

ORDINANCE O-04- 27

**AN ORDINANCE VACATING A UTILITY EASEMENT ON LOT 1 HAWKS REPLAT, A REPLAT OF PART OF CLARA RUMKER SUBDIVISION; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:**

**WHEREAS**, a petition was duly filed with the City Council of the City of Conway, Arkansas on March 15, 2004 asking the City Council to vacate and abandon a utility easement as mentioned above; and

**WHEREAS**, the City Council has heard all persons desiring to be heard on the question and has ascertained that the said easement, herein described, has heretofore been dedicated to the public use as a utility easement; that the owner of the property on which the easement to be vacated is located has filed with the council his written consent to the abandonment; and that public interest and welfare will not be adversely affected by the abandonment of the easement.

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

**Section 1.** That 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 easement designated as follows:

**The 15-foot, north-south utility easement along the west side of Lot 1 Hawks Replat, a replat of part of Clara Rumker Subdivision in the City of Conway, Arkansas LESS AND EXCEPT the north 7 ½ feet and the south 15 feet of said easement.**

**Section 2.** That 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.** That it is ascertained and declared to be necessary for the public peace and welfare of the citizens of the City of Conway, Arkansas, and an emergency is hereby declared to exist and this ordinance shall take effect and be in force from and after its passage and publication.

Passed this 23<sup>rd</sup> day of March, 2004.

  
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Mayor Tab Townsell

Attest:

  
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City Clerk Michael O. Garrett