

ORDINANCE NO. _____

**AN ORDINANCE CLOSING AND VACATING THAT CERTAIN PORTION OF
WISCONSIN AVENUE RIGHT OF WAY LOCATED IN THE CITY OF VICKSBURG,
MISSISSIPPI**

WHEREAS, Joseph M. Bonelli, Sr. and Campbell Development Corporation have petitioned the Mayor and Aldermen of the City of Vicksburg, Mississippi to close and vacate a 27' x 20' portion of the Wisconsin Avenue Right of Way upon discovery that one of their structures encroaches upon the right of way more particularly described as Parcel 1 in the attached Survey dated 2/8/18; and

WHEREAS, the vacating of this portion of the right of way described above will not deny any property owner access to his property, nor will it affect the public use and enjoyment of other streets in the City of Vicksburg.

WHEREAS, the Petitioners own the land adjoining the portion of Wisconsin Avenue to be closed and vacated on both the east and west sides thereof, and which is otherwise inaccessible by any third party and there is no third party who claims any part of the said Wisconsin Avenue right of way to be designated and vacated; and

WHEREAS, the Mayor and Aldermen deem it in the best interest of the adjacent property owners and the general public good to have the afore described portion of Wisconsin Avenue right of way to be closed, vacated and abandoned by the Mayor and Aldermen, and for the Mayor and Aldermen of the City of Vicksburg to file an ordinance in the Warren County Land Records.

WHEREAS, the City of Vicksburg reserves for itself any and all utility easements within the vacated street and the right to ingress and egress to same.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Aldermen of the City of Vicksburg:

1. That the following described portion of right of way of Wisconsin Avenue as situated in the City of Vicksburg be, and the same hereby is, closed and vacated, to-wit:

BEGINNING at a concrete monument that marks the southeast corner of Sec. 28,
Thence N 22°11'18"W a distance of 1711.21' to the Point of Beginning, thence N39°24'33" W a distance of 27.55' to a set pin, thence N50°41'48"E a distance of 20.00' to a set pin. Thence S 40°45'41"E a distance of 27.04' to a set iron pin, thence S49°14'19"W a distance of 20.64' to the Point of Beginning, containing 0.01 acres, more or less and being situated in Section 28, Township 16 N, Range 3 East, Warren County, Mississippi.

2. That the Mayor and Aldermen of the City of Vicksburg do hereby find that such vacation and closing will result in no damages to any adjacent land owners and that in lieu of the delivery of separate Quitclaim Deeds in favor of the Petitioners herein, there being no other

adjacent property owners thereto, the City Clerk is authorized and empowered to deliver to Petitioners a certified copy of this Ordinance in a form which will be acceptable by the Chancery Clerk of Warren County, Mississippi for recordation among the Land Records in the Office of the Clerk as a muniment of title and to give convenient record notice of such vacation to any party interested in the record title of such lands.

3. That the City reserves any and all water, sewage, gas and other easements, located within the said vacated street, and the right of egress and ingress to the same.

The above and foregoing ordinance was introduced in writing and on motion by _____, seconded by _____, it was read in full the first time, by its title the second time, and again read in full the third time, was discussed and was then read and considered section by section and voted upon as follows:

This the 9th day of March, 2018.

The Mayor and Aldermen of the City of
Vicksburg, Mississippi

George Flaggs, Jr., Mayor

Michael A. Mayfield, Sr., Alderman

Alex J. Monsour, Jr., Alderman

CERTIFICATE

I, Walter W. Osborne, Jr., the duly appointed, qualified and acting City Clerk and lawful custodian of the Minutes of The Mayor and Aldermen of the City of Vicksburg and Seal of said City, Certify that the foregoing is a true and exact copy of an Ordinance Adopted by the Mayor and Aldermen of the City of Vicksburg at an Adjourned Board Meeting held on Friday, March 9, 2018.

WITNESS my signature and official seal of office this 9th day of March, 2018.

Walter W. Osborne, Jr., City Clerk