

ORDINANCE NO. 99-08

ORDINANCE CLOSING MABEL STREET FROM LITHIA STREET TO OAK STREET
AND
CLOSING LUCILLE STREET FROM GLEN STREET TO OAK STREET
AND
CLOSING CEDAR STREET FROM EDNA STREET TO MABEL STREET
AND
CLOSING OAK STREET FROM EDNA STREET TO LUCILLE STREET

WHEREAS, a request had duly been made to the City Council of the City of Cotter, Arkansas, requesting the City Council vacate, abandon, and close all that portion of Mabel Street lying between Lithia Street and Oak Street and to vacate, abandon, and close all that portion of Lucille Street lying between Glen Street and Oak Street and to vacate, abandon, and close all that portion of Cedar Street lying between Edna Street to Mabel Street and to vacate, abandon, and close all that portion of Oak Street lying between Edna Street to Lucille Street.

WHEREAS, after due notices as required by law, the City Council of the City of Cotter, Arkansas, has, at the time and place mentioned in the notices, heard all persons desiring to be heard on the question and have ascertained that the streets hereinabove described, have therefore been dedicated to the public use as a street herein described; has actually not been used by the public generally for a period of at least five (5) years subsequent to the platting of said streets; that all the owners of the property abutting upon the portion of the streets to be vacated have given consent to said abandonment; and that the public and welfare will not adversely be affected by the abandonment of said streets.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cotter, Arkansas:

Section 1: The City of Cotter, Arkansas, hereby releases, vacates, and abandons all of its rights, together with the rights of the public generally in and to that portion of Mabel Street from Lithia Street to Oak Street and Lucille Street from Glen Street to Oak Street and Cedar Street from Edna Street to Mabel Street and Oak Street from Edna Street to Lucille Street.

Section 2: A copy of this 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 the County.

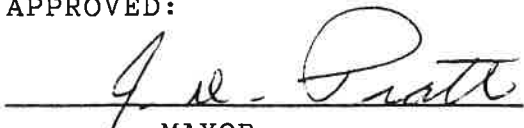
Section 3: That the closing of Mabel Street from Lithia Street to Oak Street and Lucille Street from Glen Street to Oak Street and Cedar Street from Edna Street to Mabel Street and Oak Street from Edna Street to Lucille Street is necessary to allow for further expansion of the public education system within the City of Cotter, Arkansas. Therefore an emergency is declared to exist.

Section 4: That nothing contained herein shall be deemed to abandon the City of Cotter's interest in any utility lines lying within the abandoned streets.

Therefore, this Ordinance shall take effect and be in force from and after its passage.

PASSED AND APPROVED this 21st day of October, 1999.

APPROVED:


MAYOR

ATTEST:


RECORDER/TREASURER