

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN EASEMENT AND RIGHT OF WAY FROM THE CITY OF NORTH LITTLE ROCK TO MAGELLAN PIPELINE COMPANY, L.P. TO ALLOW CONSTRUCTION AND MAINTENANCE OF A GASOLINE PIPELINE UNDER A PORTION OF CENTRAL AIRPORT ROAD; AND FOR OTHER PURPOSES.

WHEREAS, Magellan Pipeline Company, L. P. (hereinafter "Magellan") desires to install a 12" pipeline that will transport refined petroleum products under land in the area of Central Airport Road in the City of North Little Rock, Arkansas ("the City"); and

WHEREAS, Magellan's pipeline will cross under property owned by the City, and specifically under a portion of Central Airport Road, said property being situated in the City of North Little Rock, Arkansas; and

WHEREAS, it is necessary for the City to grant Magellan an easement to locate the gas pipeline through the City's Property as described in the proposed Grant of Easement and Right Of Way attached hereto as Exhibit "A"; and

WHEREAS, Magellan has offered to pay a fair market value of \$9,630.00 for the permanent easement and right of way, and it is in the best interests of the City and its residents to accept the offer (*see* Exhibit "B" attached hereto).

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 Grant of Easement and Right Of Way (substantially similar to Exhibit "A" attached hereto), and accept the sum of \$9,630.00, to allow Magellan to build its gas pipeline under a portion of Central Airport Road, said easement being more particularly described as follows:

The permanent easement and right of way shall be a strip of land ten feet (10') in width commencing on the West side of the right of way of Central Airport Road and extending in an Easternly direction N 89° 56' 54" E for a distance of one hundred seven feet (107'), more or less, to the Easternly right of way of said Central Airport Road. (See engineering descriptive drawing and photograph attached hereto, respectively, as Exhibits "C" and "D").

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:



Mayor Joe A. Smith

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:



C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED	<u>9:06</u>	A.M.	_____	P.M.
By	<u>City Atty Carter</u>			
DATE	<u>8-4-15</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>J. Marshall</u>			



Prepared By:

Seth Jewell
200 W Capitol Ave # 2300
Little Rock, AR 72201
501-371-0808

GRANT OF EASEMENT AND RIGHT OF WAY

THE STATE OF ARKANSAS

COUNTY OF PULASKI

FOR AND IN CONSIDERATION OF THE SUM OF NINE THOUSAND SIX HUNDRED THIRTY AND 00/100's DOLLARS (\$9,630.00), THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, THE UNDERSIGNED GRANTOR, THE CITY OF NORTH LITTLE ROCK, WHOSE ADDRESS IS 300 MAIN STREET, NORTH LITTLE ROCK, ARKANSAS 72114, DOES HEREBY GRANT, BARGAIN, SELL AND CONVEY TO MAGELLAN PIPELINE COMPANY, L.P., A DELAWARE LIMITED PARTNERSHIP, ITS SUCCESSORS AND ASSIGNS ("GRANTEE"), TO HAVE AND TO HOLD, A PERPETUAL EASEMENT AND RIGHT OF WAY TO LAY, MAINTAIN, ALTER, REPAIR, OPERATE, REPLACE, CHANGE THE SIZE OF AND REMOVE PIPE, PIPELINES AND OTHER EQUIPMENT AND MATERIALS DEEMED NECESSARY BY GRANTEE FOR THE TRANSPORTATION OF OIL OR GAS, OR PRODUCTS OF OIL OR GAS WITHIN SAID EASEMENT AND RIGHT OF WAY, ON, OVER AND THROUGH CERTAIN LANDS SITUATED IN COUNTY OF PULASKI, STATE OF ARKANSAS, DESCRIBED AS FOLLOWS:

EASEMENT DESCRIPTION – The permanent easement and right of way shall be a strip of land ten feet (10') in width commencing on the West side of the right of way of Central Airport Road and extending in an Easternly direction N 89° 56' 54" E for a distance of one hundred seven feet (107'), more or less, to the Easternly right of way of said Central Airport Road.

MORE PARTICULARLY SHOWN ON THE ATTACHED "EXHIBIT A"

NO STRUCTURES MAY BE BUILT ON THE EASEMENT AND RIGHT OF WAY OR OTHERWISE INTERFERE WITH THE RIGHTS PROVIDED GRANTEE HEREIN.

THE EASEMENT AND RIGHT OF WAY SHALL ALSO INCLUDE THE RIGHT OF INGRESS AND EGRESS AS NECESSARY ACROSS OTHER LANDS OF GRANTOR. GRANTOR, AND ITS HEIRS, SUCCESSORS AND ASSIGNS COVENANT, WARRANT AND REPRESENT THAT GRANTEE SHALL HAVE THE RIGHT TO FULLY USE AND ENJOY THE EASEMENT AND RIGHT OF WAY GRANTED HEREIN FOR THE PURPOSES DESCRIBED HEREIN.

