



City of Conway, Arkansas Ordinance No. O-11-01

AN ORDINANCE CLOSING THE FIFTEEN (15) FOOT UTILITY EASEMENT LOCATED AT TOMMY LEWIS ADDITION PH 2, LOT 3 AS SHOWN ON RIGHT OF WAY AND EASEMENT DOC. #2007-5080 (DRAWING ATTACHED); AND FOR OTHER PURPOSES:

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 14th day of December, 2010 asking the City Council to vacate and abandon all that portion of a utility easement as shown on Right of Way and Easement Doc. #2007-5080.

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 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 utility easement as shown on Right of Way and Easement Doc. #2007-5080 (see drawing).

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 fifteen (15) foot utility easement as shown on Right of Way and Easement Doc. #2007-5080 subject to the relocation of a sewer main and restoration of service prior to the closure of that portion of this easement (drawing attached) designated as follows:

Tommy Lewis addition Phase 2, Lot 3

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 11th day of January, 2011.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett City Clerk/Treasurer