

ORDINANCE NO. ¹¹²
Ordinance Closing Part of Second Street

WHEREAS, the petition of Arkansas Charcoal Fuel Company, Inc., was duly filed with the Town Council of the Incorporated Town of Cotter, Arkansas, on the 15th day of July, 1964, requesting that the Town Council vacate and abandon that portion of Second Street as shown on the recorded plat of said Town of record in Plat Book 1 at Page 27 in the office of the Circuit Clerk and Ex-Officio Recorder of Baxter County, Arkansas, lying between the southerly side of the Missouri Pacific Railroad Co. right-of-way and the unopened street platted as Pyeatt Ave., and abutted on the West by Lot No. 1717 and on the East by Lot No. 1718; and

WHEREAS, after due notice as required by law, the Council, at the date, time and place stated in said notice, has heard all persons desiring to be heard on the question and has ascertained that the portion of Second Street above described has heretofore been dedicated to public use as a street; that Pyeatt Avenue has never been opened as a public street nor used for any municipal purpose so that in reality Second St. is a dead-end street; that the only owner of property abutting on that portion of Second Street above described and sought to be vacated and abandoned and the only user thereof is said Arkansas Charcoal Fuel Company, Inc., the petitioner for such vacation and abandonment; and that the public interest and welfare will not be adversely affected by its abandonment.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE INCORPORATED TOWN OF COTTER, ARKANSAS:

SECTION I. The Incorporated Town of Cotter, Arkansas, hereby releases, vacates and abandon all its rights, together with the rights of the public generally, in and to that portion of Second Street lying and being between the southerly line of the right-of-way of the Missouri Pacific Railroad Co. and Pyeatt Avenue, and abutted

on the West by Lot No. 1717 and on the East by Lot No. 1718, both of which said lots are owned by Arkansas Charcoal Fuel Company, Inc., as shown on plat of said Town recorded in Plat Book 1, at Page 27 thereof, in the records of the Circuit Clerk and Ex-Officio Recorder of Baxter County, Arkansas.

SECTION 2. A copy of this Ordinance, duly certified by the Town Recorder, shall be filed in the office of the Circuit Clerk and Ex-Officio Recorder of Baxter County, Arkansas, and recorded in the deed records of said County.

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

PASSED ON JULY 29, 1964.

Carl A. Smith
RECORDER

Mark W. Wallis
MAYOR

CERTIFICATE

I, Carl A. Smith, Recorder of the Incorporated Town of Cotter, Arkansas, do hereby certify that the above and foregoing is a true, accurate, complete and correct copy of Ordinance No. 112, adopted at a meeting of the Town Council of said Town, duly called and duly held on July 29, 1964.

IN WITNESS WHEREOF, I hereunto set my hand as said Recorder and affix the seal of said Town on this the 29th day of July, 1964.

Carl A. Smith
RECORDER

(SEAL)