



City of Conway, Arkansas
CITY COUNCIL
Agenda • November 8, 2022
www.conwayarkansas.gov

Elected Officials
Mayor Bart Castleberry
City Clerk Michael O. Garrett
City Attorney Charles Finkenbinder

Ward 1 Position 1 – Andy Hawkins
Ward 1 Position 2 – David Grimes
Ward 2 Position 1 – Anne Tucker
Ward 2 Position 2 – Shelley Mehl
Ward 3 Position 1 – Mark Ledbetter
Ward 3 Position 2 – Mary Smith
Ward 4 Position 1 – Theodore Jones Jr.
Ward 4 Position 2 – Shelia Isby

5:00pm:

No Committee Meeting

6:00pm:

City Council Meeting • City Council Chambers • 1111 Main Street

Call to Order:

Bart Castleberry, Mayor

Roll Call:

Michael O. Garrett, Clerk/Treasurer

Minutes Approval:

October 25, 2022

A. Public Hearing

1. Public Hearing to discuss the closing of Court Z Street on Round Mountain Subdivision.
 - a. Ordinance closing Court Z Street on Round Mountain Subdivision.

B. Community Development Committee (Airport, Community Development, Code Enforcement, Permits, Inspections, & Transportation, Planning & Development)

1. Resolution to approve the submission of an amendment to the Action Plan for the Community Development Block Grant Program.
2. Ordinance to approve an amendment to the existing use of the public right-of-way and franchise agreement for services by Unite Private.
3. Ordinance approving the City Attorney to seek condemnation for the Lower Ridge Rd. Realignment Project.

C. Public Safety Committee (District Court, Department of Information Systems & Technology, Animal Welfare, Communication Emergency Operations Center, Police, Fire, & Office of the City Attorney)

1. Ordinance appropriating funds for the Shop Secure program for the Conway Police Department.
2. Ordinance appropriating reimbursement funds for the Conway Police Department.

Adjournment



**City of Conway, Arkansas
Ordinance No. O-22-___**

AN ORDINANCE CLOSING COURT Z STREET LOCATED ON LOT 24 ROUND MOUNTAIN SUBDIVISION, AND FOR OTHER PURPOSES:

Whereas, a petition was duly filed with the City of Conway, Arkansas on the 5th of October, 2022 by Lucy Girl Properties, LLC, asking the City Council to vacate and abandon Court Z Street located within Lot 24 of Round Mountain Subdivision.

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 or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a 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 been afforded the opportunity to file with the Council their written consent to the abandonment; and the public interest and welfare will not be adversely affected by the abandonment of this portion of the right-of-way.

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 its rights, together with the rights of the public generally, in and to the right-of-way designated as follows:

THE RIGHT OF WAY OF COURT "Z" AS SHOWN ON THE PLAT OF BLOCK 2, OLD MILL POND, ROUND MOUNTAIN SUBDIVISION IN PLAT BOOK C, PAGE 151 AND ON THE REPLAT OF OLD MILL POND, ROUND MOUNTAIN SUBDIVISION IN PLAT BOOK E, PAGE 72, RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF LOT 24 OF SAID REPLAT OF ROUND MOUNTAIN SUBDIVISION; THENCE ALONG THE SOUTH LINE OF SAID LOT 24 S87°03'26"E A DISTANCE OF 57.85'; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 57.67', WITH A RADIUS OF 439.37', WITH A CHORD BEARING OF S74°48'22"E, WITH A CHORD LENGTH OF 57.63' TO THE RIGHT OF WAY OF SAID COURT "Z", SAID POINT BEING THE POINT OF BEGINNING; THENCE LEAVING SAID SOUTH LINE AND ALONG SAID RIGHT OF WAY THE FOLLOWING CALLS: N21°33'42"E A DISTANCE OF 20.46'; THENCE N68°26'18"W A DISTANCE OF 12.00'; THENCE N21°33'42"E A DISTANCE OF 115.00'; THENCE S68°26'18"E A DISTANCE OF 64.00'; THENCE S21°03'42"W A DISTANCE OF 115.00'; THENCE N68°26'18"W A DISTANCE OF 12.00'; THENCE S21°33'42"W A DISTANCE OF 20.46' TO THE SOUTH LINE OF SAID LOT 24; THENCE LEAVING SAID RIGHT OF WAY AND ALONG SAID SOUTH LINE WITH A

CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 40.0 I', WITH A RADIUS OF 439.09', WITH A CHORD BEARING OF N68°26' I 8"W, WITH A CHORD LENGTH OF 40.00' TO THE POINT OF BEGINNING, CONTAINING 0.19 ACRES 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 deeds records of the county.

PASSED this 8th day of November, 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



CITY OF CONWAY

TRANSPORTATION DEPARTMENT

September 13, 2022

Ms. Starla Wood
Central Arkansas Professional Surveying, LLC
1021 Front St.
Conway, AR 72032

Ms. Wood,

The City of Conway Transportation Department concurs with the request to vacate the right-of-way for Court Z Street located just west of Mill Pond Rd. between Elder Berry Ln. and Emphy Trail (see legal description below). This determination was made upon a finding that no public purpose is served by the roadway being maintained and open to the public.

THE RIGHT OF WAY OF COURT "Z" AS SHOWN ON THE PLAT OF BLOCK 2, OLD MILL POND, ROUND MOUNTAIN SUBDIVISION IN PLAT BOOK C, PAGE 151 AND ON THE REPLAT OF OLD MILL POND, ROUND MOUNTAIN SUBDIVISION IN PLAT BOOK E, PAGE 72, RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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If there are any questions, you may contact me via email at kurt.jones@conwayarkansas.gov or by phone at 501-450-6165.

Sincerely,

Kurt Jones, P.E.
City Engineer

100 E Robins Street, Conway, AR 72032

conwayarkansas.gov/transportation/



Summit Utilities
 1400 Centerview Dr
 Suite 100
 Little Rock, AR 72211

UTILITY RELEASE FORM

General Utility Easement, Public Access Easement, Alley, Street, R.O.W.

Utility Company: Summit Utilities Date: 10/4/2022

Requested Abandonment: The Right of Way of Court "Z"

Legal Description:

THE RIGHT OF WAY OF COURT "Z" AS SHOWN ON THE PLAT OF BLOCK 2, OLD MILL POND, ROUND MOUNTAIN SUBDIVISION IN PLAT BOOK C, PAGE 151 AND ON THE REPLAT OF OLD MILL POND, ROUND MOUNTAIN SUBDIVISION IN PLAT BOOK E, PAGE 72, RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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UTILITY COMPANY COMMENTS:

No objections to the abandonment(s) described above.

No objections to the abandonment (s) described above, provided the following easements are retained (Exhibit A).

Objects to the abandonment(s) described above, reason described below.

Megan Shobe

 Signature of Utility Company Representative

Engineer

 Title



September 19, 2022

The Honorable Bart Castleberry
Mayor of Conway
City Hall
1111 Main Street
Conway, AR 72032

RE: Closure of Street/Alley Right of Way on Court Z Old Mill Pond Round Mountain Subdivision.

Dear Mayor Castleberry:

Conway Corporation has no objections to abandoning the Street/Alley Right of Way located on the Court Z Old Mill Pond Round Mountain Subdivision described below:

THE RIGHT OF WAY OF COURT "Z" AS SHOWN ON THE PLAT OF BLOCK 2, OLD MILL POND, ROUND MOUNTAIN SUBDIVISION IN PLAT BOOK C, PAGE 151 AND ON THE REPLAT OF OLD MILL POND, ROUND MOUNTAIN SUBDIVISION IN PLAT BOOK E, PAGE 72, RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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If you have any questions, please let me know.

Sincerely,

CONWAY CORPORATION

Leslie Guffey
Engineering & Planning



Todd R. Gregory
AT&T Arkansas
Right-of-Way &
Joint Pole Use Mgr.

P.O. Box 6505
Hot Springs, AR 71901
Phone: (501) 321-3207
Cell: (501) 276-3791
tg5473@att.com

**UTILITY APPROVAL FORM FOR RIGHT-OF-WAY, ALLEY
AND UTILITY EASEMENT VACATIONS:**

Transmitted via E-mail

DATE: 10/04/2022

UTILITY COMPANY: **Southwestern Bell Telephone Company d.b.a. AT&T Arkansas**

REQUESTED VACATION:

City Street and Street ROW

I have been notified of the petition for Right-of-Way Abandonment and City Street Vacation.

Described as follows:

Legal description of street/ alley, or portion thereof, to be vacated:

THE RIGHT OF WAY OF COURT "Z" AS SHOWN ON THE PLAT OF BLOCK 2, OLD MILL POND, ROUND MOUNTAIN SUBDIVISION IN PLAT BOOK C, PAGE 151 AND ON THE REPLAT OF OLD MILL POND, ROUND MOUNTAIN SUBDIVISION IN PLAT BOOK E, PAGE 72, RECORDS OF FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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UTILITY COMPANY COMMENTS:

No objections to the vacation described above.

Signature of AT&T Company Representative:

Todd R. Gregory



**City of Conway, Arkansas
Resolution No. R-22-___**

A RESOLUTION APPROVING THE SUBMISSION OF A SUBSTANTIAL AMENDMENT TO THE PROGRAM YEAR 2022 COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND FOR OTHER PURPOSES

Whereas, it is the intention of the City Council of the City of Conway to allocate Community Development Block Grant (CDBG) funds in such a manner that the maximum feasible priority is given to activities which will benefit low to moderate income families; and

Whereas, there is an approximate total of \$108,343.05 in accumulated unspent funds from past CDBG activities; and

Whereas, these activities fell under budget or where not used; and

Whereas, the funding will be reallocated to the Remodel of the Overnight Emergency Shelter Project in Program Year 2022, activity number 280 in anticipation to utilize funding for any costs associated with completion of the shelter.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

Section 1: The Annual Action Plan for 2022 is hereby amended to assist in funding the Overnight Emergency Shelter from funds previously allocated to other activities. The CDBG Administrator is authorized to submit the amendments to the 2022 Action Plan to the Department of Housing and Urban Development.

Section 2: After a 30 day comment period, public hearing, and approval by HUD, the funding in the amount of \$108,343.05 will be added to the Program Year 2022 Overnight Emergency Shelter Activity Number 280 for the Overnight Emergency Shelter.

Section 3: Policies regarding Affirmative Action, Fair Housing, Davis-Bacon, Section 3 Employment, Environmental Concerns and all other federal, state and local laws shall be enforced on this project.

PASSED this 8th day of November 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-22-_____

AN ORDINANCE TO GRANT UNITE PRIVATE NETWORKS, LLC, AN AMENDMENT TO THE EXISTING FRANCHISE TO OCCUPY SPECIFIC PUBLIC RIGHTS-OF-WAY FOR THE PURPOSE OF PROVIDING TELECOMMUNICATIONS SERVICES; TO SET FORTH THE TERMS AND CONDITIONS FOR THE USE AND RENTAL OF THE PUBLIC RIGHT-OF-WAY; AND FOR OTHER PURPOSES.

WHEREAS, the City has been requested by Unite Private Networks, LLC (hereinafter “Unite” or “franchisee”) to grant it a franchise to use the public streets, rights-of-way and airspace to construct and maintain a telecommunications network for its customer, Blue Cross and Blue Shield Data Center located at 600 Ledgelawn Drive in the City of Conway; and

WHEREAS, the City is willing to grant Unite a non-exclusive franchise for the use of the public streets and rights-of-way.

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

Section 1. The Mayor and City Clerk are authorized to take all steps necessary to execute an amendment to the existing non-exclusive franchise agreement in substantially the form set forth within this ordinance, as approved by the City Attorney, to Unite Private Networks, LLC, a company with a business address of 1511 Baltimore Avenue, 2nd Floor, Kansas City, Missouri 64108 and mailing address of 1828 Walnut Street, 6th Floor, Kansas City, Missouri, 64108, to provide telecommunication services for its customer Blue Cross and Blue Shield Data Center.

