

2



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 **L202205276** 2 Pages

RECORDED: 03-23-2022 12:07:16 PM

CRYSTAL TAYLOR  
FAULKNER COUNTY CIRCUIT CLERK

BY: DIANA VARNER, D.C.

**ORDINANCE**



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

**AN ORDINANCE AMENDING ORDINANCE NO. O-05-163 AND EXTENDING THE FRANCHISE OF THE CONWAY CORPORATION TO OPERATE AND MAINTAIN THE ELECTRIC PLANT AND FACILITIES OF THE CITY OF CONWAY, ARKANSAS; 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-05-163) serving the residents of the City, which Electric Plant is presently 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 an exclusive franchise to operate and maintain the Electric Plant granted to the Corporation by the City pursuant to Ordinance No. O-05-163 adopted on December 13, 2005; and

**WHEREAS**, the City desires to extend the term of the franchise previously granted 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 franchise granted to the Corporation by Ordinance No. O-05-163 is hereby extended to December 31, 2050 and Section 2 of Ordinance No. O-05-163 is hereby deemed amended to such effect. All other provisions of Ordinance No. O-05-163 shall remain in full force and effect.

**Section 2.** The extension of franchise 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 franchise 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**Section 4.** All ordinances, resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.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 franchise 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.

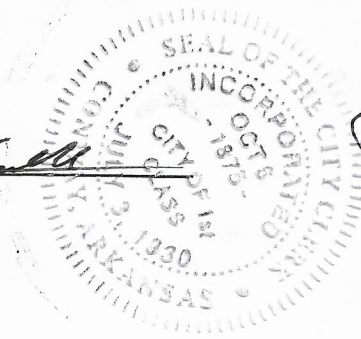
**ADOPTED AND APPROVED THIS 28<sup>th</sup> DAY OF FEBRUARY, 2022.**

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**

