

② City of Conway  
(rev)  
001637



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RHONDA LONG  
FAULKNER COUNTY CIRCUIT CLERK  
Fees \$20.00  
by LR D.C.

City of Conway, Arkansas  
Ordinance No. O-08-07

**AN ORDINANCE TO CLOSE A PORTION OF MCKAY AVENUE EAST OF GRIFFITH  
EXTENDED TO THE WEST RIGHT OF WAY OF THE RAILROAD; AND FOR OTHER  
PURPOSES.**

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 11<sup>th</sup> day of December, 2007 asking the City Council to close a portion of McKay Avenue East of Griffith extended to the west right of way of the railroad.

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 (5) years subsequent to the filing of the plat; 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 McKay Avenue.

**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:

A dedicated alley lying Block 2 C.J. Green Subdivision more particularly described as: Beginning at a point 25 feet west of the northeast corner of Lot 1, Block 2 of C.J. Greene Subdivision; thence continue west 325 feet to the northwest corner of Lot 9 and the Davis Street right of way; thence north 16.5 feet along the Davis Street right of way; thence east 325 feet; thence south 16.5 to the point of beginning, except that a drainage and utility easement is retained in the northern 45' of said legal description.

**SECTION 2.** All ordinances in conflict herewith are repealed to the extent of the conflict.

**SECTION 3.** Conway Corporation has no objections to said closure, as long as the north 45 feet of said portion remains a utility easement. AT&T agrees as long as a dedicated utility easement will be established. Centerpoint Energy: No objections stated.

**SECTION 4.** 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.

**PASSED** this 8<sup>th</sup> day of January, 2008.

Approved:

  
Mayor Tab Townsell

Attest:

  
Michael O. Garrett  
City Clerk/Treasurer