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City of Conway

024194

Doc#2007- 23971

**ORDINANCE NO. O-07-131**

**AN ORDINANCE TO REMOVE THE WORD "ACCESS" FROM THE 30' UTILITY EASEMENT LOCATED BETWEEN LOTS 19 & 20 IN THE SHADY VALLEY SUBDIVISION; AND FOR OTHER PURPOSES**

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 6<sup>th</sup> day of November, 2007 asking the City Council to remove the word "access" from the 30' utility easement located between Lots 19 & 20 in the Shady Valley subdivision.; within the City limits of Conway, AR., Faulkner County.

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 removal of the word "access" of the said 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:


The word "access" shall be removed from the 30' foot utility easement between lots 19 & 20 - Shady Valley Subdivision.

**Section 2.** Conway Corp request that the descriptive expression for this easement be change to "30' Utility and Drainage easement.

**Section 3.** 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.

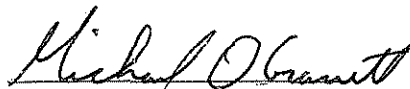
**PASSED** this 6<sup>th</sup> day of November, 2007.

**Approved:**



**Mayor Tab Townsell**

**Attest:**



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