

② Conway

007222

ORDINANCE NO. 0-06-09 A

AN ORDINANCE TO VACATE AND ABANDON AN EASEMENT OF LOT 1, CONWAY COMMONS WITHIN THE CITY LIMITS OF CONWAY, ARKANSAS, AND FOR OTHER PURPOSES;

WHEREAS, a request was duly filed with the City Council of the City of Conway, Arkansas on the 21ST day of FEBRUARY, 2006 asking the City Council to vacate and abandon ALL OF THE 15 FT UTILITY EASEMENT RUNNING EAST AND WEST ALONG THE NORTH PROPERTY LINE OF LOT 1 AND THE NORTH 220 FT OF A 15 FT UTILITY EASEMENT LYING ADJACENT TO THE WEST PROPERTY LINE OF LOT 1, portion of the easement designated on the plat of the LACHOWSKY SUBDIVISION to the City of Conway.

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 easement or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a easement herein described; has 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 portion of the easement 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 easement.

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 easement designated as follows:

ALL OF THE 15 FT UTILITY EASEMENT LYING ADJACENT TO THE NORTH PROPERTY LINE OF LOT 1 AND THE NORTH 220 FT OF A 15 FT UTILITY EASEMENT LYING ADJACENT TO THE WEST PROPERTY LINE OF LOT 1, LACHOWSKY SUBDIVISION TO THE CITY OF CONWAY, ARKANSAS, FAULKNER COUNTY AS SHOWN ON PLAT OF RECORD IN PLAT BOOK F PAGE 52, RECORDS OF FAULKNER COUNTY.

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.

PASSED this 28th day of February, 2006

Approved:



Mayor Tab Townsell

Attest:


Michael O. Garrett
City Clerk/Treasurer

Doc#2006- 7145
Date 03/29/2006
02:23:08 PM
Filed & Recorded in
Official Records of
Faulkner County
SHARON RIMMER
FAULKNER COUNTY CIRCUIT CLERK
Fees \$11.00
by _____


D.C.

CERTIFICATE

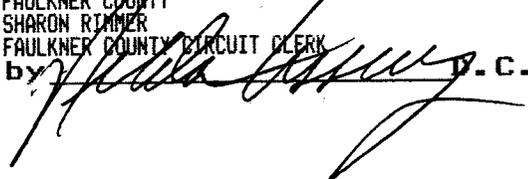
**STATE OF ARKANSAS
COUNTY OF FAULKNER
CITY OF CONWAY**

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 ordinance presented to the City Council of the City of Conway, Arkansas, at a meeting of that body held on the 28th day of February 2006, same is duly recorded in the minutes of meeting of said Council.

Witness, my hand and seal of the City of Conway, Arkansas, this 17th day of February 2006.


CITY CLERK-TREASURER

Seal

CERTIFICATE OF RECORD
Doc#2006- 7145
03/29/2006
02:23:00 PM
Filed and Recorded in Official Records of
FAULKNER COUNTY
SHARON RIMMER
FAULKNER COUNTY CIRCUIT CLERK
by  D.C.