Section 2. Contingent upon Unite’s execution of a separate franchise agreement or an amendment to the existing franchise agreement, there shall be granted to Unite a nonexclusive license to construct, maintain, extend and operate its Facilities as set forth in the limited area along the Public Right-of-Way as set forth in the map attached to this Ordinance, which shall be attached and incorporated into the franchise agreement along with the complete plans for the project including description and streets, for the purpose of extending service to Maumelle, which shall be subject to the terms and conditions set forth herein (hereinafter the “Franchise”).

Section 3. The Franchise shall afford Unite the right to construct, maintain and operate its Facilities along, across, upon and under the Public Right-of-Way, limited to the area and along such streets and under the terms and conditions as set forth in the franchise agreement and the complete project plans attached thereto and incorporated therein. Such Facilities shall be so constructed and maintained as not to obstruct or hinder the usual travel or public safety on such public ways or obstruct legal use of the

Public Right-of-Way by the City or other utilities, and shall be removed by the franchisee at franchisee's expense when necessary for any public project or improvement.

Section 4: That the City of Conway assumes no maintenance responsibility for the permitted use. The City shall not be responsible for damage to the franchisee's equipment or property by the City or by utility (public or franchised private) crews while performing normal maintenance work in the public right-of-way or easements. The City assumes no liability for personal injury or property damages as of a result of the placement of Franchisee's equipment and the applicant shall indemnify and hold the City harmless from actions, claims, costs, damages, and expenses to which the City may be subjected arising out of the placement of franchisee equipment in the public right-of-way.

Section 5: That upon notice from the Mayor or appropriate city departments (as established by the Mayor), the franchisee shall remove the permitted items from the public right-of-way or easement at their own expense for any public improvement project or if the situation becomes a public nuisance.

Section 6. All laws, ordinances, resolutions, and parts of the same that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

PASSED this 8th day of November, 2022

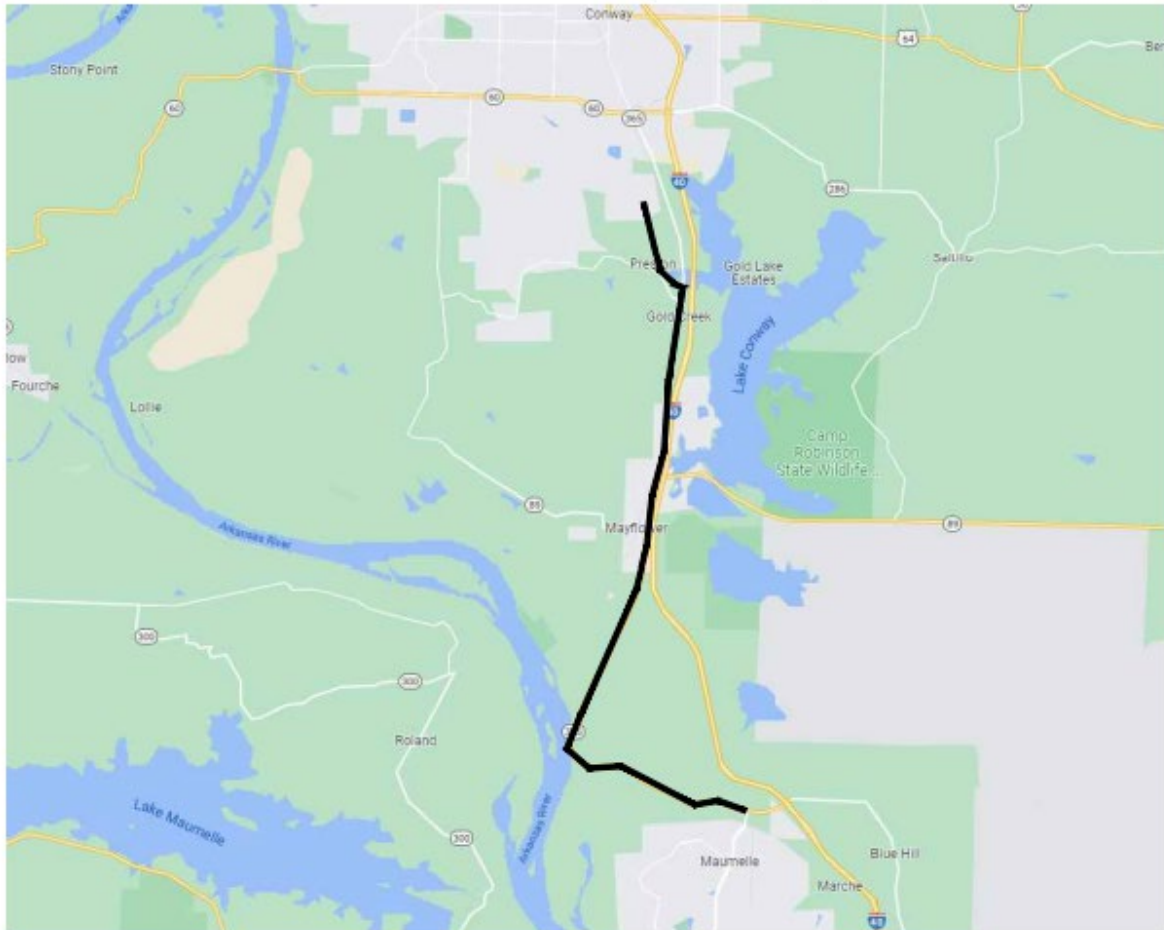
Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer

PROJECT NAME: BLUE CROSS BLUE SHIELD DATA CENTER (PHASE 2)
ADDRESS: 600 LEDGELAWN DR, CONWAY, AR 72034



LOCATION MAP



City of Conway, AR
Franchise Application

Business Applicant Information

Applicant Name: Charlene White
Type of Business: Telecommunications Fiber Provider
Business Name: Unite Private Networks
Business Address: 1511 Baltimore Ave. 2nd Floor, Kansas City, MO 64108
Business Mailing Address: 1828 Walnut St. 6th Floor, Kansas City, MO 64108
Business Phone Number: 816-903-9400

Additional Information

Unite has an upcoming project in, and around, Conway for a customer which will require access to the City's ROW.

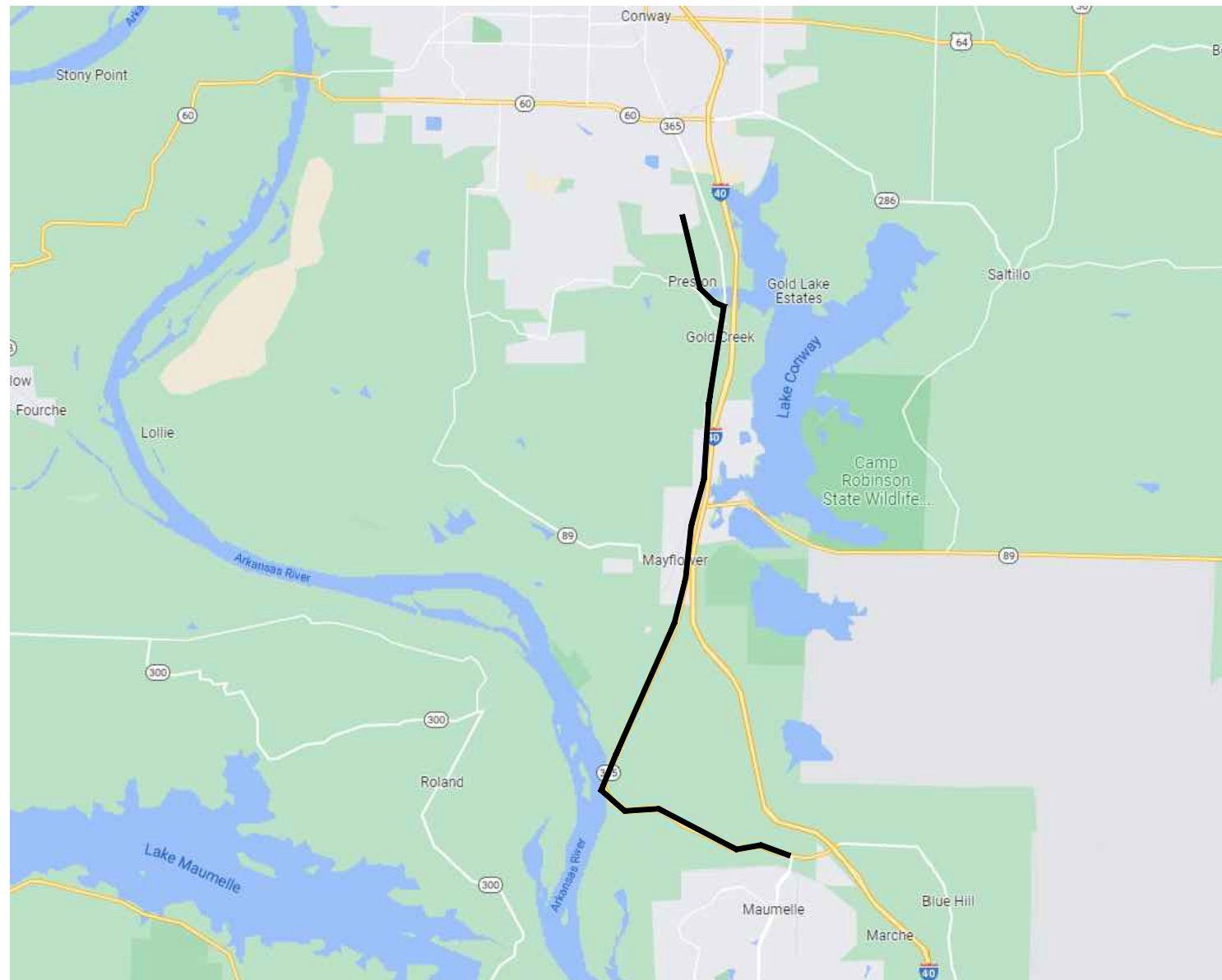
As a franchise applicant in the City of Conway I have read the attached Ordinance, O-99-101, and understand the rules and regulations that are set forth therein and do hold myself responsible for providing the requested documents and information to the proper departments as well as following and abiding by its procedures and guidelines for operating my business.

Please make note if Conway City Council approves your request, you will be responsible for the publication and filing fees of the ordinance. Arkansas state statutes requires the city to publish and record each ordinance; this fee could be \$200.00, more or less.

