

ORDINANCE NO. _____

AN ORDINANCE VACATING AND ABANDONING CERTAIN UNUSED EASEMENTS ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF SPRINGHILL DRIVE AND STOCKTON DRIVE IN THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Act 67 of 1885 provides that cities of the first class may vacate and abandon easements not required for municipal purposes; and

WHEREAS, Mr. John Pownall of Thomas Engineering Company, 3810 Lookout Road, North Little Rock, AR 72116, has requested on behalf of the owner of certain property located at the northeast corner of the intersection of Springhill Drive and Stockton Drive (Lot 9, Block 4, Springhill Development) in the City of North Little Rock, that certain unused easements on the property be vacated by the City to allow marketing of the property free of any encumbrances or recorded lot lines and easements (see letter and site maps attached hereto, collectively, as Exhibit "A"); and

WHEREAS, the herein described easements are not currently needed for municipal purposes (see letter from City Engineer attached hereto as Exhibit "B") and the abandonment is supported (7 affirmative votes; 2 absent) by the North Little Rock Planning Department (see Exhibit "C" attached hereto); and

WHEREAS, there are no objections from utility companies to the vacation of the herein described easements (see approvals attached hereto, collectively, as Exhibit "D").

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

SECTION 1: That the City Council hereby vacates and abandons certain easements on property located at the northwest corner of the intersection of Springhill Drive and Stockton Drive, more particularly described as follows:

Lot 9, Block 4, Springhill Development in the City of North Little Rock, Pulaski County, Arkansas. (See Exhibit "A" maps attached hereto and incorporated herein by reference.)

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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 City has no need for the abandoned unused easements, that abandonment of the herein described easements was properly reviewed and approved, and that the immediate passage of this Ordinance is necessary in order to insure the proper and orderly growth of this land and 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.

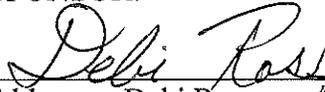
PASSED:

APPROVED:

Mayor Joe A. Smith

SPONSOR:

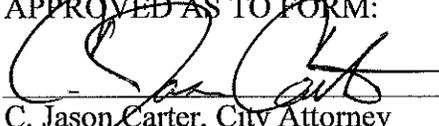
ATTEST



Alderman Debi Ross *JRC*

Diane Whitbey, City Clerk

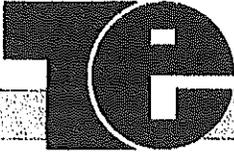
APPROVED AS TO FORM:



C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED	<u>11:55</u>	<u>(A.M.)</u>	_____	P.M.
By	<u>City Attorney J. Carter</u>			
DATE	<u>1-3-17</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u></u>			



THOMAS ENGINEERING COMPANY

civil engineers

land surveyors

3810 LOOKOUT RD

NORTH LITTLE ROCK, AR 72116

(501) 753-4463

FAX (501) 753-6814

NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS

December 27, 2016

Mayor and North Little Rock City Council Members

RE: Vacation of Plat of
Lot 9, Block 4, Springhill Development
North Little Rock, AR

Dear Mayor and North Little Rock City Council Members:

Please accept this letter to serve as our request to abandon the 10' sewer/utility/drainage easements on the north & east property lines and the 15' sewer/utility/drainage easement on the north half of Lot 9 and as shown on the Vacation of Plat of Lot 9. We are requesting the plat be vacated because the owner of the property has purchased additional property adjacent to this lot and wants to market this property free of any encumbrances of recorded lot lines and easements.

The owner is requesting the City Council Vacate only those shown to be abandoned on the plat of "Vacation of the plat of Lot 9, Block 4, Springhill Development."

The Utility Companies and City Engineer have concurred with the abandoning of these easements on Lot 9.

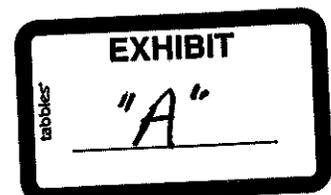
If you have any question please give me a call.

