

ORDINANCE NO. 0-97-65

AN ORDINANCE ABANDONING AND REMOVING UTILITY EASEMENTS AS SHOWN BETWEEN LOTS 35 AND 36 OF FALCON CREST SUBDIVISION; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas, on the 25th of November, 1997, asking the City Council to vacate and abandon the utility easement between lots 35 and 36 of Falcon Crest Subdivision in the City of Conway, Arkansas; 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 the said easement in Falcon Crest Subdivision in the City of Conway, Arkansas, has been heretofore dedicated to the public as an utility easement, that the owner of the property abutting upon the easement to be abandoned has filed with the Council its written consent to the abandonment, and that the public interest and welfare will not be adversely affected by the abandonment of such 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 right, together with the rights of any of its quasi-public designees, in and to the utility easements as shown on the following described property:

The utility easement between lots .35 and 36 of Falcon Crest Subdivision as recorded in Plat Book I, Page 55, of the Records of Faulkner County, Arkansas.

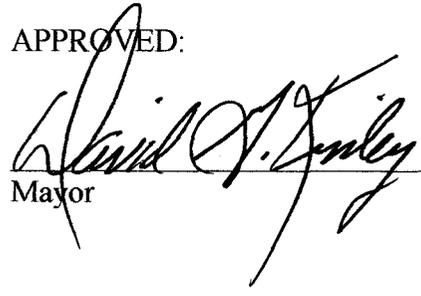
SECTION 2. That the Mayor and the City Clerk are hereby authorized to execute any document required to give force and effect to this ordinance.

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. It is hereby ascertained and declared that it is necessary for the public peace and welfare of the citizens of the City of Conway, Arkansas, and an emergency is hereby declared to exist and this ordinance shall take effect and be in force from and after its passage and publication.

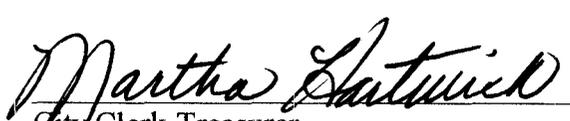
PASSED THIS 9th DAY OF DECEMBER, 1997.

APPROVED:



Mayor

ATTEST:



City Clerk-Treasurer