Business owner/Applicant Signature Charlene A. White Date 10/13/2022



PROJECT NAME: BLUE CROSS BLUE SHIELD DATA CENTER (PHASE 2)
ADDRESS: 600 LEDGELAWN DR, CONWAY, AR 72034



LOCATION MAP

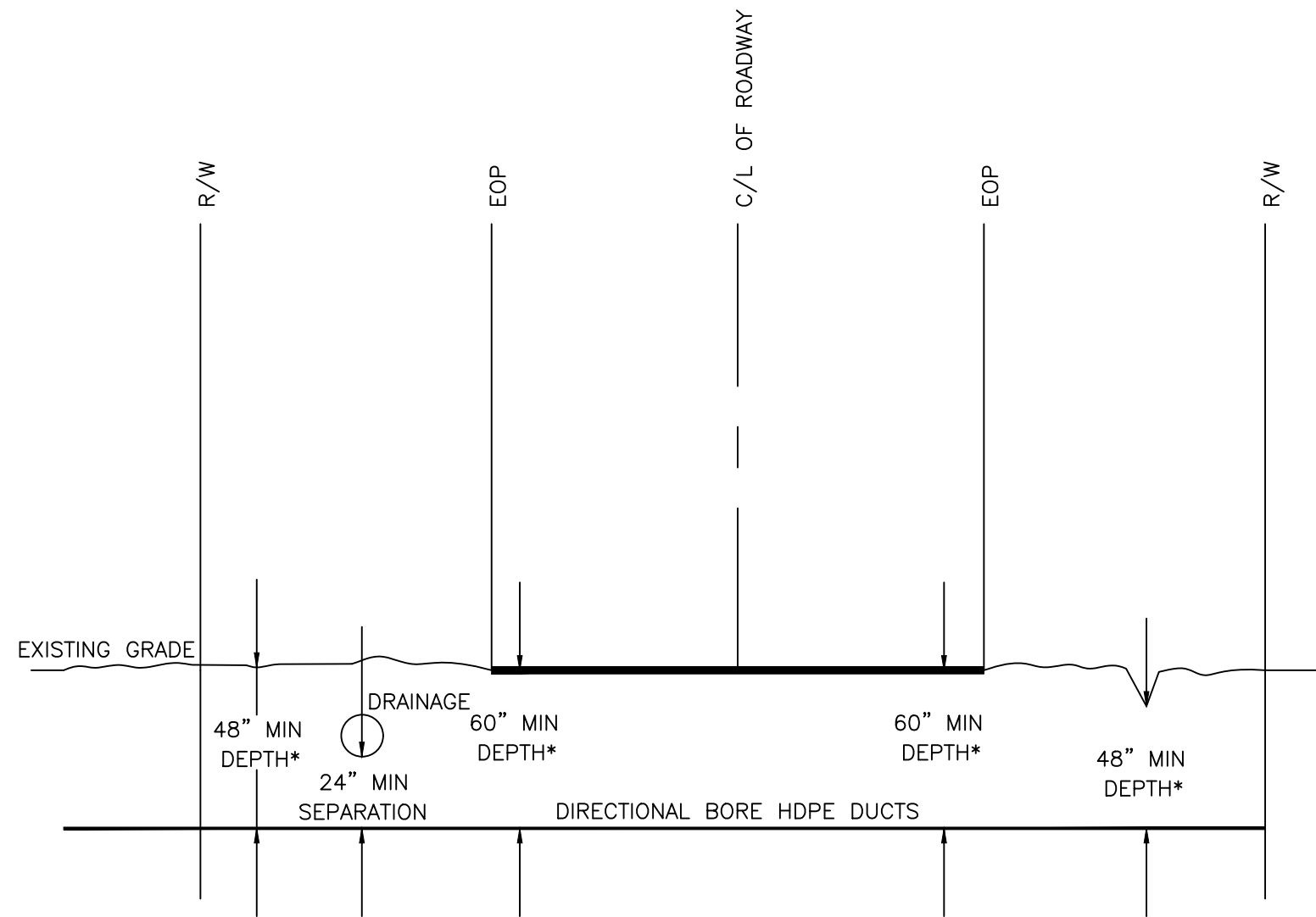
LEGEND

SYMBOLS

	STORM MANHOLE		SEWER MANHOLE
	CATCH BASIN		GAS METER
	CULVERT		GAS VALVE
	WATER MANHOLE		ELECTRIC MANHOLE
	FIRE HYDRANT		TRAFFIC SIGNAL
	WATER METER		STREET LIGHT
	WATER VALVE		ELECTRIC MISC
	PROPOSED HANDHOLE		POWER POLE
	PROPOSED BORE PIT		POWER POLE (ATTACH)
	COMM MANHOLE		PROPOSED RISER
	COMM HANDHOLE		PROPOSED ANCHOR
	COMM CABINET		PROPOSED AERIAL SLACK
	COMM PED		TRAFFIC FLOW
	R/W MARKER (UNFOUND)		RR SIGNAL ARM
	R/W MARKER		RR CONTROL BOX

LINETYPES

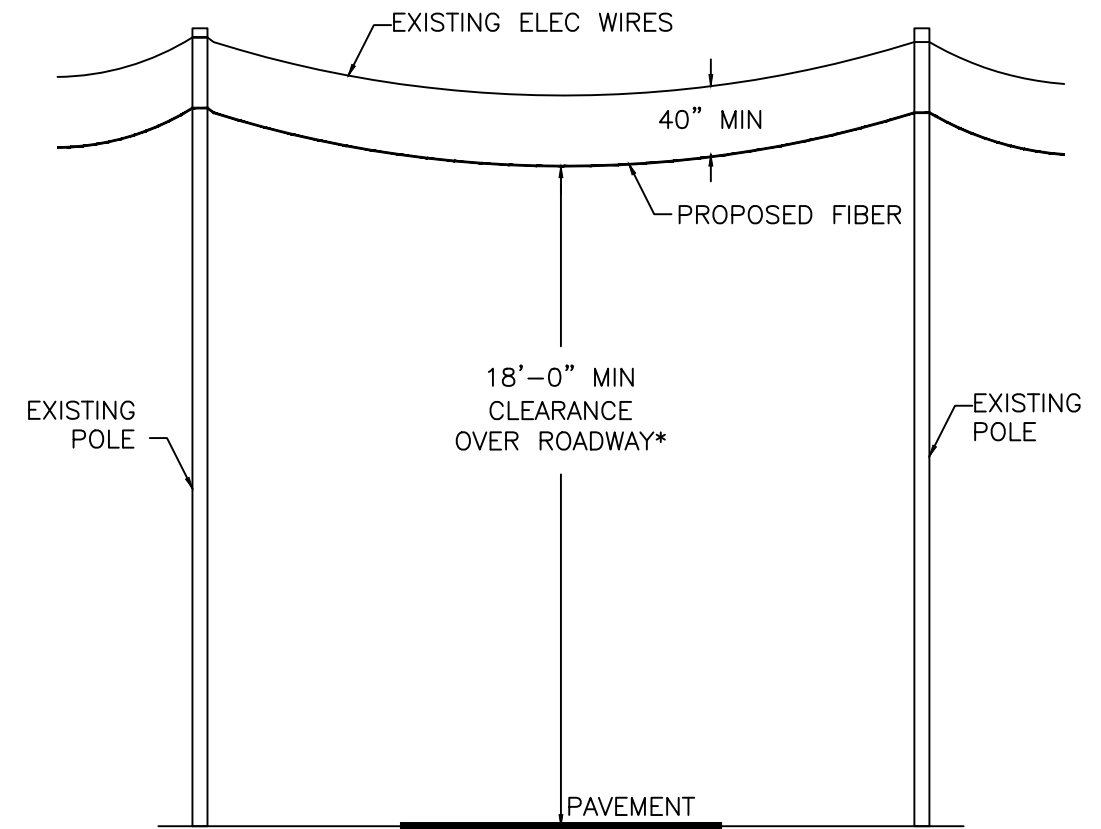
	SIDEWALK		EXISTING SANITARY SEWER LINE
	PAINT LINES		EXISTING GAS LINE
	EDGE OF PAVEMENT		EXISTING WATER LINE
	RAILROAD TRACKS		EXISTING TELEPHONE LINE (BURIED)
	RIGHT OF WAY (APPARENT - FIELD VERIFY)		OVERHEAD POWER
	PROPERTY LINE (APPARENT - FIELD VERIFY)		EXISTING ELECTRIC LINE (BURIED)
	CENTERLINE		EXISTING CATV LINE (BURIED)
	EASEMENT		(UG) PROPOSED UNDERGROUND CONSTRUCTION
	FENCE		(DB) PROPOSED DIRECTIONAL BORE CONSTRUCTION
	SURFACE WATER		PROPOSED AERIAL CONSTRUCTION
	EXISTING STORM SEWER LINE		EXISTING/FUTURE FOC



BORE TO BE A MINIMUM OF 24" BELOW ANY DRAINAGE STRUCTURES

* UNLESS ADDITIONAL REQUIRED DEPTH IS NOTED ON PLAN SHEETS

TYPICAL ARDOT UNDERGROUND ROADWAY CROSSING
 DIRECTIONAL BORE WITHIN ARDOT R/W
 UNDER HIGHWAY/INTERSTATE



* NOTE ON PLAN SHEET MAY REQUIRE ADDITIONAL CLEARANCE

TYPICAL ARDOT ROADWAY CROSSING
 AERIAL CROSSING ON EXISTING POLES
 OVER HIGHWAY/INTERSTATE

PROJECT NAME:
 BCBS LEDGELAWN
 TO MAUMELLE
 (PHASE 2)
 CONWAY, AR
 FAULKNER COUNTY



CONSTRUCTION NOTES:
 ALL EXISTING UTILITIES MUST BE
 PROPERLY LOCATED AND FIELD
 VERIFIED PRIOR TO CONSTRUCTION.

ALL R/W SHOWN IS APPARENT AND
 SHOULD BE FIELD VERIFIED PRIOR TO
 START OF CONSTRUCTION.



CALL BEFORE YOU DIG
 811
 72 HOURS NOTICE REQUIRED

DATE: 9/26/22

DESIGNER: MILLENNIUM

DRAWN BY: MILLENNIUM

REVISIONS

DATE	DESCRIPTION	INITIAL
9/26/22	EXIST. CONDUIT	MUC

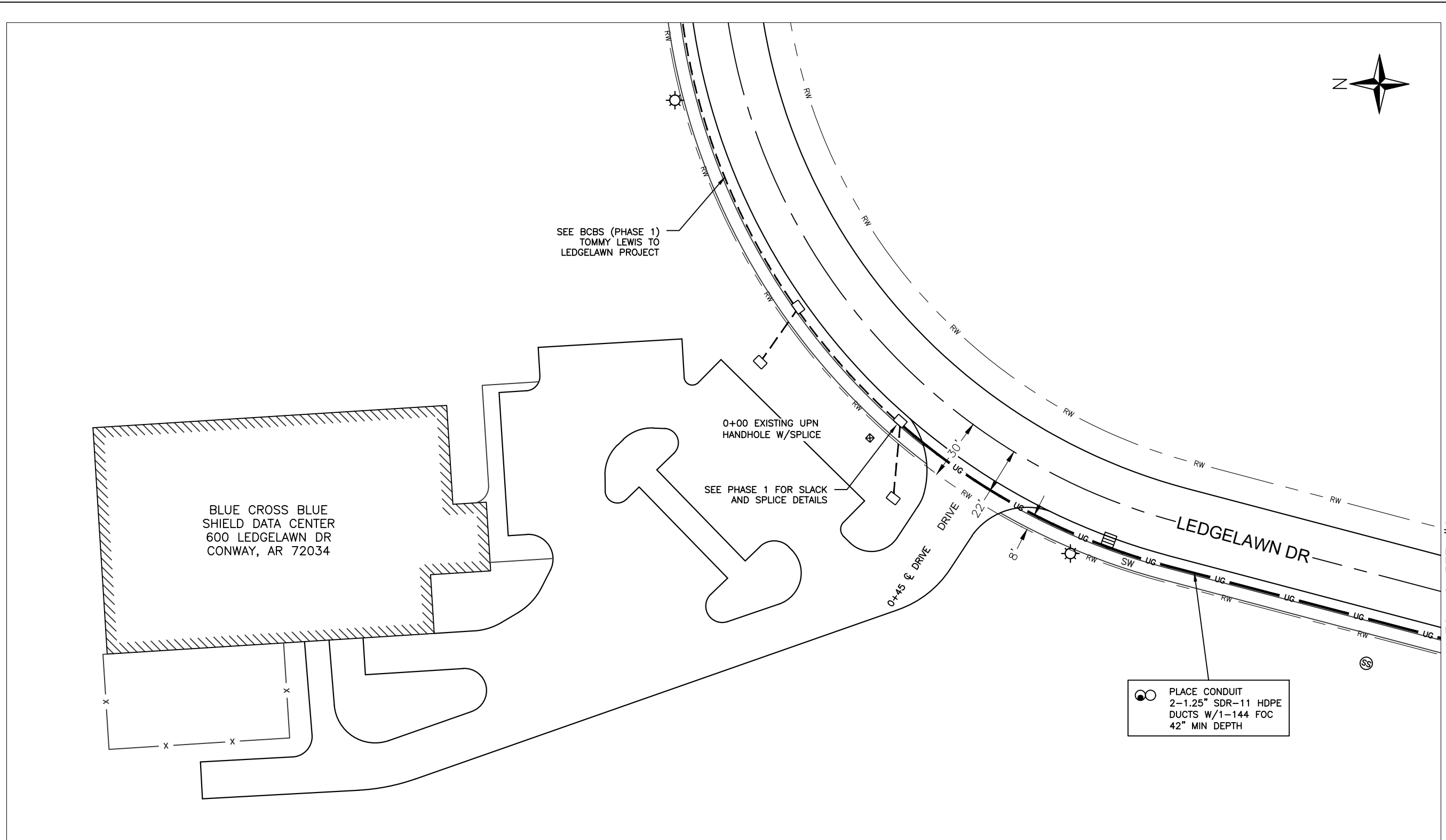
EXCEPT AS MAY BE OTHERWISE
 PROVIDED BY CONTRACT OR WRITTEN
 PERMISSION, THESE SHEETS SHALL
 REMAIN THE PROPERTY OF THE
 COMPANY. PRINTS ARE ISSUED IN
 STRICT CONFIDENCE AND SHALL NOT
 BE REPRODUCED, COPIED, OR USED
 FOR ANY PURPOSE WITHOUT
 PERMISSION.

