

ORDINANCE NO. 188

CITY OF GOSHEN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE TO VACATE EASEMENTS LOCATED WITHIN THE BROOKSTONE WOODS SUBDIVISION (PROPOSED CONLEY STONE MOUNTAIN ESTATES), WITHIN THE CITY OF GOSHEN, ARKANSAS.

WHEREAS, upon information provided to the Mayor and City Council of the City of Goshen, the utility easements more particularly described herein is of no use for any public purpose and has no value to the citizens of the City of Goshen, 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 Goshen 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 Goshen is empowered to vacate utility easements which it concludes are no longer needed for city purposes.

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

Section 1. That the utility easements which are depicted upon that certain Easement Vacation survey conducted by Blew & Associates and dated March 10, 2020, which was made Exhibit "B" to the petitioner's Application for Vacation of Easement, and which shall be recorded following the execution of this Ordinance, all located within the City of Goshen, Washington County, Arkansas, are hereby vacated by the City of Goshen:


Said abandoned easements are shown within a recorded plat filed at Plat Book 23, page 260 and are referenced within a Quitclaim deed filed at Washington County File No. 2017-0002887.

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 All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.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 08TH DAY OF December, 2020.

APPROVED:



Max Poye, Mayor

ATTEST:



Linda Moore, Recorder/Treasurer

ROLL CALL

Names of those voting YEA

Paula Anderson
Colton Martin
Bill Hewat
Birch Wright
John Vaillancourt
Jamie Van Becelaere

Names of those voting NAY