

ORDINANCE NO. A- 406

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas, on the 12th day of November, 1963, asking the City Council to vacate and abandon a certain alley lying within Block Fifty-seven (57), College Park Subdivision of Robinson's Boulevard Addition to the City of Conway, Arkansas, a more particular description of said alley being set forth in said petition and in section One of this ordinance; and

WHEREAS, attached to said petition is a certified copy of the portion of the plat filed in the office of the Recorder of Faulkner County, Arkansas, showing the said alley in said Block 57, College Park Subdivision of Robinson's Boulevard Addition to the City of Conway, Arkansas, together with the lot numbers of each lot which abuts on the said alley hereinafter described; and,

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 said alley hereinabove mentioned and hereinafter described has heretofore been dedicated to the public use as an alley, and has not been actually used by the public generally for a period of at least five years subsequent to the filing of the above mentioned plat and before the filing of the above petition; that all the owners of property abutting upon said alley sought to be vacated have filed with the City Council their written consent to such abandonment; and that the public interest and welfare will not be adversely affected by the abandonment of said alley;

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

SECTION ONE (1). The City of Conway, Arkansas, hereby releases, vacates and abandons all its rights, together with the rights of the public generally, in and to the alley lying within Block Fifty-seven (57) of College Park Subdivision of Robinson's Boulevard

Addition to the City of Conway, Arkansas, a more particular description of said alley being as follows:

Begin at the Northeast corner of Lot One (1), and run South Two Hundred Fifty (250) feet to the Southeast corner of Lot Five (5); thence East Twenty (20) feet to the Southwest corner of Lot Seventeen (17); thence North Two Hundred Fifty (250) feet to the Northwest corner of Lot Thirteen (13); thence West Twenty (20) feet to the point of beginning, all in Block Fifty-seven (57), of College Park Subdivision of Robinson's Boulevard Addition to the City of Conway, Arkansas.

SECTION TWO (2). It is expressly provided that the City of Conway reserves unto itself, its successors, assigns or lessees, the right and privilege, without cost, to enter upon the grounds constituting said alley herein vacated and abandoned, for the purpose of constructing, laying, relaying, maintaining and repairing any mains, lines, poles or other appurtenances of any kind necessary to be constructed, laid, maintained or repaired in the operation of its water, sewer, or light systems within said City, or any other public service or utility being owned, operated or leased by said City, or any other public utility, whether privately or publicly owned, which may now or hereafter be granted a franchise to do business within the City of Conway.

SECTION THREE (3). A copy of this ordinance, duly certified by the City Clerk, shall be filed in the office of the Recorder of Deeds of Faulkner County, Arkansas.

SECTION FOUR (4). This ordinance shall take effect and be in force from and after its passage and publication.

PASSED: The 14 day of January, 1964.

APPROVED:

Walter J. Murray
Mayor

ATTEST:

Bice Langford
City Clerk