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D. C.



✓ City of Conway, Arkansas  
Ordinance No. O-15-12

**AN ORDINANCE CLOSING THE SOUTHERLY FIFTEEN FEET OF THE 25 FOOT UTILITY EASEMENT LOCATED AT THE NORTHWESTERN CORNER OF LOT 5, TUCKER CREEK PROFESSIONAL PARK SUBDIVISION; AND FOR OTHER PURPOSES;**

**Whereas**, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 27<sup>th</sup> day of January, 2015 asking the City Council to vacate and abandon the southerly 15 feet of a 25 foot utility easement located at the northwestern corner of Lot 5, Tucker Creek Professional Park Subdivision.

**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 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 at the northwestern corner of Lot 5, Tucker Creek Professional Park Subdivision 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 this portion of the said 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 portion of the utility easement designated as follows:

Being the southerly 15.0 feet of a 25 foot utility easement lying parallel to the northwesterly line of Lot 5 Tucker Creek Professional Park Subdivision as shown on Plat of Records in Plat Book J, Page 384 to the Records of Faulkner County, Arkansas that has a bearing and distance of S58°19'44"W 136.23 feet.

**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 10<sup>th</sup> day of February, 2015.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett  
City Clerk/Treasurer