

② City of
Conway, Ark.

023747

ORDINANCE O-06-127

Doc#2006- 23485

Date 9/27/2006

12:47 PM

Filed & Recorded in

Official Records of

Faulkner County

SHARON RIMMER

FAULKNER COUNTY CIRCUIT CLERK

Fees \$11.00

2/108

BY _____ D.C.

AN ORDINANCE TO VACATE AND ABANDON THE DRAINAGE EASEMENT DESIGNATED ON THE REPLAT OF LOT 41, 41-R CRESTHAVEN SUBDIVISION; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, a request was duly filed with the City Council of the City of Conway, Arkansas on the 12th day of September, 2006 asking the City Council to vacate and abandon a portion of a drainage easement designated on the replat of Lot 41, 41-R Cresthaven Subdivision to the City of Conway described as follows:

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:

That portion of a drainage easement passing through Lot 41R beginning at the north property line of Lot 42 thence S-17-35-32-E, 26.76 feet; thence S-21-52-18-E, 19.52 feet; S-26-38-26-W, 20.10 feet; thence S-26-38-26-E, 20.10 feet; S-29-27-14-E, 54.77 feet; S-38-28-04-E, 29.17 feet; thence S-56-19-11-E, 29.61 feet; thence S-57-18-50-E, 29.67 feet, thence S-56-47-04-E, 59.24 feet.

Section 2. A copy of the ordinance duly certified by the city clerk shall be filed in the office of the recorder of the county and recorded in the deed records of the county.

Section 3. This ordinance shall take effect and be in force from and after its passage.


Passed this 26th day of September, 2006

Approved:



Mayor Tab Townsell

Attest:



Michael O. Garrett
City Clerk/Treasurer