

ORDINANCE NO. 38

AN ORDINANCE VACATING A PORTION OF BREEZE STREET,  
A STREET IN LOUX SUBDIVISION, CITY OF LAKEVIEW.

Whereas, a petition was duly filed with the Council of the City of Lakeview, Arkansas, on the 10 day of Oct, 1983, asking the said Council to vacate and abandon all that portion of the street named Breeze Street, in Loux Subdivision, in said City of Lakeview, Arkansas, and being more particularly described as follows:

From the northerly corner of Lot 3 of the Loux Subdivision (1/2" rebar), go South 55 degrees 07 minutes East 75.8 feet to the intersection of a building and the south right-of-way of Breeze Street, said intersection being the point of beginning of tract being described: Thence along edge of building with the following: North 47 degrees 41 minutes 37 seconds East 1.09 feet; South 42 degrees 18 minutes 23 seconds East 4.00 feet to a sidewalk; Thence along said sidewalk with the following: North 47 degrees 41 minutes 37 seconds East 3.00 feet; South 42 degrees 18 minutes 23 seconds East 36.03 feet; North 47 degrees 41 minutes 37 seconds East 3.00 feet; South 42 degrees 18 minutes 23 seconds East 16.80 feet; South 47 degrees 41 minutes 37 seconds West 3.00 feet; North 42 degrees 18 minutes 23 seconds West 11.15 feet; South 47 degrees 41 minutes 37 seconds West 2.22 feet to the intersection of sidewalk with street right-of-way; Thence along right-of-way North 43 degrees 07 minutes West 39.96 feet; Thence North 55 degrees 07 minutes West 5.87 feet to the point of beginning, containing 158.06 square feet. Bearings are based on those shown on Rural Survey Instrument No.144-82.

Whereas, the Council has heard all persons desiring to be heard on the question and has ascertained that the portion of the street hereinbefore described has heretofore been dedicated to the public use as a street but has not been used for street purposes for a period of at least five years subsequent to the filing of the plat; and that the public interest and welfare will not be adversely affected by the abandonment of such portion of the street;

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

Section 1. The City of Lakeview, Arkansas, hereby releases, vacates and abandons all its rights, together with the rights of the public generally, in and to the portion of the street designated and described above.

Section 2. A copy of the ordinance duly certified by the City Clerk, or Recorder, shall be filed in the office of the Clerk of Courts and ex-officio Recorder of Baxter County, Arkansas, and recorded in the deed records of said County.

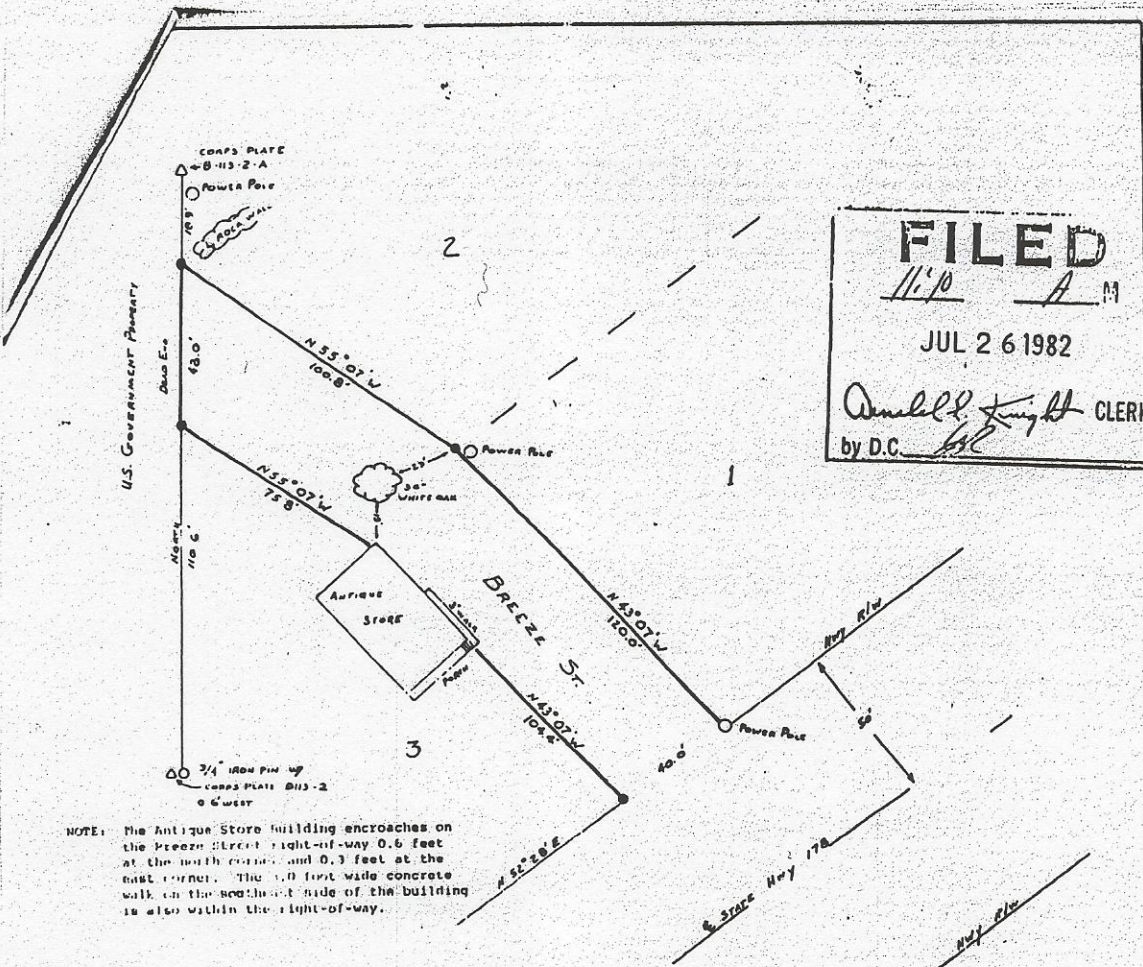
Section 3. This ordinance, being necessary for the preservation of the public peace, health, comfort, convenience, safety and welfare of the City of Lakeview, Arkansas, an emergency is declared to exist and this ordinance shall be in full force and effect from the date of its adoption.

