

**ORDINANCE NO. 2024-15**

**CITY OF BELLA VISTA, ARKANSAS**

**VACATING A PUBLIC UTILITY EASEMENT, AND FOR OTHER PURPOSES**

**WHEREAS**, a petition was duly filed with the City Council of the City of Bella Vista, Arkansas asking the City Council to vacate and abandon all that portion of a public utility easement designated on the plat L202403317 recorded January 23, 2024; and

**WHEREAS**, after due notice as required by law, the council 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 public utility easement or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a utility easement herein described; has not been actually used by the public generally for a period of at least five (5) years subsequent to the filing of the plat; that all the owners of the property abutting upon the portion of the public utility easement to be vacated have filed with the council their written consent to the abandonment; and that public interest and welfare will not be adversely affected by the abandonment of the public utility easement;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLA VISTA, ARKANSAS:**

**SECTION 1:** The City of Bella Vista, Arkansas, releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the public utility easement designated as follows:

GORDON HOLLOW SUBDIVISION LOT 1 AND 2 BLOCK 1 EASEMENTS TO VACATE

PART OF LOT 1 AND LOT 2, BLOCK 1, GORDON HOLLOW SUBDIVISION AS RECORD 1 PLAT DOCUMENT L202403317, BELLA VISTA, BENTON COUNTY, ARKANSAS.

COMMENCING AT THE EASTERLY COMMON CORNER TO SAID LOTS 1 AND 2 GORDON HOLLOW SUBDIVISION; THENCE s40°34'32"w 106.82 FEET; THENCE N87°36'47"W 25.45 FEET TO THE POINT OF BEGINNING; THENCE N8T36'47"W 123.05 FEET; THENCE S42°01'58"E 64.07 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 295.41 FEET, AN ARC LENGTH OF 19.30 FEET AND A CHORD BEARING AND DISTANCE OF N19.09'44"W 19.30 FEET; THENCE s42°01'58"E 61.22 FEET; THENCE S8T36'47"E 147.88 FEET; THENCE s40°34'32"w 25.45 FEET TO THE POINT OF BEGINNING. CONTAINING 0.07 ACRES, MORE OR LESS.

ALSO

COMMENCING AT THE EASTERLY COMMON CORNER TO SAID LOTS 1 AND 2 GORDON HOLLOW SUBDIVISION; THENCE S40°34'32"W 106.82 FEET; THENCE N8T36'47"W 25.45 FEET; THENCE N40.34'32"E 114.95 FEET TO THE POINT OF BEGINNING; THENCE N49°44'26"W 291.61 FEET; THENCE N32°43'16"E 15.13 FEET; THENCE S49°44'26"E 228.14 FEET; THENCE S39°42'52"E 66.49 FEET; THENCE s40°34'32"w 3.42 FEET TO THE POINT OF BEGINNING. CONTAINING 0.09 ACRES, MORE OR LESS.

**SECTION 2:** A copy of this 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 the county.

**SECTION 3:** This ordinance shall take effect and be in force from and after its passage.

ADOPTED THIS 24<sup>th</sup> DAY OF JUNE, 2024.

APPROVED:



*John D. Flynn*  
\_\_\_\_\_  
JOHN D. FLYNN  
MAYOR

ATTEST:

*Wanda Krug*  
\_\_\_\_\_  
WANDA KRUG  
CITY CLERK

**ORDINANCE NO. 2024-15**

**CITY OF BELLA VISTA, ARKANSAS**

**VACATING A PUBLIC UTILITY EASEMENT, AND FOR OTHER PURPOSES**

**WHEREAS**, a petition was duly filed with the City Council of the City of Bella Vista, Arkansas asking the City Council to vacate and abandon all that portion of a public utility easement designated on the plat L202403317 recorded January 23, 2024; and

**WHEREAS**, after due notice as required by law, the council 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 public utility easement or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a utility easement herein described; has not been actually used by the public generally for a period of at least five (5) years subsequent to the filing of the plat; that all the owners of the property abutting upon the portion of the public utility easement to be vacated have filed with the council their written consent to the abandonment; and that public interest and welfare will not be adversely affected by the abandonment of the public utility easement;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLA VISTA, ARKANSAS:**

**SECTION 1:** The City of Bella Vista, Arkansas, releases, vacates, and abandons **all** its rights, together with the rights of the public generally, in and to the public utility easement designated as follows:

GORDON HOLLOW SUBDIVISION LOT 1 AND 2 BLOCK 1 EASEMENTS TO VACATE

PART OF LOT 1 AND LOT 2, BLOCK 1, GORDON HOLLOW SUBDIVISION AS RECORD I PLAT DOCUMENT L202403317, BELLA VISTA, BENTON COUNTY, ARKANSAS.

COMMENCING AT THE EASTERLY COMMON CORNER TO SAID LOTS 1 AND 2 GORDON HOLLOW SUBDIVISION; THENCE S40°34'32"W 106.82 FEET; THENCE N87°36'47"W 25.45 FEET TO THE POINT OF BEGINNING; THENCE N87°36'47"W 123.05 FEET; THENCE S42°01'58"E 64.07 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 295.41 FEET, AN ARC LENGTH OF 19.30 FEET AND A CHORD BEARING AND DISTANCE OF N19°09'44"W 19.30 FEET; THENCE S42°01'58"E 61.22 FEET; THENCE S87°36'47"E 147.88 FEET; THENCE S40°34'32"W 25.45 FEET TO THE POINT OF BEGINNING. CONTAINING 0.07 ACRES, MORE OR LESS.

ALSO

COMMENCING AT THE EASTERLY COMMON CORNER TO SAID LOTS 1 AND 2 GORDON HOLLOW SUBDIVISION; THENCE S40°34'32"W 106.82 FEET; THENCE N87°36'47"W 25.45 FEET; THENCE N40°34'32"E 114.95 FEET TO THE POINT OF BEGINNING; THENCE N49°44'26"W 291.61 FEET; THENCE N32°43'16"E 15.13 FEET; THENCE S49°44'26"E 228.14 FEET; THENCE S39°42'52"E 66.49 FEET; THENCE S40°34'32"W 3.42 FEET TO THE POINT OF BEGINNING. CONTAINING 0.09 ACRES, MORE OR LESS.

**SECTION 2:** A copy of this 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 the county.

**SECTION 3:** This ordinance shall take effect and be in force from and after *its* passage.

ADOPTED THIS 24<sup>th</sup> DAY OF JUNE, 2024.

APPROVED:



  
\_\_\_\_\_  
JOHN D. FLYNN  
MAYOR

ATTEST:

  
\_\_\_\_\_  
WANDA KRUG  
CITY CLERK



CERTIFICATE OF RECORD  
STATE OF ARKANSAS. COUNTY OF BENTON  
I hereby certify that this instrument was  
Filed and Recorded in the Official Records  
in **Doc Num L202432901**  
**0612512024 04:06:34 PM**  
Brenda DeShields  
BENTON COUNTY Circuit Clerk & Recorder