

ORDINANCE NO. 2016 - 05

AN ORDINANCE VACATING PART OF HOWARD STREET WITHIN THE CITY OF MALVERN, ARKANSAS

Whereas, a petition was duly filed with the City Council of the City of Malvern, Arkansas, on the 12th day of April, 2016, asking the City Council to vacate and abandon all that undeveloped portion of Howard street running north and south along the west side of block six (6) designated on the plat of the Tarvin's Addition to the City now appearing of record in plat book 3, page 566, in the office of the recorder of Hot Spring County.

"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 consent to the abandonment; and that public interest and welfare will not be adversely affected by the abandonment of the street.

Now, therefore, be it ordained by the City Council of the City of Malvern, Arkansas:

Section 1. The City of Malvern, Arkansas, releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the street designated as follows:

All that undeveloped portion of Howard street running north and south along the west side of block six (6) designated on the plat of the Tarvin's Addition to the City now appearing of record in plat book 3, page 566, in the office of the recorder of Hot Spring County.

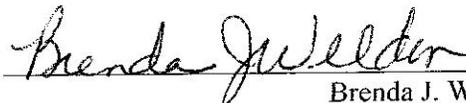
Section 2. A copy of the ordinance duly certified by the city clerk or town recorder shall be filed in the office of the recorder of the county and recorded in the deed records of the county.

Section 3. This ordinance shall take effect and be in force from and after its passage.

Section 4. It is necessary that this Ordinance shall become effective immediately in order to provide for the immediate protection of the public peace, health, and safety, and shall take effect upon its passage and approval.

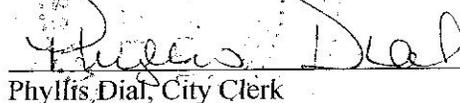
Passed this 9th day of May, 2016.

APPROVED:

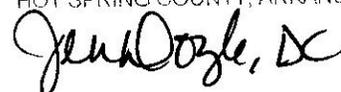


Brenda J. Weldon, Mayor

ATTEST:


Phyllis Dial, City Clerk

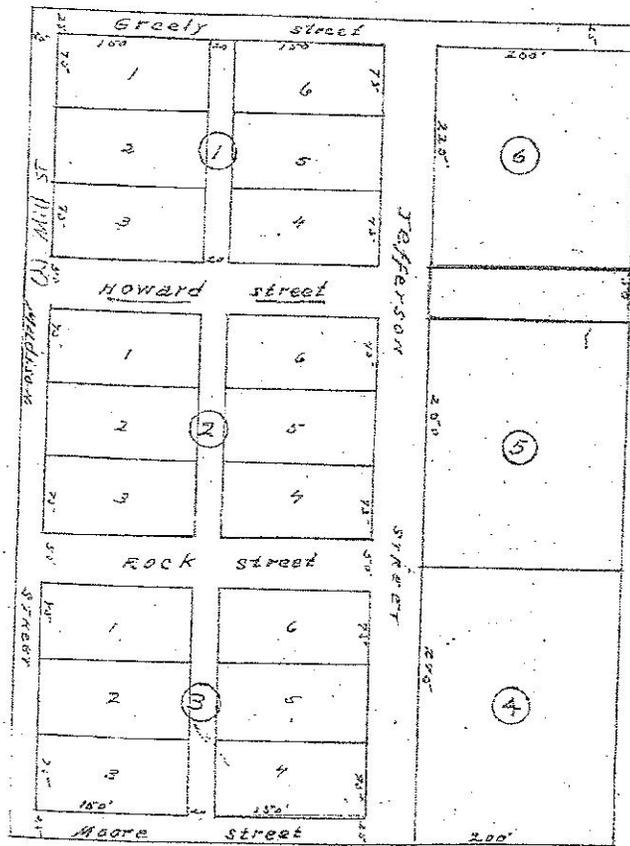
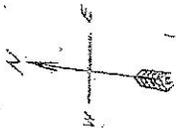
I HEREBY CERTIFY THAT V: MISC
THIS INSTRUMENT WAS BK0244
FILED AND RECORDED Pg0837
AT 05/13/2016 10:58:44 AM
MAYME BROWN, CIRCUIT CLERK
HOT SPRING COUNTY, ARKANSAS



THEREASA A TARVIN'S ADD'N
TO THE
CITY OF MALVERN, ARK.

SCALE 1" = 100'

BOOK "Z" PAGE 566



Book 13 page 566