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City of Conway, Arkansas
Ordinance No. O-13-126

AN ORDINANCE CLOSING A 15-FOOT UTILITY EASEMENT LYING IN LOT 3-B OF A REPLAT OF LOT 3 CHRISTINA SUBDIVISION LOCATED WEST OF 2401 CHRISTINA LANE; AND FOR OTHER PURPOSES;

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 1st day of November, 2013 asking the City Council to vacate and abandon all that portion of the 15-foot utility easement located west of 2401 Christina Lane.

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 15-foot 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 15-foot utility 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 15-foot utility easement designated as follows:

Being the east 15 feet utility easement lying in Lot 3-B of a Replat of Lot 3 Christina Subdivision to the City of Conway, Arkansas, Faulkner County, as shown on plat of record in Plat Book K, Page 384, to the 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 26th day of November, 2013.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer