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Official Records of

FAULKNER COUNTY

RHONDA WHARTON

FAULKNER COUNTY CIRCUIT CLERK

Fees \$25.00

By

417785

[Signature]

D. C.

✓ City of Conway, Arkansas
Ordinance No. O-15-75

AN ORDINANCE CLOSING THE SOUTHERN 25 FEET OF THE MILL POND ROAD RIGHT-OF-WAY ADJOINING LOT 27, ROUND MOUNTAIN SUBDIVISION; AND FOR OTHER PURPOSES;

Whereas, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 23rd day of June, 2015 asking the City Council to vacate and abandon a portion of the Mill Pond Road Right-of-Way.

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 an 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 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 this portion of the 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 its rights, with the exception of a fifteen foot (15') utility easement centered on the existing water main on the north side of Lot 27, together with the rights of the public generally, in and to the southern 25 feet of the Right-of-Way designated as follows:

COMMENCING AT A 1" PIPE FOR THE SOUTHEAST CORNER OF LOT 27 ROUND MOUNTAIN SUBDIVISION, AS RECORDED IN PLAT BOOK E, PAGE 72, ALSO KNOWN AS THE SOUTHEAST CORNER OF THE NE1/4 SW1/4 OF SECTION 2; THENCE ALONG THE EAST LINE OF SAID LOT 27 N02°10'52"E, 1020.42 FEET TO A 3/8" REBAR FOR THE NORTHEAST CORNER OF SAID LOT 27; THENCE ALONG THE NORTH LINE OF SAID LOT 27, N89°00'13"W, 223.83 FEET TO A 3/8" REBAR ON THE SOUTH RIGHT OF WAY MILL POND ROAD; THENCE ALONG SAID SOUTH RIGHT OF WAY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 493.70 FEET, AN ARC LENGTH OF 108.82 FEET, A CHORD BEARING AND DISTANCE OF S58°52'52"W, 108.60 FEET TO A 1/2" REBAR W/CAP (PLS 1363) FOR THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTH RIGHT OF WAY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 493.70 FEET, AN ARC LENGTH OF 174.67 FEET, A CHORD BEARING AND DISTANCE OF S75°11'52"W, 173.76 FEET TO A SET 1/2" REBAR W/CAP (PLS 1363); THENCE CONTINUE ALONG SAID SOUTH RIGHT OF WAY S85°20'01"W, 354.89 FEET TO A SET 1/2" REBAR W/CAP (PLS 1363); THENCE ALONG SAID SOUTH RIGHT OF WAY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 671.65 FEET, AN ARC LENGTH OF 24.10 FEET, A CHORD BEARING AND DISTANCE S86°21'41"W, 24.10 FEET TO A SET 1/2" REBAR W/CAP (PLS 1363); THENCE LEAVING SAID SOUTH RIGHT OF WAY N01°06'12"E, 25.05 FEET; THENCE RUN ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 646.65 FEET, AN ARC LENGTH OF 21.58 FEET, A CHORD BEARING AND DISTANCE OF N86°17'22"E, 21.58 FEET; THENCE RUN N85°20'01"E, 354.89 FEET; THENCE RUN ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 468.70 FEET, AN ARC LENGTH OF 164.43 FEET, A CHORD BEARING AND DISTANCE OF N75°16'59"E, 163.59 FEET; THENCE RUN S28°07'59"E, 25.04 FEET TO THE POINT OF BEGINNING, CONTAINING 0.31 ACRES MORE OR LESS. LESS AND EXCEPT A FIFTEEN FOOT UTILITY EASEMENT CENTERED ON THE EXISTING WATER MAIN ON THE NORTH SIDE OF LOT 27.

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 14th day of July, 2015.

Approved:



Mayor Tab Townsell

Attest:



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

