

RESOLUTION NO. \_\_\_\_

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A PERMANENT UTILITY EASEMENT FROM THE CITY OF NORTH LITTLE ROCK TO THE DEPARTMENT OF VETERANS' AFFAIRS FOR UNDERGROUND UTILITIES; AND FOR OTHER PURPOSES.**

WHEREAS, the Department of Veterans' Affairs ("VA") plans to replace existing aging overhead power/data cables, and associated poles, with a bored underground duct system from the VA's pump house located off of River Road to the Fort Roots parade ground (see survey attached hereto as Exhibit A); and

WHEREAS, the existing overhead cables and poles pass through City property located at 2200 Fort Roots Drive by virtue of an unrecorded, permissive easement; and

WHEREAS, during the planning process, the VA discovered that it does not have a recorded utility easement and has requested that the City execute a utility easement before it commences work on the project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That the Mayor and City Clerk are hereby authorized to execute a permanent utility easement (substantially similar to Exhibit B attached hereto) to the Department of Veteran's Affairs to allow installation underground utilities to replace existing overhead utilities.

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:


\_\_\_\_\_

\_\_\_\_\_

Mayor Joe A. Smith

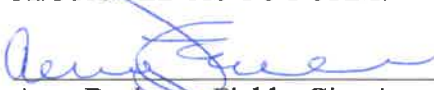
SPONSOR:

ATTEST:

  
\_\_\_\_\_  
Mayor Joe A. Smith *by AT*

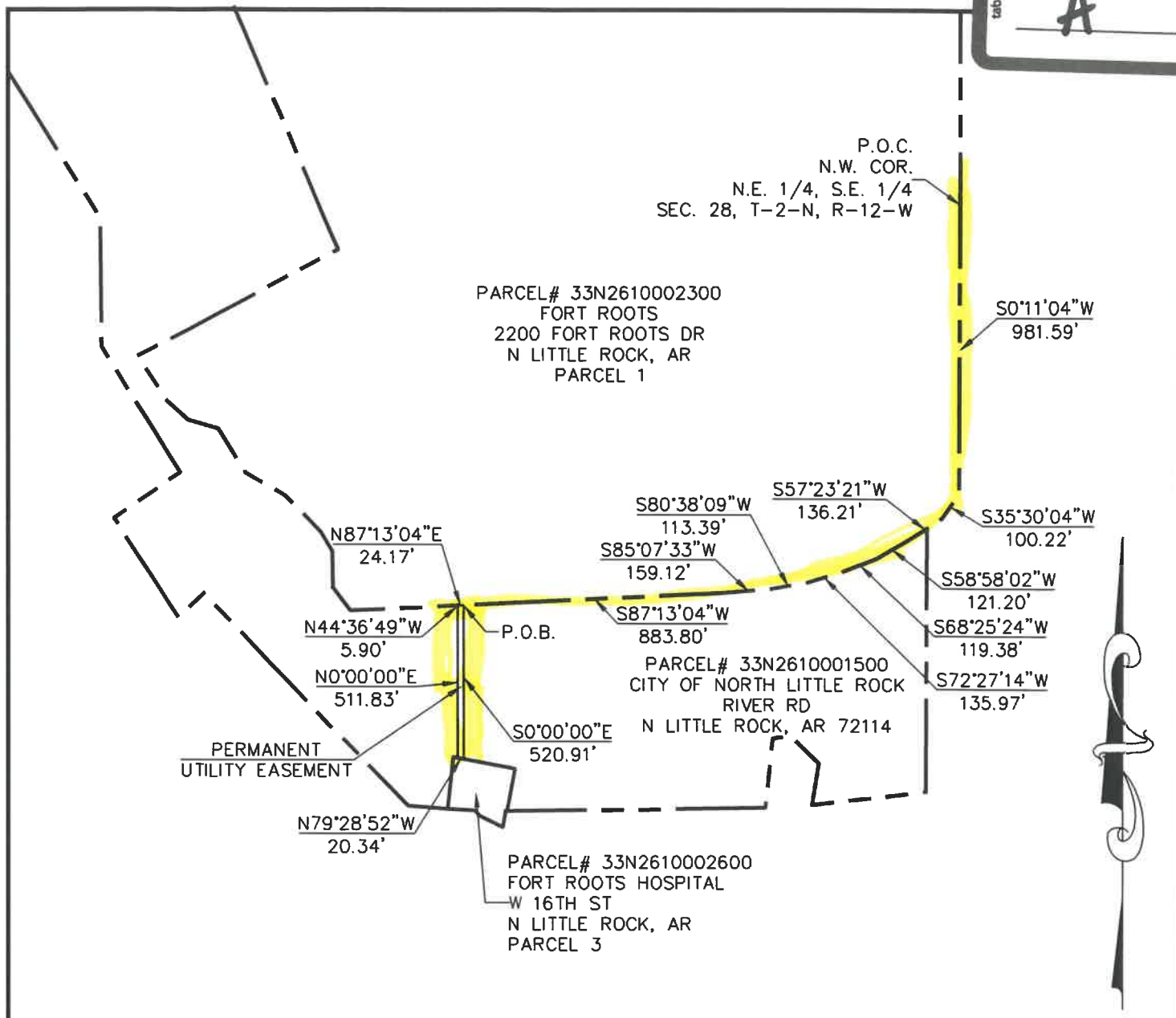
\_\_\_\_\_  
Diane Whitbey, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Amy Beckman Fields, City Attorney

