

ORDINANCE NO. A-550

WHEREAS a petition was duly filed with the City Council of the City of Conway, Arkansas on the ~~23rd~~ ^{May} day of ~~April~~, 1972, asking the City Council to vacate and abandon each of the two alleys in Block Six (6) of Robinson's Plan of the City of Conway, Arkansas, a more particular description of said alleys being set forth in said petition and in Section One (1) 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 alleys in Block Six (6) of Robinson's Plan of the City of Conway, Arkansas, together with all lands which abut upon 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 alleys have heretofore been dedicated to the public use as alleys, and have not been actually used by the public as alleys since the dedication of the same by the filing of the above mentioned plat and before the filing of the above petition; that all the owners of property abutting upon said alleys 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 alleys.

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

SECTION 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 each of the two alleys in Block Six (6) of Robinson's Plan of the City of Conway, Arkansas, a more particular description of said alleys being as follows:

Beginning at the Southeast corner of Lot One (1), Block Six (6) of Robinson's Plan of the City of Conway, Arkansas, and run thence Westwardly along and with the South line of Lots One (1), Two (2), Three (3), Four (4), Five (5), and Six (6) a distance of Three Hundred (300) Feet and to the Southwest corner of said Lot Six (6);

thence Southwardly along and with the East line of Chestnut Street a distance of Twenty (20) feet and to the Northwest corner of Lot Twelve (12); thence Eastwardly along and with the North lines of Lots Twelve (12) and Seven (7) and to the Northeast corner of said Lot Seven (7); thence Northwardly along and with the West line of Court Street a distance of Twenty (20) feet and to the point of beginning.

Beginning at the Southwest corner of Lot Eleven (11), Block Six (6) Robinson's Plan of the City of Conway, Arkansas, and run thence Northwardly along and with the West line of Lots Eleven (11), Ten (10), Nine (9), Eight (8) and Seven (7) and to the Northwest corner of said Lot Seven (7); thence Westwardly parallel to the North line of Prairie Street a distance of Twenty (20) feet and to the Northeast corner of Lot Twelve (12); thence Southwardly along and with the East line of Lots Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15) and Sixteen (16) and to the Southeast corner of said Lot Sixteen (16); thence Eastwardly along and with the North line of Prairie Street a distance of Twenty (20) feet and to the point of beginning;

All of said property being as shown on B. G. Wilson's map of the City of Conway, Arkansas and recorded in Plat Book "A", page 46 et seq, of the records of Faulkner County, Arkansas.

SECTION 2. It is expressly provided that a perpetual right-of-way and easement is hereby reserved and retained by the City of Conway over, under, on, across and through the following lands which comprise a portion of one of the alleys hereinabove described, to-wit:

Begin at the Southwest corner of Lot Eleven (11), Block Six (6), of Robinson's Plan of the City of Conway, Arkansas, and run thence Northerly along and with the West line of said Lot Eleven (11) and to the Northwest corner thereof; thence Westerly, parallel with the North line of Prairie Street, a distance of Twenty (20) feet and to the Northeast corner of Lot Sixteen (16) of said Block Six (6); thence Southerly along and with the East line of said Lot Sixteen (16) and to the Southeast corner thereof, being a point on the North line of the right-of-way of Prairie Street; thence Eastwardly along and with the North line of Prairie Street a distance of Twenty (20) feet and to the point of beginning;

with full right of ingress and egress at all times, and without cost of damage of any kind, and such easement and right-of-way is retained for the City of Conway, its successors, assigns, lessees and licensees and for and on behalf of any person, firm or corporation which may have been heretofore or may be hereafter authorized by the City of Conway to operate and maintain any public utility within said City, for the purpose of entering upon said portion of such alley and constructing, reconstructing, laying, relaying, maintaining or repairing any pipes, mains, lines, poles or other appliances or appurtenances of any 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 the City of Conway, or any agency thereof, or any of its lessess, 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 3, A copy of this ordinance, duly certified by the City Clerk-Treasurer, shall be filed in the office of the Recorder of Deeds of Faulkner County, Arkansas,

SECTION 4, This Ordinance shall take effect and be in force from and after its passage and publication.

PASSED: ^{June 13}~~May 23~~, 1972.

APPROVED: Walter D. Dismore
Mayor

ATTEST: Baris Tamm
Clerk-Treasurer