

ORDINANCE NO. 2004-07

AN ORDINANCE GRANTING AN EASEMENT ON CITY OWNED PROPERTY FOR THE PURPOSE OF PROVIDING ELECTRICAL SERVICE ALONG CERTAIN PORTIONS OF HIGHWAY 65 AND DECLARING AN EMERGENCY

WHEREAS, The City of Clinton, Arkansas, is the owner of land east of Highway 65 that is known as City of Clinton Park; and,

WHEREAS, Steve Bone is developing a commercial venture that fronts Highway 65 but has no access to electrical service except across the park land owned by the City; and

WHEREAS, the creation and development of commercial ventures within the City is a benefit to the City in terms of both employment opportunities and an increased tax base; and,

WHEREAS, the City of Clinton desires to promote and foster business within the city limits;

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

Section 1. The City of Clinton, Arkansas, hereby grants a utility easement across part of the land in the City of Clinton Park to Petit Jean Electric, its successors and assigns, for the purpose of providing electrical service to commercial developments along Highway 65 and to the City Park as needed. The easement is more properly described in the legal description which is attached as Exhibit "A" and shall generally follow the location shown on the survey attached as Exhibit "B".

Section 2. The Mayor and City Clerk are hereby authorized to sign all necessary legal papers conveying said easement on behalf of the City of Clinton.

Section 3. The economic growth of the City of Clinton is of prime concern. Commercial development along Highway 65 will come to an immediate halt if this easement is not granted. Therefore, an

emergency is declared to exist and this Ordinance shall be in full force and effect from and after its passage.

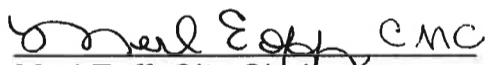
PASSED: April 21, 2004.

APPROVED:



Chip Ellis, Mayor

ATTEST:



Merl Eoff, City Clerk

APPROVED AS TO LEGAL FORM:

Brad A. Cazort, City Attorney

Apr 21 04 09:01a
FROM : z

Brad Cazort
FAX NO. : 5017456464

501-223-3637
Apr. 20 2004 02:57PM P2

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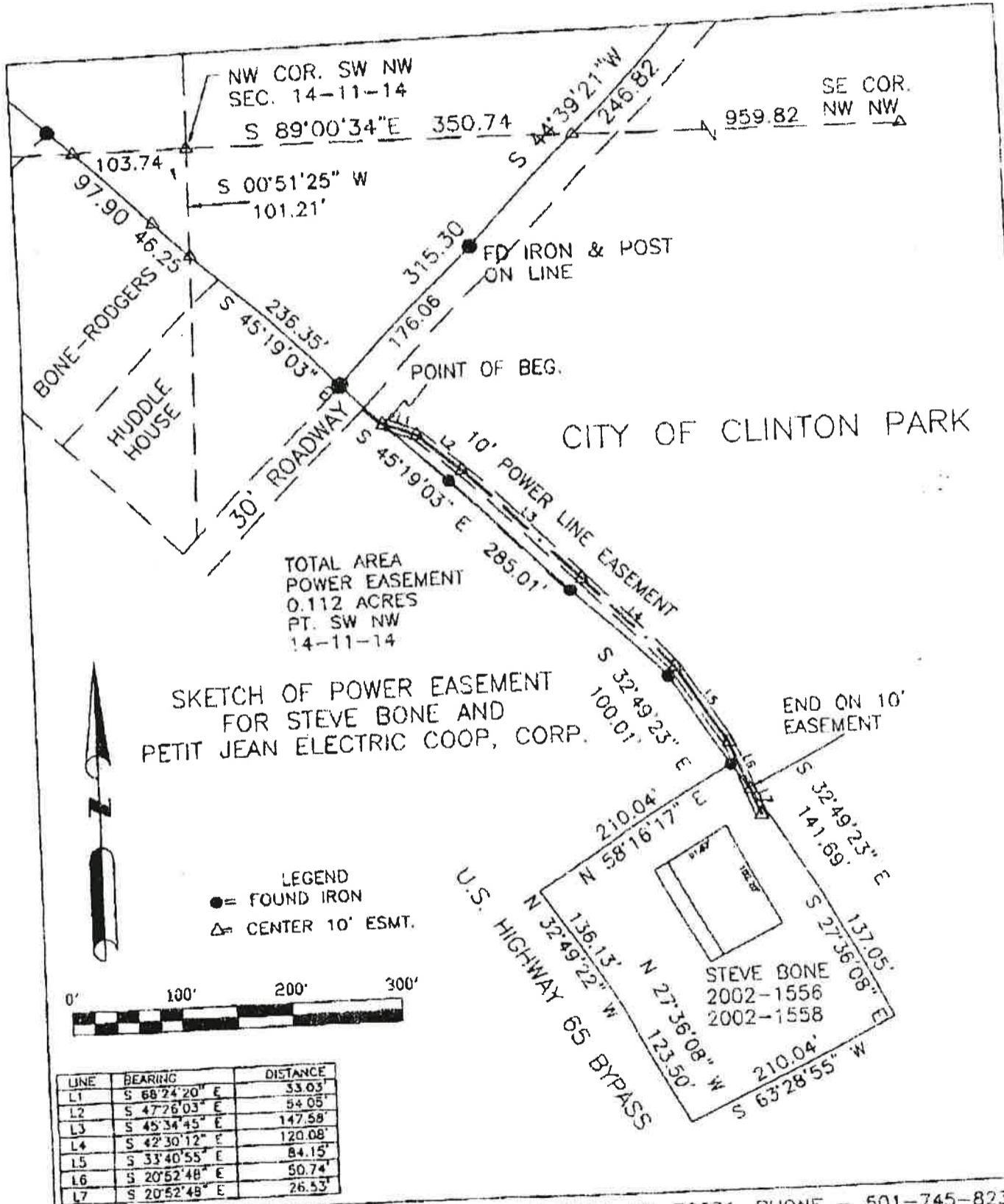
LEGAL DESCRIPTION FOR 10 FOOT POWER LINE EASEMENT
FROM CITY OF CLINTON TO PETIT JEAN ELECTRIC COOPERATIVE CORP.
PART OF THE CITY OF CLINTON PARK PROPERTY TO THE EAST LINE OF THE
STEVE AND PAMELA BONE PROPERTY.

