ORDINANCE NO. 94-06

AN ORDINANCE CLOSING AND VACATING A PORTION OF AN ALLEY IN THE CITY OF ATKINS LOCATED BETWEEN LOTS 3 & 4 AND THE SOUTH 39 FEET OF LOTS 1 & 2, BLOCK 2, MCLAREN ADDITION AND LOT 5 AND PART OF LOT 6, BLOCK 1, MCLAREN ADDITION.

WHEREAS, a petition was duly filed with the City Council of the City of Atkins, Arkansas on the 12th day of April, 1994, asking the City Council to close and vacate a portion of an alley described as all that part of an alley lying between Lots 3 & 4 and the South 39 feet of Lots 1 & 2, Block 2, McLaren Addition, being a part of the N. E. $\frac{1}{4}$, S W. $\frac{1}{4}$, Section 17, Township 7 North, Range 18 West, Atkins, Pope County, Arkansas, more particularly described as: beginning at the Southwest corner of Lot 3, Block 2, McLaren Addition, thence North 01° 09' East 153.0 feet, thence by an interior angle of 90° 20': South 89° 11' East 196.2' to a point on the R.O.W. line of Arkansas State Highway #105, thence by an interior angle of 102° 08' South 11° 19" East 79.2', thence along R.O.W. line, thence by an interior angle of 167°24' South 01°17' West 75.5 feet, continue along said R.O.W. line; thence by an interior angle of 90° 28' North 89° 11' West 213.1 along the line of an un-named street (not in use) to a point of beginning, containing 31,950 square feet, more or less, and lot 5 and part of Lot 6, Block 1, McLaren Addition to the City of Atkins, Arkansas, more particularly described as follows; beginning at the S. W. corner of said Lot 5; thence N. 0 degrees 54' 04" E., 130.00 feet to the N. W. corner of said Lot 5; thence S. 89 degrees 46' 30" E., 202.86 feet to a point on the West R.O.W. of North Church Street; thence S. 0 degrees 08' 04", along said R.O.W. 130 feet thence N. 89 degrees 48" 30" W. 204.60 feet to the point of beginning; said alley being approximately 20' in width on the plat of record in the deed book 5-K page 131 in the office of the recorder of Pope County.

WHEREAS, after due notice as required by law, the Council has, at the City Council meeting on May 10, 1994 heard all persons desiring to be heard on the question and has ascertained that the portion of the alley hereinbefore described has heretofore been dedicated to the public use as an alley herein described, that all the owners of the property abutting upon the portion of the alley to be closed and vacated have filed with the Council their written consent to the closing and vacating; and that public interest and welfare will not be adversely affected by the closing and vacating of that portion of an alley hereinbefore described.

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

Section 1. The City of Atkins, Arkansas, releases, vacates and abandons all its rights, together with the rights of the public generally, in and to the portion of an alley as described above.

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 this 10th day of May, 1994.

Stephen C. Kent

STEPHEN C. KENT, MAYOR

ATTEST:

Brenda Graves

BRENDA GRAVES, CITY CLERK

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 31 day of May 19 94 at 10:00 o'clock A M. and the same is now duly recorded in Record Book 26N Page 588 Witness my hand and the seal of said court this the 31 day of May 19 94
Juanita Barber — Circuit Clerk and Recorder
By Laura McGuire

26N-588