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Doc#2013- 17732

Date 09/27/2013

08:22:24 AM

Filed & Recorded in

Official Records of

Faulkner County

RHONDA WHARTON

FAULKNER COUNTY CIRCUIT CLERK

Fees \$25.00

by

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D. C.

City of Conway, Arkansas
Ordinance No. O-13-90

AN ORDINANCE CLOSING THE EASEMENT THAT IS A PART OF LOT-1, LOT-2 AND LOT-3 OF WESTIN OFFICE PARK SUBDIVISION TO THE CITY OF CONWAY ARKANSAS, FAULKNER COUNTY AS SHOWN ON PLAT OF RECORDS IN PLAT BOOK J, PAGE 301, RECORDS OF FAULKNER COUNTY, ARKANSAS; AND FOR OTHER PURPOSES;

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 2nd day of **August**, 2013 asking the City Council to vacate and abandon all that portion of a part of Lot-1, Lot-2 and Lot-3 of Westin Office Park Subdivision to the City of Conway Arkansas, Faulkner County as shown on Plat of Records in Plat Book J, Page 301, Records of Faulkner County, Arkansas, more particularly described as beginning at the SE corner of said Lot-3; thence along the common line between Lot-3 and Lot-2 N87°59'12"W 15.00 feet to the point of beginning; thence continue along said common Lot line to a point N87°59'12"W 5.00 feet; thence leaving said common lot line and along a curve to the right, have a radius of 70 feet and a chord bearing and distance of N34°02'58"E 74.26 feet; thence along a curve to the left, have a radius of 25.0 feet and a chord bearing and distance of N32°38'15"E 5.51 feet; thence N89°11'23"E 20.00 feet; thence along a curve to the right, have a radius of 50 feet and a chord bearing and distance of S32°38'15"W 27.56 feet; thence along a curve to the left, have a radius of 50 feet and a chord bearing and distance of S34°02'58"W 53.05 feet; thence along a curve to the left have a radius of 50 feet and a chord bearing and distance of S43°06'30"E 70.86 feet; thence along a curve to the left, have a radius of 50 feet and a chord bearing and distance of N50°05'45"E 66.49 feet; thence along a curve to the right, have a radius of 480.00 feet and a chord bearing and distance of N06°16'53"E 35.85 feet; thence S01°46'13"W 68.29 feet; thence along a curve to the right, have a radius of 65 feet and a chord bearing and distance of S64°50'51"W 58.86 feet to a common lot line between Lot-1 and Lot-2; thence along a curve to the right, have a radius of 65 feet and a chord bearing and distance of N43°06'30"W 92.12 feet to the point of beginning containing 0.09 acres more or less;

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 that is a part of Lot-1, Lot-2 and Lot-3 of Westin Office Park Subdivision to the City of Conway, Arkansas, Faulkner County as shown on Plat of Records in Plat Book J, page 301, Records of Faulkner County, Arkansas 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 that is a part of lot-1, lot-2 and lot-3 of Westin Office Park Subdivision to the City of Conway, Arkansas, Faulkner County as shown on Plat of Records in Plat Book J, page 301, Records of Faulkner County, Arkansas.

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 that is a part of Lot-1, Lot-2 and Lot-3 of Westin Office Park Subdivision to the City of Conway, Arkansas, Faulkner County as shown on Plat of Records in Plat Book J, page 301, Records of Faulkner County, Arkansas designated as follows:

Being a part of Lot-1, Lot-2 and Lot-3 of Westin Office Park Subdivision to the City of Conway Arkansas, Faulkner County as shown on Plat of Records in Plat Book J, Page 301, Records of Faulkner County, Arkansas, more particularly described as beginning at the SE corner of said Lot-3; thence along the common line between Lot-3 and Lot-2 N87°59'12"W 15.00 feet to the point of beginning; thence continue along said common Lot line to a point N87°59'12"W 5.00 feet; thence leaving said common lot line and along a curve to the right, have a radius of 70 feet and a

chord bearing and distance of N34°02'58"E 74.26 feet; thence along a curve to the left, have a radius of 25.0 feet and a chord bearing and distance of N32°38'15"E 5.51 feet; thence N89°11'23"E 20.00 feet; thence along a curve to the right, have a radius of 50 feet and a chord bearing and distance of S32°38'15"W 27.56 feet; thence along a curve to the left, have a radius of 50 feet and a chord bearing and distance of S34°02'58"W 53.05 feet; thence along a curve to the left have a radius of 50 feet and a chord bearing and distance of S43°06'30"E 70.86 feet; thence along a curve to the left, have a radius of 50 feet and a chord bearing and distance of N50°05'45"E 66.49 feet; thence along a curve to the right, have a radius of 480.00 feet and a chord bearing and distance of N06°16'53"E 35.85 feet; thence S01°46'13"W 68.29 feet; thence along a curve to the right, have a radius of 65 feet and a chord bearing and distance of S64°50'51"W 58.86 feet to a common lot line between Lot-1 and Lot-2; thence along a curve to the right, have a radius of 65 feet and a chord bearing and distance of N43°06'30"W 92.12 feet to the point of beginning containing 0.09 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 27th day of August, 2013

Approved:


Mayor Tab Townsell

Attest:


Michael O. Garrett
City Clerk/Treasurer

