ORDINANCE NO. 88-5

AN ORDINANCE TO VACATE AN UNNAMED, NON-EXISTENT STREET IN CHITWOOD HEIGHTS SUBDIVISION; AND FOR OTHER PURPOSES.

WHEREAS, a petition was duly filed with the City Council of the City of Mulberry, Arkansas, on the 4th day of March, 1988, asking the City Council to vacate and abandon all that portion of the north/south street designated on the plat of the Chitwood Heights Subdivision of said City now appearing of record in Plat Book A, Page A-1, in the office of the Recorder of Crawford County.

WHEREAS, after due notices 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 question and has ascertained that the street or the portion thereof, hereinafter described, has heretofore been dedicated to the public use as a street herein described; has not actually been constructed or used by the public generally for a period of at least fifteen (15) years, subsequent to the filing of plat; that all 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 by the abandonment of such street.

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

SECTION 1. 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 street designated as follows:

A street 50 feet wide beginning at West Eighth Street and running north approximately 1082.05 feet in the center of Chitwood Heights Subdivision, bounded on the west by lots 14 thru 26 and on the east by lots 27 thru 39, and ending on the north with a cul-de-sac having a 80 foot diameter.

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

PASSED AND APPROVED THIS 24th DAY OF MARCH, 1988.

APPROVED:

Arnold D. Feller

Arnold D. Feller, Mayor

ATTEST:

Joe Benham

Joe Benham, Recorder-Treasurer