A EASEMENT FOR POWER LINE BEING 10 FEET IN WIDTH, THE CENTER OF SAID
EASEMENT BEING MORE PARTICULARLY DESCRIBED AS;
PART OF THE SW1/4 NW1/4 SECTION 14, T-11-N, R-14-W, CLINTON, VAN BUREN
COUNTY, ARKANSAS, STARTING AT THE NW CORNER OF THE SW1/4 NW1/4 SAID
SECTION 14, T-11-N, R-14-W, THENCE S 00°51'25"W ALONG THE WEST LINE OF THE
SW1/4 NW1/4, A DISTANCE OF 101.21 FEET TO A POINT; THENCE S 45°19'03"E A
DISTANCE OF 236.35 FEET TO THE POINT OF BEGINNING OF THE LANDS HEREIN
DESCRIBED; THENCE S 68 24'20" E A DISTANCE OF 33.03 FEET TO A POINT; THENCE
S 47 26'03" E A DISTANCE OF 54.05 FEET TO A POINT; THENCE S 45 34'45" E A
DISTANCE OF 147.58 FEET TO A POINT; THENCE S 42 30'12" E A DISTANCE OF 120.08
FEET TO A POINT; THENCE S 33 40'55" E A DISTANCE OF 34.15 FEET TO A POINT;
THENCE S 20 52'48" E A DISTANCE OF 50.74 FEET TO A POINT ON THE EAST LINE OF
THE STEVE AND PAMELA BONE PROPERTY AS DESCRIBED IN DEED RECORD 2002
PAGES 1556 AND 1558, THE END OF SAID 10 POWER EASEMENT. BEING 493.63 FEET
IN LENGTH AND CONTAINING 0.112 ACRES MORE OR LESS.

PREPARED FOR STEVE BONE:
APRIL 19, 2004
FILE: SBONE.LG
EDDIE D. WHEELER, P.L.S. #1242, ARKANSAS.

SHEET 1 OF 1

BOOK 5 PG 350



EDDIE WHEELER SURVEYING, P.O. BOX 971, CLINTON, AR. 72031, PHONE - 501-745-8235

JOB DESCRIPTION: FOR STEVE BONE

FIELD BK. 47 DRAWN BY: EDDIE WHEELER S.C.

DATE: APRIL 19, 2004 SCALE: 1" = 120' FILE: US651 SHEET: 1 OF 2