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Rln
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City of Conway, Arkansas
Ordinance No. O-14-29

AN ORDINANCE CLOSING FOUR (4) - FIFTEEN (15) FEET UTILITY EASEMENTS LOCATED AT TOMMY LEWIS ADDITION PHASE 2 AS DESCRIBED BELOW AND SHOWN ON RIGHT OF WAY AND EASEMENT DOC. #2007-5080 (DRAWING ATTACHED), SHOWN ON HOSPITAL REPLAT FILED FOR RECORD MAY 7, 2013 (DRAWING ATTACHED), RIGHT OF WAY AND EASEMENT DOC. #2013-17132 AND RIGHT OF WAY AND EASEMENT DOC. #2013-17131; AND FOR OTHER PURPOSES;

Whereas, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 7th day of March, 2014 asking the City Council to vacate and abandon all portions of the Four (4) - Fifteen (15) Feet Utility Easements.

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 utility easements 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 easements.

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 utility easements designated as follows:

15 feet utility easement shown in Right of Way and Easement Doc. #2007-5080 (drawing attached) and subject to the relocation of a sewer main and restoration of service prior to the closure of that portion of the easement as required in Ordinance O-11-01.

15 feet utility easement shown on the Hospital Replat filed of record May 7, 2013 (drawing attached)

Right of Way and Easement Doc. #2013-17132

An easement 15.00 feet wide for Conway Corporation Utilities being more particularly described as follows: A part of Tommy Lewis Addition Phase II as shown in Plat Book J, on Page 138, Records of Faulkner County, Arkansas, Courthouse, being more particularly described as beginning at the Northwest Corner of Lot 1 of Hospital Replat as shown in Plat Book L, on Page 151, Records of Faulkner County, and running thence S01°21'34"W, along the West Line of said Lot 1, 571.18 feet to the point of beginning; thence S88°38'26"E, 900.62 feet; thence S01°21'34"W, 15.00 feet; thence N88°38'26"W, 900.63 feet; thence S01°21'34"W, 349.76 feet to an existing 42.00 foot Utility Easement; thence run along said easement boundary N88°49'28"W, 15.00 feet; thence run N01°21'34"E, 363.81 feet; thence S88°38'26"E, 15 feet to the Point of Beginning. (Described Easement Contained Within Parcel ID 710-08115-003, Per Faulkner County Tax Assessor Records.)

Right of Way and Easement Doc. #2013-17131

An easement 15.00 feet wide for Conway Corporation Utilities being more particularly described as follows: A part of Tommy Lewis Addition Phase II as shown in Plat Book J, on Page 138, Records of Faulkner County, Arkansas, Courthouse, being more particularly described as beginning at the Northwest Corner of Lot 1 of Hospital Replat as shown in Plat Book I, on Page 151, Records of Faulkner County, and running thence S01°21'34"W, 15.00 feet to an existing 15.00 foot Utility Easement and the Point of Beginning; thence leaving said Utility Easement S01°21'34"W, along the West Line of said Lot 1, 556.18, to a point being the Southwest Corner of Lot 1 of Hospital Replat; thence N88°38'26"W, 15.00 feet; thence N01°21'34"E, 556.18 feet to an existing 15.00 foot Utility Easement; thence run along said Utility Easement S88°38'26"E, 15.00 feet to the Point of Beginning (Described Easement Contained Within Parcel ID 710-08115-019, Per Faulkner County Tax Assessor Records.)

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 25th day of March, 2014.

Approved:



Mayor Tab Townsell

Attest:



Michael O. Garrett
City Clerk/Treasurer