THE EASEMENT AND RIGHT OF WAY SHALL (A) TOUCH, CONCERN, ENCUMBER AND RUN WITH THE LANDS DESCRIBED ABOVE, (B) BIND GRANTOR AND ALL HEIRS, SUCCESSORS AND ASSIGNS OF GRANTOR, AND (C) BE ENFORCEABLE BY GRANTEE, ITS SUCCESSORS AND ASSIGNS.

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS,

THIS _____ DAY OF _____, 2015.

Magellan Pipeline Company, L. P.

The City of North Little Rock

Printed Name:

By _____
Joe A. Smith, Mayor

Its: _____

By: _____
Diane Whitbey, City Clerk

ACKNOWLEDGMENT

THE STATE OF ARKANSAS

COUNTY OF PULASKI

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, DULY COMMISSIONED, QUALIFIED AND ACTING, WITHIN AND FOR SAID COUNTY AND STATE, APPEARED IN PERSON THE WITHIN NAMED JOE A. SMITH AND DIANE WHITBEY TO ME PERSONALLY WELL KNOWN, AND THEY WERE DULY AUTHORIZED IN THEIR RESPECTIVE CAPACITY TO EXECUTE THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY HAD SO SIGNED, EXECUTED AND DELIVERED SAID FOREGOING INSTRUMENT FOR THE CONSIDERATION, USES AND PURPOSES THEREIN MENTIONED AND SET FORTH.

WITNESS MY HAND AND SEAL AS SUCH NOTARY PUBLIC ON THIS _____ DAY OF _____, 2015.

NOTARY PUBLIC IN AND FOR SAID PULASKI
COUNTY, ARKANSAS

MY COMMISSION EXPIRES:

THE STATE OF OKLAHOMA

COUNTY OF TULSA

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, DULY COMMISSIONED, QUALIFIED AND ACTING, WITHIN AND FOR SAID COUNTY AND STATE, APPEARED IN PERSON THE WITHIN NAMED STEVE HORN TO ME PERSONALLY WELL KNOWN, AND THEY WERE DULY AUTHORIZED IN THEIR RESPECTIVE CAPACITY TO EXECUTE THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY HAD SO SIGNED, EXECUTED AND DELIVERED SAID FOREGOING INSTRUMENT FOR THE CONSIDERATION, USES AND PURPOSES THEREIN MENTIONED AND SET FORTH.

WITNESS MY HAND AND SEAL AS SUCH NOTARY PUBLIC ON THIS _____ DAY OF _____, 2015.

NOTARY PUBLIC IN AND FOR SAID TULSA
COUNTY, OKLAHOMA

MY COMMISSION EXPIRES:



Hatch Mott
MacDonald

Hatch Mott MacDonald

2796 South 2nd, Suite E
Cabot, Arkansas 72023

www.hatchmott.com

July 13, 2015

City of North Little Rock
300 Main St.
North Little Rock, AR 72114
Attn: Mike Smith, City Engineer

RE: City of North Little Rock Easements
6601-PU-HWRT1-MR- Central Airport Road. - **\$9,630.00** (107'X10' wide X \$9.00 sq. ft)

Dear Mr. Wilbourn:

As has been instructed by the office of the City Engineer, we are submitting this letter to the City of North Little Rock to initiate the process for review and approval of the Right-of-Way / Easement for the one (1) road that will be crossed by Magellan Pipeline Company, L.P.'s ("Magellan") twelve inch (12") pipeline.

In this respect, please find enclosed the following:
One (1) Grant of Easement and Right of Way Agreement
The checks for the one (1) Grant of Easement and Right of Way Agreement
The road permit drawing for the one (1) roads to be crossed in the City of North Little Rock.

Upon execution of the documents, please return to:

2796 South 2nd, Suite E, Cabot, AR 72023

Should you have any questions or concerns about the enclosed road crossing permit applications or have further questions, please contact me at (479) 970-8590.

