

ORDINANCE NO. 2025-03-1151

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE TO VACATE A PORTION OF A 15 FOOT  
UTILITY EASEMENT LOCATED AT PARCEL NO. 830-37649-000  
WITHIN THE CITY OF TONTITOWN, ARKANSAS.

**WHEREAS**, after being duly advertised, a public hearing was held and all persons desiring to be heard were asked to attend or provide comment on the subject of closing a 15-foot utility easement at Parcel No. 830-37649-000, more particularly described in the attached Exhibit "A"; 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 utility easement more particularly described in the attached Exhibit "A"; and

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

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

**Section 1.** That a 15-foot utility easement at Parcel No. 830-37649-000, more particularly described in the legal description as 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**Section 2.** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.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.



Doc ID: 022058820003 Type: REL  
Kind: ORDINANCE  
Recorded: 04/15/2025 at 12:00:13 PM  
Fee Amt: \$25.00 Page 1 of 3  
Washington County, AR  
Kyle Sylvester Circuit Clerk

File **2025-00009596**

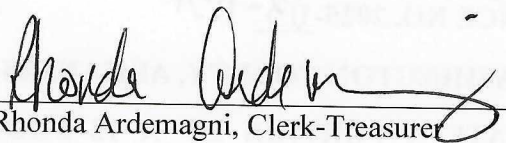
ND APPROVED this 18 day March 2025.

APPROVED:

*Angela Russell*  
Angela Russell, Mayor



ATTEST:

  
Rhonda Ardemagni, Clerk-Treasurer  
(SEAL)

WHEREAS, after being duly advised, a public hearing was held and all persons desiring to be heard were heard, and no person was heard in opposition to the proposed ordinance, and the City Council of the City of Little Rock, Arkansas, has adopted the following ordinance:

WHEREAS, upon information provided to the City Council of the City of Little Rock, Arkansas, that the public interest and welfare would be promoted by the enactment of the following ordinance, which is hereby enacted in the public interest:

WHEREAS, the City Council of the City of Little Rock, Arkansas, has adopted the following ordinance, which is hereby enacted in the public interest:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LITTLE ROCK, ARKANSAS, THAT:

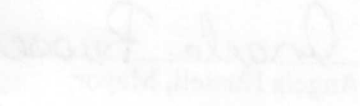
Section 1. That a public hearing was held on the 15th day of March, 2012, at the City of Little Rock, Arkansas, and the following ordinance was adopted by the City Council:

Section 2. That the following ordinance is hereby enacted in the public interest:

Section 3. Inasmuch as the City of Little Rock, Arkansas, is a city of the first class, and the following ordinance is hereby enacted in the public interest:

PASSING AND RESOLVED BY THE CITY COUNCIL OF LITTLE ROCK, ARKANSAS, THIS 18th day of March, 2012.

APPROVED:

  
Rhonda Ardemagni, Clerk-Treasurer

ATTEST:





FILED  
FOR RECORD

Tract No. 5-2

72 MAR 23 AM 9:43

RIGHT OF WAY GRANT

WASHINGTON COUNTY  
ARKANSAS  
ALMA KOLLMEYER  
CLERK

STATE OF ARKANSAS

COUNTY OF Washington

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of

dollars and other good and valuable considerations to the undersigned

Pete Tessaro, and Mary Tessaro, his wife, paid the receipt of which is hereby acknowledged, the said Grantor does hereby GRANT, SELL AND CONVEY unto the City of Tontitown, Arkansas, a municipal corporation (herein styled Grantee), its successors and assigns, the right of way and easement to construct, maintain, lay, remove, relay, enlarge and operate a water line and appurtenances thereto, or lay adjacent parallel line or lines, on, over, across and under the following described real estate:

Legal Description: Book 458 Page 251

Part of the South-east Quarter of the Northwest Quarter of Section One (1) in Township Seventeen (17) North of Range Thirty-One (31) West, described as: Beginning at the South-east corner of said 40 acre tract, and running North Twenty (20) chains, thence West Seven (7) chains and Fourteen (14) links, thence South Twenty (20) chains; thence East Seven (7) chains and Fourteen (14) links, to the place of beginning, and containing 14.3 acres, more or less. (Among other lands in SW $\frac{1}{4}$  of 1-17-31.)

Easement Description:

A permanent easement 15 feet in width and the centerline of said easement being more fully described as follows. Beginning at a point 172 feet North of the Southeast corner of the said SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and run thence West 465 feet, thence South 142 feet to the North right of way of Highway 68 as now established.

Also, a temporary construction easement of sufficient width as necessary for installation parallel with the above described permanent easement.

TO HAVE AND TO HOLD unto said Grantee, its successors and assigns, so long as such utility lines and/or appurtenances thereto shall be maintained, with ingress to and from the real estate first hereinabove described for the purpose of construction, inspection, maintaining and repairing said lines and appurtenances of Grantee above described, and the removal, renewal, and enlargement of such at will, in whole or in part.

The said Grantor is to fully use and enjoy the said premises except that no structure of a permanent nature is to be erected by the Grantor on said easement and except for the purposes hereinbefore granted to the said Grantee, which hereby agrees to bury all pipes to a sufficient depth so as not to interfere with cultivation of soil, and to pay any damages which may arise to growing crops or fences.

Washington County, AR  
I certify this instrument was filed on  
04/15/2025 12:00:13 PM  
and recorded in Real Estate  
File Number 2025-00009596  
Kyle Sylvester - Circuit Clerk

by

