

ORDINANCE NO. O-98-88

AN ORDINANCE VACATING THE EAST-WEST ALLEYWAY IN BLOCK F, SMITH SUBDIVISION TO THE DONAGHEY ADDITION IN THE CITY OF CONWAY, ARKANSAS, FAULKNER COUNTY.

WHEREAS, a petition was filed with the City Council of the City of Conway, Arkansas, on the 26th day of August, 1998, asking the City Council to vacate and abandon said alleys as mentioned above; and

WHEREAS, after due notice as required by law, the City 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 mentioned, which lies in the Block F of Smith Subdivision to the Donaghey Addition in the City of Conway, Arkansas, has been heretofore dedicated to the public as an alleyway, that the owners of the properties abutting upon the alley right-of-way 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 said alleyway.

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 that portion of the alley designed as follows:

Beginning at a point on the West line of Augusta Avenue: which is also the Southeast corner of Lot 1 of Block F of Smith's Subdivision of Donaghey Addition to the City of Conway, Arkansas, and run thence West along with the South line of Lots 1, 2 and 3 of said Block F to a point on the south side of Lot 3 which is 10 feet west of the Southeast corner of said lot 3; thence South 15 feet to a point on the north line of Lot 13 of said Block F which is 10 feet west of the Northeast corner of said Lot 13; thence East along and with the north line of Lots 13, 14 and 15 of said Block F to the Northeast corner of said Lot 15, and which is on the West line of Augusta Avenue; thence North 15 feet to the said point of beginning.

SECTION 2. Upon the adoption of this ordinance, the absolute ownership of the property abandoned by the City shall vest in the owners of the real estate abutting thereon. Each such abutting owner shall take title to the center-line of the alley so abandoned, and the ownership shall be free from the easement of the City for public use as an alley.

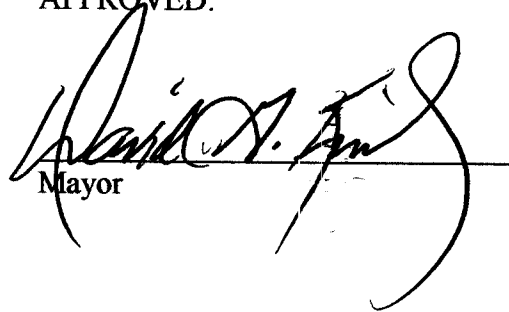
SECTION 3. A copy of this ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of Faulkner County, Arkansas, and recorded in deed records of Faulkner County, Arkansas.

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

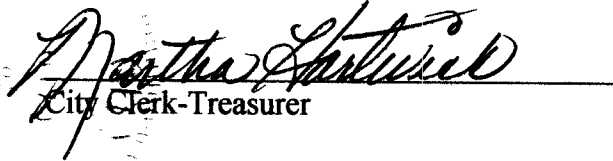
It is hereby ascertained and declared that it is necessary for the protection and preservation of the public health and safety that the foregoing ordinance shall take effect and be in force from and after its passage and publication.

PASSED THIS 22ND DAY OF SEPTEMBER, 1998.

APPROVED:


Mayor

ATTEST:


City Clerk-Treasurer