Passed and adopted this 10 day of Oct, 1983.

Attest:  
Lucille E. Wilson  
Recorder

William J. Harmon  
Mayor

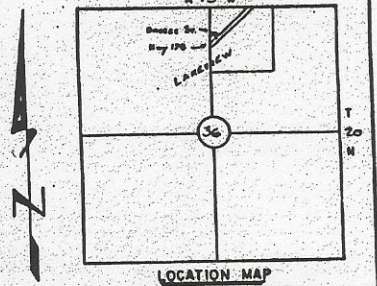
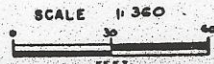




**FILED**  
 11:10 A.M.  
 JUL 26 1982  
 Donald L. Knight CLERK  
 by D.C. [Signature]

NOTE: The Antique Store building encroaches on the Breeze Street right-of-way 0.6 feet at the north corner and 0.3 feet at the east corner. The 10 foot wide concrete walk on the southeast side of the building is also within the right-of-way.

FILING RECORD:  
 INSTRUMENT RS-144-82  
 July 26, 1982



FOUND	NOTES	REFERENCES
EXISTING IRON PIN EXISTING STONE COMPUTED CORNER SET 1/2" REBAR	Bearings are based on those shown on 11-16-79.	LOCAL SUBDIVISION (911de 379)

**SURVEYOR'S CERTIFICATION**

I hereby certify that the hereon plotted and described survey was conducted under my supervision on the 2nd day of July, 1982, and that corners were set, shown, to the best of my knowledge and ability.

This survey was made for the exclusive use of the present owners of the party, and also those who purchase, mortgage, or guarantee the title thereto, within one year from date hereof; and as to them I warrant the accuracy of said survey and map.

MARVIN L. COLE, ARK. R.L.S. 558

**MARVIN L. COLE**  
 REGISTERED  
 LAND SURVEYOR  
 STATE OF  
 ARKANSAS  
 NO. 558  
 [Signature]  
 SIGNATURE

**SURVEY FOR**  
 CITY OF LAKEVIEW  
 Breeze Street, City of Lakeview (pt. 1/4 NE 1/4, Section 36, T20N R15W, BAXTER COUNTY, ARKANSAS)

CREW CHIEF: SA DRAWN: SA DATE: 7-22-82, 0382  
 CREWMEN: GJ APPROVED: MLC PROJECT: 82046

PROFESSIONAL ENGINEERING & LAND SURVEYING SERVICES  
**MARVIN L. COLE & ASSOCIATES, INC.**  
 YELLEVILLE, ARKANSAS



DESCRIPTION

A portion of Breeze Street, City of Lakeview, Arkansas (as shown on the plat of LOUX SUBDIVISION, Slide 379, Baxter County Subdivision Slide File), being a part of the Northwest Quarter of the Northeast Quarter of Section 36, Township 20 North, Range 15 West, Baxter County, Arkansas, described as follows:

From the northerly corner of Lot 3 of the LOUX SUBDIVISION (1" rebar), go South 55°07' East 75.8 feet to the intersection of a building and the south right-of-way of Breeze Street, said intersection being the POINT OF BEGINNING of tract being described:

Thence along edge of building with the following:

North 47°41'37" East 1.09 feet,  
South 42°18'23" East 4.00 feet to a sidewalk;

Thence along said sidewalk with the following:

North 47°41'37" East 3.00 feet,  
South 42°18'23" East 36.03 feet,  
North 47°41'37" East 3.00 feet,  
South 42°18'23" East 16.80 feet,  
South 47°41'37" West 3.00 feet,  
North 42°18'23" West 11.15 feet,  
South 47°41'37" West 2.22 feet to the intersection of

sidewalk with street right-of-way;

Thence along right-of-way North 43°07' West 39.96 feet;

Thence North 55°07' West 5.87 feet to the POINT OF BEGINNING, containing 158.06 square feet. Bearings are based on those shown on Rural Survey Instrument 144-82.

Description prepared for Bank of Yellville  
Project 83109, September 14, 1983  
Description prepared by MARVIN L. COLE & ASSOCIATES, INC.