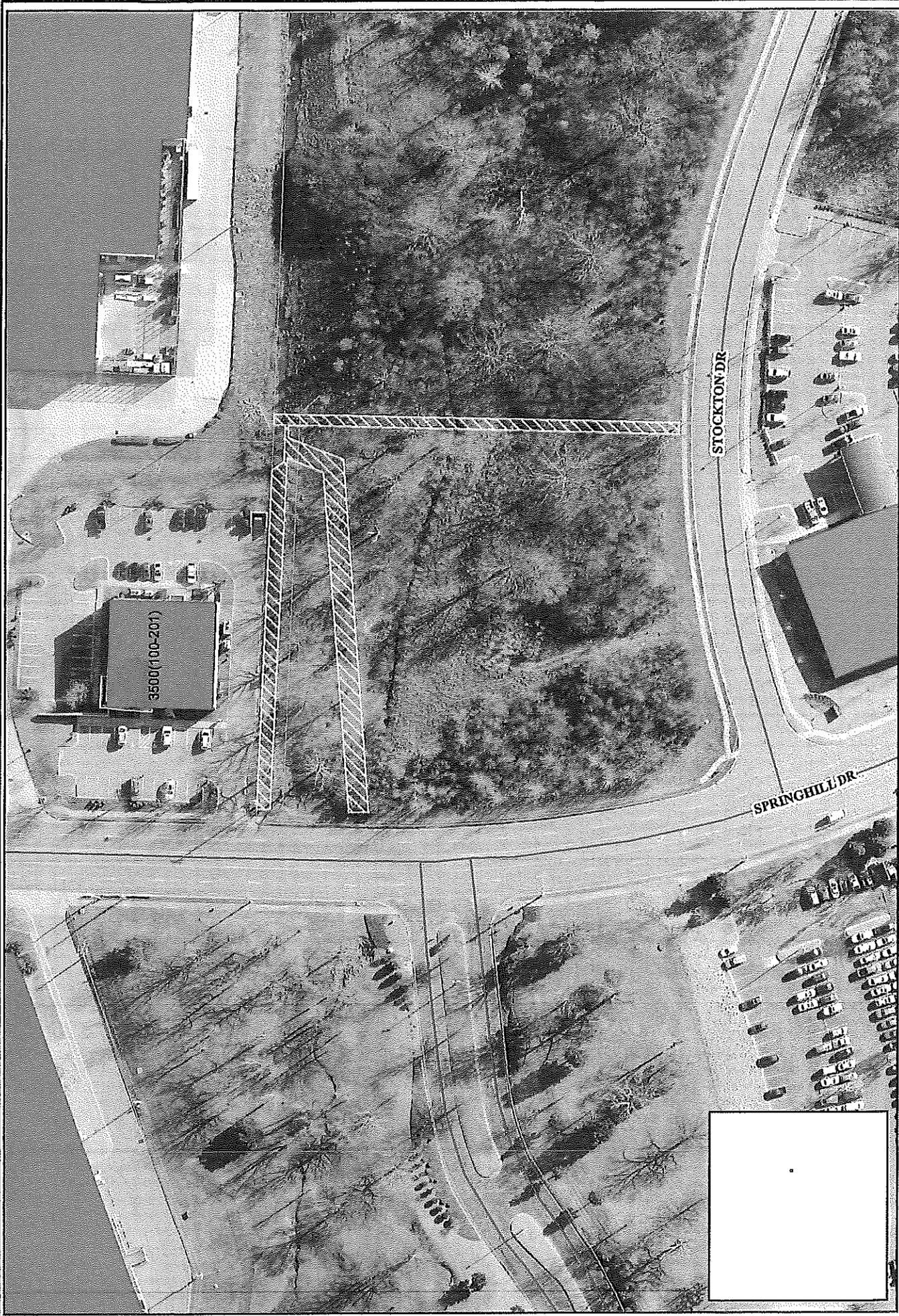
Sincerely,

John R. Pownall, P.E.

Engineer

JRP/ab





200 Feet

100

50

0

Date: 12/28/2016

To be Abandoned



John Pownall

From: MKlamm@nlr.ar.gov
Sent: Tuesday, December 06, 2016 1:38 PM
To: john@thomasengineering2000.com; CWilbourn@nlr.ar.gov
Cc: SSpencer@nlr.ar.gov
Subject: RE: lot 9 block 4 Springhill

John,

We show no utilities in the 10' easements on the north or east sides of the lot, so there is no objection to abandoning these locations. No utilities are shown in the 15' easement of the northern half of the lot either, but there is a canal ditch near/at that location.



Michael Klamm, P.E., CFM®
Civil Engineer/Planner

500 W. 13th Street
N. Little Rock, AR 72114
Office: 501-371-8334
Cell: 501-813-0369
Fax: 501-371-8348

From: John Pownall [<mailto:john@thomasengineering2000.com>]
Sent: Tuesday, December 6, 2016 10:20 AM
To: Wilbourn, Chris
Cc: Spencer, Shawn; Klamm, Michael
Subject: lot 9 block 4 Springhill

Chris

The owner of lot 9 block 4 Springhill is requesting the City Council to vacate lot 9 and the 10' easements on the north and east property lines and the 15' easement in the north half of the lot.

I am showing the location of the easement to be abandoned and those to be retained on the attached plat.

Please verify by email or other correspondence that you have no lines in either the 10' easements or the 25' easement labeled as to be abandoned on lot 9 and that you have no objection to abandoning these.

Thanks
John Pownall
Thomas Engineering Company
3810 Lookout Road
North Little Rock, Ar. 72116
Ph. 501 753 4463

ATTENTION: This email and any files transmitted with it are intended solely for the use of the individual or

Spencer, Shawn

To: John Pownall
Subject: RE: SPRINGHILL DEVELOPMENT LOT 9 BLOCK 4

Planning does not have any concerns abandoning these easements.
Shawn

From: John Pownall [mailto:john@thomasengineering2000.com]
Sent: Tuesday, December 27, 2016 10:46 AM
To: Spencer, Shawn
Subject: SPRINGHILL DEVELOPMENT LOT 9 BLOCK 4

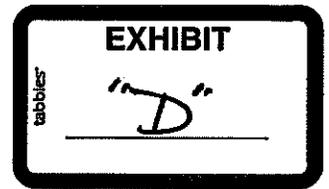
The owner of lot 9 block 4 Springhill is requesting the City Council to abandon the 10' easements on the north and east prope and the 15' easement in the north half of the lot.

I am showing the location of the easement to be abandoned and those to be retained on the attached submittal document. We have obtained e-mails/letters from the utility companies supporting the abandonments, also on the attached document. Once the easements are abandoned, the lot will be vacated.

If you have any questions, please let me know.

Thanks
John Pownall
Thomas Engineering Company
3810 Lookout Road
North Little Rock, Ar. 72116
Ph. 501 753 4463





NORTH LITTLE ROCK WASTEWATER UTILITY

December 12, 2016

Mr. John R. Pownall, P.E.
Thomas Engineering Company
3810 Lookout Road
North Little Rock, Arkansas 72116

RE: Lot 9, Block 4, Springhill Development

Dear Mr. Pownall:

The plans for the above referenced project as received by NLRW have been reviewed. NLRW has verified no existing utilities are located within the easement proposed for abandonment. Therefore, NLRW has no objection to abandoning the easement as proposed.

Thank you for your attention and cooperation in this matter. If I can be of any further assistance, please feel free to call (501-945-7186) or email (SKerby@nlrwu.com).

Respectfully,

A handwritten signature in black ink, appearing to read "Scott Kerby". The signature is fluid and cursive.

Scott Kerby

John Pownall

From: Hill, Richard <Richard_Hill2@comcast.com>
Sent: Tuesday, December 06, 2016 3:29 PM
To: John Pownall
Subject: RE: lot 9 block 4 Springhill

Comcast is in the ROW and not the easement in question.

From: John Pownall [<mailto:john@thomasengineering2000.com>]
Sent: Tuesday, December 06, 2016 10:17 AM
To: Hill, Richard <Richard_Hill2@cable.comcast.com>
Subject: lot 9 block 4 Springhill

Richard

The owner of lot 9 block 4 Springhill is requesting the City Council to vacate lot 9 and the 10' easements on the north and east property lines and the 15' easement in the north half of the lot.

I am showing the location of the easement to be abandoned and those to be retained on the attached plat.

Please verify by email or other correspondence that you have no lines in either the 10' easements or the 25' easement labeled as to be abandoned on lot 9 and that you have no objection to abandoning these.

