

ORDINANCE NO. 0-97-43

AN ORDINANCE VACATING THE NORTH 425 FEET OF THE ALLEYWAY RUNNING IN A NORTH-SOUTH DIRECTION AND THE EAST 150 FEET OF THE ALLEYWAY RUNNING IN AN EAST-WEST DIRECTION THROUGH BLOCK 69, BOULEVARD 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 15<sup>th</sup> of July, 1997, asking the City Council to vacate and abandon the north 425 feet of the alleyway running in a north-south direction and the east 150 feet of the alleyway running in an east-west direction through Block 69, Boulevard 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 north 425 of the alleyway running in a north-south direction and the east 150 feet of the alleyway running in an east-west direction, through Block 69, Boulevard 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 the last five years, 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 rights, together with the rights of the public generally, in and to the north 425 feet of the alleyway running, in a north-south direction and the east 150 feet of the alleyway running in an east-west direction, through Block 69, Boulevard Addition to the City of Conway, Arkansas, such abandonment being made subject to any utility easements over, across, and through said alley.

SECTION 2. Upon such abandonment, title to the east 10 feet of the north-south alley be vested in the persons owning land adjacent to the eastern boundary of the alley; that title to the west 10 feet of the north-south alley be vested in the persons owning land adjacent to the western boundary of the alley; that title to the north 10 feet of the east-west alley be vested in the persons owning land adjacent to the northern boundary of the alley; and that title to the south 10 feet of the east-west alley be vested in the persons owning land adjacent to the southern boundary of the alley, subject to any utility easements.

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.

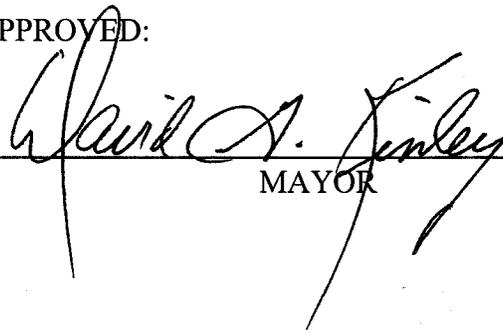
SECTION 4. This ordinance shall take effect and be in force for and after its passage.

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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 26<sup>th</sup> DAY OF ~~SEPTEMBER~~ <sup>August</sup>, 1997.

APPROVED:

  
MAYOR

ATTEST:

  
CITY CLERK-TREASURER