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City of Conway

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by                          D. C.

396343

**City of Conway, Arkansas  
Ordinance No. O-14-15**

**AN ORDINANCE CLOSING AN ALLEY LOCATED BETWEEN LOTS 110 AND 111 OF THE VILLAGE AT HENDRIX PHASE I AND A PORTION OF STREET RIGHT-OF-WAY EAST OF LOTS 109- 112 ON MCKENNON STREET IN THE VILLAGE AT HENDRIX PHASE I; AND FOR OTHER PURPOSES;**

**WHEREAS**, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 17<sup>th</sup> day of January, 2014 asking the City Council to vacate and abandon an alley located between Lots 110 and 111 of The Village at Hendrix Phase I and a portion of street right-of-way east of Lots 109-112 on McKennon Street in The Village at Hendrix Phase I.

**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 alley and right-of-way closing, 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 alley and the portion of right-of-way 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 closing of the alley and abandonment of a portion of McKennon Street right-of-way.

**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 alley between Lots 110 and 111 of The Village at Hendrix Phase I except that Centerpoint Energy will retain a 5-foot gas line easement along the westerly end of the east/west alley, and street right-of-way Lots 109- 112 after The Village at Hendrix accepts ownership from Conway Corporation of the street light circuits along the right-of-way such that it will be able to relocate circuits and/or be responsible for maintenance of the street lights along said right-of-way designated as follows:

Being a 30-foot alley running east and west between Lots 110 and 111 of the Village at Hendrix

AND

A part of McKennon Street in Village at Hendrix Phase 1 Subdivision, as show in Plat Book L, on Page 6, Records of Faulkner County, Arkansas, being more particularly described as beginning at the Northeast Corner of said Lot 112 and running thence S89°04'38"E, 1.50 feet; thence run S00°48'36"W, 213.42 feet; thence run S11°11'24"E, 54.16 feet; thence run S23°11'24"E, 53.59 feet; thence run S64°59'50"W, 1.04 feet to the Southeast Corner of said Lot 109; thence run along the East Line of said Lot 109 N25°00'10"W, 36.21 feet; thence along an arc to the right having a chord bearing and distance of N12°05'47"W, 79.96 feet, arc length of 80.64 feet, and radius of 179.00 feet; thence run along the East Line of said Lots N00°48'36"E, 205.27 feet to the Point of Beginning containing 0.01 acres more or less.

**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 11<sup>th</sup> day of February, 2014.

**Approved:**

  
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Mayor Tab Townsell

**Attest:**

  
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Michael O. Garrett  
City Clerk/Treasurer