

## RESOLUTION R-02-65

### A RESOLUTION ESTABLISHING THAT A STREET IS NOT SCHEDULED FOR IMPROVEMENTS OVER THE NEXT FIVE YEARS AND WAIVING THE REQUIREMENT OF PAYMENT OF FUNDS TO IMPROVE THAT STREET

WHEREAS, an applicant for a replat or subdivision is required to pay the City of Conway for one-half of the cost of bringing any substandard abutting city streets up to city standards; and

WHEREAS, the City is required to improve that street within five years or return the submitted funds with interest; and

WHEREAS, it is appropriate to waive the requirement for payment of the funds when the City Council determines that the street will not be improved in the next five years.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:**

**Section 1.** The City of Conway, Arkansas does hereby establish that there are no plans to improve that section of Nutters Chapel Road where it abuts Wade's Subdivision, which legal description follows:

Commencing at the SW corner of the SW $\frac{1}{4}$  W $\frac{1}{4}$  of Sction 14, T5N, R14W, Faulkner County, Arkansas; thence along the south line of said SW $\frac{1}{4}$  SW $\frac{1}{4}$  S87-59-47E, 332.83 feet to the SW corner of the E $\frac{1}{2}$  W $\frac{1}{2}$  SW $\frac{1}{4}$  of said Section 14 to the point of beginning; thence N02-04-37E, 552.68 feet to a found iron pin for the SW corner of Crosspoint Subdivision; thence S88-28-15E, 330.00 feet along the south line of Lot 92 of said Crosspoint Subdivision to a found iron pin; thence S02-05-59W, 555.42 feet along the west line of said Lot 92 to a point on the south line of said SW $\frac{1}{4}$  SW $\frac{1}{4}$ ; thence along said south line N87-59-47W, 329.77 feet to the point of beginning. Said lot contains 4.20 acres, more or less, and is subject to all rights of way and easements on record.

**Section 2.** The City of Conway, Arkansas does hereby establish that there are no plans to improve that section of Bob Courtway Drive, Pamela Lane and the proposed Museum/Amity Road extension where they abut Crain's Replat which legal description follows:

Being a part of the E1/2 SW1/4 SW1/4 of Section 5, T-5-N, R-13-W, Faulkner County, Arkansas; more particularly described as beginning at the NW corner of said E1/2 SW1/4 SW1/4; thence along the North line of said E1/2 SW1/4 SW1/4 S87 $\text{?}$ 57'07"E 460.00 feet to the point of beginning; thence continue S87 $\text{?}$ 57'07"E 150.00 feet; thence leaving the North line S01 $\text{?}$ 42'58"W 1288.51 feet to the North right of way of State Hwy #64; thence along said right of way to a point N87 $\text{?}$ 57'33"W 300 feet; thence leaving said right of way N01 $\text{?}$ 42'58"E 890.53 feet; thence S87 $\text{?}$ 57'33"E 150.00 feet; thence N01 $\text{?}$ 42'58"E 398.00 feet to the point of beginning containing 7.50 acres more or less. Subject to all roadways, easements and reservations that are of record or physically in place. This property is known as Crain's Subdivision as shown on plat of Records in Plat Book H, Page 87, Records of Faulkner County, Arkansas.

**Section 3.** The City of Conway, Arkansas does hereby establish that there are no plans to improve that section of Woodside Drive where it abuts Rumker Cove, which legal description follows:

A tract of land lying in the NW1/4 SW1/4, and also in the SW1/4 NW1/4 all in Section 4, T-5-N, R-13-W, Faulkner County, Arkansas, more particularly described as beginning at the NE corner of the NW1/4 SW1/4 Section 4; thence along the East line of said NW1/4 SW1/4 S01°35'23"W 869.08 feet; thence leaving said East line N87°32'28"W 210.89 feet; thence S05°41'32"W 106.68 feet; thence N86°41'57"W 399.00 feet; thence N01°25'54"E 107.63 feet; thence N86°46'06"W 279.42 feet; thence N01°21'17"E 834.86 feet to the centerline of Rumker Road; thence along said centerline N87°07'50"W 420.00 feet to the NW corner of said NW1/4 SW1/4, said point being along the centerline of East German Lane; thence along the West line of said SW1/4 NW1/4 N00°28'46"E 30.03 feet; thence leaving said West line S87°07'50"E 1321.16 feet; thence S01°35'23"W 30.00 feet to the true point of beginning containing 19.19 acres more or less.

