

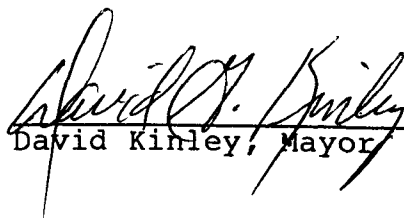
RESOLUTION
R-87- 09

WHEREAS, the City of Conway obtained a right-of-way easement dated the 20th day of November 1975, from one Phillip J. Pinter and wife Marie H. Pinter.

WHEREAS, the right-of-way deed of easement proposed to be a 15 feet wide strip across a certain piece of property a copy of said easement is attached hereto.

WHEREAS, it has become apparent that there was an error in the description of the easement to the extent that it now encumbers the Pinter property but also comes across property now owned by James F. Nahlen and wife Renate Nahlen.

WHEREAS, the Nahlens' have not agreed to nor consented to an easement and further, it is not necessary for the preservation of the utility lines that are lying on said easement on the Pinter property and now therefore, be it resolved by the City Council City of Conway, Arkansas, that the Mayor and the Clerk are hereby authorized and directed to execute a quitclaim deed to James F. Nahlen and wife Renate Nahlen to reconvey and/or to quitclaim any interest the City might have in the easement running across their property.


David Kinley, Mayor


Clerk

C E R T I F I C A T E

STATE OF ARKANSAS)
COUNTY OF FAULKNER)
CITY OF CONWAY)

I, Martha Hartwick, the duly elected, qualified, and acting Clerk-Treasurer of the City of Conway, Arkansas, do hereby certify that the above and foregoing is a true and correct copy of a certain Resolution duly passed and adopted by The City Council of the City of Conway, Arkansas, at a meeting of that body held on the 10th day of February, 1987, and same is duly recorded in the minutes of meeting of said Council.

WITNESS, my hand and the seal of the City of Conway, Arkansas this 10th day of February, 1987.

Martha Hartwick
City Clerk-Treasurer

Seal

QUITCLAIM DEED
(Corporation)

KNOW ALL MEN BY THESE PRESENTS:

THAT the City of Conway, an Arkansas corporation, GRANTOR, by its _____ and _____, duly authorized hereby by lawful resolution of its Board of Directors, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, paid by James F. Nahlen and Renate Nahlen, GRANTEES, the receipt of which is hereby acknowledged, does hereby grant, convey and quitclaim unto the said Grantees and unto their heirs and assigns forever, all of its right, title, interest, equity and estate in and to the following described lands situated in the County of Faulkner, State of Arkansas:

A 15 foot wide strip running along the North Side of the Following described property to-wit:

One acre in the SE 1/4 NE 1/4, Section 14, Township 5 North, Range 14 West, described as follows: Beginning 5.00 chains West of the SE Corner of the SE 1/4 NE 1/4 of Section 14, Township 5 North, Range 14 West, thence West 3.16 1/2 chains, thence North 3.16 1/2 chains, thence East 3.16 1/2 chains, thence South 3.16 1/2 chains to point of beginning, containing 1 acre, more or less.

A part of the S 1/2 SE 1/4 NE 1/4, more particularly described as follows, to-wit:

Beginning at a point 8.16 1/3 chains west of the SE corner of said S 1/2 SE 1/4 NE 1/4, and run from thence West 104.5 feet; thence North 208.7 feet; thence East 104.5 feet; thence South 208.7 feet to the point of beginning,

In Section 14, Township 5 North, Range 14 West, and containing 1/2 acre, more or less, as surveyed and platted by B. F. Stermer, County Surveyor, on July 15, 1952.

To have and to hold the same unto the said Grantees and unto their heirs and assigns forever, along with all tenements, appurtenances and hereditaments thereunto belonging.

IN WITNESS WHEREOF, the name of the Grantor is hereunto affixed by its _____ Mayor _____ and its seal affixed by its _____ City Clerk-Treasurer _____ this 10th day of February, 1987.

The City of Conway
By: David A. Guley
(Officer)

ATTEST:

Martha Hartwick
(Secretary or Assistant Secretary)

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF FAULKNER

On this _____ day of _____ 1987, before me
_____ a Notary Public duly commissioned,
qualified and acting, within and for said County and State
appeared in person the within named _____
and _____ to me personally well known,
who stated they were the _____ President and Secretary of the
City of Conway, a corporation, and were fully authorized in their
respective capacities to execute the foregoing instrument for and
in the name and behalf of said corporation, and further stated
and acknowledged that they had so signed, executed and delivered
said foregoing instrument for the consideration, uses and
purposes therein mentioned and set forth.

In Testimony Whereof, I have hereunto set my hand and
official seal this 10th day of February, 1987.

