ORDINANCE NO. 85- 9

AN ORDINANCE VACATING, CLOSING AND ABANDONING A PORTION OF A STREET IN THE CITY OF ATKINS, ARKANSAS, BEING THAT PART OF AVENUE SEVEN NORTHEAST.

WHEREAS, a petition was duly filed with the City Council of the City of Atkins, Arkansas, on the 14th day of May, 1985, to vacate and abandon a portion of Avenue Seven Northeast, running North and South.

WHEREAS, after due notice 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 questions and has ascertained that the street, hereinafter described, has heretofore been dedicated to the public use, but has not actually been used by the public for a period of five years; that the owners of the property abutting upon the portion of the street 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.

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

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 portion of the street designated as follows:

> Part of Avenue 7 Northeast running North and South commencing at the Southwest corner of Lot 85, Smith-Hays Addition to the City of Atkins, Arkansas, thence West 7 feet; thence North 150 feet; thence East 7 feet; thence South 150 feet to the point of beginning.

and that the before described property shall hereafter be the property of Bobby Deal and Gloria Deal, husband and wife.

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 and publication, this 11th day of June, 1985.

DALLAS L. SWAIN, MAYOR

ATTEST:

SYBLE MARPLE, CITY CLERK