

Ordinance No. 42

An Ordinance to vacate Volta Avenue and East First through East Sixth Streets inclusive, as reflected on the plat of Tontitown, Arkansas.

WHEREAS, a petition was duly filed with the Town Council of the Town of Tontitown, Arkansas, on the 16th day of May, 1966, asking the Town Council to vacate Volta Avenue and East First through East Sixth Streets inclusive as designated on the plat of Tontitown, Arkansas, as filed in Plat Book 4 at page 56 in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington, County, Arkansas, and which portion of Volta Avenue and East First through East Sixth Streets, inclusive, are more particularly described as follows: from a point where said Volta Avenue intersects with Farrington Road east to a point where said Volta Avenue intersects with the east boundary of East Sixth Street as reflected on the plat of Tontitown, Arkansas, and also East First, East Second, East Third, East Fourth, East Fifth and East Sixth Streets of a point where said streets intersect with Weddington Street north to the point where said streets intersect with the south boundary of Volta Avenue, and also the 20 foot alley commencing at the northeast corner of Lot 7, Block 1, at the intersection of said alley and East Second Street, and running thence East to a point where said alley intersects with East Sixth Street, all as reflected on the Plat of Tontitown, Arkansas.

WHEREAS, after due notices 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 portion of said street hereinbefore described, has not been actually used by the public generally for a period of at least five years subsequent to the filing of the plat; that all the owners of the property abutting upon the portion of the street to be vacated have filed with the council their written consent to such abandonment; and that public interest and welfare will not be adversely affected by the abandonment of a portion of said lands.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Tontitown, Arkansas:

- I The Town of Tontitown, Arkansas, hereby releases, vacates and abandons all its rights, together with the rights of the public generally, in and to the streets designated as follows: Volta Avenue from a point where said Volta Avenue intersects with Farrington Road east to a point where said Volta Avenue intersects with the East boundary of East Sixth Streets as reflected on the Plat of Tontitown, Arkansas, and also East First, East Second, East Third, East Fourth, East Fifth and East Sixth Streets of a point where said Streets intersect with Weddington Street north to the point where said streets intersect with the south boundary of Volta Avenue as reflected on the Plat of Tontitown, Arkansas.
- II A copy of the Ordinance duly certified by the Town Recorder shall be filed in the office of the Recorder of the county and recorded in the deed records of the county.

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

Passed this 20th day of June, 1966.

Harry J. Spanotto Mayor

Attest:

Richard M. Ardemagni
Town Recorder

STATE OF ARKANSAS }
COUNTY OF WASHINGTON } ss.

ACKNOWLEDGEMENT

On this day before me the undersigned, a Notary Public, duly qualified, commissioned and acting within and for the said county and state, appeared in person the within named _____ and _____, to me personally well known, who stated that they were the Mayor and Town Recorder, respectively, of the Town of Tontitown, Arkansas, and further stated and acknowledged that they has so signed, executed and delivered said foregoing instruments for the consideration, used and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal as such Notary Public this _____ day of _____, 1966.

Notary Public

My commission expires:

Richard M. Ardemagni, duly elected and acting Town Recorder of the Town of Tontitown, Arkansas, do hereby certify that the foregoing Ordinance was passed by the Town Council : at a meeting held on the 20th day fo June, 1966.

Richard M. Ardemagni Town Recorder

Subscribed and sworn to before me this 21st day of June, 1966.

Lloyd McConnell Notary Public

My commission expires:
June 1, 1970