Becky Hess
Notary Public

My Commission Expires:
6/19/89

RIGHT OF WAY DEED AND EASEMENT

With Relinquishment of Dower

Philip J. Pinter and wife,

Marie H. Pinter

TO

THE CITY OF CONWAY, ARKANSAS

KNOW ALL MEN BY THESE PRESENTS:

That We, Philip J. Pinter and Marie H. Pinter, his wife, for and in consideration of the sum of one dollar (\$1.00), to us paid by the City of Conway, Arkansas, a municipal corporation, cash in hand, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto said City of Conway, Arkansas, its successors and assigns, forever, a right of way and easement fifteen feet wide on, over, across and under the following described lands, owned by us and situated in Faulkner County, Arkansas, to-wit:

Said easement 15 ft. wide shall be a part of the Southeast Quarter of the Northeast Quarter of Sec. 14, T5N, R14W, Faulkner Co., Ark., more particularly described as follows: Said easement shall begin at a point 207.4 ft. North of the SW Corner of the Southeast Quarter of the Northeast Quarter of Sec. 14, described above; thence running East 993 ft.; thence running North 15 ft.; thence running West 993 ft.; thence running South 15 ft. to point of beginning.

The above described 15 ft. easement includes a strip of land 15 ft. wide just North of Lots 1 through 6 of Blk. 1 of University Apts. Subdivision of the City of Conway, Arkansas.

Said right of way and easement shall be located upon and over such portion of the above described lands as has been, or may be hereafter selected by the officers or agents of said City of Conway.

And for said sum we do further grant, sell and convey unto said City of Conway, its successors and assigns for a term of six months from and after this date, a right of way and easement forty (40) feet wide on, over, across, through and under the aforesaid lands, for the purpose of providing a construction and work area for building and laying a utilities and that this right of way and easement shall be located upon and over such portion of the above described lands as has been or may hereafter be selected by the officers or agents of said City of Conway; it being understood and agreed that the said City of Conway, or its successors or assigns, shall have the right to enter upon the above described lands at such time as it or they may deem proper to make such excavations and do such other work as it or they deem proper and necessary for the laying, relaying, maintaining, repairing, or replacing of utilities and appliances incident thereto, but it is expressly understood and agreed that the said City of Conway, or its successors or assigns, shall be liable to the grantors herein, or their heirs or assigns, for any and all damage that may be done in the prosecution of said work to any crops, fences or other improvements upon said lands, and that should it be necessary to go through any fences upon said lands the said City of Conway shall rebuild same immediately in as good condition as same were before.

TO HAVE AND TO HOLD the same unto the said City of Conway, and unto its successors and assigns, forever, with full right of ingress and egress at all times in, upon, over or under and to said lands for the purposes aforesaid.

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Pinter

Page 2 - Right of Way Deed and Easement

And I, Marie H. Pinter, wife of the said Philip J. Pinter

the grantor herein, do hereby join in this conveyance, and for the consideration aforesaid, convey and renounce all right of homestead in and to said right of way and easement; and for and in consideration of the said sum of money, do hereby release and relinquish unto the said City of Conway, Arkansas, all my right of dower and to said right of way and easement.

WITNESS our hands and seals this 20 day of November, 19 75

Philip J. Pinter (SEAL)

Marie H. Pinter (SEAL)

ACKNOWLEDGMENT

STATE OF ARKANSAS
County of Faulkner.

BE IT REMEMBERED, that on this day came before the undersigned, a Notary Public within and for the County aforesaid, duly commissioned and acting, Philip J. Pinter and Marie H. Pinter, to me well known as the grantors in the foregoing Deed, and acknowledged that they had executed the same for the consideration and purposes therein mentioned and set forth.

And on the same day also voluntarily appeared before me the said Marie H. Pinter, wife of the said Philip J. Pinter to me well known, and in the absence of her said husband declared that she had of her own free will executed said deed and signed and sealed the relinquishment of dower and homestead in the foregoing Deed, for the consideration and purposes therein mentioned and set forth, without compulsion or undue influence of her said husband.

WITNESS my hand and seal as such Notary Public this 20 day of November, 19 75

W. M. Deacon
Notary Public

My Commission Expires:

2-1-77

CERTIFICATE OF RECORD

STATE OF ARKANSAS }
County of Faulkner } ss.

I, Lucy Glover, Circuit Clerk and Ex-Officio Recorder within and for the County and state aforesaid, do hereby certify that the annexed and foregoing instrument of writing was filed for record in my office on the 5th day of December, 19 75, at 10:35 o'clock A. M., and the same is now duly recorded with acknowledgment and certificate thereon, in Deed Record Book 231, Page 422.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said court, this the 8th day of December, 19 75

LUCY GLOVER, Clerk

By Shirley Pinter