SCALE

HORIZONTAL: 1"=50'

VERTICAL: 1"=50'

SHEET 001 OF 115



SEE BCBS (PHASE 1)
 TOMMY LEWIS TO
 LEDGELAWN PROJECT

0+00 EXISTING UPN
 HANDHOLE W/SPLICE

SEE PHASE 1 FOR SLACK
 AND SPLICE DETAILS

BLUE CROSS BLUE
 SHIELD DATA CENTER
 600 LEDGELAWN DR
 CONWAY, AR 72034

PLACE CONDUIT
 2-1.25" SDR-11 HDPE
 DUCTS W/1-1/4" FOC
 42" MIN DEPTH

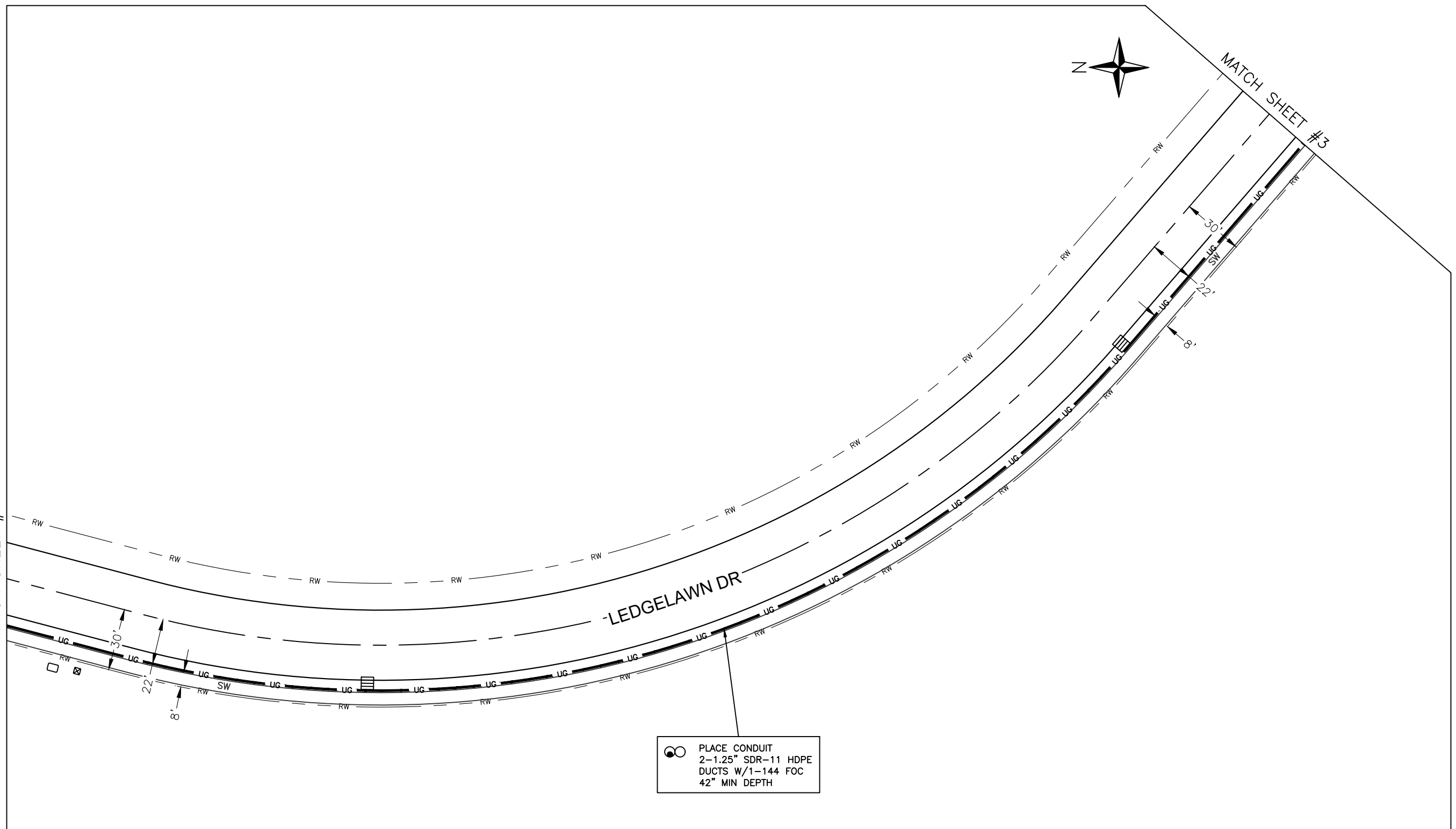
MATCH SHEET #2

PROJECT NAME:
BCBS LEDGELAWN
TO MAUMELLE
(PHASE 2)
CONWAY, AR
FAULKNER COUNTY



MATCH SHEET #1

MATCH SHEET #3



PLACE CONDUIT
2-1.25" SDR-11 HDPE
DUCTS W/1-144 FOC
42" MIN DEPTH

CONSTRUCTION NOTES:
ALL EXISTING UTILITIES MUST BE
PROPERLY LOCATED AND FIELD
VERIFIED PRIOR TO CONSTRUCTION.

ALL R/W SHOWN IS APPARENT AND
SHOULD BE FIELD VERIFIED PRIOR TO
START OF CONSTRUCTION.



CALL BEFORE YOU DIG
811
72 HOURS NOTICE REQUIRED

DATE: 9/26/22
DESIGNER: MILLENNIUM
DRAWN BY: MILLENNIUM

REVISIONS		
DATE	DESCRIPTION	INITIAL
9/26/22	EXIST. CONDUIT	MUC

EXCEPT AS MAY BE OTHERWISE
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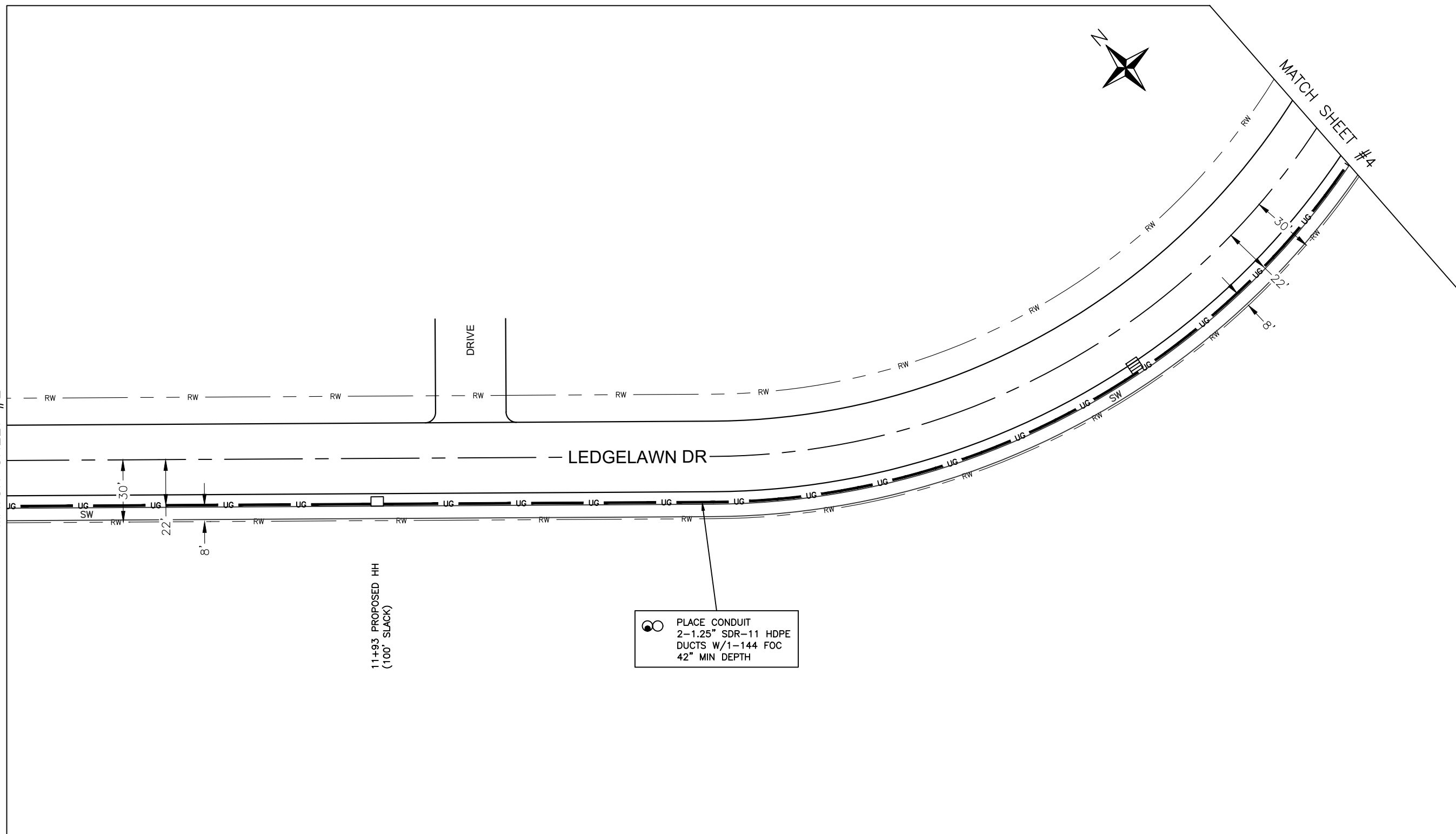
SCALE
HORIZONTAL: 1"=50'
VERTICAL: 1"=50'
SHEET 002 OF 115

PROJECT NAME:
 BCBS LEDGELAWN
 TO MAUMELLE
 (PHASE 2)
 CONWAY, AR
 FAULKNER COUNTY



MATCH SHEET #2

MATCH SHEET #4



11+93 PROPOSED HH
 (100' SLACK)

PLACE CONDUIT
 2-1.25" SDR-11 HDPE
 DUCTS W/1-144 FOC
 42" MIN DEPTH

CONSTRUCTION NOTES:
 ALL EXISTING UTILITIES MUST BE
 PROPERLY LOCATED AND FIELD
 VERIFIED PRIOR TO CONSTRUCTION.

ALL R/W SHOWN IS APPARENT AND
 SHOULD BE FIELD VERIFIED PRIOR TO
 START OF CONSTRUCTION.



CALL BEFORE YOU DIG
 811
 72 HOURS NOTICE REQUIRED

DATE: 9/26/22
 DESIGNER: MILLENNIUM
 DRAWN BY: MILLENNIUM

REVISIONS		
DATE	DESCRIPTION	INITIAL
9/26/22	EXIST. CONDUIT	MUC

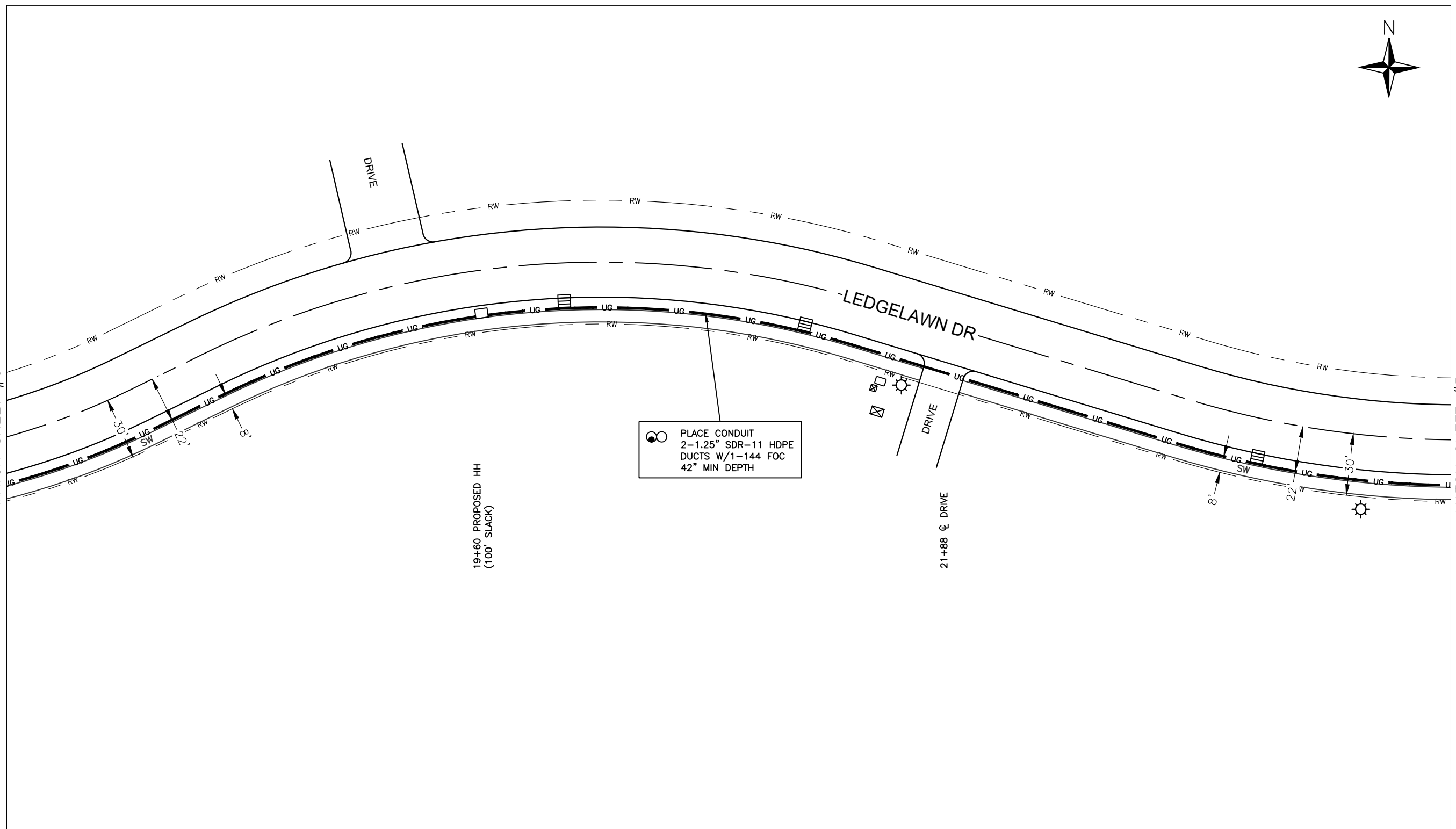
EXCEPT AS MAY BE OTHERWISE
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 STRICT CONFIDENCE AND SHALL NOT
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SCALE
 HORIZONTAL: 1"=50'
 VERTICAL: 1"=50'
 SHEET 003 OF 115

PROJECT NAME:
 BCBS LEDGELAWN
 TO MAUMELLE
 (PHASE 2)
 CONWAY, AR
 FAULKNER COUNTY



MATCH SHEET #3



MATCH SHEET #5

CONSTRUCTION NOTES:
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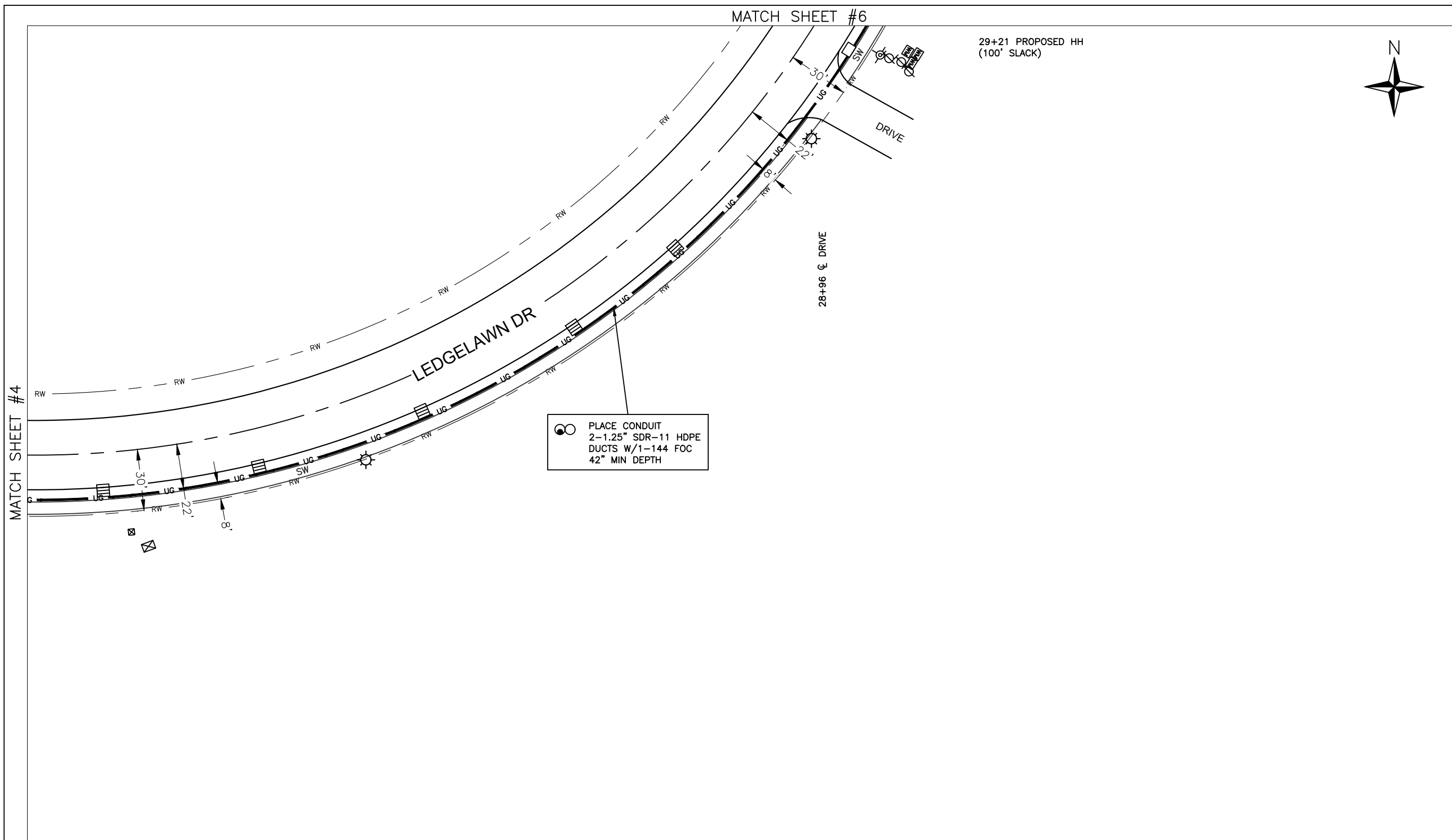
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REVISIONS		
DATE	DESCRIPTION	INITIAL
9/26/22	EXIST. CONDUIT	MUC

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SCALE
 HORIZONTAL: 1"=50'
 VERTICAL: 1"=50'
 SHEET 004 OF 115



PROJECT NAME:
BCBS LEDGELAWN
TO MAUMELLE
(PHASE 2)
CONWAY, AR
FAULKNER COUNTY



CONSTRUCTION NOTES:
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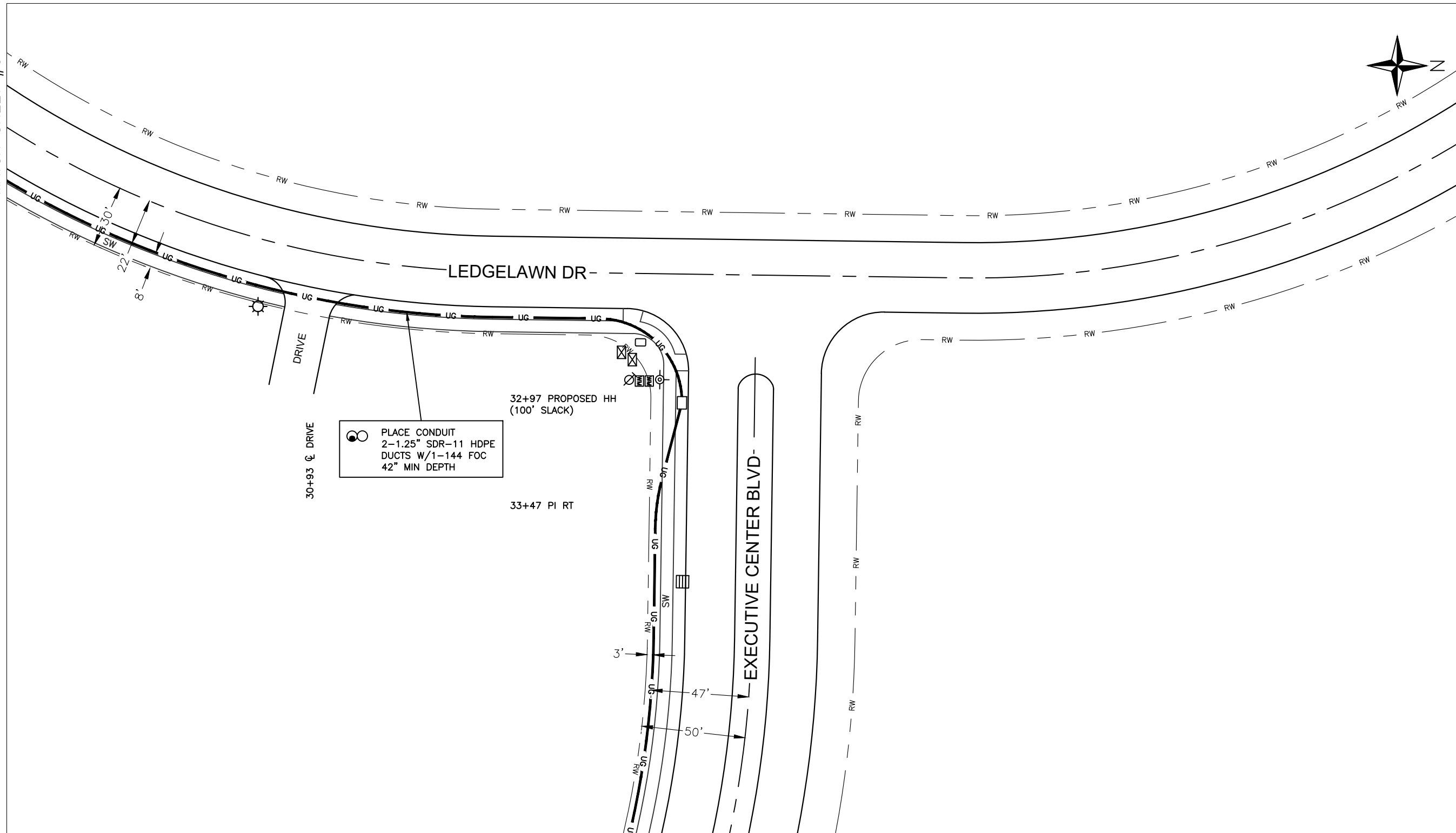
DRAWN BY: MILLENNIUM

