

ORDINANCE NO. A-362

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas, on the 28th day of February, 1961, asking the City Council to vacate and abandon a certain alley lying within Block No. 76 of Boulevard Addition to the City of Conway, Arkansas, described as follows:

Beginning at the Southeast corner of Lot 18 Block 76, Boulevard Addition to the City of Conway, Arkansas, proceeding them West along the South lot line of Lots Nos. 18, 17, 16, 15, 14, 5, 4, 3, 2 and 1, all in Block 76; thence South twenty feet to the Northwest corner of Lot No. 6 in said Block No. 76; then proceeding East along the North boundary line of said Lot No. 6 and Lot No. 19 to the Northeast corner of Lot No. 19 in Block No. 76; thence North twenty feet to the point of beginning, as shown on the map of the City of Conway, Arkansas, as made by B. G. Wilson and filed for record on the 3rd day of July, 1917.

WHEREAS, attached to said petition is a certified copy of the portion of the plat filed in the office of the Recorder of Faulkner County, Arkansas, showing the said alley in said Block No. 76 of Boulevard Addition to the City of Conway, Arkansas, together with the lot numbers of each lot which abut on the said alley hereinafter described; and,

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 said alley hereinabove mentioned and hereinafter described has heretofore been dedicated to the public use as an alley, and has not been actually used by the public generally for a period of at least five years subsequent to the filing of the above-mentioned plat and before the filing of the above petition; that all the owners of property abutting upon said alley sought to be vacated have filed with the City Council their written consent to such abandonment; and that the public interest and welfare will not be adversely affected by the abandonment of said alley.

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

Section 1. The City of Conway, Arkansas, hereby releases, vacates and abandons all its rights, subject to the limitations and reservations in Section 2 hereof, together with the rights of the public generally, in and to the alley lying within Block No, 76 of Boulevard Addition to the City of Conway, Arkansas, a more particular description of said alley being as follows:

Beginning at the Southeast corner of Lot 18 Block No, 76, Boulevard Addition to the City of Conway, Arkansas, proceeding then West along the South lot line of Lots Nos. 18, 17, 16, 15, 14, 5, 4, 3, 2 and 1, all in Block No. 76; thence South twenty feet to the Northwest corner of Lot No, 6 in said Block No. 76; then proceeding East along the North boundary line of said Lot No, 6 and Lot No. 19 to the Northeast corner of Lot No, 19 in Block No., 76; thence North twenty feet to the point of beginning, as shown on the map of the City of Conway, Arkansas, as made by B. G. Wilson and filed for record on the 3rd day of July, 1917.

Section 2. It is expressly provided that a perpetual right of way and easement on, over and under the said alley herein above described, with full right of ingress and egress at all times, and without cost or damage of any kind, is reserved and retained by the City of Conway for itself, its successors, assigns, lessees, lessors or licensees and for and on behalf of any person, firm or corporation, heretofore or hereafter authorized by the city of Conway to operate and maintain any public utility within said city, for the purpose of entering upon said alley, and constructing, reconstructing, laying, re-laying, maintaining or repairing of any pipes, mains, lines, poles, or other appliances or appurtenances of any and all kinds, and the doing of any and all work necessary to be done in connections therewith, by any water, light, power, sewer, telephone, gas, or other public utility system belonging to or being operated by said City of Conway, or any agency thereof, or any of its lessees or licensees; or by any such water, light, power, sewer, telephone, or gas system, or other public utility owned or

or operated by any public utility company that **has** been heretofore or may hereafter be authorized by said City to operate and maintain any such public utility within said City.

Section 3. A copy of this ordinance, duly certified by the City Clerk, shall be filed in the office of the Recorder of Deeds of Faulkner County, Arkansas.

Section 4. This ordinance shall take effect and be in force from and after its passage and publication,

PASSED: 14TH day of MARCH, 1961.

APPROVED: _____
MAYOR

ATTEST: Walter Dunaway
CITY CLERK

C-E-R-T-I-F-I-C-A-T-E

STATE OF ARKANSAS }
COUNTY OF FAULKNER } SS

I, WALTER DUNAWAY, CITY CLERK of the City of Conway, Arkansas, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. A-362, which ordinance was duly adopted by the City Council of the City of Conway, Arkansas, at a regular meeting of said Council, duly held on the 14TH day of MARCH, 1961.

WITNESS my hand as such City Clerk and the seal of said City of Conway, on this 22ND day of MARCH, 1961.

Walter Dunaway
CITY CLERK, CITY OF CONWAY

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