

City of Conway

R-13655

ORDINANCE NO. O-03- 49

AN ORDINANCE ABANDONING AN UNBUILT STREET IN CON ARK 1-40 SUBDIVISION

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 9th day of April 2003 asking the City Council to vacate and abandon all of the unnamed 50-foot street between lots 13 and 14 of block 3 in Con Ark 1-40 Subdivision Replat of Lot 8, Block 2, and Lot 11, Block 3.

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 street herein described and heretofore dedicated to the public use as a street 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 street 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 the street.

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

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 street designated as follows:

An unnamed 50-foot street between lots 13 and 14 of block 3 in Con Ark 1-40 Subdivision Replat of Lot 8, Block 2, and Lot 11, Block 3

except that a north-south utility easement must be retained on the middle 20 feet and an east-west utility easement must be retained on the north 15 feet of the 50-foot right-of-way to be otherwise abandoned.

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 shall take effect and be in force from and after its passage.

Passed this 13th day of May, 2003.

[Signature]
Mayor

Attest:

[Signature]
City Clerk/Treasurer

Doc#2003- 13538

Date 06/04/2003

12:37:01 PM

Filed & Recorded in

Official Records of

Faulkner County

SHARON RIMMER

FAULKNER COUNTY CIRCUIT CLERK

Fees \$11.00

by _____

220003
[Signature] D.C.

CERTIFICATE

**STATE OF ARKANSAS)
COUNTY OF FAULKNER)
CITY OF CONWAY)**

I, Michael Garrett, the duly elected, qualified, and acting: Clerk-Treasurer of the City of Conway, Arkansas, do hereby certify that the attached and foregoing is a true and correct copy of an ordinance pass by the City Council of the City of Conway, Arkansas, at a meeting of that body held on the 13th day of MAY 2003, same is duly recorded in the minutes of meeting of said Council.

Witness, my hand and seal of the City of Conway, Arkansas, this 4 day of JUNE, 2003.

Michael O. Garrett
CITY CLERK-TREASURER

Seal

CERTIFICATE OF RECORD
Doc#2003- 13538
86/04/2683
12:37:01 PM
Filed and Recorded in Official Records of
FAULKNER COUNTY
SHARON RIMMER
FAULKNER COUNTY CIRCUIT CLERK
by *Sharon Rimmer* D.C.