

ORDINANCE NO. 6386

AN ORDINANCE ABANDONING AND CLOSING TWO UNDEVELOPED RIGHTS OF WAY LOCATED IN RECTOR & MOORE'S ADDITION TO THE CITY OF HOT SPRINGS, ARKANSAS.

WHEREAS, pursuant to A.C.A. 14-301-301 et seq., a Petition was duly filed, by Property Owner, 17450, LLC, with the Board of Directors of the City of Hot Springs, asking the Board of Directors to abandon two unnamed rights of way located in Rector & Moore's Addition To The City of Hot Springs; 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 rights-of-way, hereinafter described, have heretofore been dedicated to the public use as a public right-of-way herein described; that all the owner of the property abutting upon the portions 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 the portion of the unnamed rights of way located in the Rector & Moore's Addition To The City of Hot Springs, being specifically described as follows:

PARCEL 86685 RIGH-OF-WAY VACATION DESCRIPTION

A PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 31, TOWNSHIP 2 SOUTH, RANGE 19 WEST, GARLAND COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF BLOCK 2, RECTOR AND MOORE'S ADDITION TO THE CITY OF HOT SPRINGS; THENCE ALONG SAID BLOCK 2 THE FOLLOWING 3 COURSES: 1) THENCE NORTH 02°55'42" EAST, 299.77 FEET; 2) THENCE NORTH 31°45'45" WEST, 269.89 FEET; 3) THENCE NORTH 08°17'09" WEST, 82.35 FEET; THENCE SOUTH 89°44'37" EAST LEAVING SAID BLOCK 2, 50.56 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 1, RECTOR AND MOORE'S ADDITION TO THE CITY OF HOT SPRINGS; THENCE ALONG SAID LOT 1 THE FOLLOWING 2 COURSES: 1) THENCE SOUTH 08°17'09" EAST, 64.45 FEET; 2) THENCE SOUTH 31°45'45" EAST, 239.98 FEET; THENCE SOUTH 02°55'42" WEST LEAVING SAID LOT 1, 335.51 FEET TO THE NORTHERLY RIGHT-OF-WAY WHITTINGTON AVENUE; THENCE SOUTH 76°38'05" WEST ALONG SAID RIGHT-OF-WAY, 31.26 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.60 ACRES MORE OR LESS. THIS DESCRIPTION IS BASED ON PLAT OF SURVEY BY JONATHAN B. HAMNER, PS 1524, FOR 17450, LLC., DATED SEPTEMBER 25, 2019.

PARCEL 39945 RIGHT-OF-WAY VACATION DESCRIPTION

A PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 31, TOWNSHIP 2 SOUTH, RANGE 19 WEST, GARLAND COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 2, BLOCK 3, RECTOR AND MOORE'S ADDITION TO THE CITY OF HOT SPRINGS; THENCE ALONG SAID LOT 2 THE FOLLOWING 2 COURSES: 1) THENCE SOUTH 06°18'24" WEST, 195.75 FEET; 2) THENCE SOUTH 28°06'37" EAST, 93.84 FEET; THENCE SOUTH 54°59'06" WEST LEAVING SAID LOT 2, BLOCK 3 OF RECTOR AND MOORE'S ADDITION TO THE CITY OF HOT SPRINGS, 41.84 FEET TO THE SOUTHEAST CORNER OF LOT OF LOT 1, BLOCK 4 OF RECTOR AND MOORE'S ADDITION TO THE CITY OF HOT SPRINGS; THENCE ALONG SAID LOT 1 THE FOLLOWING 2 COURSES: 1) THENCE NORTH 28°06'37" WEST, 111.73 FEET; 2) THENCE NORTH 06°18'24" EAST, 204.22 FEET; THENCE SOUTH 89°43'37" EAST LEAVING SAID LOT 1, BLOCK 4 OF RECTOR AND MOORE'S ADDITION TO THE CITY OF HOT SPRINGS, 41.77 FEET TO THE POINT OF BEGINNING, CONTAINING 0.29 ACRES, MORE OR LESS. THIS DESCRIPTION IS BASED ON PLAT OF SURVEY BY KEN J. SPURLIN, PS 1023, FOR BRUCE MITCHELL, DATED DECEMBER 27, 2019.

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 Garland County, Arkansas.

PASSED: July 20, 2021

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 20th day of July, 2020

[Signature]
Notary Public

11-04-2029
My Commission Expires

