

ORDINANCE NO. O-06-57**AN ORDINANCE TO VACATE AND ABANDON A PORTION OF FLEMING STREET LOCATED BETWEEN STOUT AND WEST STREET; AND FOR OTHER PURPOSES;**

**WHEREAS**, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 9<sup>th</sup> day of May, 2006 asking the City Council to vacate and abandon a portion of Fleming Street.

**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 right-of-way or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a street right-of-way 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 Fleming Street 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 portion of Fleming Street.

**WHEREAS**, the following exception shall be in place: the entire 50 feet shall be retained for a drainage ditch & utility easement which is located within this right of way of the abovementioned section of Fleming Street.

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

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

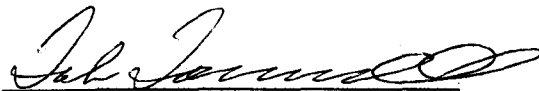
**ALL THAT PART OF AN EAST-WEST 50-FOOT RIGHT-OF-WAY KNOWN AS FLEMING STREET RUNNING FROM STOUT STREET TO WEST STREET, LOCATED AT THE SOUTH END OF BLOCK 7 OF HUTTO ADDITION TO THE CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS.**

**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 and approval.

Passed this 23<sup>rd</sup> day of May, 2006.

Approved:



Mayor Tab Townsell

Doc#2006- 12805

Date 06/07/2006

08:11:12 AM

Filed & Recorded in

Official Records of

Faulkner County

SHARON RIMMER

FAULKNER COUNTY CIRCUIT CLERK

Fees \$11.00

by dm

D. C.

ATTEST:



Michael O. Garrett  
City Clerk/Treasurer

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