

ORDINANCE NO. 607A

WHEREAS, a Petition was duly filed with the City Council of the City of Cherry Valley, Arkansas, on the 13th day of August, 1971, asking the City Council to vacate and abandon all that portion of the streets located within the Sifford Addition to Cherry Valley, Arkansas, now appearing in Plat Book One (1), page 143, in the office of the Recorder of Cross County, described as follows:

Commence at the Northeast Corner of Lot Fourteen (14) of said addition; then South along the East Line of Lots Fourteen (14) through Nineteen (19) to the Southeast Corner of Lot Nineteen (19); thence East 50 feet; thence North along the West Line extended of Lots Twenty (20) through Twenty-three (23) to the Northwest Corner of Lot Twenty-three (23); thence East to the Northeast Corner of Lot Twenty-Four (24); thence Northerly to the Southeast Corner of Lot One (1); thence along the South Line of Lots One (1) through Thirteen (13) to the Southwest Corner of Lot Thirteen (13); thence North along the West Line of Lots Thirteen (13) to the Northwest Corner thereof; thence West to the Northeast Corner of Lot Fourteen (14), the point of beginning, which streets are unnamed on said Plat.

WHEREAS, after due notices 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 streets or the portions thereof, hereinbefore designated, has heretofore been dedicated to the public use as a street; has not been actually used by the public generally for a period of at least 5 years subsequent to the filing of said Plat; that all of the owners of the property abutting upon the portion of the streets to be vacated have filed with the Council their written consent to such abandonment; that said streets were actually abandoned and vacated by action of the Town Council of Cherry Valley, Arkansas, on May 7, 1963, after a proper hearing was held thereon as required by law but the record of such hearing and any Ordinance abandoning same was lost or destroyed; and that the public interest and welfare will not be adversely affected by the abandonment of such street.

NOW, THEREFORE, Be it ordained by the City Council of the City of Cherry Valley, Arkansas;

SECTION 1. The City of Cherry Valley, Arkansas, hereby releases, vacates and abandons all its rights, together with the rights of the public generally, in and to the streets designated as follows:

Commence at the Northeast Corner of Lot Fourteen (14) of said Addition; then South along the East Line of Lots Fourteen (14) through Nineteen (19) to the Southeast Corner of Lot Nineteen (19); thence East 50 feet; thence North along the West Line extended of Lots Twenty (20) through Twenty-three (23) to the Northwest Corner of Lot Twenty-three (23); thence East to the Northeast Corner of Lot Twenty-Four (24); thence Northerly to the Southeast Corner of Lot One (1); thence along the South Line of Lots One (1) through Thirteen (13) to the Southwest Corner of Lot Thirteen (13); thence North along the West Line of Lots Thirteen (13) to the Northwest Corner thereof; thence West to the Northeast Corner of Lot Fourteen (14), the point of beginning, which streets are unnamed on said Plat.

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: September 14, 1971.

APPROVED:

C. Estark

Mayor

ATTEST:

Howard J. Brasley

City Recorder and Clerk

