

096-25

AN ORDINANCE CLOSING AND ABANDONING THAT PORTION OF
AN ALLEY BETWEEN LOTS 1, 2, 3, 4, AND 5 AND
LOTS 12, 13, 14, 15 AND 16, BLOCK E, SMITH'S SUBDIVISION

WHEREAS, a petition was duly filed with the City Council of
the City of Conway, Arkansas, on the 20th day of February,
1996, asking the City Council to close and abandon that portion of
the above-mentioned alley.

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 150
feet of the unimproved street between Lots 1, 2, 3, 4, and 5 and
Lots 12, 13, 14, 15 and 16, more specifically described as Block E
Smith's Subdivision, measuring 15 feet running North and South by
250 feet running East and West between Lots 1, 2, 3, 4, and 5 and
Lots 12, 13, 14, 15, and 16 has been heretofore dedicated to the
public as a street, but has never been used by the public
generally, that 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~~ Alley.

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~~ Alley.
AND EXCEPT A DRAINAGE EASEMENT OVER THE DESCRIBED PROPERTY.

Section 2: Upon such closing and abandonment, title to the
property between Lots 1, 2, 3, 4, and 5 and Lots 12, 13, 14, 15 and

RETAINED BY THE
CITY OF CONWAY

Adjoining
LANDOWNERS

16, Block E, Smith's Subdivision shall be vested to ~~Dwayne Coode~~.

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 12th day of March, 1996.

APPROVED:

David A. Jenley
Mayor

ATTEST:

Martha Fontaine
City Clerk-Treasurer