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L201719429
CERTIFICATE OF RECORD
FAULKNER CO, AR FEE \$20.00
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CRYSTAL TAYLOR
CIRCUIT CLERK
BY: DIANA VARNER, D.C.

City of Conway, Arkansas
Ordinance No. O-17-133

ORDINANCE
2 Pages

AN ORDINANCE VACATING PORTIONS OF THE NORTH-SOUTH ALLEYWAY IN BLOCK 6 AND ALL OF THE NORTH-SOUTH ALLEYWAY IN BLOCK 8, BURNS ADDITION; AND FOR OTHER PURPOSES:

Whereas, a petition was duly filed with the City of Conway, Arkansas on the 3rd of November, 2017 by Old Conway Village, LP asking the City Council to vacate and abandon portions of the north-south alleyways in Blocks 6 and 8, Burns Addition.

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 alleyways or the portions thereof, hereinbefore described, have heretofore been dedicated to the public use as alleyways herein described; have 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 properties abutting upon the portions of the Rights-of-Way to be vacated have been afforded the opportunity to file with the council their written consent to the abandonment; and the public interest and welfare will not be adversely affected by the abandonment of these portions of the Rights-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 its rights, together with the rights of the public generally, in and to the portions of public Rights-of-Way designated as follows:

[portion north-south alleyway in Block 6, Burns Addition]

That part of a public alleyway abutting Lots 1, 3, and 4 Habitat for Humanity Replat and Lots 1, 2, 3 and 4, Block 6, Burns Addition to the City of Conway, Faulkner County, Arkansas, more particularly described by metes and bounds as:

Beginning at the Northwest Corner of Habitat For Humanity Replat of Block 6, Burns Addition, thence South 1°27'31" West along the east line of said alleyway a distance of 180.00 feet, thence North 88°43'03" West across said alleyway a distance of 10.00 to the southeast corner of Lot 4, Block 6, Burns Addition, thence North 1°27'31" East along the west line of said alleyway a distance of 180.00 to the south right-of-way of Siebenmorgen Road, thence S 88°43'03" E along the south right-of-way of Siebenmorgen Road a distance of 10.00 feet to the Point of Beginning.

[north-south alleyway in Block 8, Burns Addition]

All of the north-south public alleyway running through Block 8, Burns Addition to the City of Conway, Faulkner County, Arkansas, and the additional 5 feet of alley Right-of-Way that was dedicated along the east boundary of Lot 1A, Agape Replat, filed August 21, 2001.

Section 2: The additional 5 feet of alley Right-of-Way that was dedicated along the east boundary of Lot 1A, Agape Replat in Block 8 Burns Addition, shall be returned to Lot 1A, Agape Replat in addition to half of the original 10 foot alleyway upon its closing.

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.

PASSED this 28th day of November, 2017.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer

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 presented to the City Council of the City of Conway, Arkansas, at a meeting of that body held on the 28th day of November, 2017 same is duly recorded in the minutes of meeting of said Council.

Witness, my hand, and seal of the City of Conway, Arkansas this 4th day of December, 2017.


CITY CLERK-TREASURER

Seal