REVISIONS		
DATE	DESCRIPTION	INITIAL
9/26/22	EXIST. CONDUIT	MUC

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SCALE
HORIZONTAL: 1"=50'
VERTICAL: 1"=50'
SHEET 005 OF 115

MATCH SHEET #5



PROJECT NAME:
 BCBS LEDGELAWN
 TO MAUMELLE
 (PHASE 2)
 CONWAY, AR
 FAULKNER COUNTY



CONSTRUCTION NOTES:
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CALL BEFORE YOU DIG
 811
 72 HOURS NOTICE REQUIRED

DATE: 9/26/22
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REVISIONS		
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9/26/22	EXIST. CONDUIT	MUC

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SCALE
 HORIZONTAL: 1"=50'
 VERTICAL: 1"=50'
 SHEET 006 OF 115

PROJECT NAME:
BCBS LEDGELAWN
TO MAUMELLE
(PHASE 2)
CONWAY, AR
FAULKNER COUNTY



CONSTRUCTION NOTES:
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72 HOURS NOTICE REQUIRED

DATE: 9/26/22

DESIGNER: MILLENNIUM

DRAWN BY: MILLENNIUM

REVISIONS

DATE	DESCRIPTION	INITIAL
9/26/22	EXIST. CONDUIT	MUC

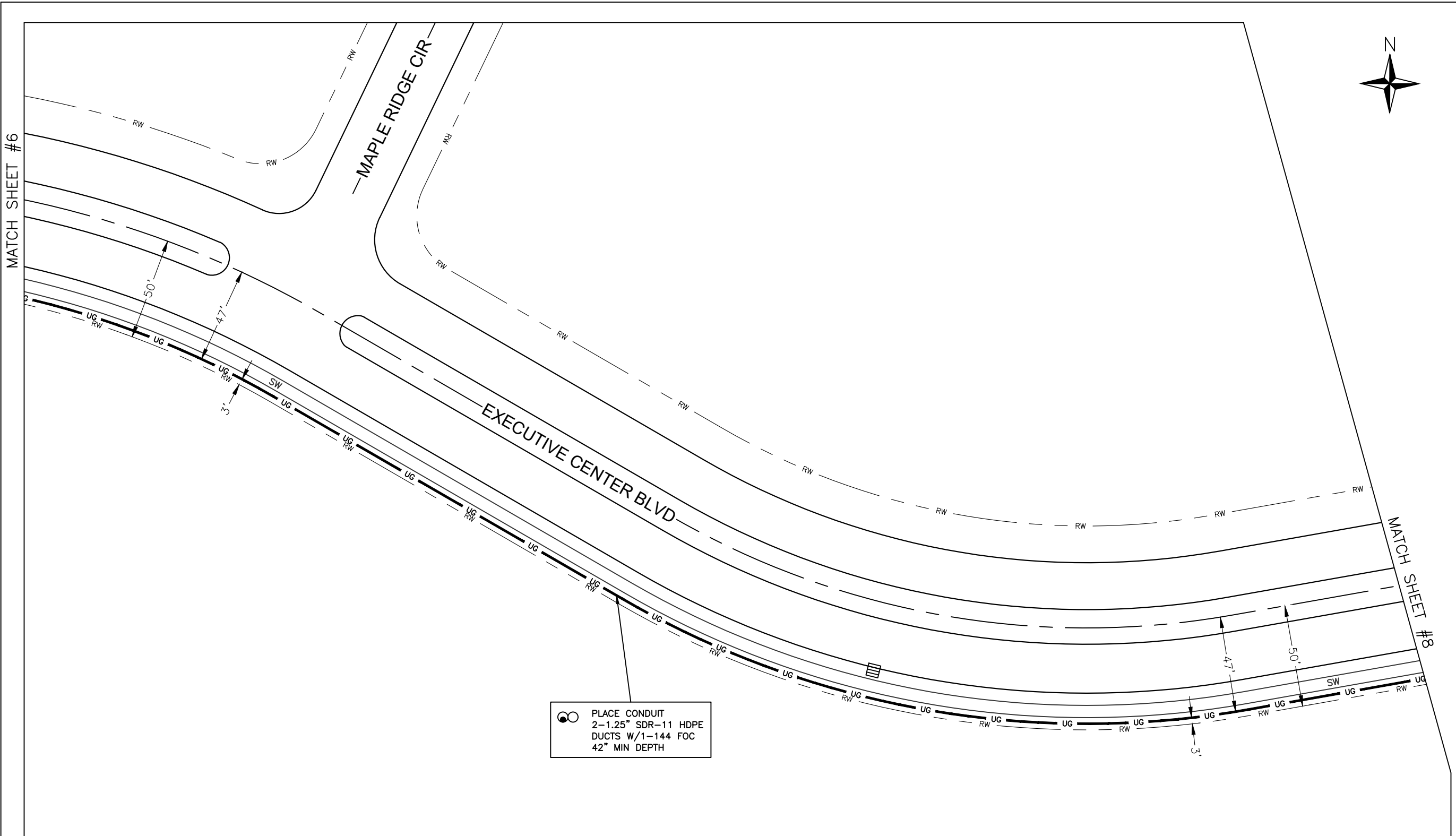
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SCALE

HORIZONTAL: 1"=50'

VERTICAL: 1"=50'

SHEET 007 OF 115

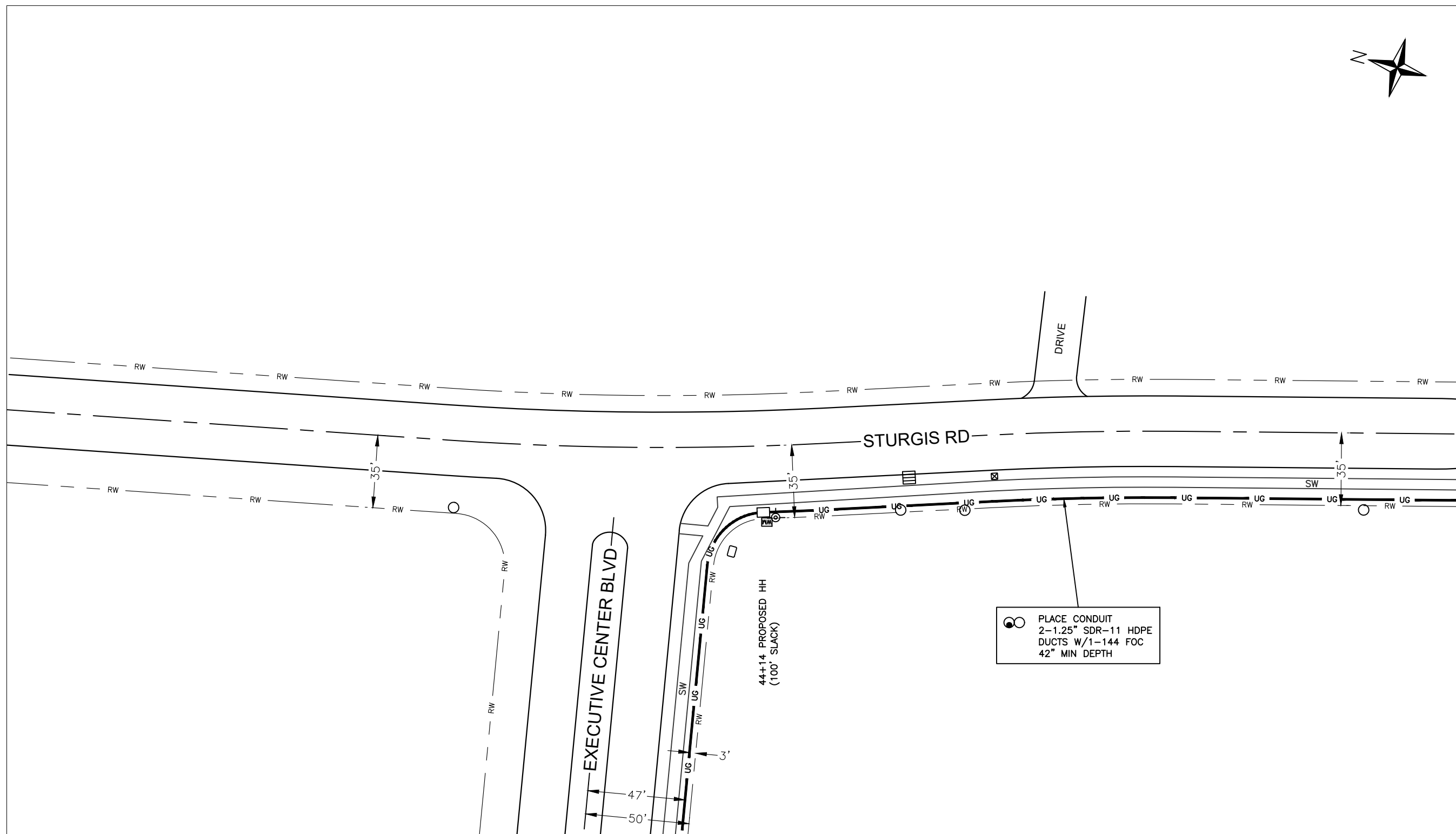


PLACE CONDUIT
2-1.25" SDR-11 HDPE
DUCTS W/1-144 FOC
42" MIN DEPTH

PROJECT NAME:
 BCBS LEDGELAWN
 TO MAUMELLE
 (PHASE 2)
 CONWAY, AR
 FAULKNER COUNTY



MATCH SHEET #9



MATCH SHEET #7

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DATE: 9/26/22
 DESIGNER: MILLENNIUM
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REVISIONS		
DATE	DESCRIPTION	INITIAL
9/26/22	EXIST. CONDUIT	MUC

