

AN ORDINANCE CLOSING AND ABANDONING A 40 FOOT UNIMPROVED STREET, ALSO KNOWN AS CEDAR STREET, BETWEEN BLOCK 15 AND BLOCK 18, BETWEEN SECOND AND THIRD AVENUES, R.L. HAYES SUBDIVISION.

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas, on the 23rd day of February, 1943, asking the City Council to close and abandon the above mentioned street except for the 20 foot easement, centering on an existing sewer main that is in right-of-way.

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 40 foot unimproved street, also known as Cedar Street, between Block 15 and Block 18, R.L. Hayes Addition, lying on the North side of Lot 1 and Lot 32 of Block 18 and Lot 16 and Lot 17, Block 15, R.L. Hayes Addition, between Second and Third Avenues, has been heretofore dedicated to the public as a street, but has never been used by the public generally, that all the owners of the property along the unimproved street to be closed and abandoned, have filed with the council their written consent to the closing and abandonment, and that the public interest and welfare will not be adversely affected by the closing and abandonment of such unimproved 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 right, together with the rights of the public generally, to the use of the unimproved street, also known as Cedar Street except for a 20 foot easement, centering on an existing sewer main that is in right-of-way.

Section 2: Upon such closing and abandonment, title to the property along Block 15 and Block 18, R.L. Hayes Addition, lying on the North side of Lot 1 and Lot 32 of Block 18 and Lot 16 and Lot 17, Block 15, R.L. Hayes Addition, between Second and Third Avenues shall be vested to those property owners except for a 20 foot easement, centering on an existing sewer main that is in right-of-way that is in favor of Conway Corporation.

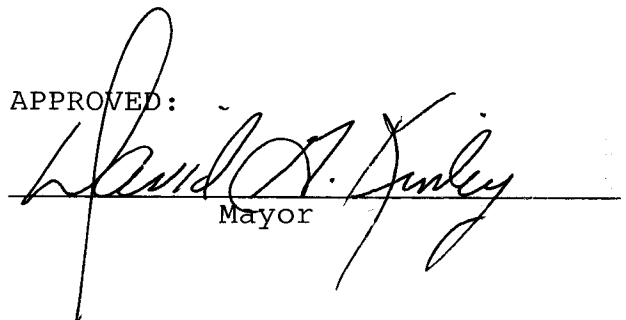
Section 3: A copy of this ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of Faulkner County, Arkansas, and recorded in the deed records of Faulkner County Arkansas.

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 10th DAY OF March, 1992

APPROVED:



Mayor

ATTEST:



City Clerk-Treasurer