No. 279

THIS INSTRUMENT WAS PREPARED BY:
The City of Atkins, Arkansas
P.O. Box 128, Atkins, AR 72823

AN ORDINANCE VACATING A PORTION
OF CLEVELAND AVENUE Hayes + Aldrich St.
LYING BETWEEN BLOCKS THREE (3) AND FOUR (4)
OF THE REIDMILLER ADDITION;
THE ALLEY IN BLOCK FOUR (4)
OF THE REIDMILLER ADDITION;
AND DITCH STREET LYING BETWEEN FRACTIONAL
BLOCKS EIGHT (8), NINE (9), AND TEN (10)
IN THE McLAREN ADDITION TO THE
CITY OF ATKINS, ARKANSAS

WHEREAS, a Petition was duly filed with the City Council of the City of Atkins, Arkansas, on the 17th day of July, 1968, asking the City Council to vacate and abandon all that portion of the streets and alleys designated on the official plat of the City of Atkins, Arkansas,

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 and alleys or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a street and alley 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 official plat; that all the owners of the property abutting upon the portion of the streets and alleys to be vacated have filed with the Council their written consent to such abandonment; and that public interest and welfare will not be adversely affected by the abandonment of such streets and alleys.

NOW, THEREFORE, be it ordained by the City Council of the City of Atkins, Arkansas;

Ewell

26 A 307

83

Section 1:

The City of Atkins, Arkansas, hereby releases, vacates and abandons all its rights, together with the rights of the public generally, in and to the streets and alleys designated as follows:

(1) That portion of Cleveland Avenue lying between Blocks three (3) and four (4) of the Reidmiller Addition to the City of Atkins and being described further as beginning at the Northwest corner of the said Block three (3), go North 60 feet; thence East 300 feet; thence South 60 feet; thence West 300 feet to point of beginning.

(2) The alley lying in Block four (4) of the Reidmiller Addition to the City of Atkins, being a ten (10) foot alley running in a North South direction throught the center of the said Block four (4).

(3) A street known as Ditch Street, which, according to the official plat of the City of Atkins, Arkansas, lies between fractional Block eight (8) on the South and fractional Blocks nine (9) and ten (10) of the McLaren Addition to the City of Atkins and runs in a Northwesterly Southeasterly direction and which is now terminated on the North end by the right of way of Interstate 40.

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.

Section 4:

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED Aug. 6, 1968.

Everett Ewell
EVERETT EWELL, MAYOR

ATTEST:

Dallas L. Swan

CLERKS CERTIFICATE OF RECORD
STATE OF ARKANSAS - COUNTY OF POPE
I JUANITA BARBER, Circuit Clerk and Recorder of the County aforesaid do hereby certify that this instrument was filed for record the 4 day of Aug, 1994 at 1:15 o'clock P M. and the same is now duly recorded in Record Book 260 Page 307-309. Witness my hand and the seal of said court this the 4 day of Aug 1994
Juanita Barber — Circuit Clerk and Recorder
By Jane Collins

26 & 309