

ORDINANCE NO. 236

Whereas, a petition was duly filed with the City Administrator of the City of Barling, Arkansas, on the 21st day of November, 1994 asking the Board of Directors to vacate and abandon all that portion of the utility easement designated on the plat of the Riviera Estates Subdivision of the City of Barling now appearing in the record office of the recorder of Sebastian County.

Whereas, after due notice as required by law, the Board 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 utility easement or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a utility easement 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 the owners of the property abutting upon the portion of the utility easement 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 utility easement.

Now, therefore, be it ordained by the Board of Directors City of Barling, Arkansas:

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

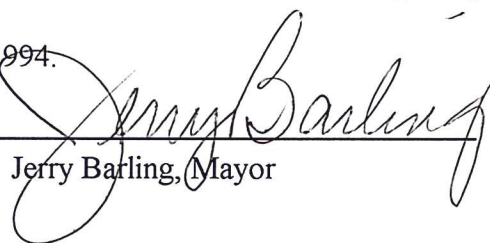
North to South utility easement for the property described as Lots 73, 74, 95 & 96 of the Riviera Estates Subdivision, also known as, 101 K Street.

Section 2. 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 3. This ordinance shall take effect and be in force from and after its passage.

PASSED AND APPROVED December 6, 1994.


Attest: Myra Monchamp, City Clerk


Jerry Barling, Mayor