

AN ORDINANCE ACCEPTING DEDICATION OF A RIGHT-OF-WAY FOR STREET EASEMENT CONNECTING ALLEN STREET BETWEEN MOUNTAIN DRIVE ON THE NORTH END AND ALLEN STREET ON THE SOUTH IN THE CITY OF GREENLAND, ARKANSAS; TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, various record title owners of certain real property as set out in this Ordinance within the City of Greenland, Washington County, Arkansas, have conveyed a right-of-way and easement for the purpose of constructing, maintaining, repairing, and replacing a public street; and

WHEREAS, the easement to be dedicated to the City of Greenland and accepted thereby and the owners of each tract, are hereby described as follows, to-wit:

TRACT 1

Record title holder: Ronald W. Johnson and Donna Johnson, Husband and Wife. Easement conveyed to City of Greenland:

A public road easement 40 feet in width described as being the extension of Allen Street from Mountain Drive on the North to the existing Allen Street on the South, 40 feet West from the Railroad right-of-way as it exists at this time of the following described tract of property; however, the City of Greenland agrees to do no damage to the farm pond existing on the property without the expressed written consent of Grantors, their heirs, or assigns:

The North Twenty-two (22) feet of Lot Numbered Twenty (20) and all of Lot Numbered Twenty One (21), LESS AND EXCEPT one (1) acre of equal and uniform width off the West end thereof, and ALSO LESS AND EXCEPT tract beginning at an iron pin which is 97 feet South of the Northwest corner of said tract, run thence 97 feet North with the West line of said tract to the Northwest corner thereof thence East along Northline 232 feet to an iron pin, thence in a straight line Southwesterly to the point of beginning, and subject to a permanent and perpetual easement 15 feet in width along the East side of said lots extending Northward from the South line of said 22-foot strip to the crossing across the St. Louis-San Francisco Railway right-of-way in Parker's Plat of Greenland Acres, as designated and shown upon the recorded plat thereof, lying and being in the Northwest quarter (NW 1/4) of the Southwest quarter (SW 1/4) of Section Four (4) in Township Fifteen (15) North of Range Thirty (30) West subject to existing easements and right-of-ways.

TRACT II

Record title holder: Elmer E. Omohundro, a single person. Easement conveyed to the City of Greenland:

A public road easement 40 feet in width described as being the extension of Allen Street from Mountain Drive on the North to the existing Allen Street on the South, 40 feet West from the Railroad right-of-way as it exists at this time of the following described tract of property:

A part of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section Four (4), Township Fifteen (15) North, Range Thirty (30) West of the 5th Principal Meridian, County of Washington, State of Arkansas, and a part of Lots Numbered Nineteen (19) and Twenty (20) in Parker's Plat of Greenland Acres, as designated and shown upon the recorded plat thereof and described as beginning at a point which is 461.10 feet East of the Southwest corner of the said Lot Numbered Nineteen (19), thence East 530 feet more or less to the West right of way line of the St. Louis and San Francisco Railroad, thence North 6 degrees 9 minutes 26 seconds East along said right of way 549.17 feet, thence West 588.90 feet, thence 546 feet to the point of beginning and containing in all Seven (7) Acres, more or less.

TRACT III

Record title holder: Milburn Terry, a single person. Easement conveyed to the City of Greenland:

A public road easement 40 feet in width described as being the extension of Allen Street from Mountain Drive on the North to the existing Allen Street on the South, 40 feet West from the Railroad right-of-way as it exists at this time of the following described tract of property:

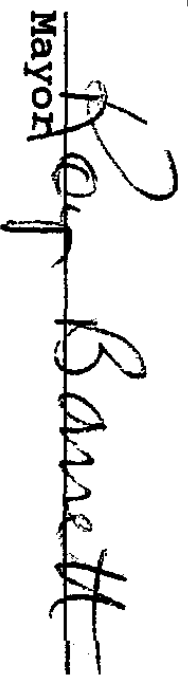
Part of Lot Numbered Eighteen (18) in Parker's Plat of Greenland Acres, as designated and shown upon the recorded plat of said subdivision, and more particularly described as follows, to-wit: Beginning at the Northeast corner of said lot, and running thence West 560 feet, thence South 147 feet, thence East 548 feet or to the West line of the right of way of the St. Louis-San Francisco Railroad, thence North bearing East with the West line of said Railroad right-of-way 147 feet, more or less to the place of beginning, containing 1.87 acres, more or less, subject to an easement for roadway twenty (20) feet wide on the East end thereof as heretofore conveyed to Katherine Logue and W.M. Logue, her Husband.

WHEREAS, THE CITY OF GREENLAND, WASHINGTON COUNTY, ARKANSAS, finds that it is in the public interest for the City of Greenland to own such right-of-way with the right to construct, maintain, and repair the public street

IT IS THEREFORE ORDAINED BY THE CITY COUNCIL FOR THE CITY OF GREENLAND, WASHINGTON COUNTY, ARKANSAS, that the City of Greenland, Washington County, Arkansas, hereby accepts said conveyance and dedication of the above easements, over and across said tracts of land and in consideration thereof, agrees that it will maintain a good and sufficient street over the entire property as herein described in each tract as costs permit.

