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376034

City of Conway, Arkansas
Ordinance No. O-12-93

AN ORDINANCE CLOSING A PART OF A STREET RIGHT-OF-WAY LOCATED AT THE WEST END OF COLLINS DRIVE IN CRESTHAVEN PHASE 2 SUBDIVISION; AND FOR OTHER PURPOSES;

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the September 24, 2012 asking the City Council to vacate and abandon part of a street right-of-way.

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 street 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 street.

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 that portion of street right-of-way designated as follows:

A PORTION OF RIGHT OF WAY LOCATED AT THE WEST END OF COLLINS DRIVE IN CRESTHAVEN PHASE 2 SUBDIVISION TO THE CITY OF CONWAY, ARKANSAS, AS SHOWN IN PLAT BOOK K, ON PAGE 51, RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF SAID SUBDIVISION AND RUNNING THENCE S14°49'32"W, 51.03 FEET; THENCE RUN ALONG AN ARC TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF S22°08'30"E, 33.87 FEET, ARC LENGTH OF 36.38 FEET, AND RADIUS OF 28.00 FEET; THENCE RUN S15°04'34"W, 17.51 FEET TO THE BOUNDARY OF SAID SUBDIVISION; THENCE RUN ALONG SAID BOUNDARY, ALONG AN ARC TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF N02°50'29"E, 97.73 FEET, ARC LENGTH OF 178.44 FEET, AND RADIUS OF 50.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 0.11 ACRES MORE OR LESS.

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 23rd day of October, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer