

ORDINANCE NO. 2003-18

AN ORDINANCE TO CLOSE, VACATE AND ABANDON THE ALLEYWAY RUNNING BETWEEN 10TH AND 11TH STREETS, BUT ONLY THE PORTION LOCATED IN BLOCK 20 OF FLEEMAN ADDITION TO THE CITY OF OZARK, ARKANSAS; DECLARING AN EMERGENCY THEREFORE; AND FOR OTHER PURPOSES.

WHEREAS, a Petition was duly filed with the city Clerk and Recorder of the City of Ozark, Arkansas on the 9th day of October, 2003, asking the City Council to vacate and abandon 10th Street Between Main Street and River Street, to the City of Ozark, and;

WHEREAS, after due notice required by law was published, the City Council has, at the time and place provided in said notice, heard all persons desiring to be heard on the question and has ascertained that the portion of the street hereinabove described has been duly dedicated to the public use as a street or by the City of Ozark, with the exception of utility easements, which shall remain in place and in existence, and that the owners on all property adjacent to that portion of the street described above have consented to the closing of said street and the City Council, have determined that the public interest and welfare will not be adversely affected by the abandonment of the described street;

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

SECTION I: The City of Ozark, Arkansas, hereby releases, vacates, and abandons any and all rights, together with the public generally for ingress and egress, except for an easement for the laying, operating, constructing, and maintaining of utilities and utility lines, in and to the street described as follows:

The alley between 10th and 11th Streets, but only the portion located in Block 20 of Fleeman Addition to the City of Ozark, Arkansas.

SECTION II: A copy of this ordinance, duly certified by the City Clerk shall be filed of record with the Circuit Clerk of Franklin County, Arkansas, Ozark District, and shall be recorded in the deed records of the county.

SECTION III: The City Council of the City of Ozark, Arkansas, having determined that an emergency exists, and that it would be in the best interest of the City that this ordinance be adopted immediately, this ordinance shall be in full force and effect immediately upon its passage and publication.

Passed and approved by a majority vote of the City Council of the City of Ozark,
Arkansas, this 10th day of November, 2003,

C.L. Coley
C.L. "Bat" Coley, Mayor

CITY OF OZARK
ATTEST:
Carol Sneath
Carol Sneath, City Clerk

STATE OF ARKANSAS, COUNTY OF FRANKLIN
OZARK DISTRICT
FILED FOR RECORD THE 12 DAY OF December
2003 AT 1:20 O'CLOCK P.M. AND RECORDED
IN BOOK 218 PAGE 496
WILMA GRAGG - BRUSHWOOD
CIRCUIT CLERK AND RECORDER
BY Carol Ward D.C.