

City Council Members

Mayor Tab Townsell

City Attorney Michael Murphy

City Clerk/Treasurer Michael O. Garrett



Ward 1 Position 1 – Andy Hawkins

Ward 1 Position 2 – David Grimes

Ward 2 Position 1 – Mark Vaught

Ward 2 Position 2 – Shelley Mehl

Ward 3 Position 1 – Jim Rhodes

Ward 3 Position 2 – Mary Smith

Ward 4 Position 1 – Theodore Jones, Jr.

Ward 4 Position 2 – Shelia Whitmore

City Council Meeting - Tuesday, November 1st, 2011@ 6:30pm

Judge Russell L. "Jack" Roberts District Court Building – 810 Parkway St., Conway, AR 72032

5:30pm - Committee Meeting:

Discussion of the Rededication of an Existing Sales Tax Election

Call to Order

Roll Call

Minutes: *October 11, 2011*

Announcements / Proclamations / Recognition: *Employee Service Awards*

1. Report of Standing Committees:

A. Public Hearing:

1. Public Hearing / Ordinance to discuss closing a 12 foot utility/drainage easement (Private Pedestrian walkway) located between and on existing Lots 70 & 71 in the Village at Hendrix
2. Public Hearing/Ordinances to discuss closing four separate access/utility easement located at Harps on German Lane.

B. Community Development Committee (Planning, Zoning, Permits, Community Development, Historic District, Streets, & Conway Housing Authority)

1. Resolution requesting the Faulkner County Tax Collector to place a certified lien on property located at 1515 Freyaldenhoven Lane as a result of incurred expenses by the City.
2. Resolution ordering the condemnation and cleanup at 2290 Hairston Street and declaring the intent of the City to bring the property up to City Code.
3. Consideration of a request from Morrison Shipley Engineers on the behalf of Superior Chevrolet for a conditional use permit to allow an automobile dealership in C-4 for property located at 1300 Exchange Avenue.
4. Ordinance accepting grant proceeds from ADEQ for GIS work for the Planning Department.

C. Public Safety Committee (Police, Fire, CEOC, Information Technology, District Court, City Attorney & Animal Welfare)

1. Ordinance appropriating reimbursement funds received at the Animal Welfare Unit.
2. Ordinance accepting donated items to the Conway Police Department.
3. Ordinance appropriating & accepting restitution funds from various entities for the Conway Police Department.

D. Finance

1. Ordinance adopting certain accounting policies (Asset Management Policy – Capitalization) utilized by the City of Conway.
2. Consideration to approve for the State Division of Legislative Audit to conduct the audit for the City.
3. Consideration to approve the monthly financial statement (September, 2011) for the City of Conway.

Old Business

New Business

Annual Resolutions for Quorum Court

1. Resolution of a voluntary levy of two-tenths (.2) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for a **Animal Shelter** for the City of Conway.
2. Resolution of a levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for a **Policeman's Pension and Relief Fund**.
3. Resolution of a levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for a **Fireman's Pension and Relief Fund**.
4. Resolution of a levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for paid **Non-uniformed employees**.
5. Resolution of a levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue the exclusive purpose of operating and maintaining the **cemeteries** for the City of Conway.
6. Resolution of a voluntary levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for a recreation assessment raising special revenue for the sole and exclusive purpose of providing additional funds for the purpose of construction, equipping, operating and maintaining the **public recreation and playgrounds** of City of Conway.
7. Resolution of a levy of one and nine-tenths (1.9) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising **General Fund Revenues**.

Adjournment



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

AN ORDINANCE CLOSING THE 12-FOOT UTILITY/DRAINAGE EASEMENT IDENTIFIED AS LOT W5 PRIVATE PEDESTRIAN WALKWAY LOCATED BETWEEN AND ON EXISTING LOTS 70 AND 71 IN THE VILLAGE AT HENDRIX AS FOUND IN PLAT OF RECORDS IN FAULKNER COUNTY PLAT BOOK L, PAGE 6; AND FOR OTHER PURPOSES;

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 11th day of October, 2011 asking the City Council to vacate and abandon all that portion of the 12-foot utility/drainage easement.

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; that all the owners of the property abutting upon the portion of the 12-foot utility/drainage 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 12-foot utility/drainage 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 12-foot utility/drainage easement designated as follows:

Lot W5 Private Pedestrian Walkway located between and on existing Lots 70 and 71 in The Village at Hendrix as found in Plat of Records in Faulkner County Plat Book L, Page 6

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 1st day of November, 2011.

Approved:

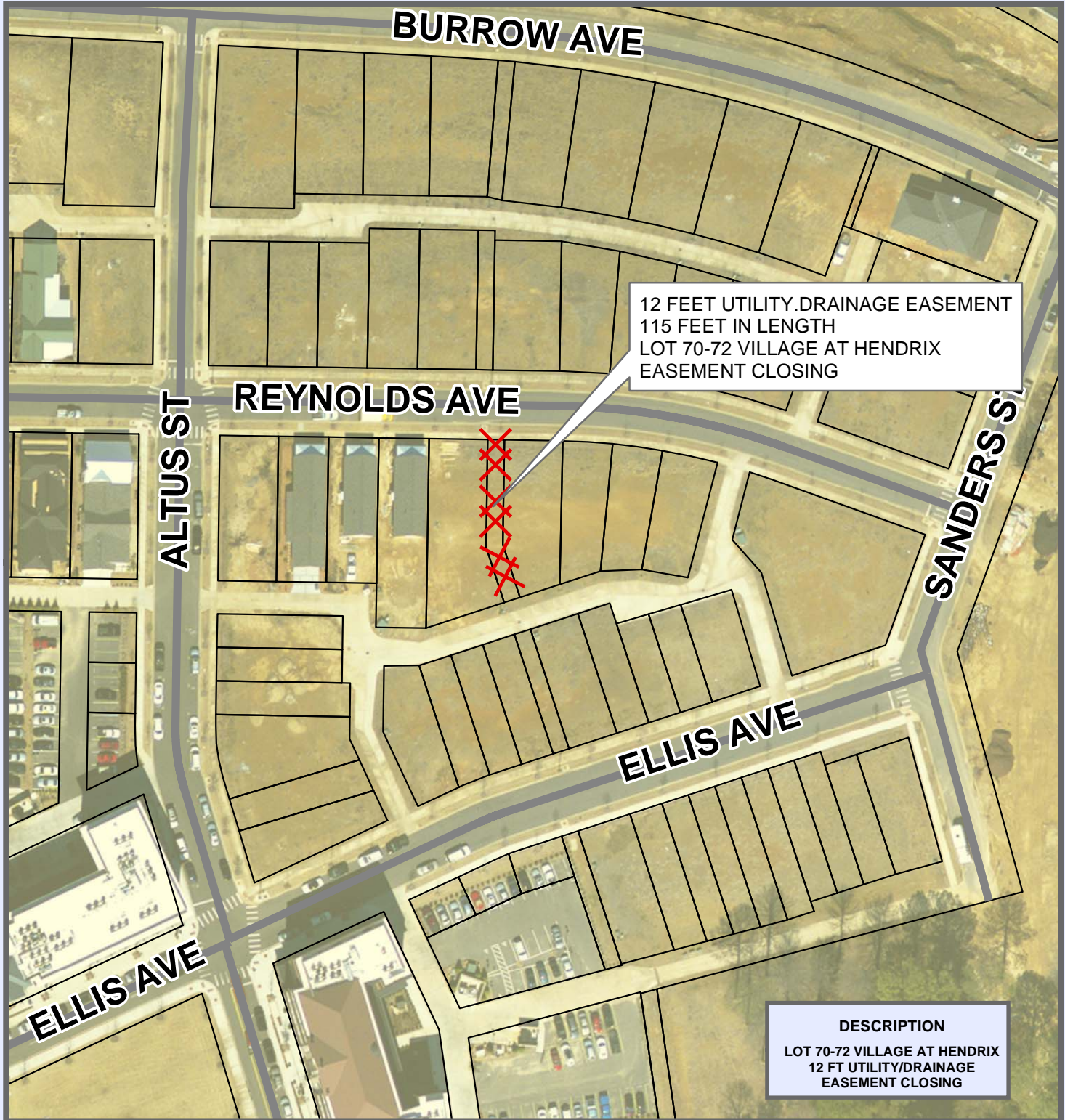
Mayor Tab Townsell

Attest:


Michael O. Garrett
City Clerk/Treasurer

CITY OF CONWAY


LOT 70-72 VILLAGE AT HENDRIX -- EASEMENT CLOSING



DESCRIPTION
LOT 70-72 VILLAGE AT HENDRIX
12 FT UTILITY/DRAINAGE
EASEMENT CLOSING



Andy Hawkins & David Grimes - Aldermen Ward 1
 Mark Vaughn & Shalley Mott - Aldermen Ward 2
 Jim Shook & Mary Smith - Aldermen Ward 3
 Theodore Jones, Jr. & Sheila Whitmore - Aldermen Ward 4
 Michael Murphy - City Attorney
 Michael Garrett - City Clerk




Bryan Patrick - Director
 Wes Craiglow - Deputy Director
 Cindy Sutherland - Planner
 Lisha Rhea - Planning Tech
 Jason Lyon - GIS Coordinator



CONWAY PLANNING COMMISSION
 Kent Mathis - Chair
 Craig Cloud - Vice-Chair

<ul style="list-style-type: none"> — INTERSTATE — MAJOR ARTERIAL — MINOR ARTERIAL — COLLECTOR — RESIDENTIAL — PRIVATE ROAD — INTERSTATE RAMP — RAILROADS 	<ul style="list-style-type: none"> — LOT LINE — STREAMS — LAKES & PONDS — CITY LIMITS
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Residential R-1 R-2A R-2 HR SR	Industrial MF-1 MF-2 MF-3 RMH	Commercial C-1 C-2 C-3 C-4	Office O-1 O-2 O-3	Special I-1 RU-1 I-3 SP S-1 A-1 PUD
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0 10 20 40 60 Feet
 1 in = 100 ft
OCTOBER 2011

THIS MAP WAS PREPARED BY THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT FOR ITS USE, AND MAY BE REVISED AT ANY TIME WITHOUT NOTIFICATION TO ANY USER. THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT DOES NOT GUARANTEE THE CORRECTNESS OR ACCURACY OF ANY FEATURES ON THIS MAP. CITY OF CONWAY ASSUMES NO RESPONSIBILITY IN CONNECTION THEREWITH.

CONTACT INFORMATION
 LANDMARK IMS WEBSITE:
gis.cityofconway.org (UNDER DEVELOPMENT)
 E-MAIL: Jason.Lyon@CityOfConway.org



817 N Creek Dr
Conway, AR 72032
Fax: 501 336 8372

September 22, 2011

The Village At Hendrix, LLC
Mr. Lawrence Finn
1600 Washington Ave
Conway, Arkansas 72032

RE: The Village At Hendrix – Lot W5 Abandonment of Utility Easement

Dear Mr. Finn:

Centerpoint Energy has reviewed the Hendrix easement modifications and we do not have any conflicts with the vacating of these easement.

Thank You,

A handwritten signature in black ink that reads "Dennis C. Fisher". The signature is written in a cursive style.

Dennis Fisher
Tanya Malcolm



Lynda Palmer
AT&T Arkansas
Mgr.-OSP Plng. & Engrg. Design
Right-of-Way
Joint Use of Poles

1111 West Capitol, Rm 941
Little Rock, AR 72201
(501) 373.5255 Phone
(501) 373.0229 Fax
lynda.palmer@att.com

September 22, 2011

The Village at Hendrix, LLC
Attn: Lawrence Finn
1600 Washington Avenue
Conway, AR 72032

Dear Mr. Finn:

RE: Lot W5 Abandonment and Relocation of UE – the Village at Hendrix

As per your request, AT&T has reviewed your plans to relocate an existing easement shown on your Phase I plat. We have no objection to the new easement you will dedicate for utilities, and hereby relinquish our interest in the existing easement that is to be abandoned.

If you have questions about AT&T's facilities in this vicinity, please contact our Conway engineer, David Cain at 501-373-8171.

Sincerely,

Lynda Palmer (signed)

CC: David Cain



September 29, 2011

The Honorable Tab Townsell
Mayor of Conway
City Hall
1201 Oak Street
Conway, AR 72032

Re: Relocation of an existing easement in The Village at Hendrix between existing
Lots 70 & 71.

Dear Mayor Townsell:

Conway Corporation has no objections to the request to relocate the existing 12
foot easement located in The Village at Hendrix in Conway Arkansas.

With the proposed layout of Lot 71 submitted by Lawrence Finn on Friday,
September 23, 2011 by email, this lot does not front a sewer or water main and therefore
Conway Corporation will be working with him on a solution to this issue.

If you have any questions, please let me know.

Respectfully yours,

CONWAY CORPORATION

Leslie Guffey
Engineering and Planning

cc: Lawrence Finn



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

**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 11th 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 ¼ of the SW ¼, 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 ¼ of the SW ¼, 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.

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 1st day of November, 2011.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

**Petition of Written Consent for the Vacating of Easement
for the Intent of Public Use**

Description of Easement to be Vacated and Legal Description therefor:

A 50 FOOT ACCESS EASEMENT LOCATED IN THE REPLAT OF HARP'S AT GERMAN LANE AND LEGALLY DESCRIBED AS FOLLOWS:

PART OF THE SW ¼ OF THE SW ¼, 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 FOLLOWS: **COMMENCE** 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.

Name of Property Owner Requesting the Petition:

RIP Properties, L.L.C.

504 Colewood Drive
Mountain Home, AR 72653
Attention: Rob Finley

Abutting Property Owners:

Harp's Food Stores, Inc.

P.O. Box 48
918 S. Gutensohn
Springdale, Arkansas 72762
Attention: J. Max Van Hoose
Parcels 710-07729-001, 710-07729-003, and 710-07729-004

Bank of Dardanelle

1900 E. Oak Street
Conway, Arkansas 72111
Parcel 710-07725-001

Onsite Development, Inc.

1955 Keathley Drive
Conway, Arkansas 72111
Parcel 710-07728-000

North Arkansas District Church of the Nazarene


1150 E. German Lane
Conway, Arkansas 72111
Parcel 710-07743-000

[Signature on Next Page]

Executed this 26th day of September, 2011.

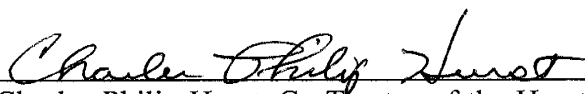
PETITIONER:

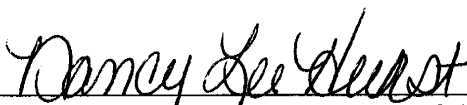
RIP PROPERTIES, L.L.C., an Arkansas limited liability company

By: 
Rob Finley, its Member

By: 
Nicki Finley, its Member

BY THE HURST FAMILY TRUST utu dated the 9th day of August 2002, its Member

By: 
Charles Philip Hurst, Co-Trustee of the Hurst Family Trust utu dated the 9th day of August 2002

By: 
Nancy Lee Hurst, Co-Trustee of the Hurst Family Trust utu dated the 9th day of August 2002



**City of Conway, Arkansas
Ordinance No. O-11- _____**

**AN ORDINANCE CLOSING A 15-FOOT UTILITY 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 11th day of October, 2011 asking the City Council to vacate and abandon all that 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 3-R of the Replat of Harp's at German Lane as recorded in Book "L", Page 70, and as shown on the Plat of Survey by Engineering Services, Inc. as recorded in Book "L", Page 29, 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 89.61 feet to a point, thence leaving said Section Line S87°41'41"E a distance of 286.45 feet to the Point of Beginning; thence along the easement the following, N01°16'03"E a distance of 158.82 feet to a point thence S87°45'07"E a distance of 15.00 feet to a point; thence S01°16'03"W a distance of 158.83 feet to a point; thence N87°41'41"W a distance of 15.00 feet to the Point of Beginning.

Said Tract or Parcel of Land containing 0.05 acres, more or less.

Said Utility Easement being the same as that Easement described of Record on the Plat of Trent Van Pelt Subdivision, recorded November 23, 2004, in Book K, Page 77, Land Records of 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 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 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 15-foot utility 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 3-R of the Replat of Harp's at German Lane as recorded in Book "L", Page 70, and as shown on the Plat of Survey by Engineering Services, Inc. as recorded in Book "L", Page 29, 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 89.61 feet to a point, thence leaving said Section Line S87°41'41"E a distance of 286.45 feet to the Point of Beginning; thence along the easement the following, N01°16'03"E a distance of 158.82 feet to a point thence S87°45'07"E a distance of 15.00 feet to a point; thence S01°16'03"W a distance of 158.83 feet to a point; thence N87°41'41"W a distance of 15.00 feet to the Point of Beginning.

Said Tract or Parcel of Land containing 0.05 acres, more or less.

Said Utility Easement being the same as that Easement described of Record on the Plat of Trent Van Pelt Subdivision, recorded November 23, 2004, in Book K, Page 77, Land 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 1st day of November, 2011

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

**Petition of Written Consent for the Vacating of Easement
for the Intent of Public Use**

Description of Easement to be Vacated and Legal Description therefor:

A 15 FOOT UTILITY EASEMENT LOCATED IN THE REPLAT OF HARP'S AT GERMAN LANE AND LEGALLY DESCRIBED AS FOLLOWS:

PART OF THE SW ¼ OF THE SW ¼, SECTION 4, TOWNSHIP 5 NORTH, RANGE 13 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FAULKNER COUNTY, ARKANSAS AND BEING PART OF **LOT 3-R** OF THE REPLAT OF HARP'S AT GERMAN LANE AS RECORDED IN BOOK "L", PAGE 70, AND AS SHOWN ON THE PLAT OF SURVEY BY ENGINEERING SERVICES, INC. AS RECORDED IN BOOK "L", PAGE 29, OF THE RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: **COMMENCE** AT THE SOUTHWEST CORNER OF SAID SECTION 4, THENCE N01°05'04"E ALONG THE SECTION LINE, A DISTANCE OF 89.61 FEET TO A POINT; THENCE LEAVING SAID SECTION LINE S87°41'41"E A DISTANCE OF 286.45 FEET TO THE **POINT OF BEGINNING**; THENCE ALONG THE EASEMENT THE FOLLOWING, N01°16'03"E A DISTANCE OF 158.82 FEET TO A POINT; THENCE S87°45'07"E A DISTANCE OF 15.00 FEET TO A POINT; THENCE S01°16'03"W A DISTANCE OF 158.83 FEET TO A POINT; THENCE N87°41'41"W A DISTANCE OF 15.00 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.05 ACRES, MORE OR LESS.

SAID UTILITY EASEMENT BEING THE SAME AS THAT EASEMENT DESCRIBED OF RECORD ON THE PLAT OF TRENT VAN PELT SUBDIVISION, RECORDED NOVEMBER 23, 2004, IN BOOK K, PAGE 77, LAND RECORDS OF FAULKNER COUNTY, ARKANSAS.

Name of Property Owner Requesting the Petition:

Harp's Food Stores, Inc.
P.O. Box 48
918 S. Gutensohn
Springdale, Arkansas 72762
Attention: J. Max Van Hoose

Abutting Property Owners:

Harp's Food Stores, Inc.

P.O. Box 48
918 S. Gutensohn
Springdale, Arkansas 72762
Attention: J. Max Van Hoose
Parcel 710-07729-004

RIP Properties, L.L.C.
504 Colewood Drive
Mountain Home, Arkansas 72653
Parcel 710-07729-002

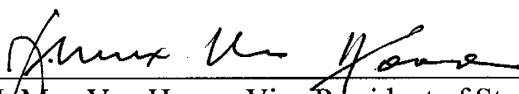
Tommy and Marie Owens
2010 Hwy 64E
Conway, Arkansas 72111
Parcel 710-07726-001C

Bank of Dardanelle
1900 E. Oak Street
Conway, Arkansas 72111
Parcel 710-07725-001

Executed this 28th day of SEPTEMBER, 2011.

PETITIONER:

HARP'S FOOD STORES, INC.,
an Arkansas corporation

By: 
J. Max Van Hoose, Vice President of Store Planning



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

**AN ORDINANCE CLOSING A 15-FOOT UTILITY 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 11th day of November, 2011 asking the City Council to vacate and abandon all of a 15-foot utility easement described as Part of the SW ¼ of the SW ¼, Section 4, Township 5 North, Range 13 West of the Fifth Principal Meridian, Faulkner County, Arkansas and being part of Lot 2-A and Lot 2-B of the Replat of Harp's at German Lane as recorded in Book "L", Page 70, and as shown on the plat of survey by Engineering Services, Inc. as recorded in Book "L", Page 29, 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 170.20 feet to the Point of Beginning; thence along the easement the following, S87°45'25"E a distance of 15.00 feet to a point; thence S87°41'15"E a distance of 490.75 feet to a point; thence S01°11'37"W a distance of 15.00 feet to a point; thence N87°41'15"W a distance of 505.74 feet to a point; thence N01°08'24"E a distance of 15.00 feet a point; thence S87°40'47"E a distance of 14.99 to the Point of Beginning.

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

Said utility easement being the same as that easement described of record on the plat of Trent Van Pelt Subdivision, recorded November 23, 2004, in Book K, Page 77, Land Records of 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; 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 15-foot utility easement described as follows:

Part of the SW ¼ of the SW ¼, Section 4, Township 5 North, Range 13 West of the Fifth Principal Meridian, Faulkner County, Arkansas and being part of Lot 2-A and Lot 2-B of the Replat of Harp's at German Lane as recorded in Book "L", Page 70, and as shown on the plat of survey by Engineering Services, Inc. as recorded in Book "L", Page 29, 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 170.20 feet to the Point of Beginning; thence along the easement the following, S87°45'25"E a distance of 15.00 feet to a point; thence S87°41'15"E a distance of 490.75 feet to a point; thence S01°11'37"W a distance of 15.00 feet to a point; thence N87°41'15"W a distance of 505.74 feet to a point; thence N01°08'24"E a distance of 15.00 feet a point; thence S87°40'47"E a distance of 14.99 to the Point of Beginning.

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

Said utility easement being the same as that easement described of record on the plat of Trent Van Pelt Subdivision, recorded November 23, 2004, in Book K, Page 77, Land 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.

Pass this 1st day of November, 2011.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

**Petition of Written Consent for the Vacating of Easement
for the Intent of Public Use**

Description of Easement to be Vacated and Legal Description therefor:

A 15 FOOT UTILITY EASEMENT LOCATED IN THE REPLAT OF HARP'S AT GERMAN LANE AND LEGALLY DESCRIBED AS FOLLOWS:

PART OF THE SW ¼ OF THE SW ¼, SECTION 4, TOWNSHIP 5 NORTH, RANGE 13 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FAULKNER COUNTY, ARKANSAS AND BEING PART OF **LOT 2-A AND LOT 2-B** OF THE REPLAT OF HARP'S AT GERMAN LANE AS RECORDED IN BOOK "L", PAGE 70, AND AS SHOWN ON THE PLAT OF SURVEY BY ENGINEERING SERVICES, INC. AS RECORDED IN BOOK "L", PAGE 29, OF THE RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: **COMMENCE** 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 170.20 FEET TO THE **POINT OF BEGINNING**; THENCE ALONG THE EASEMENT THE FOLLOWING, S87°45'25"E A DISTANCE OF 15.00 FEET TO A POINT; THENCE S87°41'15"E A DISTANCE OF 490.75 FEET TO A POINT; THENCE S01°11'37"W A DISTANCE OF 15.00 FEET TO A POINT; THENCE N87°41'15"W A DISTANCE OF 505.74 FEET TO A POINT; THENCE N01°08'24"E A DISTANCE OF 15.00 FEET A POINT; THENCE S87°40'47"E A DISTANCE OF 14.99 TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.17 ACRES, MORE OR LESS.

SAID UTILITY EASEMENT BEING THE SAME AS THAT EASEMENT DESCRIBED OF RECORD ON THE PLAT OF TRENT VAN PELT SUBDIVISION, RECORDED NOVEMBER 23, 2004, IN BOOK K, PAGE 77, LAND RECORDS OF FAULKNER COUNTY, ARKANSAS.

Name of Property Owner Requesting the Petition:

Property Owner: RIP PROPERTIES, L.L.C.
 504 Colewood Drive
 Mountain Home, AR 72653
 Attention: Rob Finley

Property Owner: HARP'S FOOD STORES, INC.
 P.O. Box 48

918 S. Gutensohn
Springdale, Arkansas 72762
Attention: J. Max Van Hoose

Abutting Property Owners:

Harp's Food Stores, Inc.

P.O. Box 48
918 S. Gutensohn
Springdale, Arkansas 72762
Attention: J. Max Van Hoose
Parcels 710-07729-001 and 710-07729-003

Roy Keathley

P.O. Box 71
Mt. Vernon, Arkansas 72111
Parcel 710-07730-000

Bank of Dardanelle

1900 E. Oak Street
Conway, Arkansas 72111
Parcel 710-07725-001

RIP Properties, L.L.C.

504 Colewood Drive
Mountain Home, Arkansas 72653
Parcel 710-07729-002

Onsite Development, Inc.

1955 Keathley Drive
Conway, Arkansas 72111
Parcel 710-07728-000

Tommy and Marie Owens

2010 Hwy 64E
Conway, Arkansas 72111
Parcel 710-07726-001C

North Arkansas District Church of the Nazarene

1150 E. German Lane
Conway, Arkansas 72111
Parcel 710-07743-000

6


[Signatures on Next Two Pages]


Executed this 26th day of September, 2011.

PETITIONER:

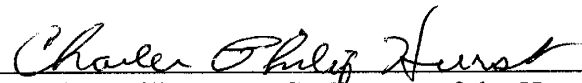
PROPERTY OWNER:

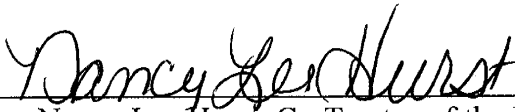
RIP PROPERTIES, L.L.C., an Arkansas limited liability company

By: 
Rob Finley, its Member

By: 
Nicki Finley, its Member

BY THE HURST FAMILY TRUST utu dated the 9th day of August 2002, its Member

By: 
Charles Philip Hurst, Co-Trustee of the Hurst Family Trust utu dated the 9th day of August 2002

By: 
Nancy Lee Hurst, Co-Trustee of the Hurst Family Trust utu dated the 9th day of August 2002

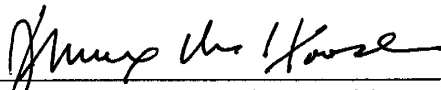
[Signatures Continue on Next Page]

Executed this 26th day of SEPTEMBER, 2011.

PETITIONER:

PROPERTY OWNER:

HARP'S FOOD STORES, INC., an Arkansas corporation

By: 
J. Max Van Hoose, Vice President of Store Planning



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

AN ORDINANCE CLOSING A 20-FOOT DRAINAGE 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 11th day of October, 2011 asking the City Council to vacate and abandon all that portion of the 20-foot drainage easement more particularly 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-B of the replat of Harp's at German Lane as recorded in Book "L", Page 70 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 185.21 feet to a point; thence S87°41'15"E a distance of 365.41 feet to the Point of Beginning; thence along the easement the following, S87°41'15"E a distance of 27.61 feet to a point; thence S41°16'15"E a distance of 144.72 feet to a point; thence S01°11'37"W a distance of 29.62 feet to a point; thence N41°16'15"W a distance of 185.61 feet to the Point of Beginning.

Said Tract or Parcel of Land containing 0.08 acres, more or less.

Said drainage easement being the same as that easement described of record on the plat of Trent Van Pelt Subdivision, recorded November 23, 2004, in Book K, Page 77, Land Records of 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; that all the owners of the property abutting upon the portion of the 20-foot drainage 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 20-foot drainage 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 20-foot drainage 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-B of the replat of Harp's at German Lane as recorded in Book "L", Page 70 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 185.21 feet to a point; thence S87°41'15"E a distance of 365.41 feet to the Point of Beginning; thence along the easement the following, S87°41'15"E a distance of 27.61 feet to a point; thence S41°16'15"E a distance of 144.72 feet to a point; thence S01°11'37"W a distance of 29.62 feet to a point; thence N41°16'15"W a distance of 185.61 feet to the Point of Beginning.

Said Tract or Parcel of Land containing 0.08 acres, more or less.

Said drainage easement being the same as that easement described of record on the plat of Trent Van Pelt Subdivision, recorded November 23, 2004, in Book K, Page 77, Land 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 1st day of November, 2011

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

**Petition of Written Consent for the Vacating of Easement
for the Intent of Public Use**

Description of Easement to be Vacated and Legal Description therefor:

A 20 FOOT DRAINAGE EASEMENT LOCATED IN THE REPLAT OF HARP'S AT GERMAN LANE AND LEGALLY DESCRIBED AS FOLLOWS:

PART OF THE SW ¼ OF THE SW ¼, SECTION 4, TOWNSHIP 5 NORTH, RANGE 13 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FAULKNER COUNTY, ARKANSAS AND BEING PART OF **LOT 2-B** OF THE REPLAT OF HARP'S AT GERMAN LANE AS RECORDED IN BOOK "L", PAGE 70 OF THE RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: **COMMENCE** 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 185.21 FEET TO A POINT; THENCE S87°41'15"E A DISTANCE OF 365.41 FEET TO THE **POINT OF BEGINNING**; THENCE ALONG THE EASEMENT THE FOLLOWING, S87°41'15"E A DISTANCE OF 27.61 FEET TO A POINT; THENCE S41°16'15"E A DISTANCE OF 144.72 FEET TO A POINT; THENCE S01°11'37"W A DISTANCE OF 29.62 FEET TO A POINT; THENCE N41°16'15"W A DISTANCE OF 185.61 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.08 ACRES, MORE OR LESS.

SAID DRAINAGE EASEMENT BEING THE SAME AS THAT EASEMENT DESCRIBED OF RECORD ON THE PLAT OF TRENT VAN PELT SUBDIVISION, RECORDED NOVEMBER 23, 2004, IN BOOK K, PAGE 77, LAND RECORDS OF FAULKNER COUNTY, ARKANSAS.

Name of Property Owner Requesting the Petition:

Harp's Food Stores, Inc.
P.O. Box 48
918 S. Gutensohn
Springdale, Arkansas 72762
Attention: J. Max Van Hoose

Abutting Property Owners:

Harp's Food Stores, Inc.

P.O. Box 48

[Easement 4]
4827-7529-8058.1

918 S. Gutensohn
Springdale, Arkansas 72762
Attention: J. Max Van Hoose
Parcels 710-07729-001 and 710-07729-003

RIP Properties, L.L.C.
504 Colewood Drive
Mountain Home, Arkansas 72653
Parcel 710-07729-002

Roy Keathley
P.O. Box 71
Mt. Vernon, Arkansas 72111
Parcel 710-07730-000

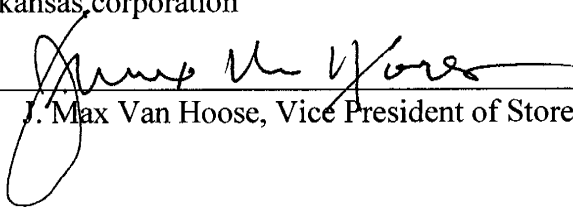
Tommy and Marie Owens
2010 Hwy 64E
Conway, Arkansas 72111
Parcel 710-07726-001C

Executed this 28th day of SEPTEMBER, 2011.

PETITIONER:

HARP'S FOOD STORES, INC.,
an Arkansas corporation

By: _____

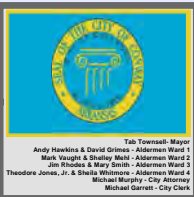

J. Max Van Hoose, Vice President of Store Planning

CITY OF CONWAY

HARPS REPLAT -- EASEMENT CLOSINGS



DESCRIPTION
HARPS REPLAT
ACCESS, UTILITY, AND DRAINAGE
EASEMENT CLOSINGS



INTERSTATE	LOT LINE	Residential	Industrial
MAJOR ARTERIAL	STREAMS	R-1	MF-1
MINOR ARTERIAL	LAKES & PONDS	R-2A	MF-2
COLLECTOR	CITY LIMITS	R-2	MF-3
RESIDENTIAL		HR	RMH
PRIVATE ROAD		SR	
INTERSTATE RAMP		Commercial	Office
RAILROADS		C-1	O-1
		C-2	O-2
		C-3	O-3
		C-4	Special
			SP
			S-1
			A-1
			PUB

I-1	I-2
I-3	I-4



THIS MAP WAS PREPARED BY THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT FOR ITS USE, AND MAY BE REVISED AT ANY TIME WITHOUT NOTIFICATION TO ANY USER. THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT DOES NOT GUARANTEE THE CORRECTNESS OR ACCURACY OF ANY FEATURES ON THIS MAP. CITY OF CONWAY ASSUMES NO RESPONSIBILITY IN CONNECTION THEREWITH.

CONTACT INFORMATION
 LANDMARK IMS WEBSITE:
 gis.cityofconway.org (UNDER DEVELOPMENT)
 E-MAIL: Jason.Lyon@CityOfConway.org



CONCURRENCE TO VACATE DEDICATED EASEMENTS

BE IT KNOWN BY THESE PRESENTS that Southwestern Bell Telephone Company, a Missouri Corporation, d/b/a AT&T Arkansas, hereby concurs in the relinquishment of its interest in the following easements in Conway, Arkansas, to-wit:

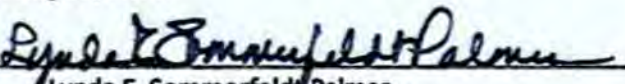
PART OF THE SW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$, SECTION 4, TOWNSHIP 5 NORTH, RANGE 13 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FAULKNER COUNTY, ARKANSAS AND BEING PART OF LOT 2-A OF THE REPLAT OF HARP'S AT GERMAN LANE AS RECORDED IN BOOK "L", PAGE 70 AND BEING A PORTION OF THE EASEMENT RECORDED IN DEED BOOK 556, PAGE 389 OF THE RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: **COMMENCE** 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; ALSO,

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 AND LOT 2-B OF THE REPLAT OF HARP'S AT GERMAN LANE AS RECORDED IN BOOK "L", PAGE 70, AND AS SHOWN ON THE PLAT OF SURVEY BY ENGINEERING SERVICES, INC. AS RECORDED IN BOOK "L", PAGE 29, OF THE RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: **COMMENCE** 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 170.20 FEET TO THE **POINT OF BEGINNING**; THENCE ALONG THE EASEMENT THE FOLLOWING, S87°45'25"E A DISTANCE OF 15.00 FEET TO A POINT; THENCE S87°41'15"E A DISTANCE OF 490.75 FEET TO A POINT; THENCE S01°11'37"W A DISTANCE OF 15.00 FEET TO A POINT; THENCE N87°41'15"W A DISTANCE OF 505.74 FEET TO A POINT; THENCE N01°08'24"E A DISTANCE OF 15.00 FEET A POINT; THENCE S87°40'47"E A DISTANCE OF 14.99 TO THE **POINT OF BEGINNING**. SAID TRACT OR PARCEL OF LAND CONTAINING 0.17 ACRES, MORE OR LESS; ALSO,

PART OF THE SW ¼ OF THE SW ¼, SECTION 4, TOWNSHIP 5 NORTH, RANGE 13 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FAULKNER COUNTY, ARKANSAS AND BEING PART OF LOT 3-R OF THE REPLAT OF HARP'S AT GERMAN LANE AS RECORDED IN BOOK "L", PAGE 70, AND AS SHOWN ON THE PLAT OF SURVEY BY ENGINEERING SERVICES, INC. AS RECORDED IN BOOK "L", PAGE 29, OF THE RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: **COMMENCE** AT THE SOUTHWEST CORNER OF SAID SECTION 4, THENCE N01°05'04"E ALONG THE SECTION LINE, A DISTANCE OF 89.61 FEET TO A POINT; THENCE LEAVING SAID SECTION LINE S87°41'41"E A DISTANCE OF 286.45 FEET TO THE **POINT OF BEGINNING**; THENCE ALONG THE EASEMENT THE FOLLOWING, N01°16'03"E A DISTANCE OF 158.82 FEET TO A POINT; THENCE S87°45'07"E A DISTANCE OF 15.00 FEET TO A POINT; THENCE S01°16'03"W A DISTANCE OF 158.83 FEET TO A POINT; THENCE N87°41'41"W A DISTANCE OF 15.00 FEET TO THE **POINT OF BEGINNING**. SAID TRACT OR PARCEL OF LAND CONTAINING 0.05 ACRES, MORE OR LESS; ALSO,

PART OF THE SW ¼ OF THE SW ¼, SECTION 4, TOWNSHIP 5 NORTH, RANGE 13 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FAULKNER COUNTY, ARKANSAS AND BEING PART OF LOT 2-B OF THE REPLAT OF HARP'S AT GERMAN LANE AS RECORDED IN BOOK "L", PAGE 70 OF THE RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: **COMMENCE** 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 185.21 FEET TO A POINT; THENCE S87°41'15"E A DISTANCE OF 365.41 FEET TO THE **POINT OF BEGINNING**; THENCE ALONG THE EASEMENT THE FOLLOWING, S87°41'15"E A DISTANCE OF 27.61 FEET TO A POINT; THENCE S41°16'15"E A DISTANCE OF 144.72 FEET TO A POINT; THENCE S01°11'37"W A DISTANCE OF 29.62 FEET TO A POINT; THENCE N41°16'15"W A DISTANCE OF 185.61 FEET TO THE **POINT OF BEGINNING**. SAID TRACT OR PARCEL OF LAND CONTAINING 0.08 ACRES, MORE OR LESS.

Signed and executed this 19th day of August, 2011.

By: 
Lynda E. Sommerfeldt Palmer
Manager-OSP Planning & Engineering Design
Right-of-Way and Joint Use Poles

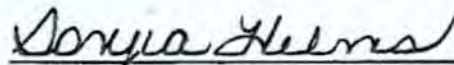
CORPORATE ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

On this the 19th day of August, 2011, before me, the undersigned authority, duly commissioned and qualified in and for the state and county set forth above, personally came and appeared Lynda E. Sommerfeldt Palmer, who, after being duly sworn, declared that she is a Manager-OSP Planning & Engineering Design for Southwestern Bell Telephone Company, d/b/a AT&T Arkansas, and that she executed the foregoing instrument as the act and deed of said company of her own free will and for the purposes and considerations therein expressed and with due authority.

In witness whereof I hereunto set my hand and official seal.




Sonja Helms, Notary Public in and for Pulaski Co., AR
My Commission Expires: January 21, 2021



August 31, 2011

Engineering Services Inc.
Mr. David Wilkins
1207 South Old Missouri Rd
PO Box 282
Springdale, AR 72765-0282

RE: Revised AT&T Easement Modifications

Dear Mr. Wilkins:

Centerpoint Energy has reviewed the AT&T easement modifications and we do not have any conflicts with the vacating of these easements. I have attached the descriptions for these vacated easements.

Thank You,

Dennis Fisher
Tanya Malcolm

LEGAL DESCRIPTION FOR 50' ACCESS – TO BE VACATED ("1") REVISED 8.17.11 IN ACCORDANCE WITH REQUEST BY AT&T

PART OF THE SW ¼ OF THE SW ¼, 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 FOLLOWS:

COMMENCE 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.

LEGAL DESCRIPTION FOR 15' UTILITY EASEMENT– TO BE VACATED ("2")

PART OF THE SW ¼ OF THE SW ¼, SECTION 4, TOWNSHIP 5 NORTH, RANGE 13 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FAULKNER COUNTY, ARKANSAS AND BEING PART OF LOT 2-A AND LOT 2-B OF THE REPLAT OF HARP'S AT GERMAN LANE AS RECORDED IN BOOK "L", PAGE 70, AND AS SHOWN ON THE PLAT OF SURVEY BY ENGINEERING SERVICES, INC. AS RECORDED IN BOOK "L", PAGE 29, OF THE RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE 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 170.20 FEET TO THE **POINT OF BEGINNING**; THENCE ALONG THE EASEMENT THE FOLLOWING, S87°45'25"E A DISTANCE OF 15.00 FEET TO A POINT; THENCE S87°41'15"E A DISTANCE OF 490.75 FEET TO A POINT; THENCE S01°11'37"W A DISTANCE OF 15.00 FEET TO A POINT; THENCE N87°41'15"W A DISTANCE OF 505.74 FEET TO A POINT; THENCE N01°08'24"E A DISTANCE OF 15.00 FEET A POINT; THENCE S87°40'47"E A DISTANCE OF 14.99 TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.17 ACRES, MORE OR LESS.

LEGAL DESCRIPTION FOR 15' UTILITY EASEMENT- TO BE VACATED ("3") REVISED 8.17.11 IN ACCORDANCE WITH REQUEST BY AT&T

PART OF THE SW ¼ OF THE SW ¼, SECTION 4, TOWNSHIP 5 NORTH, RANGE 13 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FAULKNER COUNTY, ARKANSAS AND BEING PART OF LOT 3-R OF THE REPLAT OF HARP'S AT GERMAN LANE AS RECORDED IN BOOK "L", PAGE 70, AND AS SHOWN ON THE PLAT OF SURVEY BY ENGINEERING SERVICES, INC. AS RECORDED IN BOOK "L", PAGE 29, OF THE RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 4, THENCE N01°05'04"E ALONG THE SECTION LINE, A DISTANCE OF 89.61 FEET TO A POINT; THENCE LEAVING SAID SECTION LINE S87°41'41"E A DISTANCE OF 286.45 FEET TO THE **POINT OF BEGINNING**; THENCE ALONG THE EASEMENT THE FOLLOWING, N01°16'03"E A DISTANCE OF 158.82 FEET TO A POINT; THENCE S87°45'07"E A DISTANCE OF 15.00 FEET TO A POINT; THENCE S01°16'03"W A DISTANCE OF 158.83 FEET TO A POINT; THENCE N87°41'41"W A DISTANCE OF 15.00 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.05 ACRES, MORE OR LESS.

LEGAL DESCRIPTION FOR DRAINAGE EASEMENT - TO BE VACATED ("4")

PART OF THE SW ¼ OF THE SW ¼, SECTION 4, TOWNSHIP 5 NORTH, RANGE 13 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FAULKNER COUNTY, ARKANSAS AND BEING PART OF LOT 2-B OF THE REPLAT OF HARP'S AT GERMAN LANE AS RECORDED IN BOOK "L", PAGE 70 OF THE RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCE 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 185.21 FEET TO A POINT; THENCE S87°41'15"E A DISTANCE OF 365.41 FEET TO THE **POINT OF BEGINNING**; THENCE ALONG THE EASEMENT THE FOLLOWING, S87°41'15"E A DISTANCE OF 27.61 FEET TO A POINT; THENCE S41°16'15"E A DISTANCE OF 144.72 FEET TO A POINT; THENCE S01°11'37"W A DISTANCE OF 29.62 FEET TO A POINT; THENCE N41°16'15"W A DISTANCE OF 185.61 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.08 ACRES, MORE OR LESS



August 31, 2011

The Honorable Tab Townsell
Mayor of Conway
City Hall
1201 Oak Street
Conway, AR 72032

Re: Closing of utility easement in Harp's at German Lane, Conway, Faulkner County,
Arkansas.

Dear Mayor Townsell:

Conway Corporation has no objections to the request to close the existing easements numbered "1", "2", "3" & "4" of the Harp's at German Lane, recorded in Plat Book L, Page 70, and Faulkner County, Arkansas. On easement number "3" the existing electric lines are being moved to accommodate this closure.

If you have any questions, please let me know.

Respectfully yours,

CONWAY CORPORATION

Leslie Guffey
Engineering and Planning

cc: David Wilkins

LEGAL DESCRIPTION FOR 50' ACCESS – TO BE VACATED ("1") REVISED 8.17.11 IN ACCORDANCE WITH REQUEST BY AT&T

PART OF THE SW ¼ OF THE SW ¼, 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 FOLLOWS:

COMMENCE 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.

LEGAL DESCRIPTION FOR 15' UTILITY EASEMENT – TO BE VACATED ("2")

PART OF THE SW ¼ OF THE SW ¼, SECTION 4, TOWNSHIP 5 NORTH, RANGE 13 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FAULKNER COUNTY, ARKANSAS AND BEING PART OF LOT 2-A AND LOT 2-B OF THE REPLAT OF HARP'S AT GERMAN LANE AS RECORDED IN BOOK "L", PAGE 70, AND AS SHOWN ON THE PLAT OF SURVEY BY ENGINEERING SERVICES, INC. AS RECORDED IN BOOK "L", PAGE 29, OF THE RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE 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 170.20 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE EASEMENT THE FOLLOWING, S87°45'25"E A DISTANCE OF 15.00 FEET TO A POINT; THENCE S87°41'15"E A DISTANCE OF 490.75 FEET TO A POINT; THENCE S01°11'37"W A DISTANCE OF 15.00 FEET TO A POINT; THENCE N87°41'15"W A DISTANCE OF 505.74 FEET TO A POINT; THENCE N01°08'24"E A DISTANCE OF 15.00 FEET TO A POINT; THENCE S87°40'47"E A DISTANCE OF 14.99 TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.17 ACRES, MORE OR LESS.

LEGAL DESCRIPTION FOR 15' UTILITY EASEMENT- TO BE VACATED ("3") REVISED 8.17.11 IN ACCORDANCE WITH REQUEST BY AT&T

PART OF THE SW ¼ OF THE SW ¼, SECTION 4, TOWNSHIP 5 NORTH, RANGE 13 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FAULKNER COUNTY, ARKANSAS AND BEING PART OF LOT 3-R OF THE REPLAT OF HARP'S AT GERMAN LANE AS RECORDED IN BOOK "L", PAGE 70, AND AS SHOWN ON THE PLAT OF SURVEY BY ENGINEERING SERVICES, INC. AS RECORDED IN BOOK "L", PAGE 29, OF THE RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 4, THENCE N01°05'04"E ALONG THE SECTION LINE, A DISTANCE OF 89.61 FEET TO A POINT; THENCE LEAVING SAID SECTION LINE S87°41'41"E A DISTANCE OF 286.45 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE EASEMENT THE FOLLOWING, N01°16'03"E A DISTANCE OF 158.82 FEET TO A POINT; THENCE S87°45'07"E A DISTANCE OF 15.00 FEET TO A POINT; THENCE S01°16'03"W A DISTANCE OF 158.83 FEET TO A POINT; THENCE N87°41'41"W A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.05 ACRES, MORE OR LESS.

LEGAL DESCRIPTION FOR DRAINAGE EASEMENT - TO BE VACATED ("4")

PART OF THE SW ¼ OF THE SW ¼, SECTION 4, TOWNSHIP 5 NORTH, RANGE 13 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FAULKNER COUNTY, ARKANSAS AND BEING PART OF LOT 2-B OF THE REPLAT OF HARP'S AT GERMAN LANE AS RECORDED IN BOOK "L", PAGE 70 OF THE RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE 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 185.21 FEET TO A POINT; THENCE S87°41'15"E A DISTANCE OF 365.41 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE EASEMENT THE FOLLOWING, S87°41'15"E A DISTANCE OF 27.61 FEET TO A POINT; THENCE S41°16'15"E A DISTANCE OF 144.72 FEET TO A POINT; THENCE S01°11'37"W A DISTANCE OF 29.62 FEET TO A POINT; THENCE N41°16'15"W A DISTANCE OF 185.61 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.08 ACRES, MORE OR LESS.

Engineering Services, Inc.

1207 S. Old Missouri Rd • P.O. Box 282 • Springdale, Arkansas 72765-0282

Phone: 479-751-8733 • Fax: 479-751-8746

August 12, 2011

City Engineer, Conway, AR
VIA E-mail: ronnie.hall@cityofconway.org

ATTN: Mr. Ronnie Hall, City Engineer

RE: Request of Vacation of Easements (4)

Dear Mr. Hall:

On behalf of the property owners of the Harp's at German Lane we request a letter approving the vacation of four easements located in Harp's at German Lane, Conway, AR formerly known as Trent Van Pelt Subdivision. Attached are the plat drawings (4) with descriptions for the above mentioned easements and a plat copy of Harp's at German Lane, recorded in Plat Book L, Page 70 in the records of the office of the Circuit Clerk, Faulkner County, AR.

Please contact me if you have any questions or if any additional information is needed.

Sincerely,



David A. Wilkins, P.L.S., CFedS
Engineering Services, Inc.
P.O. Box 282
Springdale, Ar. 72765
e-mail: dwilkins@engineeringservices.com

MR. HALL STATED IN PHONE CONVERSATION ON OR AROUND AUG. 30, 2011 THAT HE DOES NOT SUBMIT LETTERS FROM PETITIONERS FOR EASEMENT VACATES BUT INSTEAD RESPONDS VERBALLY AT COUNCIL MEETINGS HE STATED HE WOULD APPROVE THE VACATES.



Consulting Engineers and Surveyors

www.engineeringservices.com

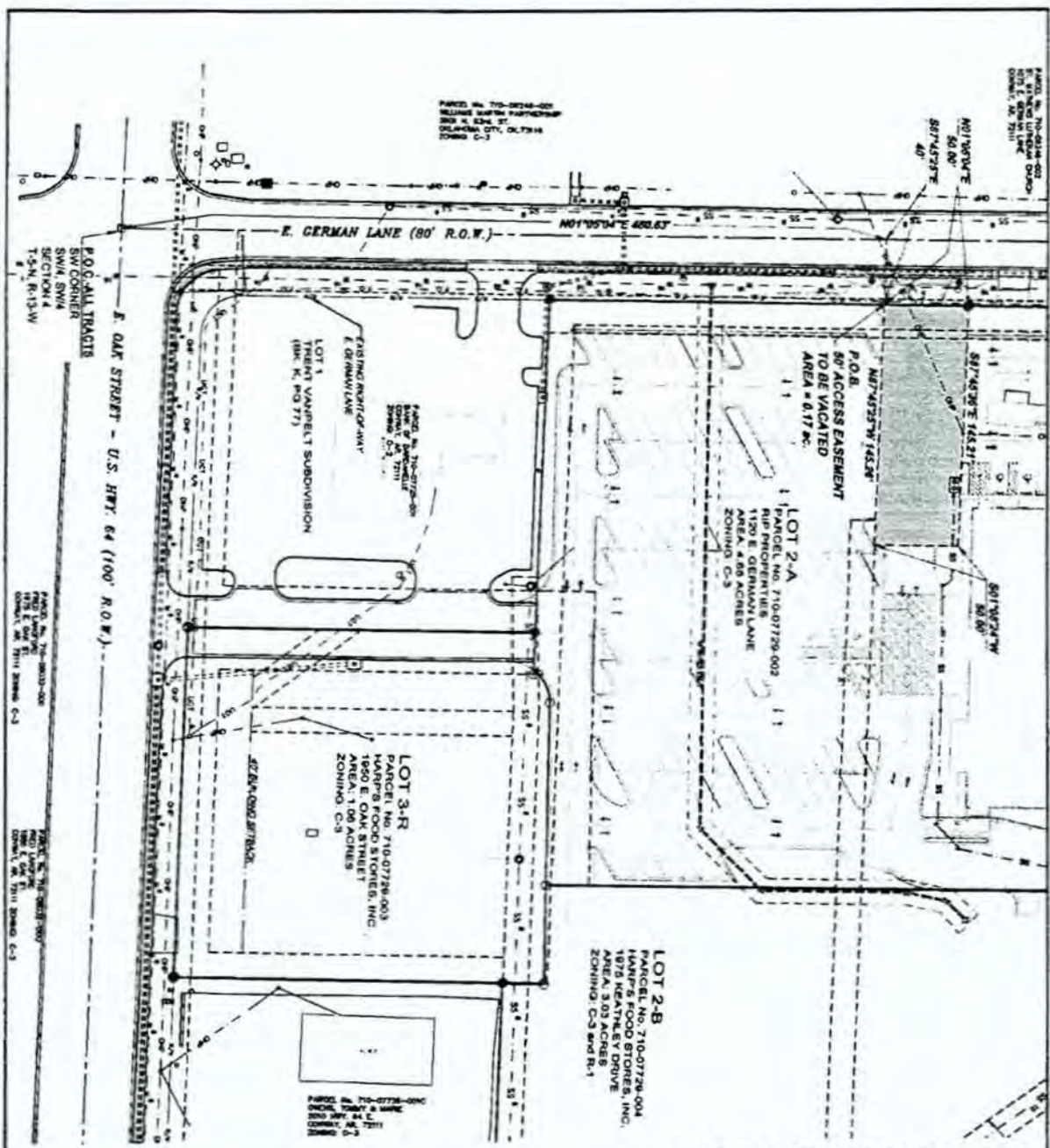
Jerry W. Martin, P.E.
Chairman of the Board

Philip C. Hubbard, P.E., P.L.S.
President

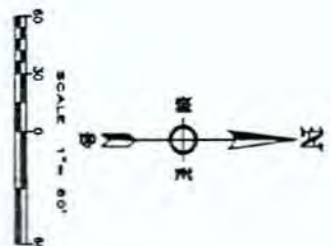
Brian J. Moore, P.E.
Vice President

Tim J. Mays, P.E.
Secretary / Treasurer

X



LEGAL DESCRIPTION FOR 50' ACCESS - TO BE VACATED (1)
 PART OF THE SW 1/4 OF THE SW 1/4, SECTION 4, TOWNSHIP 2 NORTH, RANGE 13 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FAULKNER COUNTY, ARKANSAS AND BEING PART OF LOT 2-A OF THE PLAT OF HARP'S AT GERMAN LANE AS RECORDED IN BOOK 1, PAGE 70 AND BEING A PORTION OF THE EASEMENT RECORDED IN DEED BOOK 384, PAGE 389 OF THE RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 4, THENCE NORTH 10°30'15" E ALONG THE SECTION LINE, A DISTANCE OF 460.63 FEET TO A POINT, THENCE LEAVING SAID SECTION LINE, S87°45'57" 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 80.00 FEET TO A POINT; THENCE S87°45'57" E A DISTANCE OF 143.21 FEET TO A POINT; THENCE S87°45'57" E A DISTANCE OF 80 FEET TO A POINT; THENCE S87°45'57" E A DISTANCE OF 143.28 FEET TO THE POINT OF BEGINNING.
 SAID TRACT OR PARCEL OF LAND CONTAINING 0.17 ACRES, MORE OR LESS.



THIS IS NOT A
 BOUNDARY SURVEY

REVISION	DATE	DESCRIPTION
1		

**EASEMENT VACATE for
 HARP'S AT GERMAN LANE
 CONWAY, FAULKNER COUNTY, ARKANSAS**

ENGINEERING SERVICES
 INCORPORATED
 1207 SOUTH OLD MISSOURI RD.
 SPRINGDALE, ARKANSAS 72764

PARCEL NO. 710-07228-001
 HARP'S FOOD STORES, INC.
 1874 CENTERVILLE DRIVE
 CONWAY, ARK. 72011

PARCEL NO. 710-07228-002
 HARP'S FOOD STORES, INC.
 1120 E. GERMAN LANE
 CONWAY, ARK. 72011

PARCEL NO. 710-07228-003
 HARP'S FOOD STORES, INC.
 1850 E. OAK STREET
 CONWAY, ARK. 72011

PARCEL NO. 710-07228-004
 HARP'S FOOD STORES, INC.
 1874 CENTERVILLE DRIVE
 CONWAY, ARK. 72011



City of Conway, Arkansas

Resolution No. R-11-_____

A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.

WHEREAS, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 1515 Frevaldenhoven Lane within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

WHEREAS, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$131.61 (plus a ten percent collection penalty and filing fee, to be thereafter certified to the Faulkner County Tax Collector; and

WHEREAS, a hearing for the purpose of determine such lien has been set for October 25th, 2011 in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Conway, Arkansas that:

SECTION 1: That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and approval.

ADOPTED this 1st day of November, 2011.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

INVOICE

City of Conway
Code Enforcement

DATE: SEPTEMBER 21, 2011

1201 Oak Street
Conway, AR 72032
Phone: 501-450-6191
Fax 501-450-6144
barbara.mcelroy@cityofconway.org

TO Anthony & Trenie Stanley
1515 Freyaldenhoven Lane
Conway, AR 72032

Description: Mowing/Clean up/Admin Fees
associated with the nuisance abatement at
1515 Freyaldenhoven Lane

CODE ENFORCEMENT OFFICER	JOB	PAYMENT TERMS	DUE DATE
Grant Tomlin	1515 Freyaldenhoven Lane	Due upon receipt	October 21 st , 2011

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	Mowing-backyard	16.73	16.73
1	Mowing-backyard	13.21	13.21
1	Mowing-backyard	17.99	17.99
1	Maintenance Fee	15.00	15.00
1	Administrative Fee (Barbara McElroy)	24.15	24.15
1	Administrative fee (Grant Tomlin)	19.10	19.10
1	Administrative Fee (Glenn Berry)	21.70	21.70
1	Certified Letter	3.29	3.29
1	Regular letter	.44	.44
SUBTOTAL			\$131.61
SALES TAX			
TOTAL			\$131.61

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032

Payments are due 30 days from date of this letter

City of Conway
Planning & Development
1201 Oak Street
Conway, Arkansas 72032



Barbara McElroy
Administrative Assistant
Phone: 501-450-6107
Fax: 501-450-6144

MEMO:

To: Mayor Tab Townsell
CC: City Council Members

From: Barbara McElroy
Date: July 14, 2010

Re: 1515 Freyaldenhoven Lane

- September 6th, 2011 – Warning Violation written by Grant Tomlin regarding grass.
- Property Owners is listed as Anthony Stanley.
- First offense certified and regular letters were sent back unclaimed.
- Certified and regular letter were not mailed as this was the 3rd offense.
- Property cleanup was sent over to Physical Plant for clean up on September 15th, 2011.
- Final Cleanup finished on September 20th, 2011.
- Invoice for clean up and copy of final bill was sent to property owner at the address on file; included amount due, date and time of the City Council meeting.
- Invoice attach

If you have any questions please advise.

**Conway Code Enforcement
Incident Report**

Date of Violation: September 6, 2011

Violator Name: Trenie and Anthony Stanley

Address of Violation: 1515 Freyaldenhoven


Violation Type: Tall grass

Warning #: CE3967

Description of Violation and Actions Taken:

On 9-6-11, I noticed that 1515 Freyaldenhoven was in violation of the Conway Nuisance Abatement Code, section 3.2.4, for tall grass. I knew this residence, as it had been in violation for the same issue several times in the past. I also knew that the house was in the foreclosure process. I issued a warning for the listed property owners through Arkansas County Data. Due to this being the third time the property was in violation, certified mail was not used. The property was rechecked on 9-14-11, with no progress being made. The property was scheduled for mowing at this time. Pictures were taken both before and after the mowing was done and are on file for review.

Code Enforcement Officer: Grant Tomlin # 407

Officer Signature:  _____

Date: 9-27-11

Time: 1346



City of Conway, Arkansas

Resolution No. R-11-_____

**A RESOLUTION ORDERING THE CONDEMNATION AND CLEANUP LOCATED AT
2290 HAIRSTON STREET AND DECLARING THE INTENT OF THE CITY TO BRING THE
PROPERTY UP TO CITY CODE IF THE OWNER DOES NOT**

WHEREAS, there is a pool located at 2290 Hairston Street which because of its dilapidated, unsightly, unsafe and unsanitary condition, has become detrimental to the public health, safety and welfare of the citizens of Conway, Arkansas; and

WHEREAS, Conway's Municipal Code and Arkansas Code Annotated § 14-56-203 authorizes this City Council to, by Resolution order, the clean up of said property by the owner within thirty (30) days after proper service.

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

SECTION 1: That the pool at 2290 Hairston Street in Conway, Arkansas, because of its dilapidated, unsightly, unsafe and unsanitary condition has become detrimental to the public health, safety and welfare of the citizens of Conway, Arkansas, and it is hereby ordered that said structure be brought up to city code by the owner therefore.

SECTION 2: That a notice of the time and place of this meeting was mailed to the owner of said property by certified mail, return receipt requested, advising the owner that the City Council would take action on this matter.

SECTION 3: That a copy of this Resolution be forwarded to the owner of said property by certified mail, return receipt requested, directing that said owner has thirty (30) days in which to fill in the pool, and if the same be not removed within the thirty (30) days, then the Mayor of the City of Conway, Arkansas is directed to proceed and clean up the property and prepare an itemized statement of cost for bringing the property up to code with a request for payment.

SECTION 4: If payment is not made within ten (10) days after receipt of said itemized statement, the Mayor is directed to sell, at public or private sale, any debris or material obtained from the clean up of property and pay to the owner any balance after the City has been reimbursed. If the proceeds from said sale are not sufficient to cover the cost, then the City shall proceed to file a lien on the personal and/or real estate property in order to recover the money so owed.

Passed this 1st day of November, 2011.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

City of Conway
Planning & Development
1201 Oak Street
Conway, Arkansas 72032



Barbara McElroy
Administrative Assistant
Phone: 501-450-6107
Fax: 501-450-6144

MEMO:

To: Mayor Tab Townsell
CC: City Council Members

From: Barbara McElroy
Date: September 27, 2011

Re: 2290 Hairston Street

- July 20th, 2011 – Warning Violation written by Grant Tomlin regarding dilapidated structure, rubbish & trash in yard and grass needing mowed.
- Property Owners are listed as Carl Wayne Knuckles.
- Certified and regular letters were mailed to property owner at address listed on file.
- Property was rechecked on 8-2, 8-23 and 9-22-2011 by Grant Tomlin and no progress had been made on violations.
- Certified and regular letters were sent to the property owners at address on file; included, date and time of the City Council meeting.

If you have any questions please advise.

**Conway Code Enforcement
Incident Report**

Date of Violation: July 20, 2011

Violator Name: Carl Wayne Knuckles

Address of Violation: 2290 Hairston

Violation Type: Tall grass, rubbish/trash, dilapidated structure

Warning #: CE3445

Description of Violation and Actions Taken:

On 7-20-11, I received a complaint regarding a dilapidated structure and other violations at 2290 Hairston. Upon arrival at the residence, I found that the house had been severely damaged by a fire and was in violation of the Conway Nuisance Abatement Code, section 1.7.1, for dilapidated structure. The property was also in violation of sections 3.2.4 and 3.5.1, for tall grass and rubbish/trash. A warning was issued to the listed property owner through Arkansas County Data and sent to them through certified mail. I also obtained a copy of the Fire Report from the Conway Fire Department. The property was rechecked on 8-2-11, 8-23-11 and 9-22-11, with no progress shown. On 9-22-11, I had the property scheduled for a condemnation hearing before the Conway City Council at the October 25, 2011 council meeting. A letter was sent to the listed property owner through certified mail regarding the intent of the city to condemn the property. Pictures were taken of the property and are on file for review.

Code Enforcement Officer: Grant Tomlin # 407

Officer Signature:  _____

Date: 9-27-11

Time: 1426

CITY OF CONWAY
Code Enforcement
1201 Oak Street
Conway, Arkansas 72032



Barbara McElroy
Code Enforcement Assistant
Phone 501-450-6191
Fax 501-450-6144

September 27, 2011

CERTIFIED MAIL

RETURN RECEIPT REQUESTED
CERTIFIED MAIL # 91 7199 9991 7030 3268 3684
AND
REGULAR MAIL

91 7199 9991 7030 3268 3684

Carl Wayne Knuckles
464 PC 357 Road
Popular Grove, AR 72374

RE: RESOLUTION OF INTENT TO CONDEMN THE STRUCTURE LOCATED AT
2290 HAIRSTON STREET IN THE CITY OF CONWAY ARKANSAS;

Dear Mr. Knuckles,

It has come to our attention that you have failed to comply with the City of Conway Notice of Violation written July 20th, 2011 regarding your property at 2290 Hairston Street in Conway Arkansas.

Therefore, this is to notify you that the Conway City Council will consider a Resolution of Intent to condemn the above-referenced property at its regular meeting at 6 p.m. Tuesday, October 25th, 2011. If that resolution is passed, the city will solicit bids for the demolition and clean up, and the property will be cleaned up 30 days after the date of passage of the resolution. You will then be sent a bill for the cost of the bid solicitations, demolition, and clean up.

We recommend that you or your representative attend Oct. 25th City Council meeting in order to present your input on this issue.

Sincerely,

Barbara McElroy
Code Enforcement Assistant

Spoke with Mr. Knuckles
9/27/11 3:05 pm letting
him know that there was
a error on letter that
he needed to attend the
Oct. 25th meeting
Bill + Otis was present
during phone call.



CONWAY PLANNING COMMISSION

1201 OAK STREET CONWAY, AR 72032 (501) 450-6105

October 18, 2011

Council Members
Conway, AR 72032

Dear Council Members:

Morrison Shipley Engineers request on behalf of Superior Chevrolet for a conditional use permit to allow an automobile dealership in C-4 for property located at 1300 Exchange Avenue with the legal description

Part of Lot 3, Tommy Lewis Addition Phase II as shown in Plat Book J, on Page 138, Records of Faulkner County, Arkansas, Being more particularly described as commencing at the Southwest corner of Lot 2 of said subdivision and running thence South 88°31'57" East along the North line of said Lot 3, 248.31 feet to the Point of Beginning; Thence continue South 88°31'57" East, 496.99 feet to the West Right-of-Way of Exchange Avenue; Thence run South 12°14'40" East, along said Right-of-Way, 451.78 feet; Thence leaving said Right-of-Way, run North 88°38'26" West, 603.10 feet; Thence run North 01°20'24" East, 440.04 feet to the Point of Beginning. Said tract contains 5.55 acres or 241,760 square feet more or less.

was reviewed by the Planning Commission at its regular meeting on October 17, 2011. The Planning Commission voted 6 – 0 that the request be sent to the City Council with a recommendation for approval with the following condition attached.

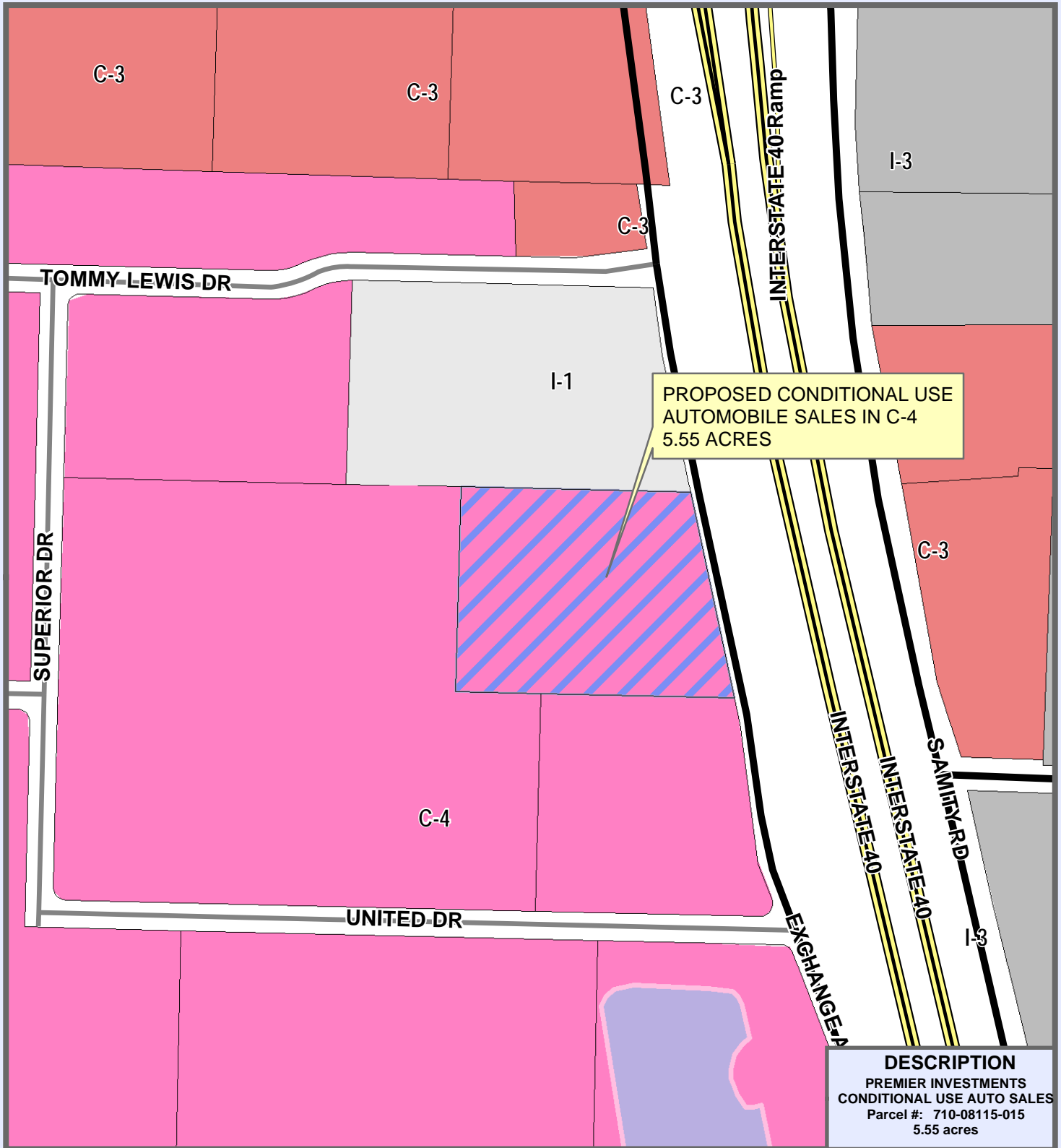
1. External sound system use allowed between the hours 8:00 a.m. to 7:00 p.m. only.

Submitted by,

Kent Mathis, Chairman
Planning Commission




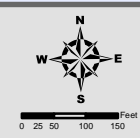
CITY OF CONWAY

SUPERIOR CHEVROLET CONDITIONAL USE



**PROPOSED CONDITIONAL USE
 AUTOMOBILE SALES IN C-4
 5.55 ACRES**

DESCRIPTION
PREMIER INVESTMENTS
CONDITIONAL USE AUTO SALES
Parcel #: 710-08115-015
5.55 acres

 <small>Andy Hawkins & David Grimes - Aldermen Ward 1 Tab Townsash - Mayor Mark Vaughn & Shelley Mahl - Aldermen Ward 2 Jim Rhodes & Mary Smith - Aldermen Ward 3 Theodore Jones, Jr. & Sheila Whitmore - Aldermen Ward 4 Michael Murphy - City Attorney Michael Garrett - City Clerk</small>	 <small>Bryan Patrick - Director Wes Crayton - Deputy Director Christy Sutherland - Planner Lisha Rhee - Planning Tech Jason Lyon - GIS Coordinator</small>	 CONWAY PLANNING COMMISSION Kent Mathis - Chair Craig Cloud - Vice-Chair	<table border="0" style="font-size: small;"> <tr> <td>— INTERSTATE</td> <td>— LOT LINE</td> <td> Residential</td> <td> Industrial</td> </tr> <tr> <td>— MAJOR ARTERIAL</td> <td>— STREAMS</td> <td> R-1</td> <td> I-1</td> </tr> <tr> <td>— MINOR ARTERIAL</td> <td>— LAKES & PONDS</td> <td> R-2A</td> <td> MF-2</td> </tr> <tr> <td>— COLLECTOR</td> <td>— CITY LIMITS</td> <td> R-2</td> <td> MF-3</td> </tr> <tr> <td>— RESIDENTIAL</td> <td></td> <td> HR</td> <td> RMH</td> </tr> <tr> <td>— PRIVATE ROAD</td> <td></td> <td> SR</td> <td></td> </tr> <tr> <td>— INTERSTATE RAMP</td> <td></td> <td> Commercial</td> <td> Special</td> </tr> <tr> <td>— RAILROADS</td> <td></td> <td> C-1</td> <td> S-1</td> </tr> <tr> <td></td> <td></td> <td> C-2</td> <td> O-2</td> </tr> <tr> <td></td> <td></td> <td> C-3</td> <td> O-3</td> </tr> <tr> <td></td> <td></td> <td> C-4</td> <td> PUD</td> </tr> <tr> <td></td> <td></td> <td></td> <td> TJ</td> </tr> </table>	— INTERSTATE	— LOT LINE	 Residential	 Industrial	— MAJOR ARTERIAL	— STREAMS	 R-1	 I-1	— MINOR ARTERIAL	— LAKES & PONDS	 R-2A	 MF-2	— COLLECTOR	— CITY LIMITS	 R-2	 MF-3	— RESIDENTIAL		 HR	 RMH	— PRIVATE ROAD		 SR		— INTERSTATE RAMP		 Commercial	 Special	— RAILROADS		 C-1	 S-1			 C-2	 O-2			 C-3	 O-3			 C-4	 PUD				 TJ	 0 25 50 100 150 Feet 1 in = 300 ft OCTOBER 2011	<p>THIS MAP WAS PREPARED BY THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT FOR ITS USE, AND MAY BE REVISED AT ANY TIME WITHOUT NOTIFICATION TO ANY USER. THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT DOES NOT GUARANTEE THE CORRECTNESS OR ACCURACY OF ANY FEATURES ON THIS MAP. CITY OF CONWAY ASSUMES NO RESPONSIBILITY IN CONNECTION THEREWITH.</p> <p style="text-align: center;">CONTACT INFORMATION LANDMARK HIS WEBSITE gis.cityofconway.org (UNDER DEVELOPMENT) E-MAIL: Jason.Lyon@CityOfConway.org</p>
— INTERSTATE	— LOT LINE	 Residential	 Industrial																																																		
— MAJOR ARTERIAL	— STREAMS	 R-1	 I-1																																																		
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Printing Date: 10/20/11
 File Monthly Maps/01100CT2011/SUPERIOR CHEVROLET
 Project # 01100CT2011



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

AN ORDINANCE ACCEPTING GRANT PROCEEDS FROM ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY FOR GIS (GEOGRAPHIC INFORMATION SYSTEM) WORK IN UPDATING FAYETIEVILLE SHALE NHD HUC'S AND APPROPRIATING FUNDS FOR GIS PURPOSES WITHIN THE PLANNING AND DEVELOPMENT DEPARTMENT, AND FOR OTHER PURPOSES:

WHEREAS; the Arkansas Department of Environmental Quality (ADEQ) has awarded grant funds to the City of Conway for work performed by the Conway GIS Coordinator updating Fayetteville Shale Play and other maps for the US Geological Survey. These grant funds will provide funding for updates to the Conway GIS including but not limited to GIS software maintenance, and Conway GIS staff conference training. No city match is required as part of this grant; and

WHEREAS; ADEQ has provided a grant in the amount of \$25,000 for the cost of work performed by the Conway GIS Coordinator for NHD hydrologic unit code map updates;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

SECTION 1: The City of Conway shall accept grant proceeds from ADEQ in the amount of \$25,000.00 and appropriate said funds from (399-000-4751, Federal Grant Misc); into the following accounts:

\$1,000	399-105-5750
\$2,000	399-105-5720
\$22,000	399-105-5930

SECTION 2. All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 1st day of November, 2011.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. O-11-_____**

**AN ORDINANCE APPROPRIATING FUNDS TO THE CONWAY ANIMAL WELFARE DEPARTMENT;
AND FOR OTHER PURPOSES**

WHEREAS, the Animal Welfare Department has received reimbursement funds in the amount of \$416 as a result of overpayments made to vendors and;

WHEREAS, the Animal Welfare Department needs these funds to support additional expenditure requests for FY 2011 and;

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

SECTION 1. The City of Conway shall accept these funds into the General Fund Police Misc Revenue account, 001.121.4799 to the following expenditure accounts:

223.127.5260	Spay/Neuter Account	\$120
001.127.5410	Building Maintenance	\$296

SECTION 2. All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 1st day of November, 2011.

Approved:

Mayor Tab Townsell

Attest:

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



**City of Conway, Arkansas
Ordinance No. O-11-_____**

**AN ORDINANCE ACCEPTING DONATED ITEMS TO THE CONWAY POLICE DEPARTMENT; AND
FOR OTHER PURPOSES**

WHEREAS, the Conway Police Department has received a Remington 870 12 gauge shotgun (serial #RS62409B) from Wal-Mart with a stated value of \$450; and

WHEREAS, the Conway Police Department needs this weapon to use in training personnel;

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

SECTION 1. The City of Conway shall accept this item and add to the list of inventory items for the Conway Police Department with a state value of \$450

SECTION 2. All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 1st day of November, 2011.

Approved:

Mayor Tab Townsell

Attest:

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



**City of Conway, Arkansas
Ordinance No. O-11-____**

AN ORDINANCE APPROPRIATING & ACCEPTING REIMBURSEMENTS AND RESTITUTION FUNDS FROM VARIOUS ENTITIES FOR THE CITY OF CONWAY POLICE DEPARTMENT; AND FOR OTHER PURPOSES

WHEREAS, the City of Conway Police Department has received reimbursements and restitution funds from the following entities:

District Court	\$ 20.00	Restitution for uniform
US Federal Treasury	\$ 1075.00	Reimbursement for Meth Lab Clean Up
The Public Group	\$13219.03	Sell of old police cars
Marshal Service	\$ 1359.86	Reimbursement funds for overtime spent on joint task force
Various Companies	\$49315.00	Extra duty services

WHEREAS, the Conway Police Department needs these funds to replenish their expenditure accounts;

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

SECTION 1. The City of Conway shall accept restitution funds in the amount of \$20.00 from the District Court of Faulkner county and appropriate from the Restitution revenue account, 001.121.4184 to the Police Department’s Uniform expense account, 001.121.5670.

SECTION 1. The City of Conway shall accept reimbursement funds totaling \$14294.03 and appropriate from 001.121.4799 to the following Police Department’s expenditure accounts:

250.121.5299	Asset Forfeiture Prof Services	\$ 1075.00
001.121.5450	Vehicle Maintenance	\$13219.03

SECTION 2. The City of Conway shall accept \$1359.86 from the US Marshall Service and appropriate from Revenue Account, 001.121.4180, to the Police Department’s Overtime expense account, 001.121.5114.

SECTION 4. The City of Conway shall accept reimbursement funds in the amount of \$49,315 that came in above original budgeted amount and appropriate from the Police Extra Duty Revenue Account, 001.121.4185 to the following Police Department’s expenditure accounts:

001.121.5112	Sworn Salaries	\$ 7,673.00
001.121.5114	Overtime	\$31,500.00
001.121.5170	Social Security Benefits	\$10,142.00

SECTION 5. All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 1st day of November, 2011.

Approved:

Attest:

Mayor Tab Townsell

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. O-11-__**

**AN ORDINANCE ADOPTING CERTAIN ACCOUNTING POLICIES UTILIZED BY THE CITY OF
CONWAY, AND FOR OTHER PURPOSES:**

WHEREAS, the City Council has adopted pursuant to Ordinance No. O-99-106, a capitalization policy for the assets of the City of Conway; and

WHEREAS, further distinction is deemed necessary to clarify the capitalization policies to be followed in acquiring assets and in disposal of assets;

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

SECTION 1. The City of Conway shall adopt the attached Asset Management Policy – Capitalization.

SECTION 2. That all ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 1st day of November, 2011.

Approved:

Mayor Tab Townsell

Attest:

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

City of Conway, Arkansas

Policy and Procedure

Subject:

Asset Management Policy – Capitalization

Purpose

The purpose of this document is to document the minimum value of capital assets to be reported on our financial reports and to establish policy and procedures for the capitalization and depreciation of City capital assets. The Finance Department maintains a central record of assets. A record of assets and their values is required to:

- Provide information to Departments as to the assets under their control.
- Provide information for management decision-making purposes.
- Provide information for external reporting purposes.
- Enable the City to calculate annual depreciation and losses/gains on the sale of assets to allow us to comply with accounting reporting requirement

Policy

Capital assets are items that have a useful life of at least two years. In making the decision to acquire an asset, the following fundamental principles should be carefully considered:

- The purpose for which the fixed asset is required is in keeping with the objectives of the City and will provide significant, direct and tangible benefit to it.
- The purpose is absolutely necessary as there is no alternative City asset that could be upgraded or adapted.
- The fixed asset is appropriate to the task or requirement and is cost effective over the life of the asset.
- The fixed asset is compatible with existing equipment and will not result in unwarranted additional expenditure on other assets or resources.
- Space and other necessary facilities to accommodate the asset are in place.
- The most suitable and appropriate type, brand and model, etc. has been selected and received appropriate authorization.

Criteria – All items with a useful life of at least two years will be tracked in the asset management system, based on the following thresholds and classified as either Accountable Assets (to be expensed in the year of acquisition) or Depreciable Assets:

	Accountable Assets
Small Tools	Greater than \$250, but less than \$5,000
Equipment	Greater than \$500, but less than \$5,000
Furniture and fixtures	Greater than \$500, but less than \$5,000

Fire equipment

Greater than \$500, but less than \$5,000

Accountable assets will be assigned an inventory tag number by the Finance Department, entered into the fixed asset records of the City and will be tracked for inventory purposes. Costs associated with the assets will be expensed in the year of acquisition.

Fixed assets in excess of the thresholds stated above will be capitalized—that is the cost will be accounted for as an addition to the City’s capital assets and the asset will be depreciated over its useful life. Those categories are as follows:

	<u>Capital Assets</u>	<u>Useful Life</u>
Equipment	Equal to or greater than \$5,000	3 – 5 years
Vehicles	Equal to or greater than \$5,000	5 years
Fire equipment	Equal to or greater than \$5,000	12 years
Heavy equipment	Equal to or greater than \$5,000	10 – 15 years
Buildings and improvements	Equal to or greater than \$10,000	10 - 50 years
Infrastructure	Equal to or greater than \$10,000	30 - 40 years

The useful life is to be determined based on the nature of the asset, anticipated usage and following the guidance attached.

Weapons are not subject to a minimum threshold, but will be tracked in the asset management system and will be accounted for as accountable assets and depreciated over 3 years.

Any acquisition or donation of land will be accounted for as an addition to the City’s capital assets, but, in accordance with generally accepted accounting principles, will not be depreciated. The cost of land includes all expenditures in connection with its acquisition or acceptance, such as purchase price, professional fees (i.e., title searches), clearing land, demolishing or removing prior structures (less salvage), accrued and unpaid taxes at the date of acquisition, and land excavation, fill grading and drainage.

Any donated asset will be evaluated under the criteria outlined above for determination of if the asset is accounted for as an Accountable Asset or a Capital Asset, but also carries with the donation the requirement to have the City officially accept the donation through the passage of an ordinance by City Council. Donations of assets should be communicated to the Finance Department as soon as the department receives notification of a potential donation to ensure that the required authorization is received to accept the asset. Department heads and employees do not have the authority to accept any donated items on behalf of the City without Council authorization.

Assets must be recorded at actual cost. Normally the cost recorded is the purchase price or construction cost of the asset. Donated or contributed assets should be recorded, after acceptance by City Council, at their fair market value on the date donated. Any other reasonable or necessary costs incurred to place the asset in its intended location and intended uses are also included.

Maintenance is defined as expenditures, which do not normally add to the value of property or appreciably prolong its life, but merely keep the asset in ordinary efficient operating condition. Maintenance costs are not capitalized.

Betterments consist of the replacement of a unit of an existing asset by an improved or superior unit, usually resulting in a more productive, efficient or longer-lived asset. Betterments are evaluated under the criteria specified above and may be accounted for as accountable assets or capital assets, depending on the cost.

Department heads are responsible for the security of assets under their control. This includes ensuring that assets are only used by authorized employees, safeguarded against theft and damage and only removed from City premises with approval. All employees are responsible for the care and protection of City assets. Every employee who utilizes the property of the City should do so with utmost care and consideration and in a manner that ensures that the property will be subjected to the minimum wear and tear or damage.

Abuse of the Asset Management Policy – Capitalization may result in disciplinary action, including termination.

Procedures

Assets acquired through the City's purchasing policies will be assigned an inventory tag by the Finance Department. The Finance Department will also notify the insurance carrier of the addition and will enter the acquisition into the fixed asset system for tracking. Assets received through donation should be reported to the Finance Department to coordinate obtaining Council consideration and approval of accepting the donation. This action will trigger the asset being recorded in the accounting records, insured as appropriate and assigned an inventory tag number.

Assets constructed by the City are recorded in the same manner as those acquired by purchase or construction contract. The costs may include direct labor, materials and equipment usage charges.

Annually, the Finance Department will provide each department with a listing of the assets which are "assigned" to that department. It is the department head's responsibility to ensure that an accurate and thorough inventory of all fixed assets takes place at least annually and any changes (additions and deletions) are communicated to the Finance Department. Additionally, the Finance Department will periodically perform random inventory procedures and conduct full verification of the inventory listing.

The Asset Management Policy on Disposals should be followed for any deletions to the inventory listing.

**City of Conway - Finance Office
1201 Oak Street
Conway, AR 72032**

Memo:

To: Members of City Council

From: Tyler Winningham, CFO

Date: November 1, 2011

Re: Legislative Audit for 2011

Ordinance O-11-04 was passed on January 18th, 2011, which authorized the interim CFO to request that the State Division of Legislative Audit conduct the audit for the City of Conway for its year ended December 31, 2011. That request was made, and the City received a letter dated May 20, 2011 from the State approving the request.

I respectfully request that you vote to make final approval of the City's intent to have the December 31, 2011 audit conducted by the State Division of Legislative Audit.

Thank you in advance for your consideration.



CITY OF CONWAY
Office of the Mayor
Mayor Tab Townsell

January 20th, 2011

Ms. June Barron
AR Division of Legislative Audit
172 State Capitol Building
Little Rock, Arkansas 72201

Dear Ms. Barron:

On January 18, 2011, the City Council of the City of Conway passed Ordinance No. O-11-04 (see attached copy). This ordinance authorizes me to request consideration of the Legislative Auditing Committee to include Conway in your audit schedule. Our request is to begin with the reporting period ending December 31, 2011.

Will this letter serve as our formal request for consideration? We understand that Legislative Audit does not perform A133 audits and we will have to contract with a public accounting firm for this portion of our audit.

Thank you for your consideration of our request.

Sincerely,

A handwritten signature in cursive script that reads "Lowell P. McClanahan".

Lowell P. McClanahan
Chief Financial Officer (Interim)

cc: Mayor Tab Townsell
Alderman David Grimes
Senator Gilbert Baker
Senator Jason Rapert



CITY OF CONWAY
Office of the Mayor
Mayor Tab Townsell

February 3rd, 2011



Ms. June Barron
AR Division of Legislative Audit
172 State Capitol Building
Little Rock, AR 2201

Dear Ms. Barron:

Today, we met with Tim Jones and Tim Thompson of your office. They suggested that I add some additional information to the City of Conway's request to be considered for audit by your staff.

First, we would like to complete our report each year on or before September 30. The reason for this request is that is the deadline for our A133 report and it would be good to include the audit report at that time. Second, we expect to prepare audit schedules that make the audit process more efficient. I gave Tim a copy of the schedules that we are currently preparing and would expect to continue.

Our audit request is to begin for the period ended December 31, 2011. JPMS Cox will report on the year ended December 31, 2010. We are also requesting an audit that conforms to the requirements of the State of Arkansas. We do not plan to issue a Comprehensive Annual Financial Report.

Thank you for your consideration of our request.

Sincerely,

A handwritten signature in cursive script that reads "Lowell P. McClanahan".

Lowell P. McClanahan
Chief Financial Officer (Interim)

cc: Mayor Tab Townsell
Alderman David Grimes
Senator Gilbert Baker
Senator Jason Rapert

Sen. Bill Pritchard
Senate Chair
Rep. Tim Summers
House Chair
Sen. David Wyatt
Senate Vice Chair
Rep. Toni Bradford
House Vice Chair

Arkansas



Roger A. Norman, JD, CPA, CFE
Legislative Auditor

LEGISLATIVE JOINT AUDITING COMMITTEE
DIVISION OF LEGISLATIVE AUDIT

May 20, 2011

Lowell P. McClanahan
Chief Financial Officer
City of Conway
1201 Oak
Conway, AR 72032

Dear Mr. McClanahan:

Your request for the Division of Legislative Audit to conduct an audit report for the City of Conway beginning with the year ended December 31, 2011 was approved by the Executive Committee of the Legislative Joint Auditing Committee at its May 12, 2011 meeting. A Legislative Audit staff member will contact you when it is time to make arrangements for scheduling the engagement.

If you have any additional questions or concerns, please contact our office.

DIVISION OF LEGISLATIVE AUDIT

A handwritten signature in black ink, appearing to read "R. A. Norman".

Roger A. Norman, JD, CPA, CFE
Legislative Auditor

RAN:jlm



**City of Conway, Arkansas
Resolution No. R-11-_____**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

That a levy of Two-Tenth's (.2) mill on the dollar be made and the same hereby is made upon the assessed valuation of all taxable real estate and personal property in said City of Conway as made by the Assessor of Faulkner County, Arkansas, for the current year and that said levy be assessed thereon as a Voluntary Animal Shelter assessment in the same manner and at the same time as the State and County taxes for the year beginning January 1st, 2012, are collected, for the purpose of raising a special revenue for the sole and exclusive purpose of providing additional funds for the purpose of construction, equipping, operating and maintaining a Municipal Animal Shelter and/or enforcing the laws of the City regarding dogs within the City of Conway, Arkansas, authorized by a vote of the electors of the City of Conway, Arkansas, at a special election held on November 5th, 1968, and that the Mayor of the City of Conway, is hereby ordered and directed to make out and certify unto the County Clerk and Quorum or Levying Court of Faulkner County, Arkansas a certified copy of this Resolution to the end that said Court may make levy and cause said extension and collection of taxes as aforesaid.

PASSED this 1st day of November, 2011.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City/Clerk Treasurer



**City of Conway, Arkansas
Resolution No. R-11-_____**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

That a levy of Four-Tenth's (.4) mill on the dollar be made and the same hereby is made upon the assessed valuation of all taxable real estate and personal property in said City of Conway as made by the Assessor of Faulkner County, Arkansas, for the current year and that said levy be assessed thereon by the County Clerk and collected by the County Collector in the same manner and at the same time as the State and County taxes for the beginning January 1st, 2012, for a Policeman's Pension and Relief Fund authorized by vote of the electors of Conway, Arkansas, at General Election held on November 4th, 1958, and that the Mayor of the City of Conway, Arkansas, is hereby ordered and directed, to make out and certify unto the County Clerk and Quorum or Levying Court of Faulkner County, Arkansas, a certified copy of the Resolution to the end that said Court may make said levy and cause the extension and collection of taxes aforesaid.

PASSED this 1st day of November, 2011.

Approved:

Mayor Tab Townsell

Attest:

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



**City of Conway, Arkansas
Resolution No. R-11-_____**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

That a levy of Four-Tenth's (.4) mill on the dollar be made and the same hereby is made upon the assessed valuation of all taxable real estate and personal property in said City of Conway as made by the Assessor of Faulkner County, Arkansas, for the current year and that said levy be assessed thereon by the County Clerk and collected by the County Collector in the same manner and at the same time as the State and County taxes for the beginning January 1st, 2012, for the purpose of raising a special revenue to provide for a Firemen's Pension and Relief Fund authorized by vote of the electors of Conway, Arkansas, at Special Election held on May 3rd, 1966, and that the Mayor of the City of Conway, Arkansas is hereby ordered and directed, to make out and certify unto the County Clerk and Quorum or Levying Court of Faulkner County, Arkansas, a certified copy of the Resolution to the end that said Court may make said levy and cause the extension and collection of taxes aforesaid.

PASSED this 1st day of November, 2011.

Approved:

Mayor Tab Townsell

Attest:

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



**City of Conway, Arkansas
Resolution No. R-11-_____**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

That a levy of Four-Tenth's (.4) mill on the dollar be made and the same hereby is made upon the assessed valuation of all taxable real estate and personal property in said City of Conway as made by the Assessor of Faulkner County, Arkansas, for the current year and that said levy be assessed thereon by the County Clerk and collected by the County Collector in the same manner and at the same time as the State and County taxes for the beginning January 1st, 2012, for the purpose of raising a special revenue to provide for a Pension and Relief Fund for Paid Non-Uniformed Employees authorized by vote of the electors of Conway, Arkansas, at Special Election held on May 3rd, 1966, and the Mayor of the City of Conway, Arkansas, ordered and directed, to make out and certify unto the County Clerk and Quorum or Levying Court of Faulkner County, Arkansas, a certified copy of the Resolution to the end that said Court may make said levy and cause the extension and collection of taxes aforesaid.

PASSED this 1st day of November, 2011.

Approved:

Mayor Tab Townsell

Attest:

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



City of Conway, Arkansas
Resolution No. R-11-_____

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

That a levy of Four-Tenth's (.4) mill on the dollar be made and the same hereby is made upon the assessed valuation of all taxable real estate and personal property in said City of Conway as made by the Assessor of Faulkner County, Arkansas, for the current year and that said levy be assessed thereon as a Voluntary Cemetery Assessment by the County Clerk and Collected by the County Collector as a voluntary assessment in the year beginning January 1st, 2012, are collected for the purpose of raising a special revenue for the exclusive purpose of operating and maintaining the cemeteries for the City of Conway, Arkansas, and that the City Clerk-Treasurer of the City of Conway, Arkansas, and that the Mayor of the City of Conway, hereby is ordered and directed to make out and certify unto the County Clerk and the Quorum or Levying Court of Faulkner County, Arkansas, a certified copy of this Resolution to the end that said Court may make said levy and cause said extension and collection of taxes as aforesaid.

PASSED this 1st day of November, 2011.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Resolution No. R-11-_____**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

That a levy of Four-Tenth's (.4) mill on the dollar be made and the same hereby is made upon the assessed valuation of all taxable real estate and personal property in said City of Conway as made by the Assessor of Faulkner County, Arkansas, for the current year and that said levy be assessed thereon as a Voluntary Recreation Assessment by the County Clerk and Collected by the County Collector as a voluntary assessment in the same manner and at the same time as the State and County taxes for the year beginning January 1st, 2012, are collected for the purpose of operating and maintaining the public recreation and playgrounds of the City of Conway, Arkansas, authorized by a vote of the election held on October 27th, 1964, under the provisions of Ordinance No. A-418, and that the Mayor of the City of Conway, is hereby ordered and directed to make out and certify to the County Clerk and Quorum or Levying Court of Faulkner County, Arkansas, a certified copy of this Resolution to the end that said Court may make said levy and cause said extension and collection of taxes as aforesaid.

PASSED this 1st day of November, 2011.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City/Clerk Treasurer



**City of Conway, Arkansas
Resolution No. R-11-_____**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

That a levy of One and Nine-Tenth's (1.9) mill on the dollar be made and the same hereby is made upon the assessment of all taxable real and personal property in the City of Conway, Arkansas, as made by the Assessor of Faulkner County, Arkansas, during the current year, for the year beginning January 1st, 2012, for the purpose of raising General Fund Revenues of said City of Conway, the Mayor of the City of Conway is hereby ordered and directed to make out and certify unto the County Clerk and the Quorum Court of Faulkner County a copy of the Resolution to the end that said County may make said levy as aforesaid.

PASSED this 1st day of November, 2011.

Approved:

Mayor Tab Townsell

Attest:

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