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City of Conway, Arkansas  
Ordinance No. 0-09-106

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#327602

**AN ORDINANCE DEDICATING CERTAIN LANDS FOR PUBLIC USE AS A FAIRGROUND AND PARKS; AND FOR OTHER PURPOSES:**

**WHEREAS**, the City has acquired title to the following real property for use as a fairground and other public park purposes:

The SW 1/4 NE 1/4, Section 9, Township 5 North, Range 13 West, 40 acres,  
more or less, in Faulkner County, Arkansas.

**WHEREAS**, it is the express intention of the city council of the City of Conway that said lands shall be dedicated for use as a fairground, exposition center and other public park purposes; and

**WHEREAS**, it is the express intention of the city council of the City of Conway said lands are considered of a public nature, to be held in trust by the public and for the public to have standing to enforce the terms herein, solely for the purposes of a fairground, exposition center or public park, regardless of said land's present or future zoning classifications; and

**WHEREAS**, it is the express intention of the city council of the City of Conway that, pursuant to said public dedication, said lands shall not be leased for uses not related to fairgrounds, exposition center, or public park purposes; further, said lands shall not be sold by the City; and

**WHEREAS**, it is the express intention of the city council of the City of Conway to rely upon the distinctions set out in the case of *Lester v. Walker*, 177 Ark. 1097 (1928) and other consistent authority for accomplishing the purposes set out herein.

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

**Section 1:** That the conveyance and acceptance of the lands described above is made subject to the express condition that the City shall, acting in trust for the public and for the public to have standing to enforce the terms herein, use these lands for fairgrounds, exposition center or public park purposes, regardless of the current or future zoning classification of said lands.

**Section 2:** That the City of Conway shall not lease said lands for uses not related to fairgrounds, exposition center, or public park purposes; further, said lands shall not be sold by the City.

**Section 3:** That all ordinances in conflict herewith are hereby repealed to the extent of that conflict.

Passed this 1<sup>st</sup> day of September, 2009

**APPROVED:**

[Signature]

Mayor Tab Townsell

**ATTEST:**

[Signature]

Michael O. Garrett  
City Clerk/Treasurer