

ORDINANCE NUMBER 2018 - 36

AN ORDINANCE ABANDONING AND VACATING A STREET IN BLOCKS 11 AND 12 OF WOODS ADDITION TO THE CITY OF SEARCY AND A STREET ADJACENT TO BLOCK 35 OF THE ORIGINAL TOWN OF SEARCY AND BLOCK 20 OF WATKINS & QUARLES ADDITION TO 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 Blocks 11 and 12 of Woods Addition to the City of Searcy, abutting a platted Right of Way more particularly described as:

All of South Horton Street south of East Woodruff Avenue, such street being located between Blocks 11 and 12 of Woods Addition to the City of Searcy;

WHEREAS, Harding University, as the owner of property in Block 35 of the Original Town of Searcy and in Block 20 of Watkins & Quarles Addition to the City of Searcy, abutting a Right of Way more particularly described as:

All of South Horton Street between East Park Avenue and East Woodruff Avenue, such street being located between Lot 6 of Block 35 of the Original Town of Searcy and Block 20 of Watkins & Quarles Addition to the City of Searcy;

WHEREAS, Harding University represents that these Rights of Way, all situated in the City of Searcy, Arkansas, described in the Amended 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 is not required for the City's corporate purposes in order to provide for the public welfare, safety, comfort, or convenience of its inhabitants; 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 Rights of Way dedicated to the public and sought to be vacated and abandoned are not required for the City's corporate purposes in order to provide for the public welfare, safety, comfort, or convenience of its inhabitants.

NOW, THEREFORE, be it ordained by the City Council of the City of Searcy, Arkansas:

Section 1. That the City of Searcy, Arkansas, under Arkansas Code Annotated Section 14-54-104(2), hereby releases, vacates, and abandons all of its rights, together with the rights of the public generally, in and to those portions of Blocks 11 and 12 of Woods Addition to the City of Searcy, Block 35 of the Original Town of Searcy, and Block 20 of Watkins & Quarles Addition

to the City of Searcy more particularly described as the Rights of Way located and being situated in the City of Searcy, Arkansas, and that the same be, and are hereby, abandoned and vacated as dedicated streets, roads, or alleyways and that fee simple title to the Rights of Way is hereby vested, assigned, and granted to the persons over whose property the Rights of Way run.

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 11<sup>th</sup> day of December, 2018.

The City of Searcy, Arkansas

By: /s/ David Morris  
Mayor of Searcy

Attest:

/s/ Jerry Morris  
Searcy City Clerk-Treasurer