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RHONDA WHARTON  
FAULKNER COUNTY CIRCUIT CLERK  
Fees \$25.00  
by RW 360835 D.C.



City of Conway, Arkansas  
Ordinance No. O-11-86

**AN ORDINANCE CLOSING A 50-FOOT ACCESS EASEMENT LOCATED IN THE REPLAT OF HARP'S AT GERMAN LANE; AND FOR OTHER PURPOSES;**

**WHEREAS**, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 11<sup>th</sup> day of October, 2011 asking the City Council to vacate and abandon all of a 50-foot access easement described as Part of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Section 4, Township 5 North, Range 13 West of the Fifth Principal Meridian, Faulkner County, Arkansas and being part of Lot 2-A of the Replat of Harp's at German Lane as recorded in Book "L", Page 70 and being a portion of the easement recorded in Deed Book 556, Page 389 of the Records of Faulkner County, Arkansas, Being more particularly described as commencing at the Southwest Corner of said Section 4, thence N01°05'04"E along the Section Line, a distance of 460.63 feet to a point, thence leaving said Section Line, S87°45'25"E a distance of 40 feet to the Eastern Right-of-Way Line of East German Lane (80-ft, being 40 feet each side of Centerline) and the Point of Beginning; thence along the Right-of-Way Easement Line the following calls, N01°05'04"E a distance of 50.00 feet to a point; thence S87°45'36"E a distance of 145.21 feet to a point; thence S01°08'24"W a distance of 50 feet to a point; thence S87°45'25"E a distance of 145.26 feet to the Point of Beginning.

Said Tract or Parcel of Land containing 0.17 acres, more or less.

Said Access Easement being all of that portion of an easement described in Right of Way Easement executed by Danny Gibbs and Wife, Charlotte Gibbs, and Donald W. Bone and Wife, Sharon Bone, in favor of the Public, dated December 30, 1993, filed for record January 3, 1994 in Deed Record Book 556, Page 389, Land Records of Faulkner County, Arkansas, located on Lot 2-A of the Replat of Harp's at German Lane as recorded in Book "L", Page 70, such that after vacating said access easement, no portion thereof shall remain on the property described as Lot 2-A of the Replat of Harp's at German Lane as recorded in Book "L", Page 70.

**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 an easement herein described; has not been actually used by the public generally; that all the owners of the property abutting upon the portion of the 50-foot access 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 50-foot access 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 50-foot access easement designated as follows:

Part of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Section 4, Township 5 North, Range 13 West of the Fifth Principal Meridian, Faulkner County, Arkansas and being part of Lot 2-A of the Replat of Harp's at German Lane as recorded in Book "L", Page 70 and being a portion of the easement recorded in Deed Book 556, Page 389 of the Records of Faulkner County, Arkansas, Being more particularly described as commencing at the Southwest Corner of said Section 4, thence N01°05'04"E along the Section Line, a distance of 460.63 feet to a point, thence leaving said Section Line, S87°45'25"E a distance of 40 feet to the Eastern Right-of-Way Line of East German Lane (80-ft, being 40 feet each side of Centerline) and the Point of Beginning; thence along

the Right-of-Way Easement Line the following calls, N01°05'04"E a distance of 50.00 feet to a point; thence S87°45'36"E a distance of 145.21 feet to a point; thence S01°08'24"W a distance of 50 feet to a point; thence S87°45'25"E a distance of 145.26 feet to the Point of Beginning.

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**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 1<sup>st</sup> day of November, 2011.

Approved:



Mayor Tab Townsell

Attest:



Michael O. Garrett  
City Clerk/Treasurer