

RESOLUTION No. 58

WHEREAS, the City of Tontitown, Arkansas is the owner of the below described lands situate in Tontitown, Washington County, Arkansas, which abut a portion of East Second Street and Washington Avenue on each side and adjacent to the portions of said streets:

Lots 10, 11, 32 and 33 in Tontitown, Arkansas, as per plat on file in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

AND WHEREAS, the City of Tontitown proposes to close portions of East Second Street and Washington Avenue for the reason that they allege that such is required in connection with the widening of Arkansas Highway 412 West.

AND WHEREAS, the portions of said streets to be closed are described as follows:

A portion of East Second Street and a portion of Washington Avenue which are situate between Lots 10 and 11 and Lots 32 and 33, as reflected in the plat of Tontitown, Arkansas, as per plat on file in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, and said portions of said streets are more particularly described as: That portion of East Second Street from the point where same intersects with the South right-of-way of Arkansas State Highway 412 (formerly Arkansas State Highway #68), thence South to a point where said East Second Street intersects with the North right-of-way of Bandini Avenue, and that part of Washington Avenue commencing at a point where Washington Avenue intersects with the East right-of-way line of East First Street, and running thence East to a point where said Washington Avenue intersects with the West right-of-way line of East Third Street, all as per the above mentioned plat.

AND WHEREAS, a hearing date shall be set for the purpose of hearing arguments for and against the closing of said streets.

NOW, THEREFORE, BE IT RESOLVED that the 26th day of October, 1992 at 7:00 P.M. should be set for a hearing at the Tontitown City Hall concerning the closing of a portion of the streets described above; the City Clerk of the City of Springdale, Arkansas, should give notice of such hearing in the time and manner required by law.

PASSED AND APPROVED this 6th day of October, 1992.

Frank C. Dallo
Mayor

Attest:

Frances Franeo
City Clerk

PETITION TO VACATE STREETS

1. The City of Tontitown, Arkansas is the owner of the following described properties situate in Tontitown, Washington County, Arkansas:

Lots 10, 11, 32 and 33 in Tontitown, Arkansas, as per plat on file in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

2. The City owns all property abutting a portion of East Second Street and Washington Avenue (collectively referred to herein as "streets") on each side and adjacent to the portions of said streets. That said portions of East Second Street and Washington Avenue are more particularly described as follows:

A portion of East Second Street and a portion of Washington Avenue which are situate between Lots 10 and 11 and Lots 32 and 33, as reflected in the plat of Tontitown, Arkansas, as per plat on file in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, and said portions of said streets are more particularly described as: That portion of East Second Street from the point where same intersects with the South right-of-way of Arkansas State Highway 412 (formerly Arkansas State Highway #68), thence South to a point where said East Second Street intersects with the North right-of-way of Bandini Avenue, and that part of Washington Avenue commencing at a point where Washington Avenue intersects with the East right-of-way line of East First Street, and running thence East to a point where said Washington Avenue intersects with the West right-of-way line of East Third Street, all as per the above mentioned plat.

(See attached plat.)

3. That the City seeks to close those portions of East Second Street and Washington Avenue as described above.

4. That the closing, abandoning and vacating of such streets will not adversely affect surrounding and adjoining lands. The closing of the streets will be in the best interest of the City,

the public generally, and the public interest and welfare will not be adversely affected by the abandonment of such streets.

5. That the closing, abandoning and vacating of such streets will cause all right, title and interest in such property to vest in the City as owner of real estate abutting on each side thereof, with such ownership being freed from easements.

6. That the City, by appropriate resolution, will set a date for the hearing of the petition, and that the City Clerk of the City of Tontitown will give notice as required by law.

7. That attached hereto and made a part hereof is a drawing of those portions of East Second Street and Washington Avenue sought to be abandoned and which show the land adjacent thereto.

WHEREFORE, pursuant hereto, a resolution setting this matter for hearing as set forth above, and for an ordinance by the City Council of the City of Tontitown, Arkansas to close, vacate and abandon said streets herein described, with title to such property to vest in the City as set forth above.

CITY OF TONTITOWN

By Freddie B. Zaldo, Mayor

Attest:

Frances Franco
City Clerk

