ORDINANCE NO. 109

WHEREAS, the property owners whose property abutts Carter Street in the City of Mulberry, Arkansas, did on the 7th day of November, 1950 file a petition with the City Clerk of the Said City of Mulberry, requesting the City Council to pass an Ordinance vacating and abandoning all that portion of Carter Street, described as follows:

> Beginning at the Northwest corner of Block 16 of the original Town of Mulberry, Arkansas, said point also being the Southeast point of intersection of Carter Street and 6th Street, thence West 15 feet; thence South to a point due West of the South line of Lot 2 of the said Block 16, thence East 15 feet, thence North to place of beginning.

said streets, lots and block being designated on the plat of the original Town of Mulberry, Arkansas, now on record in Plat Book Page 12 in the office of the Recorder of Crawford County, and,

WHEREAS, the City Council of the City of Mulberry, Arkansas, on said 7th day of November, 1950, by resolution duly passed and approved, fixed and ordered a public hearing to be had at the Council Chambers in the Bank of Mulberry, Mulberry, Arkansas, on November 28, 1950, at 7:30 p. m. to determine whether from the standpoint of public interest and welfare, the above described portion of Carter Street should be vacated as proposed and directed the City Clerk to publish once a week for two consecutive weeks a notice in the Van Buren Press Argus, a weekly newspaper having a bona fide circulation in Crawford County, especially in Mulberry, Arkansas, advising and notifying the public and especially the residents of Mulberry, of the purpose and time of said hearing, and

WHEREAS, a notice was published for the first time and in the manner required by law; proof of publication of said notice has been filed with the Clerk of the City of Mulberry; the hearing held at the time and place set out in said resolution and notice; all persons appearing and so desiring were heard on the question of abandoning said portion of Carter Street and the City Council found and determined that the above described portion of Carter Street heretofore dedicated to public use had not actually been used as a street for a period of more than five years prior to the filing of the petition and plat; that all of the owners of property abutting upon that portion of Carter Street to be vacated had filed with the City Clerk their written consent to said abandonment and that the public interest in welfare will not be adversely effected by the abandonment of that portion of Carter Street contained in the petition.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MULBERRY, ARKANSAS:

SECTION 1: That the City of Mulberry, Arkansas, hereby releases, vacates, and abandons all its rights together with the rights of

the public generally in and to that portion of Carter Street shown on the plat on file in the office of the Recorder of Crawford Dounty and the City Clerk of the Cityof Mulberry and more particularly described as follows:

> Beginning at the Northwest corner of Block 16 of the Original Town of Mulberry, Arkansas, said point also being the Southeast point of intersection of Carter and 6th Street, thence West 15 feet; thence South to a point due West of the South line of the said Block 16, thence East 15 feet, thence North to place of beginning.

SECTION 2: A copy of this ordinance, duly certified by the City Clerk shall be filed in the office of the Recorder of Crawford County, and recorded in the deed records of Crawford County.

SECTION 3: This ordinance shall take effect and be in full force from and after its passage.

Passed and approved this the 5th day of December, 1950.

_____
Herbert Moses - Mayor

ATTEST:

_____
CITY CLERK

BOORUM & PEASE "NOREAR" ®