

ORDINANCE 94

**ORDINANCE OF THE CITY COUNCIL OF CHERRY VALLEY,  
ARKANSAS, DIRECTING AND AUTHORIZING THE CLOSING OF  
RAILROAD AVENUE STREET ACROSS UNION PACIFIC RAILROAD  
LINE**

WHEREAS, the City Council of Cherry Valley, Arkansas has considered the location of a certain railroad crossing over the Union Pacific Railroad in Cherry Valley, Arkansas and the impact of the same upon the safety of pedestrian and automobile traffic by its citizens and has reached the following conclusions:

- (a) To eliminate an existing railroad crossing would improve transportation and safety for the citizens of Cherry Valley, Arkansas and other traffic within the City;
- (b) The modification of such crossing would improve traffic flow, safety, and would cause improved development of commerce within the City; and
- (c) Such modifications would be in the best interest of, and would improve the safety and welfare of, the citizens; and
- (d) That the existing railroad crossing at Railroad Avenue (Department of Transportation No. 426-447T) should be closed as it is no longer required for corporate purposes.

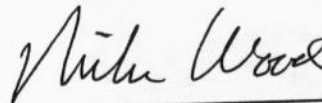
NOW THEREFORE, be it ordained by the City of Cherry Valley, Arkansas as follows:

1. Street and Crossing Closure. The street/railroad crossing formed by the intersection of Railroad Avenue (Department of Transportation No. 426-447T) with the Union Pacific Railroad is hereby closed, and that portion of said roadway, which is on the railroad right-of-way, is permanently vacated and abandoned, being no longer required for corporate purposes.

2. Authorization to Execute Agreement. The Mayor and City Recorder are hereby authorized and directed to take all other further action necessary to effect purposes of this Ordinance.

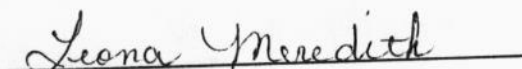
3. Appeals, Referendums, and Other Challenges. Any and all appeals, suits, or other measures to contest the validity of this Ordinance, or enjoin enforcement thereof, and all referendum petitions under Amendment 7 to the Constitution of Arkansas to challenge this Ordinance in any way, must be filed with the City Recorder within thirty (30) days after this Ordinance is first published.

Passed this 10<sup>th</sup> day of June, 1997.



\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Recorder

CERTIFICATE

I, the undersigned, City Recorder of the City of Cherry Valley, Arkansas, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 94, adopted at a meeting of the City Council of Cherry Valley, Arkansas held on June 10, 1997.

Leona Meredith  
City Recorder

(SEAL)