

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 9274, WHICH ACCEPTED THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, APPROVED THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA, AND ASSIGNED SAID TERRITORY TO WARD 2; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, on August 24, 2020, the North Little Rock City Council adopted Ordinance No. 9274, which accepted the annexation of certain territory to the City of North Little Rock, Arkansas, approved the schedule of services to be extended to said area, and assigned said territory to Ward 2; and

WHEREAS, prior to the adoption of Ordinance No. 9274, a petition was filed with the County Court of Pulaski County, Arkansas, pursuant to Ark. Code Ann. §14-40-609, for the annexation of the territory into the City of North Little Rock, Arkansas; and

WHEREAS, after review of the petition and verifications by the Pulaski County Clerk and Pulaski County Assessor, the Pulaski County Judge issued an Order finding that the property that is the subject of the Petition for Annexation may be annexed to and made a part of the City of North Little Rock as authorized and provided by law and forwarded the Petition and Order to the City of North Little Rock for consideration; and

WHEREAS, the Order issued by the County Judge included in the legal description of the territory to be annexed “all adjacent, abutting and traversing roads and rights-of-way”; and

WHEREAS, Ordinance No. 9274 did not include the language “all adjacent, abutting and traversing roads and rights-of-way” in the legal description of the property to be annexed; and

WHEREAS, the North Little Rock City Council acknowledges that the territory be annexed shall include all adjacent, abutting and traversing roads and rights-of-way.

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

SECTION 1: That Ordinance No. 9274, adopted August 24, 2020, is hereby amended to add Section 1(a) as follows:

SECTION 1(A): That the annexation of territory described in Section 1 of Ordinance No. 9274 shall include all adjacent, abutting and traversing roads and rights-of-way.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 4: It is hereby found and determined that the annexation of the territory described in Ordinance No. 9274, together with all adjacent, abutting and traversing roads and rights-of-way, is immediately necessary in order to insure the proper and orderly growth and development of this land and of the City of North Little Rock, Arkansas, and being necessary for the immediate preservation of the public health, safety and welfare, THEREFORE, an emergency is hereby declared to exist and this Ordinance 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

Diane Whitbey, City Clerk

APPROVED AS TO FORM:



Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/ABF

FILED	<u>10:11</u>	A.M.	___	P.M.
By	<u>A. Fields</u>			
DATE	<u>9-8-20</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>S. Ussery</u>			