

ORDINANCE NO. 6389

AN ORDINANCE VACATING AN UNDEVELOPED PORTION OF BRIGHTON PLACE LOCATED IN MOUNTAIN OAKS SUBDIVISION IN GARLAND COUNTY ARKANSAS; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to A.C.A. 14-54-104 et seq., a Petition was duly filed with the Board of Directors of the City of Hot Springs, by Property Owners, Damon and Gretchen Keith, seeking to abandon and close an undeveloped portion of a certain city right-of-way commonly known as Brighton Place; 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 right-of-way, hereinafter described, has heretofore been dedicated to the public use herein described; that all the owners of the property abutting upon the portion of the right-of-way 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 right-of-way.

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 its rights, together with the right of the public generally, in the undeveloped portion of Brighton Place located in Mountain Oaks Subdivision, Garland County, Arkansas being specifically described as follows:

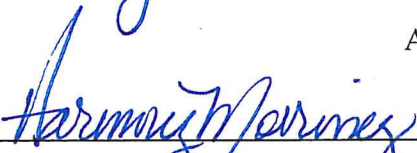
A part of Mountain Oaks Subdivision being a part of Brighton Place (undeveloped), Garland County, Arkansas. Being more particularly described as follows: Begin at the Southeast corner of Lot 35 of Said Mountain Oaks Subdivision, said point being on the North right of way line of said Brighton Place; then Westerly, Southwesterly and Southeasterly the following curves courses and distances: N 86°27'10" W 372.54', then along a curve to the left having a radius of 99' with a length of 160.96' and a chord bearing and distance of S 46°58'15" W 143.81', then S 0°23'40" W 92.11', then S 10°07'01" E 97.28', then along a curve to the left having a radius of 143' with a length of 81.46' and a chord bearing and distance of S 26°24'58" E 80.36'; Then leaving said right of way and crossing said Brighton Place S 86°04'43" E 122.29' to the Southeast corner of Lot 13, said point being on the North right of way line of said Brighton Place;

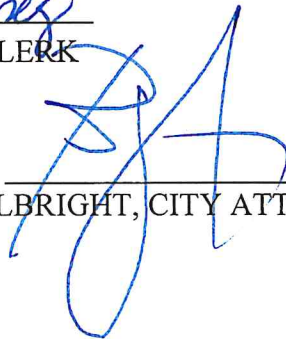
Then Westerly, Northwesterly, Northeasterly; and Easterly, the following curves, courses and distances: N 83°52'31" W 29.46'; then along a curve to the right having a radius of 103' with a length of 131.28' and a chord bearing distance of N 46°36'44" W 122.58', then N 10°07'01" W 93.60', then N 0°23'40" E 88.43', then along a curve to the right having a radius of 59' with a length of 95.92' and chord bearing and distance of N 46°58'15" E 85.70', then S 86°26'51" E 374.63' to the Northeast corner of Lot 20 of said Mountain Oaks Subdivision, said point being on the West right of way line of Brighton Drive; then N 0°33'30" E 40.09' to the Point of Beginning.

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: August 3, 2021

APPROVED: 
PAT McCABE, MAYOR

ATTEST: 
HARMONY MORRISSEY, CITYCLERK

APPROVED AS TO LEGAL FORM: 
BRIAN W. ALBRIGHT, CITY ATTORNEY

ACKNOWLEDGMENT

STATE OF
ARKANSAS
COUNTY OF
GARLAND

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2020

Notary Public

My Commission Expires