

Certified Copy
DATE 7-19-88
OUIDA PURYEAR
CITY CLERK

ORDINANCE NO. 2134

AN ORDINANCE TO VACATE A FIFTEEN FOOT ALLEY RUNNING NORTH AND SOUTH BETWEEN ALLEN AND GORDON STREETS. BEING BOUNDED ON THE WEST BY LABAUME AND ON THE EAST BY MILLER STREET.

BE IN ORDAINED BY THE CITY CONCIL FOR THE CITY OF JONESBORO, AR.

WHEREAS, A PETITION WAS DULY FILED WITH THE CITY COUNCIL FOR THE CITY OF JONESBORO, AR ON THE 5TH DAY OF JULY, 1988, TO VACATE AND ABANDON A 15 FOOT ALLEY RUNNING NORTH AND SOUTH BETWEEN ALLEN AND GORDON STREETS. BEING BOUNDED ON THE WEST BY LABAUME AND ON THE EAST BY MILLER STREET, WHICH PLAT IS RECORDED IN DEED RECORD⁴⁸ AT PAGE¹¹⁶ OF THE RECORDS OF THE JONESBORO DISTRICT OF CRAIGHEAD COUNTY, AR.

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 QUESTION AND HAS ASCERTAINED THAT THE STREET OR THE PORTION THEREOF, HEREINBEFORE DESCRIBED HAS HERETOFORE BEEN DEDICATED TO THE PUBLIC USE AS A STREET HEREIN DESCRIBED; HAS NOT BEEN ACTUALLY USED BY THE PUBLIC GENERALLY FOR A PERIOD OF AT LEAST FIVE (5) YEARS SUBSEQUENT TO THE FILING OF THE PLAT; THAT ALL OWNERS OF THE PROPERTY ABUTTING UPON THE PORTION OF THE STREET TO BE VACATED HAVE FILED WITH THE COUNCIL THEIR WRITTEN CONSCENT TO SUCH ABANDONMENT; AND THAT PUBLIC INTEREST AND WELFARE WILL NOT BE ADVERSELY AFFECTED BY THE ABANDONMENT OF SUCH STREET.

SECTION ONE: THE CITY OF JONESBORO, AR, HEREBY RELEASES, VACATES AND ABANDONS ALL OF ITS RIGHTS, TOGETHER WITH THE RIGHTS OF THE PUBLIC GENERALLY, IN AND TO THE STREETS DESIGNATED AS FOLLOWS:

A 15 FOOT ALLEY RUNNING NORTH AND SOUTH BETWEEN ALLEN AND LABAUME STREETS. BEING BOUNDED ON THE WEST BY LABAUME AND ON THE EAST BY MILLER STREET. ~~THIS PROPERTY IS SUBJECT TO DRAINAGE EASEMENTS.~~

SECTION TWO: 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 THREE: THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND APPROVAL.

ADOPTED THIS 5TH DAY OF JULY, 1988.

CERTIFICATE OF RECORD

STATE OF ARKANSAS

County of Craighead

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I, Pat Fleetwood, Clerk of the Circuit court and Ex-Officio recorder for the County aforesaid, do hereby certify that the annexed and foregoing instrument of writing was filed for record in my office on 19th day of July, A.D., 19 88 at 1:35 o'clock P M., and the same is now duly recorded, with the acknowledgement and certificate thereon, in Record Book Vol. 362, Page 308.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court this 19th day of July A.D., 19 88.

Pat Fleetwood, Clerk.

By *Janette Blankenship* Deputy Clerk.