

ORDINANCE NO.             
093-11

AN ORDINANCE VACATING THE SOUTH 370 FEET OF THE ALLEYWAY RUNNING IN A NORTH-SOUTH DIRECTION, AND THE WEST 170 FEET OF THE ALLEYWAY RUNNING IN AN EAST-WEST DIRECTION THROUGH BLOCK 68, BOULEVARD ADDITION TO THE CITY OF CONWAY, ARKANSAS.

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas, on the 3<sup>rd</sup> of February, 1993, asking the City Council to vacate and abandon the south 370 feet of the alleyway running in a north-south direction, and the west 170 feet of the alleyway running in an east-west direction, through Block 68, Boulevard Addition to the City of Conway, Arkansas; 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 the south 370 feet of the alleyway running in a north-south direction and the west 170 feet of the alleyway running in an east-west direction, through Block 68, Boulevard Addition to the City of Conway, Arkansas, has been heretofore dedicated to the public as an alleyway, has not been actually used by the public generally for a period of at least the last five years, that all the owners of the property abutting upon the alley to be vacated have filed with the council their written consent to the abandonment, and that the public interest and welfare will not be adversely affected by the abandonment of such alleyway.

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 right, together with the rights of the public generally, in and to the south 370 feet of the alleyway running in a north-south direction, and the west 170 feet of the alleyway running in an east-west direction, through Block 68, Boulevard Addition to the City of Conway, Arkansas, such abandonment being made subject to any utility easements over, across, and through said alley..

SECTION 2. Upon such abandonment, title to the west 10 feet of the south 370 feet of the alleyway running in a north-south direction shall be vested in those persons owning the lands adjacent to the west boundary of said alley, and title to the east 10 feet of the north-south portion of the abandoned alley shall be vested in those persons owning lands adjacent to the east boundary of the said alley, subject to any utility easements in favor of Conway Corporation. Title to the north 10 feet of the west 170 feet of the alleyway running in an east-west direction shall be vested in those persons owning the lands adjacent to the north boundary of said alley, and title to the south 10 feet of the abandoned east-west alleyway shall be vested in those persons

owning the lands adjacent to the south boundary of said alley, subject to any utility easements in favor of Conway Corporation.

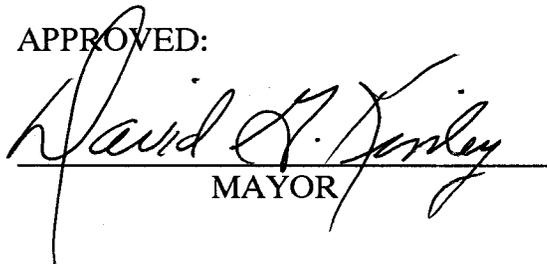
SECTION 3. A copy of this ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of Faulkner County, Arkansas, and recorded in the deed records of Faulkner County, Arkansas.

SECTION 4. This ordinance shall take effect and be in force for and after its passage.

It is hereby ascertained and declared that it is necessary for the protection and preservation of the public health and safety that the foregoing ordinance be passed and adopted; that an emergency exists; and that this ordinance shall take effect and be in force from and after its passage and publication.

PASSED THIS 10<sup>TH</sup> DAY OF March 1993.

APPROVED:

  
MAYOR

ATTEST:

  
CITY CLERK-TREASURER