

ORDINANCE NO. 2018-05-_____

**AN ORDINANCE TO VACATE A UTILITY EASEMENT
LOCATED AT 1270 VICENZA DRIVE WITHIN THE SAN
GENNARO SUBDIVISION IN THE CITY OF TONTITOWN,
ARKANSAS.**

WHEREAS, upon information provided to the Mayor and City Council of the City of Tontitown, the utility easement more particularly described herein is of no use for any public purpose and has no value to the citizens of the City of Tontitown, and;

WHEREAS, it has been requested by the owner of the property on which the utility easement sits that the utility easement be abandoned, and;

WHEREAS, the Tontitown Planning Commission has reviewed the Petition to Vacate and recommends to the City Council that this request be approved; and

WHEREAS, the City Council of the City of Tontitown is empowered to vacate a utility easement which it concludes is no longer needed for city purposes.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the City Council of the City of Tontitown as follows:

Section 1. That portion of approximately 275.71' of utility easement located on private property between Lot 7 and Lot 8 of the San Gennaro Subdivision to the City of Tontitown, Washington County, Arkansas, as shown on plat record 23 at page 268, located at 1270 Vicenza Drive, as depicted in the plat diagram attached hereto as Exhibit "A".

Section 2. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 3. In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this ordinance shall be adjudged invalid, unenforceable or unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision, other than the part so decided to be invalid, unenforceable or unconstitutional, and the remaining provisions of this ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

PASSED AND APPROVED this _____ day of _____, 2018.

APPROVED:

Paul Colvin, Jr., Mayor

ATTEST:

Rhonda Ardemagni, City Recorder-Treasurer

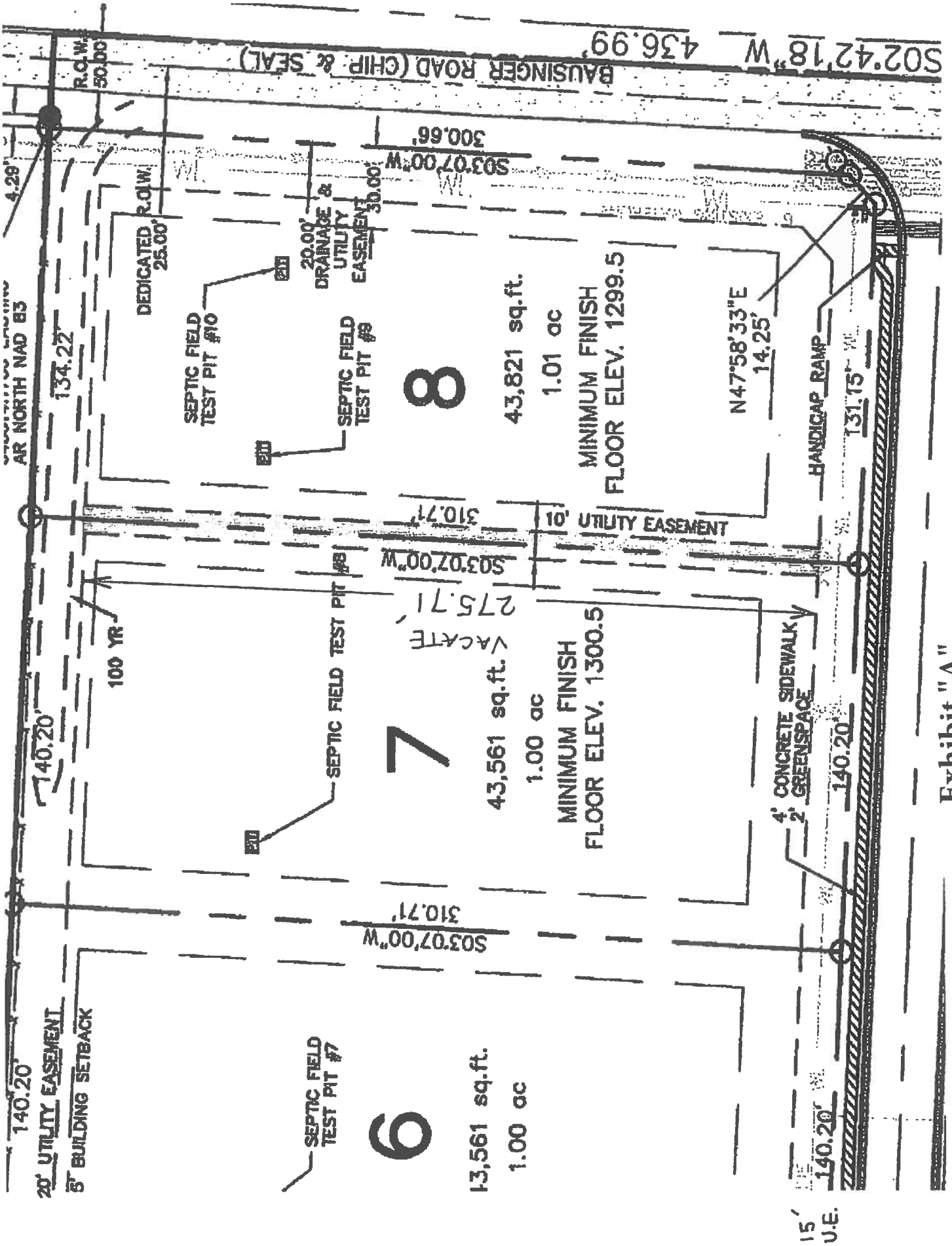


Exhibit "A"

