

ORDINANCE NO. A-416

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas, on the 15th day of July, 1964, asking the City Council to vacate and abandon a certain alley lying within Block Seven (7) of Anderson Addition to the City of Conway, Faulkner County, Arkansas, a ~~more particular~~ description of said alley being as 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 Seven (7), Anderson 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 Seven (7), Anderson Addition to the City of Conway, Arkansas, a more

particular description of said alley being as follows:

An alley running North and South through Block Seven (7) of Anderson Addition to the City of Conway, Arkansas, as shown on B. G. Wilson's map of said City which was filed July 3, 1917, said alley being bounded on the East by Lots One (1), Two (2), Three (3), Four (4), Five (5) and Six (6), and on the West by Lots Seven (7) and Twenty-two (22), all in said Block Seven (7) and more particularly described as follows: Beginning at the Northwest corner of Lot One (1) of said Block Seven (7) and run thence South along the West line of Lots One (1), Two (2), Three (3), Four (4), Five (5), and Six (6) and to the Southwest corner of said Lot Six (6); thence West Ten (10) feet and to the Southeast corner of said Lot Seven (7); thence North along the East line of said Lots Seven (7) and Twenty-two (22) and to the Northeast corner of said Lot Twenty-two (22); thence East Ten (10) feet to the point of beginning;

SECTION TWO (2). It is expressly provided that a perpetual right-of-way and easement on, over and under the alley hereinabove described, with full right of ingress and egress, at all times, and without cost or damage of any kind, is reserved and retained by the City of Conway for itself, its successors, assigns, lessees, lessors of licensees and for and on behalf of any person, firm or corporation, heretofore or hereafter authorized by the City of Conway to operate and maintain any **public utility within said** City, for the purpose of entering upon said alley and construction, reconstructing, laying, ~~re~~-laying, maintaining or repairing of, any pipes, mains, lines, poles or other appurtenances or appliances of any kind and all kinds, and the doing of any and all work necessary to be done in connection therewith, by any water, light, power, telephone, gas or other public utility system belonging to or being operated by said City of Conway, or any agency thereof, or any of its lessees, or licensees; or by any such water, light, power, telephone or gas system, or other public utility owned or operated by any public utility company that has been heretofore or may hereafter be authorized by said City to operate and maintain any such public utility within said City.

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 7 day of September, 1964.

APPROVED: Walter DWAWAY
Mayor

ATTEST: Bill Langford
City Clerk

I, Bill Langford, the undersigned City Clerk of the City of Conway, Arkansas, being duly elected and qualified, do hereby certify that the above and foregoing Ordinance is a true and correct copy of Ordinance No. A-416 duly passed and adopted by the City Council of the City of Conway, Arkansas at its regular meeting held on September 8, 1964 at 7:00 o'clock P.M.

WITNESS my hand and the seal of the City of Conway, Arkansas on this the 23rd day of September, 1964.

Bill Langford

S E A L

CERTIFICATE OF RECORD

STATE OF ARKANSAS } ss.
County of Faulkner

I, Wendell Bryant, Circuit Clerk and Ex-Officio Recorder within and for the county and state aforesaid, do hereby certify that the annexed and foregoing instrument of writing was filed for record in my office on the 24th day of September 1964 at 11:30 o'clock A M., and the same is now duly recorded with acknowledgement and certificate thereon, in DEED Record Book 170, Page 401.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said court, this the 28th day of September 1964.

WENDELL BRYANT, Clerk

By: [Signature]