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City-env.

ORDINANCE NO. O-07-15

ORDINANCE CLOSING THE FIFTEEN FOOT UTILITY EASEMENT RUNNING SOUTH TO NORTH ALONG THE EAST SIDE OF LOT 3 AND RUNNING EAST TO WEST THROUGH LOT 3 AND CONTINUING THROUGH LOT 2 DANIEL SUBDIVISION; 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 6th day of February, 2007 asking the City Council to vacate and abandon a portion of the easement designated on the plat of the Daniel Subdivision, as recorded in Plat Book K Page 57 to the City of Conway.

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:

Being a strip of land lying 7.5 feet either side of a line described as originating at a point 146.89 feet N01°17'59"E of the SW corner of Lot 3, Daniel Subdivision as recorded in Plat Book K, Page 57 to the Faulkner County Records; thence S88°36'47"E 153.36 feet to a point 7.5 feet West of the East line of said Lot 3; thence S01°14'27"W 143.61 feet; thence N01°14'27"E 308.60 feet to the point of termination of said centerline of an easement, said point being 113.00 feet S01°14'27"W and 7.5' N88°26'20"W of the NE corners of said Lot 3 Daniel Subdivision.

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 is necessary of the protection of the public peace, health and safety and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

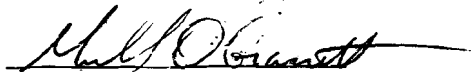
PASSED this 27th day of February, 2007

Approved:



Mayor Tab Townsell

Attest:



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