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City of Conway, Arkansas
Ordinance No. O-08-40A

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Faulkner County
RHONDA LONG-WHARTON
FAULKNER COUNTY CIRCUIT CLERK
Fees \$20.00
by Alm D.C.

304868

**AN ORDINANCE CLOSING THE 15' UTILITY EASEMENT BETWEEN LOT'S 1A AND 2A RUNWAY PARK
SUBDIVISION LOT 1 REPLAT AS FILED IN PLAT BOOK J PAGE 60 & ALSO THE 7.5' UTILITY EASEMENT ON THE
EAST SIDE OF SAID LOTS;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 22nd day of April, 2008 asking the City Council to vacate and abandon a portion of the easement listed above.

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 easement or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a easement herein described; has not been actually used by the public generally for a period of at least five (5) years subsequent to the filing of the plat; that all the owners of the property abutting upon the portion of the easement to be vacated have filed with the council their written consent to the abandonment; and that public interest and welfare will not be adversely affected by the abandonment of the easement

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY ARKANSAS:

Section 1. The City of Conway, Arkansas releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the designated easements as follows:

**THE 15' UTILITY EASEMENT BETWEEN LOT'S 1A AND 2A RUNWAY PARK
SUBDIVISION LOT 1 REPLAT AS FILED IN PLAT BOOK J PAGE 60 & ALSO THE
7.5' UTILITY EASEMENT ON THE EAST SIDE OF SAID LOTS.**

**With the following exceptions listed, Conway Corporation : all other utility easements shown on
Lots 1A & 2A of Runway Park Subdivision Lot 1 Replat are being, or will be, utilized and should
remain as recorded. Centerpoint Energy & AT&T listed no objections.**

Section 2 This ordinance is necessary for the protection of the public peace, health and safety; an emergency is hereby declared for exist, and this ordinance shall be in full force and effect from and after its passage and approval.

Section 3. A copy of the ordinance duly certified by the city clerk shall be filed in the office of the recorder of the county and recorded in the deed records of the county.

Passed this 22nd day of April, 2008.

Approved:

Mayor Tab Townsell

Attest:

**Michael O. Garrett
City Clerk/Treasurer**