

016889

ORDINANCE NO. 0-07-69

AN ORDINANCE **CLOSING TWO 20' ALLEYS, ONE RUNNING THE LENGTH OF BLOCK 70 FROM BRUCE STREET TO SOUTH BLVD AND THE SECOND RUNNING FROM MITCHELL STREET TO BARIDON STREET; WITHIN THE CITY LIMITS OF CONWAY, ARKANSAS, AND FOR OTHER PURPOSES;**

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 26th day of June, 2007 asking the City Council to close two twenty feet alleys one running the length of Block 70 from Bruce Street to South Blvd and the second from Mitchell Street to Baridon Street; within the City limits of Conway, AR.

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 easement 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 easement.

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 easement designated as follows:

Beginning in the NE Corner of Lot 1 Block 70 Boulevard Addition, extend South 425 feet to the SE corner of Lot 9, thence West 150 feet to the SW corner of Lot 9, thence South 20 feet to the NW corner of Lot 10, thence East 150 feet to the NE corner of Lot #12, thence South 165 feet to the SE Corner of Lot #12, thence east 20 feet to the SW corner of Lot 22, thence North 165 feet to the NW corner of Lot #22, thence East 150 feet to the NE corner of Lot 24, thence North 20 feet to the SE corner of Lot 21, thence West 150 feet to the SW corner of Lot 21, thence North 425 feet to the NW corner of Lot 13, thence West 20 feet to the point of the beginning.

Section 2. Conway Corp will continue to maintain utilities in the existing 20 foot alley in Block 70 of the Boulevard Addition, AT&T is granted an easement for their existing facilities, and CenterPoint Energy does not release the utility easement of alley, as they do the have an existing 2" natural gas main running approximately 220 feet north to south off Bruce Street.

Section 3. 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 A This ordinance shall take effect and be in force from and after its passage.

PASSED this 26th day of June, 2007

Approved:


Mayor Tab Townsell

Attest:


Michael O. Garrett
City Clerk/Treasurer