ORDINANCE NO. 79-7

AN ORDINANCE VACATING AND ABANDONING AN ALLEY IN BLOCK 7 OF THE ORIGINAL TOWN OF MULBERRY, ARKANSAS AND RETURNING THE FIFTEEN (15) FOOT ALLEY TO LOTS ONE AND TWO OF BLOCK SEVEN.

WHEREAS, a petition was duly filed with the City Council of the City of Mulberry, Arkansas, on the first day of October, 1979, asking the City Council to vacate, abandon and return to Lots One and Two of Block Seven of the Original Town of Mulberry, Arkansas a fifteen (15) foot alley east of Lots One and Two and West of Lots Nine and Ten of Block Seven, and running north of West Fourth Street approximately one hundred and twenty (120) feet to the south boundary of Lot Eight. This alley does not go all the way through the block on the plat.

WHEREAS, a building that is on this alley right-of-way was put there in the middle 1930's and the alley right-of-way was not being used publicly at that time.

WHEREAS, the right-of-way does not extend from one street to another, but only across two lots, and this building has been there without objection by anyone or intruding on anyone for over forty (40) years.

WHEREAS, the alley, hereinbefore described, has heretofore been dedicated to the public use as an alley herein described; has not been actually used by the public generally for a period of at least forty (40) years, subsequent to the filing of the plat; that all the owners of the property abutting upon that portion of the alley to be vacated have filed with the Council their written consent to such abandonment; and that the public interest and welfare will not be adversely affected by the abandonment of such alley.

SECTION 1. Now, therefore be it ordained by the City Council of the City of Mulberry, Arkansas, hereby releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the alley designated as follows:

> A fifteen (15) foot alley running north from West Fourth Street to the south boundary of Lot Eight, a distance of approximately one hundred and twenty (120) feet, lying east of Lots One and Two and west of Lots Nine and Ten of Block Seven of the Original Town of Mulberry, Arkansas.

and return the fifteen (15) foot wide area to Lots One and Two from which it was originally dedicated.

SECTION 2. A copy of the ordinance duly certified by the City Recorder shall be filed in the office of the Recorder

of the County and recorded in the deed records of Crawford County.

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

DATED: December 4, 1979

APPROVED:

Arnold D. Feeler

MAYOR

ATTEST:

RECORDER-TREASURER

CITY OF MULBERRY SEAL MULBERRY, ARK.

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