

③ City of Conway, Ark.

019508

ORDINANCE O-07-100

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Faulkner County
RHONDA LONG
FAULKNER COUNTY CIRCUIT CLERK
Fees \$25.00
by _____ D.C.

294602

AN ORDINANCE TO REDUCE FOUR UTILITY EASEMENTS IN THE NORTH MARKET PLAZA P.U.D. SUBDIVISION; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the day of , 20 asking the City Council to vacate and abandon The East 10' of a 25' utility/drainage easement along and adjacent to North Market Drive on the West lot line of Lots 5 and 6, the East 10' of a 25' utility/drainage easement along and adjacent to Village Court Drive along the West lot line of Lot 3 and the West 10' of a 25' utility/drainage easement along and adjacent to Market Plaza Drive along the East lot line of Lot 7, all in North Market Plaza P.U.D. Subdivision to the City of Conway in the North Market Plaza P.U.D portion of the easement designated on the plat of the Addition 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:

- 1) The East 10' of a 25' utility/drainage easement along and adjacent to Market Plaza Drive along the West lot line of Lot 6, the Northeasterly boundary terminating at the end of curve 16 and the beginning of curve 15, in North Market Plaza P.U.D. Subdivision to the City of Conway as shown on Plat Book K, Page 257, Records of Faulkner County, Arkansas.
- 2) The East 10' of a 25' utility/drainage easement along and adjacent to Market Plaza Drive along the West lot line of Lot 5, the Southeasterly boundary terminating at the end of curve 9 and the beginning of curve 10, in North Market Plaza P.U.D. Subdivision to the City of Conway as shown on Plat Book K, Page 257, Records of Faulkner County, Arkansas.
- 3) The East 10' of a 25' utility/drainage easement along and adjacent to Village Court Drive along the West lot line of Lot 3 North Market Plaza P.U.D. Subdivision to the City of Conway as shown on Plat Book K, Page 257, Records of Faulkner County, Arkansas.

- 4) The West 10' of a 25' utility/Drainage easement along and adjacent to Market Plaza Drive along the East lot line of Lot 7, the Northwesterly boundary terminating at the end of curve 22 and the beginning of curve 21, in North Market Plaza P.U.D. Subdivision to the City of Conway as shown on Plate Book K, Page 257, Records of 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.

Passed this 28th day of August, 2007

Approved:


Mayor Tab Townsell

Attest:


Michael O. Garrett
City Clerk/Treasurer