

ORDINANCE NO. 0-85- 38

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas, on the 24th day of September, 1985, asking the City Council to vacate and abandon a certain street lying within Conway Gardens Subdivision of the City of Conway, Arkansas, a more particular description of said street 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 the portion of the plat filed in the office of the Recorder of Faulkner County, Arkansas, showing the said street in said Conway Gardens Subdivision of the City of Conway, Arkansas, together with the lot numbers of each lot which abuts on the said street 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 street hereinabove mentioned and hereinafter described has heretofore been dedicated to the public use as a street, and has not been actually used by the public generally subsequent to the filing of the above mentioned plat and before the filing of the above petition; that all the owners of property abutting upon said street 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 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, in and to the street lying within Conway Gardens Subdivision to the City of Conway, Arkansas, a more particular description of said street being as follows:

Part of the E 1/2 SE 1/4 Section 36, Township 6 North, Range 14 West, described as follows: Begin at the Southeast corner of the E 1/2 SE 1/4 of Section 36, T6N, R14W and run thence North 635 feet to the true point of beginning; from said true point of beginning continue thence North 50 feet; thence West to the East right of way of Hwy. #65; thence South 50 feet; thence West to the true point of beginning; this property describing Perry Avenue as it appears on Plat Book A, page 28 of Conway Gardens Subdivision to the City of Conway.

All of said property being as shown on Map of said City of Conway filed for record in Plat Book A, page 28.

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.

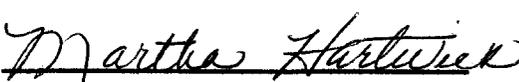
SECTION 3. This ordinance shall take effect and be in force from and after its passage and publication.

PASSED AND APPROVED this 8th day of October, 1985.



MAYOR

ATTEST:



CLERK-TREASURER