



CITY OF BRYANT  
210 SW 3<sup>RD</sup> STREET  
BRYANT, AR 72022

## VACATING STREETS AND ALLEYS

In most cases, streets and alleys within the City were originally established as public rights-of-way by dedication for use by the public when the land was platted by former owners. These areas were set aside and placed under the control of the City, to be used for public purposes such as providing access to each lot and for installation of utilities to service each property. Because of development patterns over the years and changing needs, certain portions of streets or alleys may no longer be needed for these purposes. 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 Bryant 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, together with the lot and block numbers of each lot which abuts upon the street or alley.
- A prepared resolution for the setting of a public hearing and directing the City Clerk to give notice of the meeting by publication once a week for two (2) consecutive weeks in a newspaper having a general circulation in the city. (see attachment)
- Letters from all utility companies approving the request;

<b>Southwestern Bell Engineering Department</b>	<b>City of Bryant Water &amp; Sewer Department</b>
<b>CenterPoint Energy</b>	<b>Entergy Electric or First Electric Coop.</b>
<b>City of Bryant City Engineer</b>	

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

- A copy of the plat prepared by a licensed engineer or surveyor indicating the existing and proposed disposition of the easement, street, or alley.
- A vicinity map indicating the area of the easement, street, or alley.
- An ordinance adopting the vacation of the easement, street, or alley (see attachment).

All above information must be turned in no later than **noon, Monday, one week** prior to the Bryant City Council meeting. For further information please contact the City Clerk's office 501-847-5559, ext. 213.

After City Council has passed the resolution setting the date for the public hearing, notify by certified mail, all property owners within 300 ft. of any boundary of the affected alley. In this **letter** include the date, time and place of the hearing as well as the purpose and legal description of the property, a copy of the surveyed **plat of the property**, and a **vicinity map**.

A certified list of property owners, all return receipts (green cards), and a copy of the letter sent to the property owners is to be provided to the Circuit Clerk at least five (5) days prior to the public hearing.

**RESOLUTION NO. R-\_\_\_\_\_**

WHEREAS, a petition has been filed with the City Council of the City of Bryant, 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 Bryant, 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 Hall, Municipal Court Room, 210 S.W. 3<sup>rd</sup> Street, Bryant, Arkansas, on the \_\_\_\_\_ day of \_\_\_ 20\_\_\_ at \_\_\_\_\_ p.m.
2. That the City Clerk 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:

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**ORDINANCE 2007-\_\_\_\_\_**

**WHEREAS**, a petition was duly filed with the City Council of the City of Bryant, Arkansas on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ asking the City Council to vacate and abandon \_\_\_\_ (all or part) \_\_\_\_\_ portion of the \_\_\_\_\_ (street or alley) \_\_\_\_\_.

**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 or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a 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 BRYANT ARKANSAS:**

**Section 1.** The City of Bryant, 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:

**INSERT 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

**Petition of written consent for the  
Vacating of Streets and Alleys  
For the intent of Public Use**

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**Name of Street or Alley, (or portion thereof), to be vacated:**

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**Abutting property owners:**

Name

Address

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