

ORDINANCE NO. 092-45

AN ORDINANCE VACATING THAT ALLEYWAY RUNNING IN A NORTH-SOUTH DIRECTION THROUGH BLOCK 6, HENDRIX COLLEGE 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 31st of August, 1992, asking the City Council to vacate and abandon that alleyway running in a north-south direction through Block 6, Hendrix College 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 alleyway running in a north-south direction through Block 6, Hendrix College 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 five years subsequent to the filing of the plat, 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 alleyway running in a north-south direction through Block 6, Hendrix College Addition to the City of Conway, Arkansas, such abandonment being made subject to utility easements over, across, and through said alley in favor of Conway Corporation.

SECTION 2. Upon such abandonment, title to the west to feet of said alley 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 said alley shall be vested in those persons owning lands adjacent to the east boundary of said alley, subject to utility easements in favor of Conway Corporation.

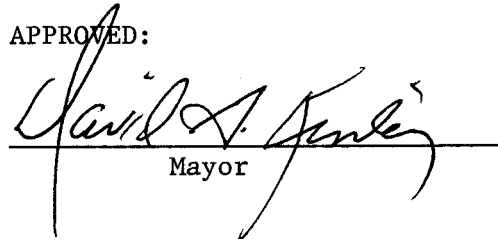
SECTION 3. A copy of this ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of Faulkner County, Arkansas, and recorded in the deed records of Faulkner County, Arkansas.

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 13th DAY OF OCTOBER, 1992.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk-Treasurer

C E R T I F I C A T E

STATE OF ARKANSAS        )  
COUNTY OF FAULKNER    )  
CITY OF CONWAY            )

I, Martha Hartwick, the duly elected, qualified, and acting Clerk-Treasurer of the City of Conway, Arkansas, do hereby certify that the above and foregoing is a true and correct copy of a certain Ordinance duly passed and adopted by the City Council of the City of Conway, Arkansas, at a meeting of that body held on the 13th day of October, 1992, and same is duly recorded in the minutes of the meeting of said Council.

WITNESS, my hand and the seal of the City of Conway, Arkansas this 14th day of October, 1992.

*Martha Hartwick*  
City Clerk-Treasurer

Seal

**C E R T I F I C A T E O F R E C O R D**

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

I, SHARON RIMMER, Circuit Clerk and Ex-Officio Recorder with 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 4th day of Nov. 19 92, at 1:50 o'clock P.M. and the same is now duly recorded, with acknowledgement \_\_\_\_\_ and certificate thereon in, Deed Record Book 521, Page 510

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of said Court this 5th day of Nov. 19 92

SHARON RIMMER, Clerk  
by *Sharon Rimmer* D.A.