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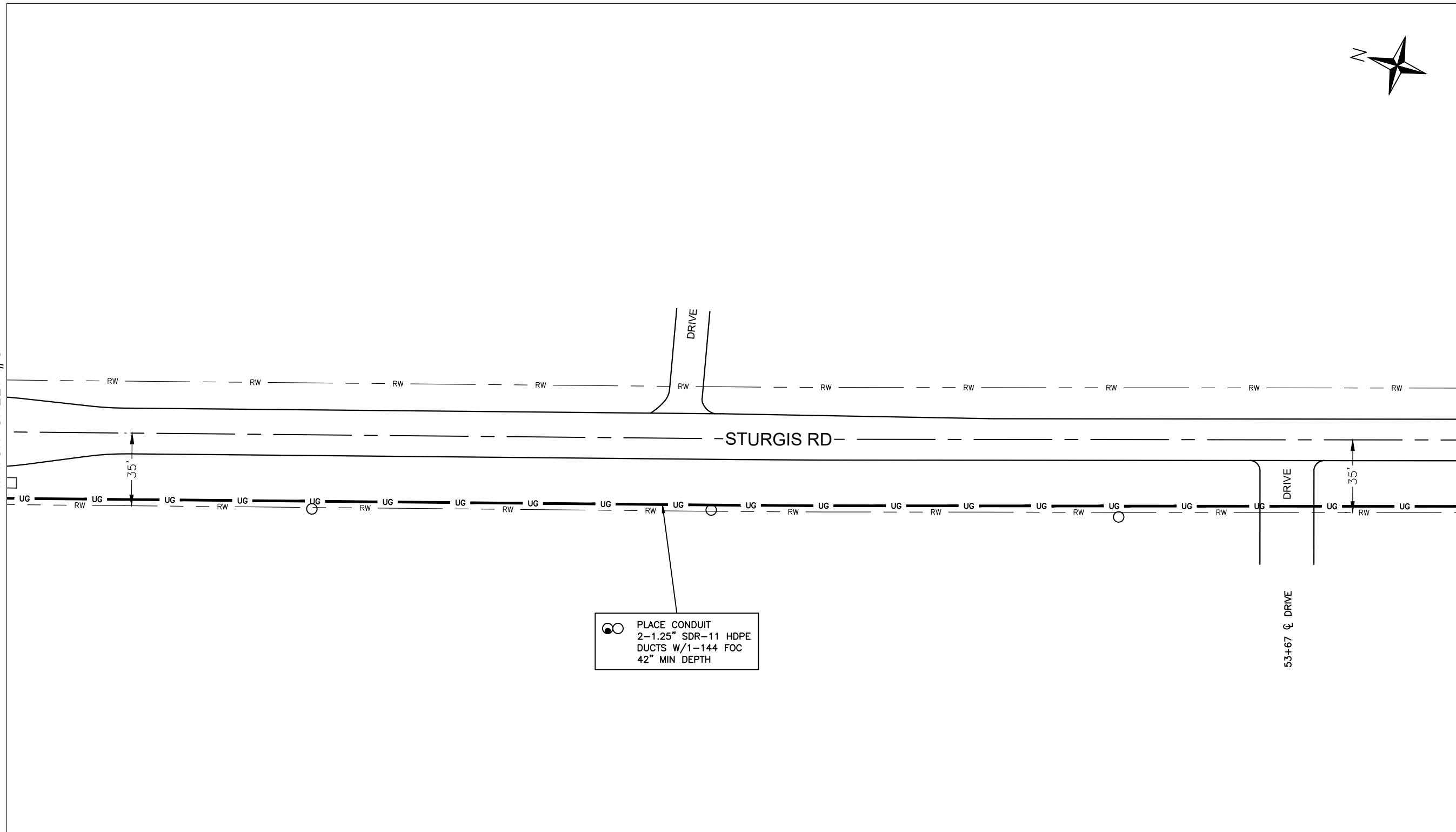
SCALE
 HORIZONTAL: 1"=50'
 VERTICAL: 1"=50'
 SHEET 008 OF 115

PROJECT NAME:
 BCBS LEDGELAWN
 TO MAUMELLE
 (PHASE 2)
 CONWAY, AR
 FAULKNER COUNTY



MATCH SHEET #8

MATCH SHEET #10



PLACE CONDUIT
 2-1.25" SDR-11 HDPE
 DUCTS W/1-144 FOC
 42" MIN DEPTH

CONSTRUCTION NOTES:
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 72 HOURS NOTICE REQUIRED

DATE: 9/26/22
 DESIGNER: MILLENNIUM
 DRAWN BY: MILLENNIUM

REVISIONS		
DATE	DESCRIPTION	INITIAL
9/26/22	EXIST. CONDUIT	MUC

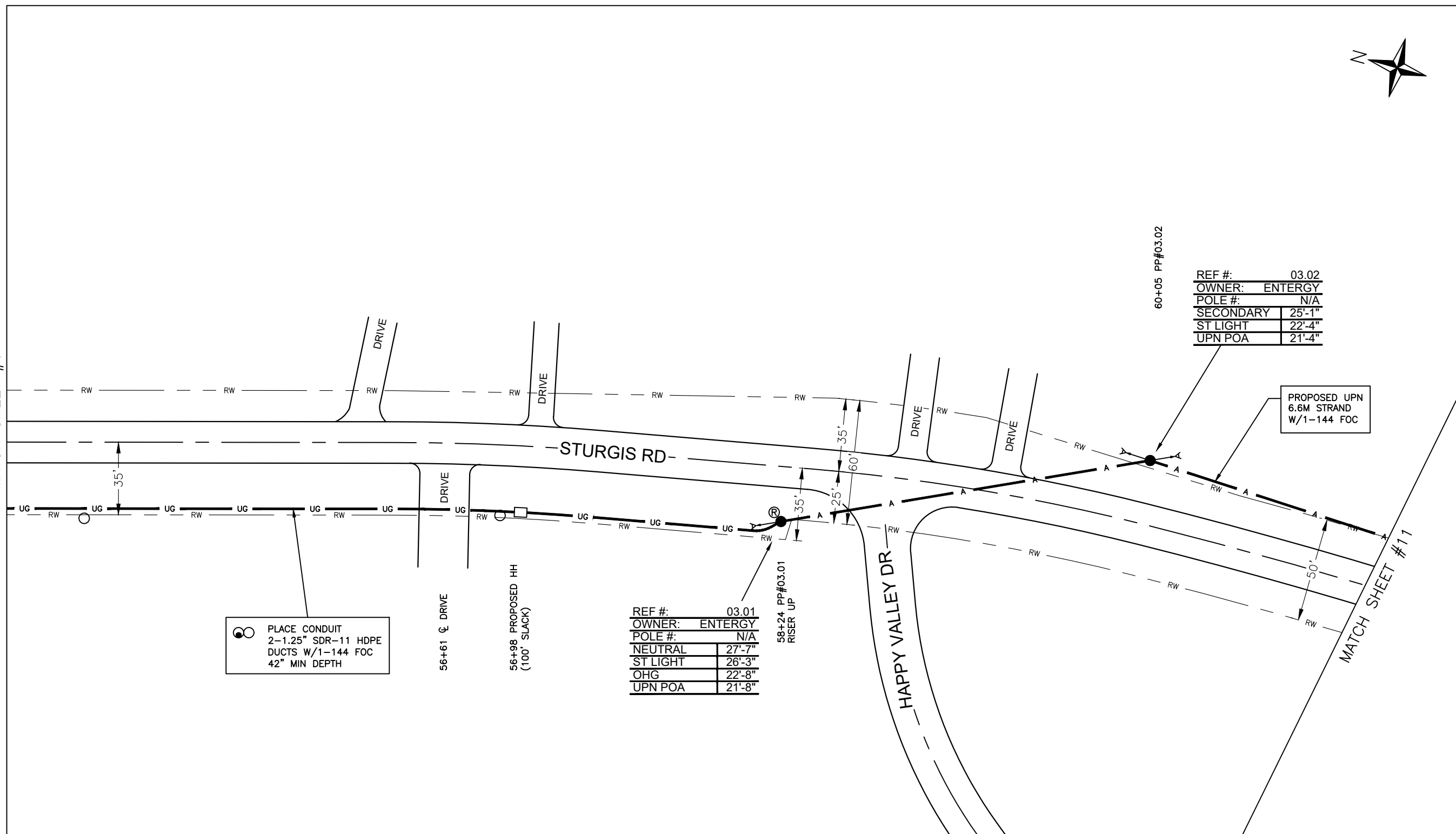
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SCALE
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 VERTICAL: 1"=50'
 SHEET 009 OF 115

PROJECT NAME:
BCBS LEDGELAWN
TO MAUMELLE
(PHASE 2)
CONWAY, AR
FAULKNER COUNTY



MATCH SHEET #9



REF #:	03.02
OWNER:	ENTERGY
POLE #:	N/A
SECONDARY:	25'-1"
ST LIGHT:	22'-4"
UPN POA:	21'-4"

PROPOSED UPN
6.6M STRAND
W/1-144 FOC

○ PLACE CONDUIT
2-1.25" SDR-11 HDPE
DUCTS W/1-144 FOC
42" MIN DEPTH

REF #:	03.01
OWNER:	ENTERGY
POLE #:	N/A
NEUTRAL:	27'-7"
ST LIGHT:	26'-3"
OHG:	22'-8"
UPN POA:	21'-8"

CONSTRUCTION NOTES:
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811
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DATE: 9/26/22
DESIGNER: MILLENNIUM
DRAWN BY: MILLENNIUM

REVISIONS		
DATE	DESCRIPTION	INITIAL
9/26/22	EXIST. CONDUIT	MUC

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SCALE
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VERTICAL: 1"=50'
SHEET 010 OF 115



City of Conway
Resolution No. R-22-__

A RESOLUTION AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO ACT PURSUANT TO ARKANSAS CODE ANNOTATED §18-15-201 *ET SEQ.*, AND OTHER STATE STATUTORY AUTHORITY TO SEEK CONDEMNATION BY EMINENT DOMAIN PROCEEDINGS OF CERTAIN PROPERTIES DESCRIBED HEREIN FOR THE PUBLIC PURPOSE OF CONSTRUCTING AND MAINTAINING STREET, ROAD, SIDEWALK AND BOULEVARD RIGHT OF WAY AND ALL NECESSARY AND PROPER EASEMENTS RELATED THERETO FOR THE CITY OF CONWAY'S LOWER RIDGE ROAD REALIGNMENT PROJECT.

Whereas, the City of Conway, Arkansas, is a city of the First Class duly organized and existing as a municipal corporation under the laws of the State of Arkansas. The City of Conway ("the City") has its principal place of business within the borders of Faulkner County, Arkansas. Under Arkansas law, the City is empowered under Arkansas Code Annotated § 18-15-201, *et seq.*, and other statutory authority to condemn real property by eminent domain for the purposes of streets, parks, boulevards, and public buildings (among other lawful purposes); and

Whereas, as part of the planning and construction of the Lower Ridge Road Realignment Project ("the Project"), the City is in the process of planning and developing sufficiently wide and safe roads, streets, boulevards, sidewalks, and necessary and proper rights of way within the statutory areas relative to the corporate limits of Conway as set out in A.C.A. § 18-15-201(a)(2), the City Council for the City of Conway has found and determined that it is necessary for public purposes to acquire the real properties described herein upon which to construct and maintain said roadway, street and sidewalks. It is now necessary for public purposes to acquire the real properties described herein upon which to construct and maintain said roadway and sidewalks. Because the City has established a legitimate public purpose for said properties, it is empowered under ACA §18-15-201 to seek condemnation through eminent domain of the properties as described herein and to properly compensate the owners of said lands pursuant to state law.

Whereas, to secure timely access to said real properties, however, it is necessary that eminent domain authority be declared, established, and exercised for the purpose of the construction, maintenance, and public use of the improved roadway, streets, boulevards, utilities, rights of way, sidewalks and appropriate appurtenances developed thereto. As well and on behalf of the public, the City must continue ownership and control of the real property described herein, as necessary for the public purposes of continued maintenance, traffic control, safety, drainage, pedestrian passage and necessary and proper services throughout the affected areas and properties described herein.

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

Section 1: The City Council for the City of Conway hereby finds and determines that it is necessary for public purposes to acquire the real properties owned by certain landowner described herein upon which to construct and maintain said roadway, streets, boulevards,

sidewalks and necessary easements. Being unable to reach an agreement and compromise as to the amount of just compensation to pay the respective landowners, it is necessary for public purposes to acquire the real properties owned by the landowner described herein upon which to construct and maintain said roadway, streets, boulevards, sidewalks and necessary easements. Because the City has established a legitimate public purpose for said properties, the City is empowered under Ark. Code Ann. §18-15-201 to seek condemnation through eminent domain of the properties described herein and to properly compensate the owners of said lands pursuant to state law.

