

City of Conway

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R-7328

ORDINANCE 0-03-14

**AN ORDINANCE ABANDONING A PORTION OF A 30' EASEMENT AND ALL OF A 15' EASEMENT LOCATED BETWEEN LOT 7 BROOKHAVEN AND LOT 1 ADAMSBROOKE SUBDIVISIONS, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:**

**WHEREAS**, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 5<sup>th</sup> day of February, 2003 asking the City Council to vacate and abandon all of a 15' wide easement along the west property line of Lot 1 Adamsbrooke Subdivision less and except the south 15'. Also all of a 30' wide easement lying between Lot 1 Adamsbrooke Subdivision and Lot 7 Brookhaven Subdivision less and except the west 5'.

**WHEREAS**, after due notice as required by law, the council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the easement or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a easement herein described; **has** not been actually used by the public generally for a period of at least five (5) years subsequent to the filing of the plat; that all the owners of the property abutting upon the portion of the 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 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 easement designated as follows:

**All of a 15' wide easement along the west property line of Lot 1 Adamsbrooke Subdivision less and except the south 15'. Also all of a 30' wide easement lying between Lot 1 Adamsbrooke Subdivision and Lot 7 Brookhaven Subdivision less and except the west 5'.**

**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 11<sup>th</sup> day of February, 2003.

  
Mayor

Attest:

  
City Clerk/Treasurer

Doc#2003- 4202  
Date 8/21/2003  
02:10:53 PM  
Filed & Recorded in  
Official Records of  
Faulkner County  
SHARON RINNER  
FAULKNER COUNTY CIRCUIT CLERK  
Fees \$11.00  
by  D.C.

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