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City



CERTIFICATE of RECORD

Instrument #201619716

Real Estate Book

Ordinance

Filed: 12/19/2016 11:26 am

Faulkner County, Arkansas

Rhonda Wharton, Circuit Clerk

By: Charlotte Marlin, D.C.

City of Conway, Arkansas

Ordinance No. O-16-128

3 Pages

\$25.00

AN ORDINANCE CLOSING A PORTION OF THE PATHWAY AND DRAINAGE RIGHT-OF-WAY AND EASEMENT LOCATED WITHIN LOT 2 PEDIATRICS PLUS SUBDIVISION; AND FOR OTHER PURPOSES;

Whereas, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 19th day of October, 2016 asking the City Council to vacate and abandon all the portion of the "Right of Way and Easement" for pedestrian/bike trail and drainage purposes along Tucker Creek as described in Document 2012-342 that extends into and is located within Lot 2 Pediatrics Plus Subdivision (Plat L-267) as described below.

Whereas, after due notices 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 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 5 years subsequent to the filing of the plat; that all property owners of the property abutting upon the portion of the Right of Way to be vacated have filed with their council their written consent to the abandonment; and that public interest and welfare will not be adversely affected by the abandonment of the portion Right of Way.

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 portion of the "Right of Way and Easement" for pedestrian/bike trail and drainage purposes along Tucker Creek as described in Document 2012-342 that extends into and is located within Lot 2 Pediatrics Plus Subdivision (Plat L-267), designated as follows:

A portion of an existing Right of Way and Easement for Pedestrian / Bike Trail and Drainage purposes as described in Document 2012-342 that extends into and is located within Lot 2 Pediatrics Plus Subdivision (Plat L-267) being situated in part of the NW 1/4 SW 1/4 Section 11, T-5-N, R-14-W, Faulkner County, Arkansas being more particularly described as follows:

Commencing at the northwest corner of the NW 1/4, SW 1/4 Section 11, T-5-N, R-14-W, Faulkner County, Arkansas, thence S87°51'42"E, along the north line of said NW 1/4, SW 1/4 Section 11, 557.02 feet; thence S01°58'50"W, 40.00 feet to the northwest corner of Lot 3 Pediatrics Plus Subdivision; thence S87°51'42" E along said north line Lot 3, 115.07 feet to the northwest corner of Lot 2 Pediatrics Plus Subdivision and the point of beginning; thence continuing S87°51'42"E along the north line of said Lot 2, 54.60 feet;

thence S02°08'18"E, 70.00 feet; thence N87°51'42"W, 63.65 feet to the westerly line of said Lot 2, thence N09°35'02"E, 70.62 feet along said west line to the point of beginning and containing 0.095 acres, 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.

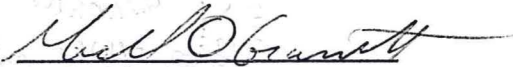
PASSED this 22nd day of November, 2016.

Approved:



Mayor Tab Townsell

Attest:



Michael O. Garrett
City Clerk/Treasurer