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Faulkner County

RHONDA WHARTON

FAULKNER COUNTY CIRCUIT CLERK

Fees \$25.00

by _____

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LB

D. C.



City of Conway, Arkansas

Ordinance No. O-14-70

AN ORDINANCE CLOSING PART OF A 10 FOOT UTILITY EASEMENT AND ALL OF A 13.5 FOOT UTILITY EASEMENT LOCATED AT 621 OAK STREET; AND FOR OTHER PURPOSES;

Whereas, a petition was duly filed with the City Council of the City of Conway, Arkansas on the August 7th, 2014 asking the City Council to vacate and abandon all of a 10 foot and a 13.5 foot easement in Lot A Harkrider Addition Superior Replat; 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 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 10 foot and 13.5 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 part of a 10 foot and all of a 13.5 foot utility easement in Lot A Harkrider Addition Superior Replat.

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 10 foot and 13.5 foot easement designated as follows:

10' Easement Abandonment Description

Part of Lot A, Block 1, Harkrider Addition to the City of Conway, Faulkner County, Arkansas as filed for record in Plat Book J, Page 144, being more particularly described as follows:

Commencing at the SE corner of said Lot A, being on the north right-of-way line of Polk Street; thence N88°16'57"W along said north right-of-way line, a distance of 225.06 feet; thence along a curve to the right having a Radius of 25.00 feet, an Arc Length of 39.21 feet and a Chord bearing and distance of N43°20'47"W, 35.32 feet to the east right-of-way line of Factory Street; thence N01°35'23"E along said east right-of-way line, a distance of 115.91 feet to the POINT OF BEGINNING; thence S88°08'42"E, a distance of 10.00 feet; thence N01°35'23"E, a distance of 97.24 feet; thence N88°25'21"W, a distance of 10.00 feet to said east right-of-way line; thence S01°35'23"W along said east right-of-way line, a distance of 97.19 feet to the POINT OF BEGINNING, containing 0.02 Acres (972 sq. ft.) more or less.

13.5' Easement Abandonment Description

Part of Lot A, Block 1, Harkrider Addition to the City of Conway, Faulkner County, Arkansas as filed for record in Plat Book J, Page 144, being more particularly described as follows:

Commencing at the SE corner of said Lot A, being on the north right-of-way line of Polk Street; thence N88°16'57"W along said north right-of-way line, a distance of 225.06 feet; thence along a curve to the right having a Radius of 25.00 feet, an Arc Length of 39.21 feet and a Chord bearing and distance of N43°20'47"W, 35.32 feet to the east right-of-way line of Factory Street; thence N01°35'23"E along said east right-of-way line, a distance of 115.91 feet; thence S 88°08'42"E, a distance of 10.00 feet to the POINT OF

BEGINNING; thence continue S88°08'42"E, a distance of 162.50 feet; thence S01°35'23"W, a distance of 13.50 feet; thence N88°08'42"W, a distance of 162.50 feet; thence N01°35'23"E, a distance of 13.50 feet to the POINT OF BEGINNING, containing 0.05 Acres (2,194 sq. ft.) more or less.

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 September, 2014.

Approved:



Mayor Tab Townsell

Attest:



Michael O. Garrett
City Clerk/Treasurer

