

6/A-1  
Fifth Floor

ORDINANCE NO. 140  
0-04-140

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 14th day of December, 2004, asking the City Council to vacate and abandon that alley which runs from North to South in Block Thirty Six and One-Half (36½) of Robinson's Plan of the City of Conway, Arkansas, a more particular description of said alley 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 that portion of the plat filed in the office of the Recorder of Faulkner County, Arkansas, showing the said alley in Block Thirty Six and One-Half (36½) of Robinson's Plan of the City of Conway, Arkansas, according to B. G. Wilson's Map of said Block, 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 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 as an alley 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 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; and

WHEREAS, Conway Corporation has submitted to the Mayor of the City of Conway that it has no utility services in said alley; SBC has provided its written concurrence to the

closing of said alley; that CenterPoint Energy has submitted a writing stating it has no conflict with the closing of such easement; and no other utility company doing business in the City has any utility service in said alley:

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 alley which runs from North to South in Block Thirty Six and One-Half (36½) of Robinson's Plan of the City of Conway, Arkansas, according to B. G. Wilson's Map of said Block, a more particular description of the above portion of said alley being as follows:

Beginning at the Northwest Corner of Lot 4 of Block 36½, of Robinson's Plan of the City of Conway, Arkansas, which is on the South right of way line of Cross Street, and run thence West along and with said South right of way line 20 feet to the Northeast Corner of Lot 5 of said Block 36½; thence South along and with the East line of Lots 5 and 15 of said Block 36½ to the Southeast corner of said Lot 15, which is on the North right of way line of Caldwell Street; thence East along and with the said North right of way line 20 feet to the Southwest Corner of Lot 14 of said Block 36½; thence North along and with the West line of Lots 14 and 4 of said Block 36½ to the point of beginning; all of said lands being as shown on B. G. Wilson's Map of the City of Conway, Arkansas, recorded in Book of Town Plats, Volume "A", page 46, et seq, of the records of Faulkner County, Arkansas.

All of said property being as shown on Map of said Robinson's Plan, recorded in Plat Book "A", page 46, et seq, of the records of Faulkner County, Arkansas.

SECTION 2. 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 3. This Ordinance shall take effect and be in force from and after its

passage and publication.

PASSED: 14<sup>th</sup> day of December, 2004.

APPROVED: *John J. [Signature]*  
Mayor

ATTEST: *[Signature]*  
Clerk-Treasurer

