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FAULKNER COUNTY CIRCUIT CLERK
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City of Conway, Arkansas
Ordinance No. O-11-88

AN ORDINANCE CLOSING A 15-FOOT UTILITY EASEMENT LOCATED IN THE REPLAT OF HARP'S AT GERMAN LANE; AND FOR OTHER PURPOSES;

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 11th day of November, 2011 asking the City Council to vacate and abandon all of a 15-foot utility easement described as Part of the SW ¼ of the SW ¼, Section 4, Township 5 North, Range 13 West of the Fifth Principal Meridian, Faulkner County, Arkansas and being part of Lot 2-A and Lot 2-B of the Replat of Harp's at German Lane as recorded in Book "L", Page 70, and as shown on the plat of survey by Engineering Services, Inc. as recorded in Book "L", Page 29, of the Records of Faulkner County, Arkansas, being more particularly described as commencing at the Southwest Corner of said Section 4, thence N01°05'04"E along the Section Line, a distance of 460.63 feet to a point, thence leaving said Section Line S87°45'25"E a distance of 170.20 feet to the Point of Beginning; thence along the easement the following, S87°45'25"E a distance of 15.00 feet to a point; thence S87°41'15"E a distance of 490.75 feet to a point; thence S01°11'37"W a distance of 15.00 feet to a point; thence N87°41'15"W a distance of 505.74 feet to a point; thence N01°08'24"E a distance of 15.00 feet a point; thence S87°40'47"E a distance of 14.99 to the Point of Beginning.

Said Tract or Parcel of Land containing 0.17 acres, more or less.

Said utility easement being the same as that easement described of record on the plat of Trent Van Pelt Subdivision, recorded November 23, 2004, in Book K, Page 77, Land Records of 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; that all the owners of the property abutting upon the portion of the 15-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 15-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 15-foot utility easement described as follows:

Part of the SW ¼ of the SW ¼, Section 4, Township 5 North, Range 13 West of the Fifth Principal Meridian, Faulkner County, Arkansas and being part of Lot 2-A and Lot 2-B of the Replat of Harp's at German Lane as recorded in Book "L", Page 70, and as shown on the plat of survey by Engineering Services, Inc. as recorded in Book "L", Page 29, of the Records of Faulkner County, Arkansas, being more particularly described as commencing at the Southwest Corner of said Section 4, thence N01°05'04"E along the Section Line, a distance of 460.63 feet to a point, thence leaving said Section Line S87°45'25"E a distance of 170.20 feet to the Point of Beginning; thence along the easement the following, S87°45'25"E a distance of 15.00 feet to a point; thence S87°41'15"E a distance of 490.75 feet to a point; thence S01°11'37"W a distance of 15.00 feet to a point; thence N87°41'15"W a distance of 505.74 feet to a point; thence N01°08'24"E a distance of 15.00 feet a point; thence S87°40'47"E a distance of 14.99 to the Point of Beginning.

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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 1st day of November, 2011.

Approved:



Mayor Tab Townsell

Attest:



Michael O. Garrett
City Clerk/Treasurer