

ORDINANCE NO. 0-84-42

AN ORDINANCE CLOSING A CERTAIN STREET IN THE CITY OF CONWAY, ARKANSAS: DECLARING SAID STREET CLOSED; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, a Petition was duly filed with the City Council of the City of Conway, Arkansas, on the 25th day of September, 1984, asking the City Council to vacate and abandon all that portion of the street designated on the plat to said City now appearing of record in Plat Book A, Page 46, in the office of the Recorder of Faulkner County.

WHEREAS, after due notices 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 street or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a street herein described; has not been actually used by the public generally for a period of at least five (5) years, subsequent to the filing of plat; that all the owners of the property abutting upon the portion of the street to be vacated have filed with the Council their written consent to such abandonment; and that public interest and welfare will not be adversely affected by the abandonment of such street.

"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, subject to the provision that a street must be placed to serve the property described in the Petition from the west side from Davis Street, before further development may take place, in and to the street designated as follows:

Dayton Street, located in the City of Conway, Arkansas, from Hill Street, South approximately 206.2 feet, or more specifically to the L. R. and F. S. Railroad, which crosses Dayton Street.

SECTION 2. A copy of the ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of the county and recorded in the deed records of the county.

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

SECTION 4. It is 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; that this ordinance shall take effect and be in force from and after its passage and publication.

PASSED: 13th Day Of November, 1984

ATTEST:

Martha Hartwick

APPROVED:

B. W. [Signature]

CERTIFICATE

The undersigned, Clerk of the City of Conway, Arkansas, hereby certifies that the foregoing pages are a true and perfect copy of Ordinance No. 0-84-42, adopted by the City Council of Conway, Arkansas, at a regular meeting held at the City Hall in said city, 6:30 P.M., on the 13th day of November, 1984.

Martha Hartwick

Clerk

(S E A L)

CERTIFICATE OF RECORD

**STATE OF ARKANSAS }
COUNTY OF FAULKNER } SS**

I, **LUCY GLOVER**, 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 15th day of November, 19 84, at 1:50 o'clock P.M. and the same is now duly recorded, with acknowledgement and certificate thereon, in ^{Deed} Record Book 342, Page 110

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court this 16th day of November, 19 84

LUCY GLOVER, Clerk

By Penny Blake D.C.