

2



**City of Conway, Arkansas  
Ordinance No. O-22-21**



**CERTIFICATE OF RECORD  
FAULKNER CO, AR FEE \$20.00**

I hereby certify that this instrument was  
Filed and Recorded in the Official Records  
In Doc Num **L202205275** 2 Pages  
RECORDED: 03-23-2022 12:07:15 PM  
CRYSTAL TAYLOR  
FAULKNER COUNTY CIRCUIT CLERK  
BY: DIANA VARNER, D.C.  
**ORDINANCE**

**AN ORDINANCE AMENDING ORDINANCE NO. O-05-162 AND EXTENDING THE LEASE OF THE CITY'S ELECTRIC PLANT AND FACILITIES TO CONWAY CORPORATION; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Conway, Arkansas (the "City"), a city of the first class, presently owns an Electric Plant (as defined in Ordinance No. O-05-162) serving the residents of the City, which Electric Plant is presently leased to and operated and maintained by the Conway Corporation, a nonprofit corporation organized and existing under the laws of the State of Arkansas (the "Corporation"), pursuant to a lease (the "Lease") between the City and the Corporation embodied in and approved by Ordinance No. O-05-162 adopted on December 13, 2005; and

**WHEREAS**, the City desires to extend the term of the Lease of the Electric Plant to the Corporation.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Conway, Arkansas that:

**Section 1.** The term of the Lease of the Electric Plant to the Corporation set forth in Ordinance No. O-05-162 is hereby extended to December 31, 2050 and Section 1 of Ordinance No. O-05-162 is hereby deemed amended to such effect. All other provisions of Ordinance No. O-05-162 shall remain in full force and effect.

**Section 2.** The extension of the term of the Lease granted by this Ordinance shall be accepted in writing by the Corporation within thirty (30) days from the date of adoption of this Ordinance, whereupon the Lease term shall be deemed to be extended as provided in Section 1.


**Section 3.** The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared to be illegal or invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Ordinance.

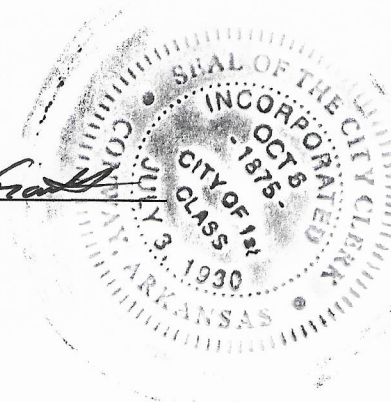
**Section 4.** All ordinances, resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

**Section 5.** There is hereby found and declared to be an immediate need for further securing the provision of Electric Service (as defined in Ordinance No. O-05-163) to the City and the inhabitants thereof for the period stated in Section 1 hereof, and the extension of the Lease authorized hereby is immediately necessary for the accomplishment of this purpose. It is, therefore, declared that an emergency exists and this ordinance being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect immediately upon and after its passage.


**ADOPTED AND APPROVED THIS 28<sup>th</sup> DAY OF FEBRUARY, 2022.**

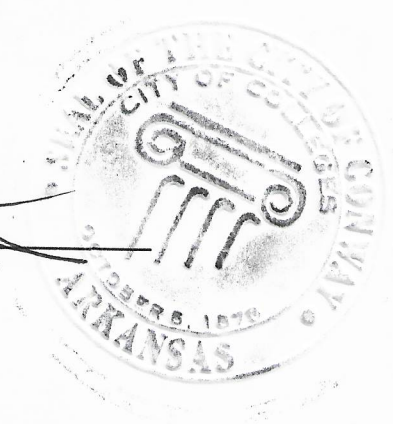
Attest:

  
Michael O. Garrett  
City Clerk/Treasurer



Approved:

  
Mayor Bart Castleberry



**CERTIFICATE**

**STATE OF ARKANSAS  
COUNTY OF FAULKNER  
CITY OF CONWAY**

I, Michael Garrett, the duly elected, qualified, and acting: Clerk-Treasurer of the City of Conway, Arkansas, do hereby certify that the attached and foregoing is a true and correct copy of an ordinance presented to the City Council of the City of Conway, Arkansas, at a meeting of that body held on the 28<sup>th</sup> day of February, 2022 same is duly recorded in the minutes of meeting of said Council.

Witness, my hand, and seal of the City of Conway, Arkansas this 3<sup>rd</sup> day of March, 2022.

  
**CITY CLERK-TREASURER**

