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Official Records of
Faulkner County
RHONDA WHARTON
FAULKNER COUNTY CIRCUIT CLERK
Fees \$20.00
by D.C.

City of Conway, Arkansas
Ordinance No. O-09-150

AN ORDINANCE CORRECTING ORDINANCE NO. 0-07-111, THE REMOVAL OF THE UTILITY EASEMENT BETWEEN LOT 17 AND LOT 18 LACHOWSKY SUBDIVISION REFERRED TO IN PREVIOUS ORDINANCE AS LOTS 17 AND 18, I-40 SOUTH REPLAT; 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 18th day of September, 2007 asking the City Council to vacate and abandon part of the public utility easement designated on the plat of the addition to the City of Conway; and

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:

Lot 17, I-40 South Replat Lachowsky Subdivision to the City of Conway, Arkansas, Faulkner County, as shown on plat of records in **Plat Book J, page 33 F, page 52** to the records of Faulkner County.

Lot 18, I-40 South Replat Lachowsky Subdivision to the City of Conway, Arkansas, Faulkner County, as shown on plat of records in **Plat Book J, page 33 F, page 52** to the records of Faulkner County.

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 22nd day of December, 2009

Approved:

Mayor Tab Townsell

Attest:

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