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Fee Amt: \$25.00 Page 1 of 3  
Washington County, AR  
Kyle Sylvester Circuit Clerk

File **2023-00033185**

ORDINANCE NO. 2023- 12-1091

**CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS**

**AN ORDINANCE TO VACATE A 10 FOOT UTILITY EASEMENT  
LOCATED AT EAST BAKER AVENUE (PARCEL NOS. 830-38059-  
000 AND 830-38058-000) WITHIN THE CITY OF TONTITOWN,  
ARKANSAS.**

**WHEREAS**, after being duly advertised, a public hearing was held on December 5, 2023, to hear public input to the question of closing a 10-foot utility easement at East Baker Avenue, more particularly described as Parcel Nos. 830-38059-000 and 830-38058-000; and

**WHEREAS**, upon information provided to the City Council of the City of Tontitown, the public interest and welfare would not be adversely affected by the abandonment of the portion of the utility easement more particularly described in the attached Exhibit "A"; and

**WHEREAS**, the City Council has the authority pursuant to Ark. Code Ann. § 14-54-104 to vacate public grounds or portions thereof which are not required for public purposes.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE  
CITY OF TONTITOWN, ARKANSAS, THAT:**

**Section 1.** That a 10-foot utility easement at East Baker Avenue, Parcel Nos. 830-38059-000 and 830-38058-000, more particularly described in the legal description set forth in the attached Exhibit "A", is hereby vacated by the City of Tontitown.

**Section 2.** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.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 19 day December 2023.

APPROVED:

Angela Russell  
Angela Russell, Mayor

ATTEST:

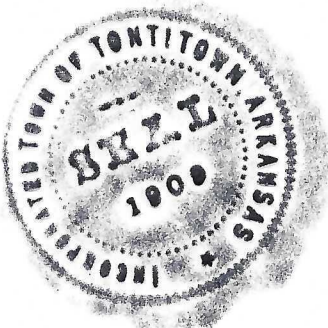
Rhonda Ardemagni  
Rhonda Ardemagni, Clerk-Treasurer  
(SEAL)



UTILITY EASEMENT VACATION AREA

AN EASEMENT, 10 FEET IN WIDTH, FOR THE PURPOSE OF UTILITIES, BEING A PART OF LOTS 2 AND LOT 3 OF THE FINAL PLAT OF THE FIRST ADDITION NORTH, A SUBDIVISION TO WASHINGTON COUNTY, ARKANSAS, ALSO BEING PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 36, TOWNSHIP 18 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, THE CENTERLINE OF SAID EASEMENT BEING DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND RAILROAD SPIKE AT THE NORTHEAST CORNER OF SAID FORTY ACRE TRACT; THENCE ALONG THE NORTH LINE OF SAID FORTY ACRE TRACT  $N86^{\circ}54'49''W$  A DISTANCE OF 478.36 FEET; THENCE LEAVING SAID NORTH LINE  $S02^{\circ}26'38''W$  30.00 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING; THENCE  $S02^{\circ}26'38''W$  710.13 FEET, MORE OR LESS, TO A FOUND 5/8" REBAR BEING THE POINT OF TERMINATION. CONTAINING 7,101 SQUARE FEET OR 0.163 ACRES, MORE OR LESS. THE SIDELINES OF SAID EASEMENT TO BE EXTENDED OR SHORTENED AS NEEDED TO BEGIN OR TERMINATE AT THEIR INTERSECTION WITH THEIR RESPECTIVE BEGINNING OR TERMINATING LINES.



BLEW

UTILITY EASEMENT VACATION AREA  
AN EASEMENT TO BE SET IN WHOLE FOR THE PURPOSE OF UTILITIES BEING A PART OF LOTS  
AND NOT OF THE FINAL LOT OF THE FIRST SECTION NORTH A SUBDIVISION TO  
WASHINGTON COUNTY ARKANSAS ALSO BEING PART OF THE NORTHWEST QUARTER (NW)  
1/4 OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 36 TOWNSHIP 12 NORTH RANGE 24  
WEST WASHINGTON COUNTY ARKANSAS THE CENTERLINE OF SAID EASEMENT BEING  
DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON ROAD STATE AT THE NORTHWEST CORNER OF SAID FORTY  
ACRE TRACT THENCE ALONG THE NORTH LINE OF SAID FORTY ACRE TRACT N88°45'45"W  
DISTANCE OF 478.30 FEET THENCE LEAVING SAID NORTH LINE 82°32'10"W 30 FEET MORE  
OR LESS TO THE TRUE POINT OF BEGINNING THENCE 80°25'25"W 112.11 FEET MORE OR  
LESS TO A POINT HEREIN BEING THE POINT OF TERMINATION CONTAINING 1.167  
SQUARE FEET OR LESS ACRES MORE OR LESS THE BOUNDARIES OF SAID EASEMENT TO BE  
EXTENDED OR SHORTENED AS NEEDED TO BEGIN OR TERMINATE AT THEIR INTERSECTION  
WITH THEIR RESPECTIVE BEGINNING OR TERMINATING LINES



Washington County, AR

I certify this instrument was filed on

12/28/2023 08:08:37 AM

and recorded in Real Estate

File Number 2023-00033185

Kyle Sylvester - Circuit Clerk

by

A handwritten signature in black ink, appearing to be "K. Sylvester", written over a horizontal line.