

18706



City of Conway, Arkansas  
Ordinance No. O-11-89

Doc#2011- 18435  
Date 11/17/2011  
04:08:52 PM  
Filed & Recorded in  
Official Records of  
Faulkner County  
RHONDA WHARTON  
FAULKNER COUNTY CIRCUIT CLERK  
Fees \$25.00

by Rm D. C.  
360835

**AN ORDINANCE CLOSING A 20-FOOT DRAINAGE EASEMENT LOCATED IN THE REPLAT OF HARP'S AT GERMAN LANE; AND FOR OTHER PURPOSES;**

**WHEREAS**, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 11<sup>th</sup> day of October, 2011 asking the City Council to vacate and abandon all that portion of the 20-foot drainage easement more particularly described as Part of the SW ¼ of the SW ¼, Section 4, Township 5 North, Range 13 West of the Fifth Principal Meridian, Faulkner County, Arkansas and being part of Lot 2-B of the replat of Harp's at German Lane as recorded in Book "L", Page 70 of the Records of Faulkner County, Arkansas, being more particularly described as commencing at the Southwest Corner of said Section 4, thence N01°05'04"E along the Section Line, a distance of 460.63 feet to a point; thence leaving said Section Line S87°45'25"E a distance of 185.21 feet to a point; thence S87°41'15"E a distance of 365.41 feet to the Point of Beginning; thence along the easement the following, S87°41'15"E a distance of 27.61 feet to a point; thence S41°16'15"E a distance of 144.72 feet to a point; thence S01°11'37"W a distance of 29.62 feet to a point; thence N41°16'15"W a distance of 185.61 feet to the Point of Beginning.

Said Tract or Parcel of Land containing 0.08 acres, more or less.

Said drainage easement being the same as that easement described of record on the plat of Trent Van Pelt Subdivision, recorded November 23, 2004, in Book K, Page 77, Land Records of 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; that all the owners of the property abutting upon the portion of the 20-foot drainage 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 20-foot drainage 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 20-foot drainage easement designated as follows:

Part of the SW ¼ of the SW ¼, Section 4, Township 5 North, Range 13 West of the Fifth Principal Meridian, Faulkner County, Arkansas and being part of Lot 2-B of the replat of Harp's at German Lane as recorded in Book "L", Page 70 of the Records of Faulkner County, Arkansas, being more particularly described as commencing at the Southwest Corner of said Section 4, thence N01°05'04"E along the Section Line, a distance of 460.63 feet to a point; thence leaving said Section Line S87°45'25"E a distance of 185.21 feet to a point; thence S87°41'15"E a distance of 365.41 feet to the Point of Beginning; thence along the easement the following, S87°41'15"E a distance of 27.61 feet to a point; thence S41°16'15"E a distance of 144.72 feet to a point; thence S01°11'37"W a distance of 29.62 feet to a point; thence N41°16'15"W a distance of 185.61 feet to the Point of Beginning.

Said Tract or Parcel of Land containing 0.08 acres, more or less.

Said drainage easement being the same as that easement described of record on the plat of Trent Van Pelt Subdivision, recorded November 23, 2004, in Book K, Page 77, Land Records of Faulkner County, Arkansas.

**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 1<sup>st</sup> day of November, 2011

Approved:



Mayor Tab Townsell

Attest:



Michael O. Garrett  
City Clerk/Treasurer