

21 City

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R-4882

ORDINANCE 0-01-16

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 7th day of February 2001 asking the City Council to vacate and abandon utility and drainage easements designated on the plat of The Falls P.U.D. to the City of Conway, Arkansas.

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 easements or the portions thereof, hereinafter described, have heretofore been dedicated to the public use as easements; have 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 easements 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 the easements.

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 easements designated as follows:

All utility and drainage easements located in The Falls P.U.D. Phase II.

All utility and drainage easements located in The Falls P.U.D. Phase I north of the south lot line of existing Lots 68, 69 and 97; LESS AND EXCEPT a 20 foot wide utility easement centered on the existing sewer main lying west of and adjacent to Niagra Falls [street] and then extending northeastwardly to a point 92.9 feet west and 11.7 feet south of the northeast corner of the SW 1/4 SE 1/4 of Section 8, T-5-N, R-13-W, Faulkner County, Arkansas.

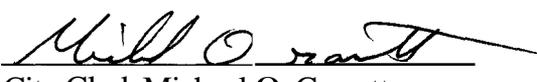
Section 2. A copy of the ordinance duly certified by the city clerk shall be filed in the office of the recorder of the county and recorded in the deed records of the county.

Section 3. This ordinance shall take effect and be in force from and after its passage. All ordinances in conflict herewith are hereby repealed in their entirety.

Passed this 27th day of February 2001.

Approved:


Mayor Tab Townsell

Attest:


City Clerk Michael O. Garrett