

ORDINANCE NO. 6339

AN ORDINANCE VACATING CELLABRATE STREET LOCATED ALONG BLOCK 1 OF NORTON ADDITION SUBDIVISION IN HOT SPRINGS, ARKANSAS; AND FOR OTHER PURPOSES.

**WHEREAS**, pursuant to A.C.A. 14-54-104 et seq., a Petition was duly filed, by Property Owner Oaklawn Jockey Club, Inc. with the Board of Directors of the City of Hot Springs, asking the Board of Directors to abandon a certain city street commonly known as Cellabrate Street; and that,

**WHEREAS**, after due notice as required by law, the Board of Directors 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 city street, hereinafter described, has heretofore been dedicated to the public use as a public street herein described; that all the owners of the property abutting upon the portion of the street to be vacated have 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 this city street.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Directors of the City of Hot Springs, Arkansas, as follows:

**SECTION 1.** The City of Hot Springs, Arkansas, subject to retention of any and all existing utility easements, hereby releases, vacates and abandons all its rights, together with the right of the public generally, in Cellabrate Street located along Block 1 of Norton Addition Subdivision, Garland County, Arkansas being specifically described as follows:

*Beginning at the northwest corner of Lot 1 Block 1 of the Norton Addition Subdivision, thence east approximately 376.0' along the northern line of Block 1 Norton Addition to the northeast corner of Lot 9 Block 1 Norton Addition, thence south 290.0' to the southeast corner Lot 48 Block 1 Norton Addition; thence east approximately 50.0' to the southwest corner Lot 46 Block 1 Norton Addition, thence north approximately 340.0' to a point approximately 25.0' north of the northwest corner of Lot 11 Block 1 Norton Addition, thence west approximately 431.0' west to a point along the Central Avenue Right-of-Way, thence approximately 50.0' southeast to the northwest corner of Lot 1 Block 1 of the Norton Addition Subdivision also being the Point of Beginning.*

**SECTION 2.** The vacation authorized by Section 1. hereof, is subject to the following condition and shall be perfected upon the satisfaction of said condition:

1. The execution of an easement for the existing facilities from Oaklawn Jockey Club to Entergy Arkansas, Inc. within 45 days.

2. The ordinance shall become effective upon execution of said easement but not before August 20, 2020.

**SECTION 3.** 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 Garland County, Arkansas.

PASSED: July 21, 2020

APPROVED: [Signature]  
PAT McCABE, MAYOR

ATTEST: [Signature]  
HARMONY MORRISSEY, CITY CLERK

APPROVED AS TO LEGAL FORM: [Signature]  
BRIAN W. ALBRIGHT, CITY ATTORNEY

ACKNOWLEDGMENT

STATE OF  
ARKANSAS  
COUNTY OF  
GARLAND

SUBSCRIBED AND SWORN to before me this 21<sup>ST</sup> day of July, 2020

[Signature]  
Notary Public

11-04-2029  
My Commission Expires

LEIGH LEAVERTON  
Notary Public-Arkansas  
Garland County  
My Commission Expires 11-04-2029  
Commission # 12709265