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Doc#2009- 24071  
Date 12/23/2009  
12:55:41 PM  
Filed & Recorded in  
Official Records of  
Faulkner County  
RHONDA WHARTON  
FAULKNER COUNTY CIRCUIT CLERK  
Fees \$20.00  
by \_\_\_\_\_

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tl D.C.

City of Conway, Arkansas  
Ordinance No. O-09-141

**AN ORDINANCE CLOSING THE 15' EXTENDED OVERHEAD ELECTRIC UTILITY EASEMENT LOCATED IN PART OF BLOCK 6 OF THE WEST END ADDITION AT 2740 COLLEGE AVENUE; AND FOR OTHER PURPOSES;**

WHEREAS, a petition was duly filed by Kids Play Properties, LLC with the City Council of the City of Conway, Arkansas on the 17<sup>TH</sup> day of November, 2009 asking the City Council to vacate and abandon a 15' portion of an extended overhead utility easement described as lying in part of Block 6, West End Addition.

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 overhead electric utility 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 overhead electric utility 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 15' overhead electric utility designated as follows:

Lying in part of Block 6, West End Addition, to the City of Conway, Faulkner County, Arkansas for overhead electric facilities more particularly described as follows:

Commence at the SE corner of Block 6, West End Addition to the City of Conway; thence North 87 degrees 45 minutes 07 seconds West 222.57 feet to the southwest corner of Lot 6, Tucker Creek Professional Park Addition to the City of Conway; thence North 87 degrees 44 minutes 22 seconds West 342.57 feet to a point; thence North 15.01 feet to a point; thence North 02 degrees 48 minutes 13 seconds East 23.77 feet to a point; thence North 19 degrees 10 minutes 03 seconds East 128.38 feet to the point of beginning; thence North 19 degrees 10 minutes 03 seconds East 40.25 feet to a point; thence South 87 degrees 47 minutes 48 seconds East 15.68 feet to a point; thence South 19 degrees 10 minutes 03 seconds West 94.00 feet to a point; thence North 02 degrees 12 minutes 12 seconds East 51.41 feet to the point of beginning.

**Section 2.** 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.

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

Passed this 8<sup>th</sup> day of December, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett  
City Clerk/Treasurer