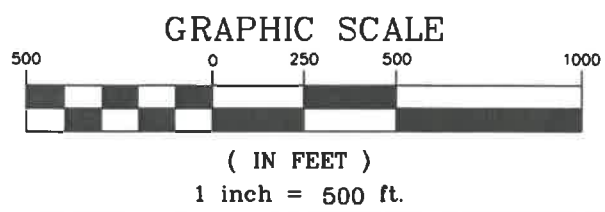
PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED	11:25 A.M.	_____ P.M.
By	<i>A. Fields</i>	
DATE	7-7-20	
<b>Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas</b>		
RECEIVED BY	<i>J. H. Sery</i>	



A PERMANENT UTILITY EASEMENT BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 12 WEST, CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

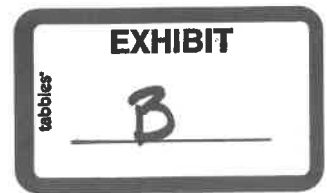
COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE S0'11'04"W 981.59'; THENCE S35'30'04"W 100.22'; THENCE S57'23'21"W 136.21'; THENCE S58'58'02"W 121.20'; THENCE S68'25'24"W 119.38'; THENCE S72'27'14"W 135.97'; THENCE S80'38'09"W 113.39'; THENCE S85'07'33"W 159.12'; THENCE S87'13'04"W 883.80' TO THE POINT OF BEGINNING; THENCE S0'00'00"E 520.91'; THENCE N79'28'52"W 20.34'; THENCE N0'00'00"E 511.83'; THENCE N44'36'49"W 5.90'; THENCE N87'13'04"E 24.17' TO THE POINT OF BEGINNING CONTAINING 0.24 ACRES (10381 SQUARE FEET) MORE OR LESS.



		<b>PERMANENT UTILITY EASEMENT</b>	
		CITY OF NORTH LITTLE ROCK, ARKANSAS	
APPROVED	DRAWN BY	DATE	SHEET NO.
	JOM	06/26/20	1
SCALE	JOB NO.	FIELD BOOK	
1" = 500'	19-5794		1

1810 N. College Fayetteville, Ar. 72703 PH# 479.443.2377  
7302 Kanis Road Little Rock, Ar. 72201 PH# 501.371.0272  
4600 S. Garnet Rd. Ste. 401 Tulsa, Ok. 74146 PH# 918.619.6803

<http://www.mce.us.com>



City of North Little Rock

STATE OF ARKANSAS  
COUNTY OF PULASKI

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) and other goods and valuable consideration paid to the undersigned, hereinafter referred to as Grantors, by the City of North Little Rock, Pulaski County, Arkansas hereinafter referred to as the Grantee, the receipt of which is hereby acknowledged, and in further consideration of those benefits to accrue to the Grantors from the construction hereby contemplated, the Grantors do hereby grant, bargain, sell, transfer, and convey unto the Grantee, its successors and assigns as a permanent utility easement as shown on attachment "A"

The consideration hereinabove recited shall constitute payment in full for any damages to the land of the Grantors, their successors and assigns, by reason of the installation, operation, and maintenance of the structures of improvements referred to herein. The Grantee covenants to maintain the easement in good repair so that no unreasonable damage will result from its use to the adjacent land of the Grantors, their successors and assigns., the following parcel of property as shown on attachment "A" and as described below:

Pulaski Co., Arkansas, being more particularly bounded and described as follows:

A PERMANENT UTILITY EASEMENT BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 12 WEST, CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 28; THENCE S0°11'04"W 981.59'; THENCE S35°30'04"W 100.22'; THENCE S57°23'21"W 136.21'; THENCE S58°58'02"W 121.20'; THENCE S68°25'24"W 119.38'; THENCE S72°27'14"W 135.97'; THENCE S80°38'09"W 113.39'; THENCE S85°07'33"W 159.12'; THENCE S87°13'04"W 883.80' TO THE POINT OF BEGINNING; THENCE S0°00'00"E 520.91'; THENCE N79°28'52"W 20.34'; THENCE N0°00'00"E 511.83'; THENCE N44°36'49"W 5.90'; THENCE N87°13'04"E 24.17' TO THE POINT OF BEGINNING CONTAINING 0.24 ACRES (10381 SQUARE FEET) MORE OR LESS.

IN WITNESS WHEREOF, the Grantors have executed this instrument the  
\_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
\_\_\_\_\_

ACKNOWLEDGEMENT

STATE OF ARKANSAS    )  
  )  
COUNTY OF PULASKI    )

BE IT REMEMBERED, that on this date, before me, a Notary Public within and for said County and State, duly commissioned and acting, personally appeared \_\_\_\_\_, to me well known as the persons who executed the foregoing Permanent Utility Easement, and that they have executed the same for the consideration and purpose therein mentioned and set forth.

WITNESS my hand and seal on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.