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Faulkner County
RHONDA WHARTON
FAULKNER COUNTY CIRCUIT CLERK
Fees $20.00
by _____ D.C.
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City of Conway, Arkansas
Ordinance No. O-10-88

AN ORDINANCE CLOSING A 50' STREET RIGHT-OF-WAY KNOWN AS EDGEWOOD DRIVE LOCATED WHOLLY WITHIN SECOND BAPTIST SUBDIVISION TO THE CITY OF CONWAY, 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 10th day of August, 2010, asking the City Council to vacate and abandon all of the 50' street right-of-way known as Edgewood Drive.

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 street right-of-way or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a street right-of-way herein described; has not been actually used by the public generally for a period of at least five (5) years; that all the owners of the property abutting upon the portion of the right-of-way 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 right-of-way.

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 right-of-way designated as follows: (with the exception that the City retains the entire right of way for utility and drainage easement for floodway.)

Edgewood Drive right of way as shown and described on Second Baptist Subdivision plat as recorded in Plat Book L, Page 16, filed 8-27-2009 with the Faulkner County, Arkansas Circuit Clerk's Office, and more specifically described as:

Beginning at the southwest corner of Lot 1 Felton's Addition, thence S 89-12-32 W 197.48 feet along the north right of way of Dave Ward Drive; thence N-88-05-00-W 89.17 feet along said right of way to the point of beginning; thence N-09-55-11-E 203.22 feet; thence N-62-45-51-W 247.84 feet; thence along a curve to the left with a 375 foot radius and a chord bearing a distance of N-73-47-08-W 143.38 feet and arc length of 144.27 feet; thence N-84-48-25-W 53.79 feet; thence

S-05-11-35-W 50 feet; thence S-84-48-25-E 53.79 feet; thence along a curve to the right with a 325' radius and a chord bearing a distance of S-73-47-08-E 125.03 feet and an arc length of 125.03 feet; thence S-62-45-51-E 190.45 feet; thence along a curve to the right a chord bearing a distance of S-43-06-43-E 44.25 feet and an arc length of 44.25 feet; thence S-09-55-11-W 152.86 feet; thence along the north right of way of Dave Ward Drive S-88-05-00-E 50.49 feet to the point of beginning.

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 24th day of August, 2010.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer