

ORDINANCE NO. 0-77-16

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas, on the 11th day of April, 1977, asking the City Council to vacate and abandon a certain easement lying within Block 4, Oak Forrest Subdivision to the City of Conway, Arkansas, a more particular description of said easement being set forth in said petition and in Section One (1) of this Ordinance; and,

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 easement in said Block Four (4), Oak Forrest Subdivision to the City of Conway, Arkansas, together with the lot numbers of each lot which abuts on the said easements 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 easement hereinabove mentioned and hereinafter described has heretofore been dedicated to the public use as an easement, and has not been actually used by the public generally 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 easement 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 easement.

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, together with the rights of the general public generally, in and to the easement lying within Block Four (4), Oak Forrest Subdivision to the City of Conway, Arkansas, a more particular description of said easement being as follows:

An easement located between lots 10 and 11, Block 4, Oak Forrest Subdivision to the City of Conway, Faulkner County, Arkansas, as recorded in Plat Book D, Page 10, described as follows: Begin at the Southwest Corner of Lot 10, Block 4; run thence Southwardly along the East right-of-way of Shady Lane Drive 7.5 feet, more or less; run thence Northwardly and Eastwardly parallel to a line dividing said Lots 10 and 11, Block 4 and 7.5 feet South of said line to a point 7.5 feet from the line between Lots 9 and 11, Block 4; run thence Northwardly and Westwardly parallel to the line between Lots 9 and 11, Block 4 to a point on the line dividing Lots 10 and 11, Block 4; run thence Northwardly and Eastwardly along said line dividing Lots 10 and 11, Block 4 to the point being a common corner of Lots 9, 10 and 11, Block 4; run thence Northwardly along the East line of Lot 10, Block 4 to a point that would be exactly 7.5 feet from said line dividing Lots 10 and 11, Block 4 extended by measuring said 7.5 at a 90 degree angle from said extended line; thence run Southwardly and Westwardly parallel to the line between Lots 10 and 11, Block 4 and 7.5 feet from said line to a point on the East right-of-way of Shady Lane Drive; run thence Southwardly along said right-of-way line to the point of beginning, being the Southwest Corner of Lot 10, Block 4.

All of said property being as shown on Map of said City of Conway filed for record in Plat Book D, Page 9 of Plat Records of Faulkner County, Arkansas.

Section 2. A copy of this Ordinance, duly certified by the City Clerk-Treasurer, shall be filed in the office of the Recorder of Deeds of Faulkner County, Arkansas.

Section 3. This ordinance shall take effect and be in force from and after its passage and publication.

PASSED: 14 day of June, 1977.

APPROVED: [Signature]  
Mayor

ATTEST: [Signature]  
Clerk-Treasurer