

4

03104



Doc#2010- 3066

Date 02/26/2010

12:35:38 PM

Filed & Recorded in

Official Records of

Faulkner County

RHONDA WHARTON

FAULKNER COUNTY CIRCUIT CLERK

Fees \$20.00

by

333996

UR

D.C.

City of Conway, Arkansas

Ordinance No. O-10-07

AN ORDINANCE CLOSING A UTILITY EASEMENT LOCATED NEAR THE NORTHERN BOUNDARY OF LOT 11 OF I-40 SOUTH REPLAT AT 565 AMITY ROAD, AND FOR OTHER PURPOSES;

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 12th day of January, 2010, asking the City Council to vacate and abandon all of a 10' utility easement described as the North 10 feet of Lot 11 of 1-40 South Replat, to the City of Conway, Faulkner County 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 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 10 foot 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 10 foot 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 North 10 feet of Lot 11 of 1-40 South Replat, to the City of Conway, Faulkner County Arkansas designated as follows:

Being a 10' utility easement described at the North 10 feet of Lot 11 of I-40 South Replat as shown on Plat of Records in Plat Book J, Page 33, Records of Faulkner County, Arkansas. Also lying adjacent to the south side of Bill Dean Drive, which was closed by Ordinance #O-07-146, dated November 27, 2007 in Document #2007-25217.

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 January, 2010.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer