

Conway (enc)  
R 20827

**ORDINANCE NO. 0-99-95**

**AN ORDINANCE ESTABLISHING PROCEDURES TO BE FOLLOWED PRIOR TO ANNEXATION OF PROPERTY TO THE CITY OF CONWAY; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES:**

**Whereas**, the City of Conway has, over the last several years, experienced rapid growth due to annexation of property, and

**Whereas**, this rapid growth has placed a strain on the City resources to maintain and upgrade streets and drainage and deal with parceling off of property that has taken place without going through the required subdivision process, and

**Whereas**, it is desirable to solve potential problems that could be created by annexation prior to the actual annexation;

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

**Section 1:** That no property shall be annexed to the City of Conway before it has been established in the annexing ordinance, directly or by reference, which portions of which existing streets within that property shall be accepted by the City as public streets for maintenance and which streets shall be recognized as public streets for the sole purpose of allowing the issuance of building permits.

**Section 2:** That, prior to acceptance as a public street for maintenance, the appropriate right of way for each such street, based on the Master Street Plan and related ordinances, shall be dedicated by abutting property owners or any street or section of street lacking appropriate right of way shall be delineated as a street or section of street that shall not be maintained by the City.

**Section 3:** That no streets that are not specifically noted in the annexing ordinance or by reference as being accepted as a public street for maintenance or as a public street for the sole purpose of allowing the issuance of building permits shall be maintained by the City nor accepted as a public street until the City of Conway shall accept them as such by passage of an appropriate ordinance.

**Section 4:** That no property shall be annexed to the City of Conway before all current configurations of parcels of property within the area have been identified. Upon annexation, only those parcels that have been found to be in compliance with the Subdivision Ordinance of the City of Conway regarding the manner in which they arrived in their particular configurations shall be eligible for issuance of building permits.

**Section 5:** That, in order to ascertain the configuration of existing parcels of property, all submissions for annexation shall be accompanied by a map of the area, drawn to scale, and showing the parcels and their ownership. Such map shall show all

subdivisions that have been approved by the Conway Planning Commission and properly filed and all subdivisions that were properly filed prior to the creation of the Conway Planning Commission or that were filed when the area was not under the jurisdiction of the Conway Planning Commission. For parcels that are not part of a legal subdivision, copies of deeds dated prior to July 1, 1986 showing each parcel in its current configuration must be submitted or all such parcels must be created through a legal subdivision or it must be established through copies of deeds that the parcel was created at a time when it was not within the territorial jurisdiction of the City of Conway or those parcels shall not be eligible for issuance of building permits.

**Section 6:** That any ordinance which conflicts with this ordinance is hereby repealed to the extent of the conflict.

**Section 7:** That it is ascertained and declared that it is necessary for the public peace and welfare of the citizens of the City of Conway, Arkansas, an emergency is hereby declared to exist and this ordinance shall take effect and be in force from and after its passage and publication.

PASSED this 12<sup>th</sup> day of October, 1999.

**APPROVED:**



**Mayor Tab Townsell**

**ATTEST:**

  
**City Clerk Michael O. Garrett**