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City of Conway

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Official Records of

Faulkner County

RHONDA WHARTON

FAULKNER COUNTY CIRCUIT CLERK

Fees \$20.00

By

DV

D. C.



City of Conway, Arkansas

Ordinance No. O-11-34

**AN ORDINANCE CLOSING A UTILITY EASEMENT LOCATED WITHIN THE ACXION CORPORATE CAMPUS AND FOR OTHER PURPOSES;**

**WHEREAS**, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 13<sup>th</sup> day of April, 2011 asking the City Council to vacate and abandon a portion of a utility easement, as recorded in the records of the Circuit Clerk, at Deed Book 187, Page 489, Faulkner County, Arkansas.

**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 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 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 portion of utility easement described as follows:

Part of the SW1/4 SE1/4 of Section 18, T-5-N, R-13-W, City of Conway, Faulkner County, Arkansas being more particularly described as follows:

Commencing at the SW corner of Lot 1, Acxion Commercial Addition as filed for record in plat book J, page 381; thence N 88°35'21" W, a distance of 3.82 feet to the POINT OF BEGINNING; thence N 88°35'21" W, a distance of 492.83 feet; thence N 01°29'11" E, a distance of 14.58 feet; thence S 88°40'27" E, a distance of 492.83 feet; thence S 01°29'12" W, a distance of 15.32 feet to the POINT OF BEGINNING, containing 0.17 Acres (7,368 sq. ft.) 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 10<sup>th</sup> day of May, 2011.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett  
City Clerk/Treasurer