EMERGENCY CLAUSE: It is hereby declared that this Ordinance, being necessary for the preservation of the health, safety, and welfare of the citizens of the City of Greenland, Arkansas, should become effective immediately upon its passage, approval and publication.

PASSED AND APPROVED on this 8th day of JULY,
1992.


Mayor

ATTEST:


Treasurer/Recorder

92 MAY 22 AM 9 57

I, Milburn Terry, a single person, hereinafter called Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to me in hand paid by the City of Greenland, Arkansas, an incorporated city, hereinafter called Grantees, do hereby grant, bargain, and sell unto the Grantees, a right-of-way for the purpose of constructing a public road on, over and across the following described real property, situated in Washington County, Arkansas, to-wit:

A public road easement 40 feet in width described as being the extension of Allen Street from Mountain Drive on the North to the existing Allen Street on the South, 40 feet West from the Railroad right-of-way as it exists at this time of the following described tract of property:

Part of Lot Numbered Eighteen (18) in Parker's Plat of Greenland Acres, as designated and shown upon the recorded plat of said subdivision, and more particularly described as follows, to-wit: Beginning at the Northeast corner of said lot, and running thence West 560 feet, thence South 147 feet, thence East 548 feet or to the West line of the right of way of the St. Louis-San Francisco Railroad, thence North bearing East with the West line of said Railroad right-of-way 147 feet, more or less to the place of beginning, containing 1.87 acres, more or less, subject to an easement for roadway twenty (20) feet wide on the East end thereof as heretofore conveyed to Katherine Logue and W.M. Logue, her Husband.

TO HAVE AND TO HOLD said lands and appurtenances thereto, thereunto belonging unto the said Grantees, Grantees' heirs and assigns, forever. I, the said Grantor, hereby covenant that I am lawfully seized of said lands and premises, that the same is unincumbered, and that I will forever warrant and defend the title to the said lands against all legal claims whatsoever.

WITNESS our hands and seals on this 11th day of May, 1992.

Milburn Terry
MILBURN TERRY

ACKNOWLEDGMENT

STATE OF ARKANSAS)
)SS
COUNTY OF Washington)

BE IT REMEMBERED, that on this day came before the undersigned, a Notary Public, duly commissioned and acting within and for the County and State aforesaid, Milburn Terry, personally known to me to be the person subscribing to the foregoing document, and who stated to me that he had executed the same for the purposes and considerations therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 11th day of May, 1992.

My Commission Expires:

1-26-2000

Patricia L. Watkins
Notary Public


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RIGHT-OF-WAY-EASEMENT

WASHINGTON CO AR

We, Ronald W. Johnson and Donna Johnson, Husband and Wife hereinafter called Grantors, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to us in hand paid by the City of Greenland, Arkansas, an incorporated city, hereinafter called Grantees, do hereby grant, bargain, and sell unto the Grantees, a right-of-way for the purpose of constructing a public road on, over and across the following described real property, situated in Washington County, Arkansas, to-wit:

A public road easement 40 feet in width described as being the extension of Allen Street from Mountain Drive on the North to the existing Allen Street on the South, 40 feet West from the Railroad right-of-way as it exists at this time of the following described tract of property; however, the City of Greenland agrees to do no damage to the farm pond existing on the property without the expressed written consent of Grantors, their heirs, or assigns:

The North Twenty-two (22) feet of Lot Numbered Twenty (20) and all of Lot Numbered Twenty One (21), LESS AND EXCEPT one (1) acre of equal and uniform width off the West end thereof, and ALSO LESS AND EXCEPT tract beginning at an iron pin which is 97 feet South of the Northwest corner of said tract, run thence 97 feet North with the West line of said tract to the Northwest corner thereof thence East along Northline 232 feet to an iron pin, thence in a straight line Southwesterly to the point of beginning, and subject to a permanent and perpetual easement 15 feet in width along the East side of said lots extending Northward from the South line of said 22-foot strip to the crossing across the St. Louis-San Francisco Railway right-of-way in Parker's Plat of Greenland Acres, as designated and shown upon the recorded plat thereof, lying and being in the Northwest quarter (NW 1/4) of the Southwest quarter (SW 1/4) of Section Four (4) in Township Fifteen (15) North of Range Thirty (30) West subject to existing easements and right-of-ways.

TO HAVE AND TO HOLD said lands and appurtenances thereto, thereunto belonging unto the said Grantees, Grantees' heirs and assigns, forever. We, the said Grantors, hereby covenant that we are lawfully seized of said lands and premises, that the same is unincumbered, and that we will forever warrant and defend the title to the said lands against all legal claims whatsoever.

And we, the respective Grantors, hereby release and relinquish unto the said Grantees our respective dower/curtesy and homestead in and to said lands.

WITNESS our hands and seals on this 18th day of May, 1992.

Ronald W. Johnson
RONALD W. JOHNSON

Donna Johnson
DONNA JOHNSON

STATE OF ARKANSAS
COUNTY OF WASHINGTON

ACKNOWLEDGEMENT

BE IT REMEMBERED, that on this day came before the undersigned, a Notary Public, duly commissioned and acting within and for the county and state aforesaid, Ronald W. Johnson and Donna Johnson personally known to me to be the persons subscribing to the foregoing document, and who stated to me that they had executed the same for the purposes and considerations therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 18th day of May, 1992.

My Commission Expires:

1-26-2000

Patricia J. ...
Notary Public

