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Doc#2008-22529 Date 11/24/2008 12:53:41 PM iled & Recorded in Official Records of Faulkner County RHDNDA LONG-WHARTON FAULKNER COUNTY CIRCUIT CLERK Fees \$20.00 D.C. by_

City of Conway, Arkansas Ordinance No. <u>O-08-136</u>

AN ORDINANCE CLOSING THE ALLEY LOCATED AT BLOCK 73 OF BOULEVARD ADDITION; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES;

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 18 day of November, 2008 asking the City Council to vacate and abandon all of the 20' alley located in Block 73 of Boulevard Addition.

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 easement or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a easement herein described; has not been actually used by the public generally for a period of at least five (5) years subsequent to the filing of the plat; that all the owners of the property abutting upon the portion of the **20' alley**, to be vacated have filed with the council their written consent to the abandonment; and that public interest and welfare will not be adversely affected by the abandonment of the **20' alley**.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY ARKANSAS:

Section 1. The City of Conway, Arkansas releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the **20' alley** designated as follows:

Being a 20' alley lying in Block 73 of Boulevard Addition to the City of Conway, Arkansas, Faulkner County, running in a North and South direction beginning at the North right-of-way of Robins Street, between Lots 11 and 22 and extending Northwardly to the North line of the S ½ of Lot 7 and also the North line of the S ½ of Lot 8, all in Block 73 of Boulevard Addition.

Section 2. A copy of the ordinance duly certified by the city clerk shall be filed in the office of the recorder of the county and recorded in the deed records of the county.

Section 3. This ordinance is necessary for the protection of the public peace, health and safety; an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

Passed this 18th day of November, 2008.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett City Clerk/Treasurer