

ORDINANCE NO. 0-91-40

IN THE MATTER OF **THE** CLOSING OF A PORTION OF AN ALLEY
DECLARING AN EMERGENCY; AND FOR **THE** PURPOSES.

WHEREAS, a Petition was filed with the City Council of
the City of Conway, Arkansas, asking the Council to vacate
and abandon an alley described therein and more particularly
described as an alley lying between the following described
property :

Lot 5, Block 1, Tyler Addition, Also part of Lot
5, da: Begin at the Northeast corner of said Lot
5 and running thence Southwardly along the East
line thereof, a distance of 25 feet; thence
Southwardly parallel to the North line of said Lot
5, a distance of 100 feet to the West line of said
Lot 5, a distance of 100 feet to the West line of
said Lot 5; thence Northwardly along the West line
of Lot 5 a distance of 25 feet to the Northwest
corner thereof; thence Northeastwardly along the
North line of Lot 5, a distance of 100 feet to the
point of beginning, which lands are situated in
Block 1, Tyler Addition to the City of Conway,
Arkansas.

ALSO:

Lot 100 Fidler's Survey of Conway, Arkansas,
together with the interest in the Brick Wall on
North Side of said lot mentioned and referred to
and reserved to B.M. Woodruff in a certain Deed to
A.M. Ledbetter, recorded in Book 58, Page 324,
excepting, however, all that portion of the North
18 inches of Lot 100, Fidler's Survey of Conway,
Arkansas, that lies North of a certain Brick Wall
built on or near the North side of said lot in the
year 1919, by C.W. and J. Frank Jones.

WHEREAS, after due notice as required by law, the City Council of the City of Conway, Arkansas, having ascertained that said alley has not been actually used by the public generally; that all owners of the property abutting upon that portion of the alley to be vacated have filed with the City Council their Petition asking the abandonment thereof;

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

SECTION ONE: 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 above described. All utility easements of whatever kind held by the City of Conway, Arkansas, or the Conway Corporation are hereby reserved.

By operation of law, the ownership of the property reverts to the owners of the property on each side, that is the North and South side of said alleyway.

SECTION TWO: A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the Office of the Recorder of the County and recorded in Deed Records of the County.

SECTION THREE: It being necessary for the protection and preservation of the public health, safety, and welfare an emergency is hereby declared to exist and this Ordinance shall take effect from and after its passage and publication.

PASSED on this 10th day of September, 1991.

David A. Kenley
Mayor

ATTEST:

Martha Hartwick
City Clerk

C E R T I F I C A T E

STATE OF ARKANSAS)
COUNTY OF FAULKNER)
CITY OF CONWAY)

I, Martha Hartwick, the duly elected, qualified, and acting Clerk-Treasurer of the City of Conway, Arkansas, do hereby certify that the above and foregoing is a true and correct copy of a certain Ordinance duly passed and adopted by the City Council of the city of Conway, Arkansas, at a meeting of that body held on the 10th day of September, 1991, same is duly recorded in the minutes of meeting of said Council.

WITNESS, my hand and the seal of the City of Conway, Arkansas, this 10th day of September, 1991.

Martha Hartwick
City Clerk-Treasurer

Seal

CERTIFICATE OF RECORD

STATE OF ARKANSAS }
COUNTY OF FAULKNER } SS

I, SHARON RIMMER, Circuit Clerk and Ex-Officio Recorder with and for

the county and state aforesaid, do hereby certify that the above and foregoing instrument of writing was filed for record in my office on the 23rd day of Sept., 19 91, at 1:15 o'clock P.M. and the same is now duly recorded, with acknowledgement and certificate thereon in, Deed Record Book 491, Page 156

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court this 24th day of Sept., 19 91

SHARON RIMMER, Clerk

Sharon Rimmer