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City of Conway, Arkansas
Ordinance No. O-17-56

Instrument #201708724

Real Estate Book
Ordinance

Filed: 06/05/2017 03:54 pm
Faulkner County, Arkansas
Crystal Taylor, Circuit Clerk
By: Liz Baumgartner, D.C.

2 Pages \$20.00

**AN ORDINANCE CLOSING A PORTION OF THE 20 FOOT UTILITY EASEMENT ON LOT 5, MCCRACKEN SUBDIVISION;
AND FOR OTHER PURPOSES:**

Whereas, a petition was duly filed with the City of Conway, Arkansas on the 28th of April, 2017 by the Pinnacle Hotel Group asking the City Council to vacate and abandon a portion of the 20 foot utility easement along the south property line on Lot 5, McCracken 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 easement or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a utility 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 easement 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 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 its rights, together with the rights of the public generally, in and to the portion of the easement designated as follows:

A part of Lot 5, McCracken Subdivision of the City of Conway, Faulkner County, Arkansas; more particularly described to wit: Commencing at the SW corner of said Lot 5; thence N01°30'11"E, along the west line thereof a distance of 20.00 feet to a point on a statutory utility easement comprising the south 20.00 feet of said Lot 5; thence S88°27'20"E, along said easement line being parallel with and maintaining a distance of 20.00 feet from the south line of said Lot 5, a distance of 412.87 feet to the point of beginning; thence continuing S88°27'20"W, a distance of 50.00 feet to a point; thence S01°32'40"W, a distance of 15.00 feet to a point; thence N88°27'20"W, a distance of 50.00 feet to a point; thence N01°32'40"E, a distance of 15.00 feet to the point of beginning, and containing 750 square feet, or 0.017 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 deed records of the county.

PASSED this 23rd day of May, 2017.

Approved:


Mayor Bart Castleberry

Attest:


Michael O. Garrett
City Clerk/Treasurer