

PROCEDURE FOR VACATING

A STREET OR ALLEY

In order to vacate a street or alley a petition must be submitted, a public hearing of the request conducted (a date set by resolution) and an ordinance passed by the Russellville City Council.

PETITIONER MUST PROVIDE THE FOLLOWING:

- A petition signed by the property owners through whose property the street or alley extends and/or abuts. The petition shall state the names of the persons requesting the petition and state the legal description of the street or alley or portion of street or alley to be vacated.
- A resolution setting the public hearing and directing the city clerk/recorder to give notice of the meeting by publication once a week for two (2) consecutive weeks. This resolution must be submitted to City Attorney's Office 20 days prior to the 4th Monday.
- Proof of notification to abutting property owners by certified mail.
- Letters from all utility companies approving the request;

Arkla Gas Company
2610 East Main Street
Russellville, AR 72802-9622

GTE
P.O. Box 968
Russellville, AR 72811

Entergy/AP&L
305 South Knoxville Avenue
Russellville, AR 72811

Cox
127 North El Mira
Russellville, AR 72802-9614

City Corporation
P.O. Box 3186
Russellville, AR 72811

(All letters must include an accurate legal description of the property)

- A copy of the plat showing the easement.
- An ordinance adopting the vacation of the easement (see attachment).

All information and filing fee of \$50 must be submitted no later than 20 days prior to the Planning Commission meeting, which is the 4th Monday of each month, to Public Works at 716 North El Paso. For further information please contact Lequitta A. Jones at Public Works at (501) 968-2406 or 968-1002.

Procedure for Street or Alley Closing

PETITION NO. _____

CASE NO. _____

FILING DATE _____

PETITION TO VACATE STREET/ALLEY

TO THE RUSSELLVILLE PLANNING COMMISSION:

We, the undersigned property owners, do hereby petition the City of Russellville, Arkansas to close the street/alley described below:
(LEGAL DESCRIPTION):

We state that:

1. The petitioners are the owners of all the property abutting upon said street/alley.
2. The street/alley has never been used by the public in any matter; and
3. It would be in the best interest of the public and the City of Russellville for said street/alley to be closed because (Please provide reason for closing):

Respectfully submitted this _____ day of _____, 2____.

Name: _____
Address: _____
City: _____
Telephone: _____
Signature: _____

Name: _____
Address: _____
City: _____
Telephone: _____
Signature: _____

Name: _____
Address: _____
City: _____
Telephone: _____
Signature: _____

Name: _____
Address: _____
City: _____
Telephone: _____
Signature: _____

RESOLUTION NO. _____ (Example Only)

WHEREAS, a petition has been filed with the City Council of the City of Russellville, Arkansas by (Name of petitioners) to abandon a (street or alley) in the (name of Subdivision or Addition) within the corporate limits of the City of Russellville, Arkansas; and

WHEREAS, upon the filing of the petition with the City, the City shall set a date and time for a hearing before the City Council for consideration of the petition.

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Council shall hear said petition at its regular meeting to be held at City Council Chambers, 205 West 2nd Street, Russellville, Arkansas, on the _____, day of _____ 20 ____ at 7:00 p.m.
2. That the City Clerk/Recorder is hereby directed to publish notice of the filing of said petition and of said hearing for the time and in the manner prescribed by law.

PASSED this _____ day of _____, 20 ____.

APPROVED:

Mayor

ATTEST:

City Clerk

ORDINANCE _____ (Example Only)

WHEREAS, a petition was duly filed with the City Council of the City of Russellville, Arkansas on the _____ day of _____, 20 ____ asking the City Council to vacate and abandon (all or part) portion of the (street or alley) designated on the plat of the _____ Addition to the City of Russellville now appearing of record in plat book _____, page _____, in the office of the recorder of Pope County, beginning at _____ and ending at _____.

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 easement of the portion thereof, hereinbefore described, has heretofore been dedicated to the public, use as an 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 (street or alley) 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 (street or alley).

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

Section 1. The City of Russellville, Arkansas releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the (street or alley) designated as follows:

PROPERTY LEGAL DESCRIPTION

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 the county.

Section 3. This ordinance shall take effect and be in force from and after its passage.

Passed this _____ day of _____, 20 _____.

Mayor

Attest:

City Clerk/Treasurer

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT a petition has been filed by (Petitioner(s), with the City Council of Russellville, Arkansas to vacate (street or alley) located (Location), described as follows:

Legal Description

ALL PERSONS ARE ADVISED THAT a public hearing will be held on said petition by the Russellville City Council at 7:00 p.m., Thursday, _____, _____, 2001 in the Council Chambers of City Hall.

ALL PARTIES IN INTEREST MAY BE HEARD AT THE SAME TIME AND PLACE OR MAY NOTIFY THE CITY COUNCIL BY LETTER OF THEIR VIEWS ON THIS MATTER.

THE PETITION is on file for public inspection during normal working hours at the Office of Public Works, 716 North El Paso.

Lequitta A. Jones
Deputy City Clerk

Run once a week for
two (2) consecutive weeks.

To be paid by petitioner.