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Filed & Recorded in

Official Records of

Faulkner County

RHONDA WHARTON

FAULKNER COUNTY CIRCUIT CLERK

Fees \$20.00

by

325046

LR

D.C.

City of Conway, Arkansas
Ordinance No. O-09-65

AN ORDINANCE CLOSING THE EASEMENT LOCATED BETWEEN LOTS 33 AND 34 IN THE DEERBROOK 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 2nd day of June, 2009, asking the City Council to close all that portion of the fifteen foot utility easement located on the eastern lot line of Lot 33 and the western lot line of Lot 34 as shown in Plat Book H, Page 60, Records of Faulkner County, within the City limits of Conway, Arkansas,

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 an 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 15' utility 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 15' utility 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 15' utility easement designated as follows:

The east 7 ½ foot utility easement located on Lot 33, and the west 7 ½ foot utility easement located on Lot 34, in Deerbrook Subdivision; as shown in Plat Book H, Page 60, Records of Faulkner County, Arkansas.

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 9th day of June, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer