

ORDINANCE NO. 700

AN ORDINANCE VACATING AND ABANDONING A PORTION  
OF BROWNING DRIVE IN THE CITY OF MONTICELLO,  
AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS a request was made to the City Council of Monticello, Arkansas, on the 28th day of September, 1999, asking the Council to vacate and abandon a portion of Browning Drive described as follows:

All that unpaved portion of Browning Drive lying North of the paved edge of said Browning Drive and extending to the North boundary line of the said Westwood Estates subdivision and bounded on the Eastern and Western boundaries by the Eastern and Western rights-of-way of said Browning Drive, and

WHEREAS the city has the authority, under A.C.A. §14-54-104(2), to "...alter or change the width or extent of streets,... and to vacate or lease out such portions thereof as may not be required for corporate purposes...", and

WHEREAS the City Council specifically finds that such portion of Browning Drive, as above described, is not used or useful nor required for corporate purposes and the public welfare will not be adversely affected by the abandonment of said portion of said Browning Drive:

NOW, THEREFORE, BE IT ORDAINED by the City Council of Monticello, Arkansas, as follows:

Section 1. The City of Monticello hereby releases, vacates and abandons all its rights, together with the rights of the public generally, in and to the above-described portion of said Browning Drive. The absolute ownership of said abandoned portion of said Browning Drive shall vest in Jeff Reinhart, Curt Thomas and Leeann Thomas, who are the owners of the property abutting thereon, and such ownership shall be free from the easement of the City for public use as a street.

Section 2. A copy of this ordinance, duly certified by the City Clerk-Treasurer, shall be filed in the office of the Circuit Clerk and ex-officio Recorder of Drew County and recorded in the deed records of this county.

Section 3. It is found that an urgent need exists for the vacating of said portion of said Browning Drive. Therefore, an emergency is declared to exist; and this ordinance, being necessary for the preservation of the public peace, safety, health and welfare, shall take effect and be in force from and after its adoption.

ORDAINED on this 28th day of October, 1999.

  
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City Clerk-Treasurer

APPROVED on this 28 day of October, 1999:

  
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Mayor