Section 2: Conway Realty LLC and Conway Nassim LLC (Namdar Realty Group) own real estate upon and along the Project area which is needed for the Project. The street address of the property is Hwy 65 N/Conway Town Center, Conway, Arkansas, with the real estate in question more particularly described below:

LEGAL DESCRIPTION

TRACT 1: (710-08185-004C)

A PART OF THE NE1/4 SW1/4, SECTION 31, T-06-N, R-13-W, FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND STONE FOR THE NE CORNER OF SAID NE1/4 SW1/4; THENCE ALONG THE EAST LINE OF SAID NE1/4 SW1/4 S01°41'47"W A DISTANCE OF 441.10' TO THE POINT OF BEGINNING, SAID POINT BEING ON THE EAST LINE OF PARCEL NO. 710-08185- 004C; THENCE CONTINUE S01°41'47"W A DISTANCE OF 16.28' TO A FOUND 1/2" REBAR FOR THE SE CORNER OF SAID PARCEL; THENCE LEAVING SAID EAST LINE AND ALONG THE SOUTH LINE OF SAID PARCEL N88°23'01"W A DISTANCE OF 77.84'; THENCE LEAVING SAID SOUTH LINE N79°48'22"E A DISTANCE OF 79.55' TO THE POINT OF BEGINNING, CONTAINING 633.69 SQUARE FEET (0.0145 ACRES), MORE OR LESS.

TRACT 2: (710-08185-004C)

A PART OF THE NE1/4 SW1/4, SECTION 31, T-06-N, R-13-W, FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND STONE FOR THE NE CORNER OF SAID NE1/4 SW1/4, THENCE ALONG THE EAST LINE OF SAID NE1/4 SW1/4 S01°41'47"W A DISTANCE OF 457.38' TO A FOUND 1/2" REBAR FOR THE SE CORNER OF PARCEL NO. 710-08185-004C; THENCE LEAVING SAID EAST LINE AND ALONG THE SOUTH LINE OF SAID PARCEL N88°23'01"W A DISTANCE OF 335.16' TO A FOUND 1/2" REBAR; THENCE CONTINUE ALONG SAID SOUTH LINE S01°34'14"W A DISTANCE OF 12.29' TO THE POINT OF BEGINNING; THENCE CONTINUE S01°34'14"W A DISTANCE OF 5.76' TO A FOUND RR-SPIKE; THENCE N88°23'01"W A DISTANCE OF 120.12'; THENCE LEAVING SAID SOUTH LINE N02°02'04"E A DISTANCE OF 6.64'; THENCE S87°57'56"E A DISTANCE OF 120.07' TO THE POINT OF BEGINNING, CONTAINING 744.36 SQUARE FEET (0.0171 ACRES), MORE OR LESS.

PARCEL: (710-08185-000C)

A PART OF THE NE1/4 SW1/4, SECTION 31, T-06-N, R-13-W, FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND STONE FOR THE NE CORNER OF SAID NE1/4 SW1/4; THENCE ALONG THE EAST LINE OF SAID NE1/4 SW1/4 S01°41'47"W A DISTANCE OF 457.38' TO A FOUND 1/2" REBAR FOR THE POINT OF BEGINNING,

SAID POINT BEING THE NE CORNER OF PARCEL NO. 710-08185-000C; THENCE CONTINUE S01°41'47"W A DISTANCE OF 45.23'; THENCE LEAVING SAID EAST LINE S88°05'47"W A DISTANCE OF 247.63'; THENCE N87°57'56"W A DISTANCE OF 208.34'; THENCE N02°02'04"E A DISTANCE OF 8.16'; THENCE N88°06'43"W A DISTANCE OF 233.42' TO A FOUND PK NAIL BEING ON THE BOUNDARY LINE OF SAID PARCEL; THENCE ALONG SAID BOUNDARY LINE THE FOLLOWING CALLS: N88°59'15"W A DISTANCE OF 22.04' TO A FOUND PK NAIL; THENCE N01°33'01"E A DISTANCE OF 98.66'; THENCE N83°52'20"E A DISTANCE OF 29.64'; THENCE S01°33'01"W A DISTANCE OF 45.86'; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 39.24', WITH A RADIUS OF 25.00', WITH A CHORD BEARING OF S43°25'00"E, WITH A CHORD LENGTH OF 35.33'; THENCE S88°23'01"E A DISTANCE OF 321.50' TO A FOUND RR-SPIKE; THENCE N01°34'14"E A DISTANCE OF 5.76'; THENCE LEAVING SAID BOUNDARY LINE S87°57'56"E A DISTANCE OF 113.30'; THENCE N86°24'39"E A DISTANCE OF 144.60' TO THE NORTH LINE OF SAID PARCEL; THENCE ALONG SAID NORTH LINE S88°23'01"E A DISTANCE OF 77.84' TO THE POINT OF BEGINNING, CONTAINING 31,290.68 SQUARE FEET (0.7183 ACRES), MORE OR LESS.

Section 3: The City is further in need of Temporary Construction Easements for the Project, as more particularly described above, from the landowners as identified and detailed above.

Section 4: To secure timely access to said real properties, it is necessary that eminent domain authority be declared, established, and exercised for the purpose of the construction, maintenance, and public use of the improved roadway, streets, boulevards, sidewalks, rights of way, necessary and proper easements and appropriate appurtenances developed thereto. As well and on behalf of the public, the City must continue ownership and control of the real property described herein, as necessary for the public purposes of continued maintenance, traffic control, safety and necessary and proper rights of way and easements throughout the affected areas and properties described herein.

Section 5: The Office of the City Attorney of the City is hereby authorized to act on behalf of the City and initiate statutory proceedings for eminent domain and condemnation of the lands described herein for the purposes stated herein, up to and including filing appropriate legal pleadings and process in those courts of law having jurisdiction over such process and proceedings.

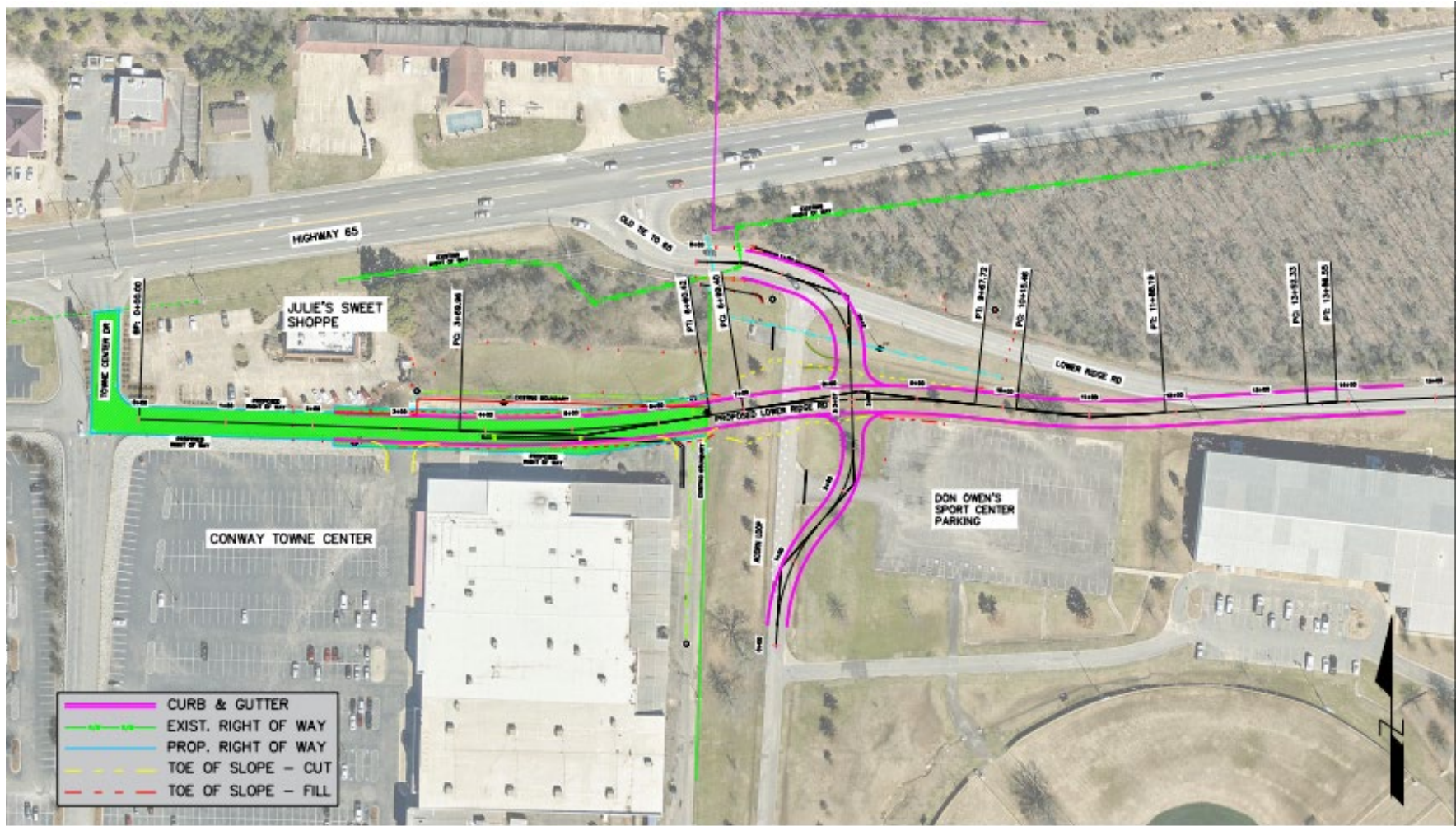
PASSED this 8th day of November 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



LAYOUT OPTION B



**City of Conway, Arkansas
Ordinance No. O-22-__**

AN ORDINANCE APPROPRIATING GENERAL FUNDS TO THE CONWAY POLICE DEPARTMENT FOR OPERATION SHOP SECURE AND FOR OTHER PURPOSES:

Whereas, The Conway Police Department needs approximately \$60,000 in overtime funds for Operation Shop Secure; and

Whereas, the Conway Police Department needs these funds in order to increase police presence in all shopping areas throughout the City of Conway during the holidays which will provide a safer shopping experience for the citizens of Conway.

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

Section 1. The City of Conway shall appropriate \$60,000 from the General Fund balance appropriation account 001.119.4900 into the Conway Police Departments overtime expense account, 001.121.5114.

Section 2. All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 8th day of November, 2022.

Approved:

Mayor Bart Castleberry

Attest:

**Michael O. Garrett
City Clerk/Treasurer**



**City of Conway, Arkansas
Ordinance No. O-22-_____**

AN ORDINANCE APPROPRIATING REIMBURSEMENTS FUNDS FROM VARIOUS ENTITIES FOR THE CITY OF CONWAY POLICE DEPARTMENT; AND FOR OTHER PURPOSES

Whereas, the City of Conway has received reimbursements funds from the following entities:

Various Companies	\$12,446.29	Extra Duty Services
Municipal Vehicle Program	\$12,427.07	Insurance Proceeds

Whereas, the Conway Police Department needs these funds to replenish their expenditure accounts.

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

Section 1. The City of Conway shall appropriate funds from various companies in the amount of \$12,446.29 from the Police Extra Duty Account 001.121.4185 to the CPD Overtime Account 001.121.5114.

Section 2. The City of Conway shall appropriate funds from Municipal Vehicle Program in the amount of \$12,427.07 from the Insurance Proceeds Account 001.119.4360 to the CPD Vehicle Maintenance Expense Account 001.121.5450.

Section 3. All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 8th day of November, 2022.

Approved:

Mayor Bart Castleberry

Attest:

**Michael O. Garrett
City Clerk/Treasurer**