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City of Conway, Arkansas
Ordinance No. O-12-25

AN ORDINANCE AMENDING ORDINANCE NO. O-86-11, AS PREVIOUSLY AMENDED AND EXTENDING THE EMPLOYMENT OF THE CONWAY CORPORATION, TO OPERATE THE WATER SYSTEM AND THE SANITARY SEWER SYSTEM OF THE CITY OF CONWAY, ARKANSAS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Conway, Arkansas (the 'City'), a city of the first class, presently owns a water storage, treatment and distribution system (the "Water System") and a sanitary sewer system (the "Sewer System") serving the residents of the City, which Water System and Sewer System are presently operated and maintained by the Conway Corporation, a nonprofit corporation organized and existing under the laws of the State of Arkansas (the "Corporation"), pursuant to an exclusive franchise to operate the Water System and the Sewer System granted to the Corporation by the City pursuant to Ordinance No. O-86-11 adopted on January 28, 1986, as previously amended by Ordinance No. O-01-112 adopted On November 27, 2001; and

WHEREAS, the city desires to extend the term of the franchise presently granted to the Corporation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

Section 1. The term of the franchise granted to the Corporation by Ordinance No. O-86-11, as amended, is hereby extended to December 31, 2037 and Section 4 of Ordinance No. O-86-11 is hereby deemed further amended to such effect.

Section 2. The extension of franchise granted by this Ordinance shall be accepted in writing by the Corporation within thirty (30) days from the date of adoption of this Ordinance, whereupon the franchise shall be deemed to be extended as provided in Section 1.

Section 3. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared to be illegal or invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Ordinance.

Section 4. All ordinances, resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

ADOPTED AND APPROVED THIS 27th day of March, 2012.


Mayor Tab Townsell

Attest:


Michael O. Garrett
City Clerk/Treasurer