

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1272

5 By: Representative Warren
6 By: Senator C. Penzo
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING PROPERTY VACATED
10 BY A COUNTY OR MUNICIPALITY; TO REQUIRE VESTED
11 ABANDONED PROPERTY BE CONVEYED WITH THE ABUTTING REAL
12 ESTATE; AND FOR OTHER PURPOSES.
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Subtitle

15 TO AMEND THE LAW CONCERNING PROPERTY
16 VACATED BY A COUNTY OR MUNICIPALITY; AND
17 TO REQUIRE VESTED ABANDONED PROPERTY BE
18 CONVEYED WITH THE ABUTTING REAL ESTATE.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 14-18-109, concerning abutting lots reduced
24 to acreage in the county, is amended to add an additional subsection to read
25 as follows:

26 (d)(1) A future conveyance of the real estate abutting the streets,
27 alleys, or roadways, or portions of the real estate abutting the streets,
28 alleys, or roadways, vacated and reduced to acreage by an order of the county
29 court includes the respective portion of the streets, alleys, or roadways, or
30 portions of the real estate abutting the streets, alleys, or roadways,
31 vacated and reduced to acreage that vested in the abutting owner upon
32 adoption of the order unless an express reservation is made by the abutting
33 owner.

34 (2)(A) If the real estate abutting the streets, alleys, or
35 roadways, or portions of the real estate abutting the streets, alleys, or
36 roadways, vacated and reduced to acreage by an order of the county court is



1 platted, the plats of the abutting real estate are amended to add the
 2 respective portions of the streets, alleys, or roadways, or portions of the
 3 real estate abutting the streets, alleys, or roadways, vacated and reduced to
 4 acreage by an order of the county court to the abutting real estate.

5 (B) A conveyance of the abutting real estate without
 6 reference to the streets, alleys, or roadways, or portions of the real estate
 7 abutting the streets, alleys, or roadways, vacated and reduced to acreage by
 8 an order of the county court shall include the respective portion of the
 9 streets, alleys, or roadways, or portions of the real estate abutting the
 10 streets, alleys, or roadways, vacated and reduced to acreage by an order of
 11 the county court that vested in the abutting owner upon adoption of the
 12 order.

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 14 SECTION 2. Arkansas Code § 14-301-306 is amended to read as follows:

15 14-301-306. Ownership of street or alley vesting in abutting owners –
 16 Pending suits unaffected.

17 (a)(1) Upon the adoption of the ordinance, the absolute ownership of
 18 the property abandoned by the city or town shall vest in the owners of the
 19 real estate abutting thereon.

20 (2) Each such abutting owner shall take title to the center line
 21 of the street or alley so abandoned, and the ownership shall be free from the
 22 easement of the city or town for public use as a street or alley.

23 (b)(1) A future conveyance of real estate abutting a street or alley
 24 abandoned by a city or town includes the respective portion of the street or
 25 alley abandoned by the city or town that vested in the abutting owner upon
 26 adoption of the ordinance unless an express reservation is made by the
 27 abutting owner.

28 (2)(A) If real estate abutting the street or alley abandoned by
 29 a city or town is platted, the plats of the abutting real estate are amended
 30 to add the respective portions of the street or alley abandoned by the city
 31 or town to the abutting real estate.

32 (B) A conveyance of the abutting real estate without
 33 reference to the street or alley abandoned by the city or town includes the
 34 respective portion of the street or alley abandoned by the city or town that
 35 vested in the abutting owner upon adoption of the ordinance.

36 ~~(b)~~ (c) This subchapter shall not affect suits now pending in any of

1 the courts of this state.

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SECTION 3. DO NOT CODIFY. Retroactivity.

(a) Section 1 of this act applies retroactively to all the streets, alleys, or roadways, or portions of the real estate abutting the streets, alleys, or roadways, vacated and reduced to acreage by an order of the county court with real estate abutting the streets, alleys, or roadways, or portions of the real estate abutting the streets, alleys, or roadway, after March 2, 1945.

(b) Section 2 of this act applies retroactively to all the streets and alleys abandoned by a city or town with real estate abutting the streets and alleys after February 6, 1945.