**Section 4.** The City of Conway, Arkansas does hereby establish that there are no plans to improve that section of Hogan Lane and College Avenue where they abut Hogan Professional Park, which legal description follows:

Lots 1,2, and 3 of Hogan Professional Park, being a part of the NW ¼ SE ¼ of Section 9, T-5-N R-14-W, Faulkner County, Arkansas, described as beginning at the NW corner of said NW ¼, SE ¼ and running S-88-48-26-E 601.86 feet; thence S-02-00-37-W 867.19 feet; thence N-88-47-56-W 209.21 feet; thence S-02-00-36-W 457.54 feet; thence N-88-48-26W 392.49 feet to the SW corner of said NW ¼ SE ¼ ; thence N-02-00-11E 1324.70 feet to the point of beginning, containing 16.10 acres more or less.

**Section 5.** The City of Conway, Arkansas does hereby establish that there are no plans to improve that section of College Avenue where it abuts lots 1 and 2 of Don's Subdivision, which legal description follows:

Being a part of the SE1/4 NE1/4 of Section 9, T-5-N, R-14-W, Faulkner County, Arkansas; more particularly described as beginning at the SE corner of the SE1/4 NE1/4; thence along the South line of the SE1/4 NE1/4 N88°34'03"W 662.10 feet; thence leaving said South line N02°54'41"E 65.54 feet to the point of beginning, said point being on the North right of way of College Avenue; thence along said right of way to a point N89°28'28"W 54.17 feet; thence to a point S87°50'40"W 41.10 feet; thence to a point S85°20'14"W 107.51 feet; thence to a point S87°32'52"W 45.98 feet; thence to a point S89°28'55"W 69.91 feet; thence to a point N89°01'53"W 135.54 feet; thence leaving said right of way N01°59'23"E 519.41 feet; thence S87°09'54"E 113.12 feet; thence S02°38'02"W 25.65 feet; thence S85°49'30"E 121.26 feet; thence N04°01'40"E 20.10 feet; thence S86°43'35"E 113.39 feet; thence S02°39'26"W 30.42 feet; thence S85°39'57"E 112.69 feet; thence S02°54'41"W 444.20 feet to the point of beginning containing 5.10 acres more or less.

**Section 6.** The City of Conway, Arkansas does hereby establish that there are no plans to improve that section of Nutters Chapel Road where it abuts Catherine Place, Phase 5, which legal description follows:

Being a part of the S1/2 of Section 14 and a part of the N1/2 of Section 23, all in T-5-N, R-14-W, Faulkner County Arkansas, more particularly described as beginning at the SE corner of the NE1/4 NW1/4, Section 23, thence along the South line of said NE1/4 NW1/4 N 88°57'48" W 114.46 feet; thence leaving said South line N 40°49'07" W 395.07 feet; thence N 01°54'04" E 370.58 feet; thence N 88°05'56" W

427.09 feet; thence N 01°54'04" E 133.77 feet to a point along the South right of way of Grummer Lane; thence along said right of way S 77°25'06" W 12.50 feet; thence S 62°56'08" W 340.98 feet; thence S 56°26'58" W 5.65 feet; thence leaving said right of way S 39°30'01" E 444.94 feet; thence S 32°35'37" W 352.17 feet to a point along the South line of the NE1/4 NW1/4 Section 23; thence along said South line N 88°57'48" W 320.00 feet; thence N 02°05'48" E 793.70 feet; thence S 88°38'34" E 330.00 feet; thence N 02°05'48" E 610.00 feet; thence S 88°38'34" E 3.30 feet; thence N 39°36'00" W 315.31 feet; thence N 51°41'11" E 230.30 feet; thence S 38°18'49" E 130.00 feet; thence S 51°41'11" W 21.78 feet; thence S 38°18'49" E 50.00 feet; thence N 51°41'11" E 104.31 feet; thence S 38°18'49" E 210.01 feet; thence N 60°41'04" E 61.70 feet; thence N 01°54'04" E 184.41 feet; thence S 88°05'56" E 330.00 feet; thence S 01°53'48" W 950.60 feet; thence S 88°05'07" E 30.00 feet; thence S 01°53'48" W 133.77 feet; thence S 88°05'56" E 297.04 feet; thence S 01°52'18" W 659.10 feet; to the point of beginning, containing 27.90 acres more or less.

**Section 7.** The property owners are not required to submit to the City the funds necessary to bring one-half of the above streets as herein described up to City standards.

**PASSED THIS 22nd DAY OF October 2002.**

**APPROVED:**



**Mayor Tab Townsell**

**ATTEST:**

  
**City Clerk Michael O. Garrett**