Thanks

John Pownall
Thomas Engineering Company
3810 Lookout Road
North Little Rock, Ar. 72116
Ph. 501 753 4463

John Pownall

From: Fuentes, Kenneth W <kenneth.fuentes@centerpointenergy.com>
Sent: Thursday, December 22, 2016 3:46 PM
To: John Pownall
Subject: RE: lot 9 block 4 Springhill

John,

Yes it's good.

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: John Pownall <john@thomasengineering2000.com>
Date: 12/22/16 3:16 PM (GMT-06:00)
To: "Fuentes, Kenneth W" <kenneth.fuentes@centerpointenergy.com>
Subject: FW: lot 9 block 4 Springhill



From: John Pownall [<mailto:john@thomasengineering2000.com>]
Sent: Friday, December 16, 2016 11:07 AM
To: kenneth.fuentes@centerpointenergy.com
Subject: FW: lot 9 block 4 Springhill

Kenneth
Are you OK with this now?

Thanks
John

From: John Pownall [<mailto:john@thomasengineering2000.com>]
Sent: Wednesday, December 14, 2016 10:05 AM
To: 'Fuentes, Kenneth W'
Subject: RE: lot 9 block 4 Springhill

Yes, I meant the 15' easement as labeled and shown to be abandoned not a 25' easement.

From: Fuentes, Kenneth W [<mailto:kenneth.fuentes@centerpointenergy.com>]
Sent: Wednesday, December 14, 2016 9:57 AM
To: John Pownall
Subject: RE: lot 9 block 4 Springhill

John,

John Pownall

From: Jonathan Long <Jonathan.Long@carkw.com>
Sent: Wednesday, December 14, 2016 10:12 AM
To: John Pownall
Subject: RE: Lot 9 block 4 Springhill

No objection. Sorry for the delays...

From: John Pownall [<mailto:john@thomasengineering2000.com>]
Sent: Wednesday, December 14, 2016 9:51 AM
To: Jonathan Long
Subject: FW: Lot 9 block 4 Springhill

Jonathan
Have you had a chance to look at this yet?

Thanks
John

From: John Pownall [<mailto:john@thomasengineering2000.com>]
Sent: Tuesday, December 06, 2016 10:13 AM
To: Jonathan Long (Jonathan.Long@carkw.com)
Subject: Lot 9 block 4 Springhill

Jonathan

The owner of lot 9 block 4 Springhill is requesting the City Council to vacate lot 9 and the 10' easements on the north and east property lines and the 15' easement in the north half of the lot.

I am showing the location of the easement to be abandoned and those to be retained on the attached plat.

Please verify by email or other correspondence that you have no lines in either the 10' easements or the 25' easement labeled as to be abandoned on lot 9 and that you have no objection to abandoning these.

Thanks
John Pownall
Thomas Engineering Company
3810 Lookout Road
North Little Rock, Ar. 72116
Ph. 501 753 4463

John Pownall

From: GWoodward@nlr.ar.gov
Sent: Monday, December 12, 2016 12:12 PM
To: john@thomasengineering2000.com
Subject: RE: lot 9 block 4 Springhill

OK, That will be fine.

Thanks!

From: John Pownall [<mailto:john@thomasengineering2000.com>]
Sent: Monday, December 12, 2016 11:36 AM
To: Woodward, Gregory <GWoodward@nlr.ar.gov>
Subject: RE: lot 9 block 4 Springhill

Greg

We can give you a north-south easement in the future when we know where the lot line is but now we would like to abandon the eastern easement.
The easement on the east side line of lot 9 may be in the middle of some future lot the owner may create for a specific buyer needing this land.

Thanks
John

From: GWoodward@nlr.ar.gov [<mailto:GWoodward@nlr.ar.gov>]
Sent: Monday, December 12, 2016 11:23 AM
To: john@thomasengineering2000.com
Subject: RE: lot 9 block 4 Springhill

John,
We would like to keep the easement running north & south on the east side. We have no problems with the others.

Thanks,
Greg Woodward

Distribution Design Supervisor
City of North Little Rock Electric Department
1400 West Maryland
North Little Rock, AR 72120
gwoodward@northlittlerock.ar.gov
Office: (501)992-4073
Fax: (501)992-4166

From: John Pownall [<mailto:john@thomasengineering2000.com>]
Sent: Tuesday, December 06, 2016 10:15 AM