

ORDINANCE NO. A- 381

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the ~~29~~th day of April, 1962, asking that said City Council vacate and abandon that portion of Robinson Avenue running East and West through the West One-Half ($W\frac{1}{2}$) of West One-Half ($W\frac{1}{2}$) Northeast ~~One-Fourth~~ ^{Quarter} ($NE\frac{1}{4}$) Section Eleven ~~Five-Fourteen~~ ^{(11), Township Five (5) North, Range Fourteen (14) West in} ~~(11-5-14)~~ in Conway, Arkansas; and

WHEREAS, the petitioners stated that promptly upon the vacation and abandonment of the aforesaid portion of said avenue they will, by filing and recording of a plat of Heritage Addition to said City, dedicate to the public for use as streets, all streets shown in such Heritage Addition; and

WHEREAS, after due notice, as required by law, the City Council at the time and place stated in said Notice, has heard all persons desiring to be heard on the question, and has ascertained that said portion of said Robinson Avenue more definitely hereinafter described should be abandoned and vacated as a public street; that all persons owning lands abutting upon such portion of said street sought to be vacated and abandoned have filed with the City Council their written consent to such vacation and abandonment, and that the public interest and welfare will not be adversely affected by the vacation and abandonment of that portion of Robinson Avenue requested to be so abandoned and vacated:

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 that portion of Robinson Avenue more particularly described as follows:

Beginning at a point Twenty (20) feet North of the Southwest corner of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$), Section Eleven (11), Township Five (5) North, Range Fourteen (14) West, and run thence East Six Hundred Sixty (660) feet; thence South Forty (40) feet; thence West Six Hundred Sixty (660) feet to a point Twenty (20) feet South of the said Southwest corner of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$); thence North Forty (40) feet to the point of beginning;

Such release, vacation and abandonment is hereby expressly made subject to the provision that the owners of the property abutting upon the above portion of said Robinson Avenue will, within three

days following the passage of this ordinance, file and cause to be recorded a plat of Heritage Addition to the City of Conway, Arkansas, wherein all streets shown upon such Plat are dedicated to the public for use as streets and public thoroughfare.

SECTION 2. 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, for record,

SECTION 3. This ordinance shall take effect and be in force from and after its passage and publication.

PASSED May 10 1962
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APPROVED: Walter D. Runaway
Mayor

ATTEST: Bill Langford
City Clerk

CERTIFICATE

STATE OF ARKANSAS
County of Faulkner

I, Bill L. Langford, City Clerk of the City of Conway, Arkansas do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. A-381, which Ordinance was duly adopted by the City Council fo said City at a regular meeting of said Council, duly held on the 10th day of May, 1962, as such Ordinance appears in ^{he} minutes of said council.

WITNESS my hand as such City Clerk and the seal of said City on this 11th day of May, 1962.

Bill Langford
City Clerk, City of Conway, Arkansas

CERTIFICATE OF RECORD

STATE OF ARKANSAS }
County of Faulkner } ss.

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 11th day of May 1962 at 2:00 o'clock P. M. and the same is now duly recorded with acknowledgment and certificate thereon, in DEED Record Book 160, Page 627

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said court, this the 12th day of May 1962

WENDELL BRYANT, Clerk
By Wendell Bryant D. C.

above portion of said Independence Street with, within three days following the passage of this ordinance, file and cause to be recorded a plat dedicating to the public, for use as a street and public thoroughfare, the following lands, to-wit:

Beginning at a point 174.3 feet West of the Southeast corner of Lot 213 of the City of Conway, as shown on B. G. Wilson's Map of the City of Conway, and run thence North Fifty-Eight (58) degrees Forty Seven (47) minutes East a distance of 215.30 feet to the West line of Spencer Street; thence South a distance of 58.4 feet; thence South Fifty-Eight (58) degrees Forty-Seven (47) minutes West to the South line of Independence Street as heretofore located; thence Northerly to the point of beginning.

SECTION 2. It is expressly provided that a perpetual easement and right of way on, over, under and through that portion of said street 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 or 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 portion of said street and constructing, re-constructing, laying, re-laying, maintaining or repairing of 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, sewer, 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 lessees or licensees, or by any such water, light, power, sewer, telephone, gas 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, 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: May 10th, 1962

APPROVED: Walter Dunaway
Mayor

ATTEST: Bill Langford
City Clerk

CERTIFICATE

STATE OF ARKANSAS
County of Faulkner

I, Bill L. Langford, City Clerk of the City of Conway, Arkansas do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. A-380, which Ordinance was duly adopted by the City Council of said City at a regular meeting of said Council, duly held on the 10th day of May, 1962, as such Ordinance appears in the minutes of the meetings of said Council.

WITNESS my hand as such City Clerk, and the seal of said City on this 11th day of May, 1962.

Bill Langford
City Clerk, City of Conway, Arkansas

CERTIFICATE OF RECORD

STATE OF ARKANSAS }
County of Faulkner } ss.

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 11th day of May 1962 at 2:00 o'clock P. and the same is now duly recorded with acknowledgment and certificate thereon, in DEED Record Book 160, Page 628.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said court, this the 11th day of May 19 62

WENDELL BRYANT, Clerk

By Wendell Bryant D. C.