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City of
Conway

17719



City of Conway, Arkansas
Ordinance No. O-10-87

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Date 09/24/2010
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Official Records of
Faulkner County
RHONDA WHARTON
FAULKNER COUNTY CIRCUIT CLERK
Fees \$20.00
by Jm D. C.

343738

AN ORDINANCE CLOSING A 5' UTILITY EASEMENT AND THREE (3) 15' UTILITY EASEMENTS LOCATED IN WOODLAND SPRINGS SUBDIVISION PHASE III, AND FOR OTHER PURPOSES;

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 10th day of August, 2010, asking the City Council to vacate and abandon all or part of the easements in Lots 122, 123, and 124, Woodland Springs Subdivision.

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 easements 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 easements in Lots 122, 123, and 124, Woodland Springs Subdivision Phase III.

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 easements in Lots 122, 123, and 124, Woodland Springs Subdivision Phase III designated as follows:

Being the south 5.0 feet of the north 15.0 feet utility easement lying parallel and adjacent to the north line of Lot 124, Woodland Springs Subdivision, Phase III to the City of Conway, Arkansas, as shown on Plat of Records in Plat Book H, page 97, to the Faulkner County Records, less and except the west 7.5 feet and also less and except the east 10.0 feet thereof.

Being a 15.0 foot utility easement lying between Lots 123 and 124, Woodland Springs Subdivision, Phase III to the City of Conway, Arkansas as shown on Plat of Records in Plat Book H, Page 97 to the Faulkner County Records, less and except the west 7.5 feet and also less and except the east 10.0 feet thereof.

Being a 15.0 foot utility easement lying between Lots 122 and 123, Woodland Springs Subdivision, Phase III to the City of Conway, Arkansas as shown on Plat of Records in Plat Book H, Page 97 to the Faulkner County Records, less and except the west 7.5 feet and also less and except the east 10.0 feet thereof.

Being a 15.0 foot utility easement lying parallel and adjacent to the south line of Lot 122, Woodland Springs Subdivision, Phase III to the City of Conway, Arkansas as shown on Plat of Records in Plat Book H, Page 97 to the Faulkner County Records, less and except the west 7.5 feet and also less and except the east 71.53 feet thereof.

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 will be in full effect when receipt of all utility waivers are in the hands of the Planning & Permit Department subject to it must be done by December 31st, 2010.

Passed this 24th day of August, 2010.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer