant City Council this 26 day of January, 2012



Mayor

Attest:



City Clerk/Treasurer