

064.1



City of Conway, Arkansas  
Ordinance No. O-11-15

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Date 04/20/2011  
12:11:05 PM  
Filed & Recorded in  
Official Records of  
Faulkner County  
RHDNDA WHARTON  
FAULKNER COUNTY CIRCUIT CLERK  
Fees \$20.00  
by \_\_\_\_\_ D. C.

352400

**AN ORDINANCE CLOSING THE FIFTEEN (15) FOOT UTILITY EASEMENT ABUTTING THE WEST PROPERTY LINE OF LOT 1 OF THE PRINCE/SALEM STATION SUBDIVISION AS RECORDED IN PLAT BOOK I, PAGE 103; 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 22<sup>nd</sup> day of February, 2011 asking the City Council to vacate and abandon all that portion of a fifteen (15) foot utility easement as shown on the plat of Lot 1, Prince/Salem Subdivision as recorded in Plat Book I, Page 103;

**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 an 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 utility 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 utility easement as shown on the plat of Lot 1, Prince/Salem Subdivision as recorded in Plat Book I, Page 103.

**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 fifteen (15) foot utility easement as shown on the plat of Lot 1, Prince/Salem Subdivision as recorded in Plat Book I, Page 103 designated as follows:

BEING THE WEST 15.0 FEET OF THE SOUTH 813.57 FEET MORE OR LESS OF LOT 1 OF THE PRINCE/SALEM STATION SUBDIVISION AS RECORDED IN PLAT BOOK "I"-PAGE 103 IN THE COUNTY CIRCUIT CLERK'S OFFICE OF FAULKNER COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

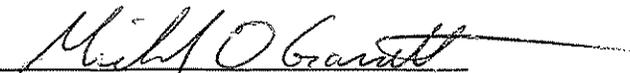
BEGINNING AT THE SOUTHWEST CORNER OF THE E ½, W ½, E ½ OF THE NE ¼, NE ¼ OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 14 WEST, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 1 OF THE PRINCE/SALEM STATION SUBDIVISION; THENCE NORTH 00 DEGREES 22 MINUTES 46 SECONDS EAST - 813.57 FEET ALONG THE WEST LINE OF LOT 1 TO A POINT; THENCE (LEAVING THE WEST LINE OF SAID LOT 1) SOUTH 89 DEGREES 37 MINUTES 14 SECONDS EAST - 15.00 FEET TO A POINT; THENCE SOUTH 00 DEGREES 22 MINUTES 46 SECONDS WEST - 813.43 FEET AND PARALLEL TO THE WEST LINE OF LOT 1 TO A POINT IN THE SOUTH LINE OF LOT 1; THENCE SOUTH 89 DEGREES 50 MINUTES 13 SECONDS WEST - 15.00 FEET ALONG THE SOUTH LINE OF LOT 1 TO THE POINT OF BEGINNING. CONTAINING 12,202 SQUARE FEET OR 0.280 ACRES OF LAND. ALL BEARINGS ARE RELATIVE TO THE PRINCE/SALEM STATION SUBDIVISION PLAT.

**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 8<sup>th</sup> day of March, 2011.

Attest:

  
Michael O. Garrett  
City Clerk/Treasurer

Approved:

  
Mayor Tab Townsell