

ORDINANCE NO. 092-27

AN ORDINANCE VACATING THAT ALLEYWAY RUNNING IN A NORTH-SOUTH DIRECTION THROUGH BLOCK 74, BOULEVARD ADDITION TO THE CITY OF CONWAY, ARKANSAS, SUBJECT TO UTILITY EASEMENTS IN FAVOR OF CONWAY CORPORATION

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas, on the 12th day of May, 1992, asking the City Council to vacate and **abandon that** alleyway running in a north-south direction through Block 74, 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 alleyway running in a north-south direction through Block 74, 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 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 if such abandonment is made subject to utility easements in favor of Conway Corporation.

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 74, Boulevard 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 10 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 the 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 from and after its passage.

PASSED: June 9th, 1992.

APPROVED:

David Stanley
MAYOR

ATTEST:

Martha L. Lister
CITY CLERK

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 9th day of June, 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 10th day of June, 1992.

Martha Hartwick
City Clerk-Treasurer

Seal

CERTIFICATE OF RECORD

STATE OF ARKANSAS }
COUNTY OF FAULKNER } SS

I, SHARON RIMMER, Circuit Clerk and Ex-Officio Recorder with seal 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 18th day of June, 1992, at 2:30 o'clock P.M. and the same is now duly recorded, with acknowledgement and certificate thereon in, Deed Record Book 511, Page 259.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court this 19th day of June, 1992.

SHARON RIMMER, Clerk
Sharon Rimmer DC.

