

ORDINANCE CLOSING AND VACATING THAT PORTION OF A STREET BETWEEN LOTS 307, 308, 309, AND 310 IN THE CITY OF HERNANDO, DESOTO COUNTY, MISSISSIPPI

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF HERNANDO, DESOTO COUNTY, MISSISSIPPI to close and vacate that portion of Church Street which lies between Lots No. 307, 308, 309, and 310, as shown by official map of the Town of Hernando, DeSoto County, Mississippi, compiled from two (2) different old plats by Fred Defunich, C.E., copied from original map by S. W. McCreskey, Civ. Eng., Memphis, Tennessee, March 13, 1913 and being shown in Section 13, Township 3, Range 8 West. Said map being on file in the Chancery Court Clerk's Office of DeSoto County, Mississippi. That said area has never been open to the public as a street and has never been found necessary to use to the use and convenience of the citizens of the City of Hernando and traveling public generally, and

WHEREAS, the parties owning the lots involved in the City of Hernando, now desire to close and vacate said portion of the aforesaid street, and

WHEREAS, it is in the public interest and convenience that the portion of said street aforesaid, be closed and vacated, and

WHEREAS, the lot owners have agreed that said street might be closed and have waived any claim for damages that might be sustained as a result of the closing of the street and no other person would be damaged thereby.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF HERNANDO, DESOTO COUNTY, MISSISSIPPI, AS FOLLOWS:

That portion of the street known as Church Street in the City of Hernando, DeSoto County, Mississippi, in Section 13, Township 3, Range 8 West, lying between Lots 307, 308, 309, and 310 as shown by official map of the City of Hernando, be and the same is hereby closed, abandoned and vacated as such.

BE IT FURTHER ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN that this ordinance shall take effect in the time and manner as required by law; and that the ordinance be published one (1) time in the North Mississippi Times, a newspaper having a general circulation in the City of Hernando, DeSoto County, Mississippi.

BE IT FURTHER ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN, that the Mayor, for and in behalf of the City, be authorized to convey one-half (1/2) of the street to each of the adjacent lot owners effected thereby by deed from the City.

That the foregoing ordinance was reduced to writing and proposed and introduced by Alderman Canada and was read and considered Section by Section and as a whole at a regular meeting of the Mayor and Board of Aldermen of the City of Hernando, DeSoto County, Mississippi, and the vote of each and all of the Aldermen, and upon the each and all of the sections, and upon the ordinance as an entirety was taken by "yea" and "nay" vote with said Aldermen voting as follows, to-wit:

<u>Frank Canada</u>	<u>Malcom Baxter</u>
<u>Laney Funderburk</u>	<u>W. E. Manning, Jr.</u>
<u>W. F. Wood, Jr.</u>	

That heretofore by majority vote of said Aldermen present at a regular meeting of the Mayor and Board of Aldermen of the City of Hernando, DeSoto County, Mississippi, the foregoing ordinance was adopted on this Tuesday, the 6th day of November, 1979.

Eb W. Smith
Eb W. Smith, Mayor of the City of Hernando, Mississippi

(SEAL)

A T T E S T:

Hughleen Tippitt
Hughleen Tippitt, Clerk of the City of Hernando, Mississippi

CERTIFICATE

I hereby certify that the above is a true and correct copy of the ordinance of the City of Hernando, the original of which is on file and of record in this office, which was duly passed and adopted by the Board of Aldermen of said City, approved and signed by the Mayor of said City, and attested by the Clerk of said City, at a regular meeting of the Mayor and Board of Aldermen held on the 6th day of November, 1979.

IN WITNESS WHEREOF, I have hereunto affixed my hand and caused the seal of the City of Hernando to be affixed, this the 6th day of November, 1979.

Hughleen Tippitt
Hughleen Tippitt, City Clerk
City of Hernando, Mississippi

