ORDINANCE NO. 27

ORDINANCE VACATING STREETS AND ACCEPTING ADDITION

THAT, WHEREAS, certain property hereinafter described was platted and dedicated to the City of Atkins by Charles E. Baker as the Charles Baker Addition to the City of Atkins, Arkansas, and the plat filed in Plat Book "A", page 10, but no lots were ever sold by the owners, and the addition was never accepted by the City of Atkins; and

WHEREAS, the entire addition was acquired by Robert P. Rainey and Linda L. Rainey, who in turn replatted the property, filed a bill of assurance and declaration of restrictions, and named it the McCoy-Hill Addition, which is shown in Record Book 11-M, page 219, and the plat in Plat Book "B", page 60, but the addition has never been accepted by the City of Atkins; and

WHEREAS, in platting the McCoy-Hill Addition there was a slight change in the location of the streets, but all of the property is served by streets the same in both plats.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ATKINS AS FOLLOWS:

Section 1. The City of Atkins hereby vacates the streets in the Charles Baker Addition.

Section 2. The City of Atkins hereby accepts the McCoy-Hill Addition as per plat recorded in Plat Book "B", page 60, and per dedication of restrictions and bill of assurance as recorded in Record Book 11-M, page 219, said property situated in Pope County, Arkansas and described as follows:

> Part of the Northeast Quarter of the Southeast Quarter of Section 17, Township 7 North, Range 18 West, described as follows: From the NE-corner of said NE¼ of the SE¼, run North 88°33' West 1320.5 feet; thence run South 1°14' West 281.8 feet to point of beginning; continue on this line 1038.2 feet to the Southwest Corner of tract; thence run South 88°33' East 330 feet; thence run North 1°14' East 660 feet; thence run South 88°33' East 165 feet; thence run North 1°14' East 348 feet to a point on the South right-of-way line of Interstate Highway 40; thence run North 74°12' West along said right-of-way 53.2 feet; thence run North 86°02' West 443.6 feet along same right-of-way line to point of beginning.

Stephen C. Kent
MAYOR

ATTEST: Dallas L. Swain
CLERK

CITY OF ATKINS · BIBLIOTHEQUE · POPE COUNTY · ARKANSAS

TO THE CITY COUNCIL OF ATKINS, ARKANSAS

PETITION TO VACATE STREETS AND ACCEPT ADDITION

Come Robert P. Rainey and Linda L. Rainey, his wife, and state:

1. That they are the owners of the following described property situated in Pope County, Arkansas, known as the McCoy-Hill Addition to the City of Atkins, and described as follows:

> Part of the Northeast Quarter of the Southeast Quarter of Section 17, Township 7 North, Range 18 West, described as follows: From the NE-corner of said NE¼ of the SE¼, run North 88°35' West 1320.5 feet; thence run South 1°14' West 281.8 feet to point of beginning; continue on this line 1038.2 feet to the Southwest Corner of tract; thence run South 88°33' East 330 feet; thence run North 1°14' East 660 feet; thence run South 88°33' East 165 feet; thence run North 1°14' East 348 feet to a point on the South right-of-way line of Interstate Highway 40; thence run North 74°12' West along said right-of-way 53.2 feet; thence run North 86°02' West 443.6 feet along same right-of-way line to point of beginning.

2. That this property was platted and dedicated to the City of Atkins by Charles E. Baker as the Charles Baker Addition to the City of Atkins, Arkansas, as per plat in Plat Book "A", page 10, on the 19th day of August, 1969, but no lots were ever sold by the owners, and the addition was never accepted by the City of Atkins.

3. That on the 25th day of November, 1971, the entire addition was acquired by Robert P. Rainey and Linda L. Rainey, who in turn replatted the property, filed a bill of assurance and declaration of restrictions, and named it the McCoy-Hill Addition, which is shown in Record Book 11-M, page 219. The plat for the addition is filed in Plat Book "B", page 60, of the deed records of Pope County, Arkansas, a copy of which is attached and made a part of this petition. This plat has also never been accepted by the City of Atkins, and a large portion of the lots have been sold and houses built as many as six years ago.

4. That in platting the McCoy-Hill Addition there was a slight change in the location of the streets, but all of the property is served by streets the same in both plats.

WHEREFORE, Petitioners pray that the City Council pass an ordinance vacating the streets in the Charles Baker Addition as per plat recorded in Plat Book "A", page 10, and accepting the McCoy Hill Addition, as per plat in Plat Book "B", page 60, and as per dedication of restrictions and bill of assurance as recorded in Record Book 11-M, page 219.

Respectfully submitted this 27th day of June, 1978.

Robert P. Rainey
ROBERT P. RAINEY

Linda L. Rainey
LINDA L. RAINEY

Come Robert P. Rainey and Linda L. Rainey and state on oath that the facts set forth in the foregoing petition are true and correct as they verily believe.

Robert P. Rainey
ROBERT P. RAINEY

Linda L. Rainey
LINDA L. RAINEY

Subscribed and sworn to before me this 27th day of June, 1978.

(SEAL)

Melissa A. Rice
NOTARY PUBLIC

My commission expires: 12-31-81