AN ORDINANCE VACATING THAT PART OF ELIZABETH STREET BEGINNING AT THE NORTHEAST CORNER OF BLOCK 68, BOULEVARD ADDITION TO THE CITY OF CONWAY, ARKANSAS; THENCE EAST 60.0 FEET OR TO THE NORTHWEST CORNER OF BLOCK 69 OF SAID BOULEVARD ADDITION; THENCE ALONG THE WEST LINE OF SAID BLOCK 69 SOUTH 610.0 FEET OR TO THE SOUTHWEST CORNER OF SAID BLOCK 69; THENCE WEST 60.0 OR TO THE SOUTHEAST CORNER OF SAID BLOCK 68; THENCE ALONG THE EAST LINE OF SAID BLOCK 68 NORTH 610.0 FEET OR TO THE POINT OF BEGINNING, CONTAINING 0.289 ACRES MORE OR LESS, ALSO KNOWN AS THAT PART OF ELIZABETH STREET LYING BETWEEN BRUCE STREET AND SOUTH BOULEVARD STREET AND BETWEEN BLOCK 68 AND 69, BOULEVARD ADDITION TO THE CITY OF CONWAY, ARKANSAS.

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas, on the 13th of August, 1996, asking the City Council to vacate and abandon that part of Elizabeth Street beginning at the northeast comer of Block 68, Boulevard Addition to the City of Conway, Arkansas; thence east 60.0 feet or to the northwest corner of Block 69 of said Boulevard Addition; thence along the west line of said Block 69 south 610.0 feet or to the southwest corner of said Block 69; thence west 60.0 or to the southeast corner of said Block 68; thence along the east line of said Block 68 north 611001 feet or to the point of beginning, containing 0.289 acres more or less, also known as that part of Elizabeth Street lying between Bruce Street and South Boulevard Street and between block 68 and 69, Boulevard Addition to the City of Conway, Arkansas.

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 as ascertained that the part of Elizabeth Street beginning at the northeast corner of Block 68, Boulevard Addition to the City of Conway, Arkansas;,thence east 60.0 feet or to the northwest corner of Block 69 of said Boulevard Addition; thence along the west line of said Block 69 south 610.0 feet or to the southwest corner of said Block 69; thence west 60.0 or to the southeast corner of said Block 68; thence along the east line of said Block 68 north 610.0 feet or to the point of beginning, containing 0.289 acres more or less, also known as that part of Elizabeth Street lying between Bruce Street and South Boulevard Street and between block 68 and 69, Boulevard Addition to the City of Conway, Arkansas, has been heretofore dedicated to the public as a street, has not been actually used by the public generally for a period of at least the last five years, that all the owners of the property abutting upon the street to be vacated have filed with the council their written consent to the abandonment, and that the public interest and welfare will not be adversely affected by the abandonment of such street.

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 right, together with the rights of the public generally, in and to Elizabeth Street beginning at the northeast corner of Block 68, Boulevard Addition to the City of Conway, Arkansas; thence east 60.0 feet or to the northwest corner of Block 69 of said Boulevard Addition; thence along the west line of said Block 69 south 610.0 feet or to the southwest corner of said Block 69; thence west 60.0 or to the southeast. corner of said Block 68; thence along the east line of said Block 68 north 610.0 feet or to the point of beginning, containing 0.289 acres more or less, also known as that part of Elizabeth Street lying between Bruce Street and South Boulevard Street and between block 68 and 69, Boulevard Addition to the City of Conway, Arkansas, such abandonment being made subject to any utility easements over, across, and through said street.

SECTION 2. Upon such abandonment, title to the east thirty (30) feet of the northsouth street be vested in the persons owning land adjacent to the east boundary of the street, and that title to the west thirty (30) feet of the north-south street be vested in the persons owning land adjacent to the western boundary of the street.

SECTION 3. A copy of this ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of Faulkner County, Arkansas, and recorded in the deed records of Faulkner County, Arkansas.

SECTION 4. This ordinance shall take effect and be in force for and after its passage.

It is hereby ascertained and declared that it is necessary for the protection and preservation of the public health and safety that the foregoing ordinance be passed and adopted; that an emergency exists; and that this ordinance shall take effect and be in force from and after its passage and publication.

PASSED THIS // The DAY OF SEPTEMBER, 1996.

APPRO

ATTEST:

CLERK-TREASURER