

ORDINANCE NO. 03-07

**IN THE MATTER OF THE CLOSING OF A PORTION  
OF THE FOLLOWING DESCRIBED STREET  
APACHE STREET  
MORE PARTICULARLY DESCRIBED BELOW:**

Whereas, a petition was filed with the City Council of the City of Diamond City, Arkansas, on the 3<sup>rd</sup> day of February 2005, asking the City Council to vacate and abandon a portion of the following described street, to-wit:

Section of Apache Street south of Elm Street for a distance of 120 feet being part of Lot 39 of Block 4 of Valley-View Sub-Division.

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 portion of the above described street was heretofore dedicated to use as a street, but has never been used by the public, and that all of the owners of the property abutted the street to be vacated, have consented to the petition for such abandonment, and that the public interest and welfare are not adversely affected by the abandonment of such street.

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

Section 1: The City of Diamond City, Arkansas abandons the existing easement.

Section 2: Pursuant to prior agreement between the parties, the land currently occupied by Apache Street shall become the property of Nona Mitchell-Burnison and A. L. Burnison.

07 004011  
FILED FOR RECORD  
2007 MAY 30 AM 11:28  
JEANNIE STEEN, CLERK  
BY EC

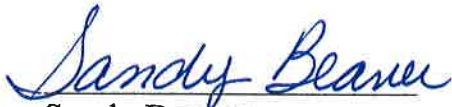
Section 3: A copy of this Ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of County Deed of Records.

ADOPTED by roll call vote of:

5 ayes; \_\_\_\_\_ nays; 1 abstentions; \_\_\_\_\_ absentees; \_\_\_\_\_ vacancies;

This 21 day of May, 2007

ATTEST:



Sandy Beaver  
Recorder/Treasurer

APPROVED:



Don West  
Mayor