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Official Records of

Faulkner County

RHONDA WHARTON

FAULKNER COUNTY CIRCUIT CLERK

Fees \$20.00

by

340069

LB

D.C.



**City of Conway, Arkansas
Ordinance No. O-10-52**

AN ORDINANCE CLOSING A UTILITY EASEMENT LOCATED AT 3255 MILLER'S VIEW (BETWEEN LOTS 11 AND 12), AND FOR OTHER PURPOSES;

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 25th day of May, 2010, asking the City Council to vacate and abandon all of a 15' utility easement described as the west 7½ feet of Lot 11 and the east 7½ feet of Lot 12, Nob Hill Subdivision, to the City of Conway, Faulkner County Arkansas.

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 15 foot 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 15 foot 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 west 7½ feet of Lot 11 and the east 7½ feet of Lot 12, Nob Hill Subdivision, to the City of Conway, Faulkner County Arkansas designated as follows:

Being a 15' utility easement described as the west 7½ feet of Lot 11 and the east 7½ feet of Lot 12, Nob Hill Subdivision, as shown on Plat of Records in Plat Book H, Page 23, Records of Faulkner County, Arkansas.

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 8th day of June, 2010.

APPROVED:

Mayor Tab Townseil

ATTEST:

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