Sincerely,

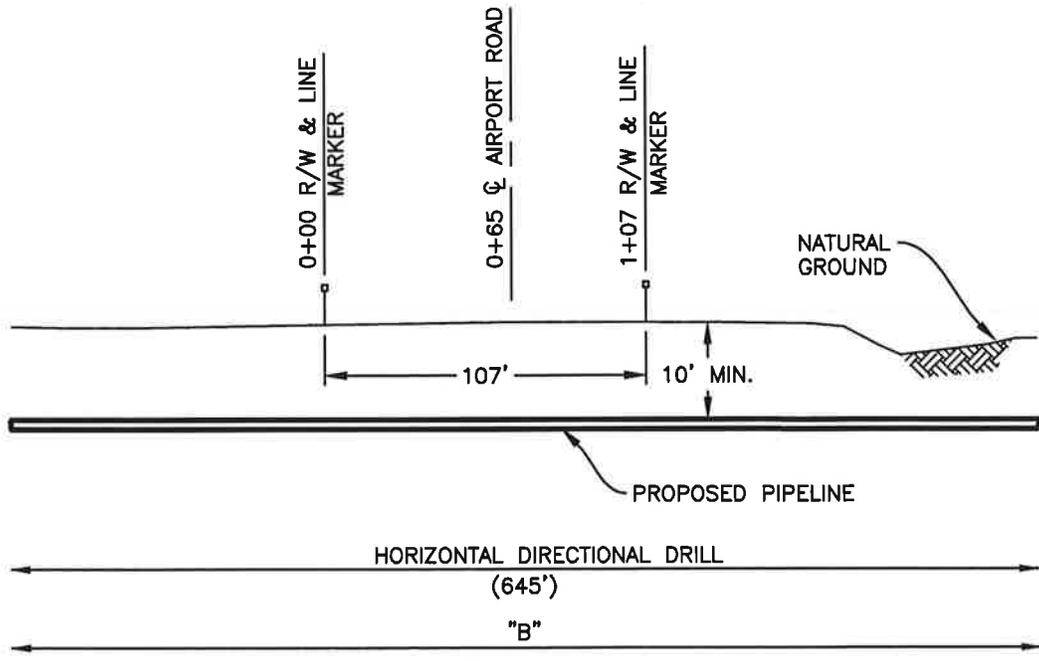
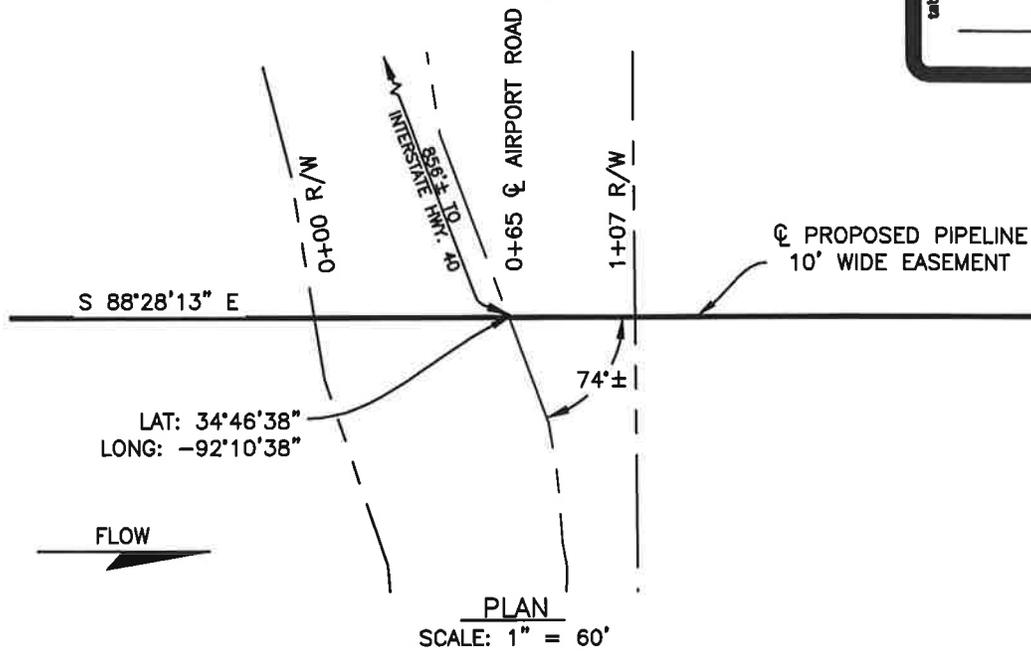
Kyle Hood,
ROW/Permit Agent
479-970-8590
Representing Magellan Pipeline Company, L.P.



EXHIBIT

"c"

PULASKI COUNTY, ARKANSAS



"A" = 12.750" O.D. x 0.250" W.T., API-5L-X60
14-18 mils FBE

"B" = 12.750" O.D. x 0.344" W.T., API-5L-X60
14-18 mils FBE w/35 mils ARO

PROFILE

SCALE: 1" = 20' H
1" = 10' V

SHEET 1 OF 1

DRAFTING DEPARTMENT
CHECKED: ALA
APPROVED:
ENGINEERING DEPARTMENT
CHECKED:
APPROVED:

MAGELLAN PIPELINE COMPANY, L.P.			
ONE WILLIAMS CENTER, TULSA, OK 74172			
PROPOSED 12" PIPELINE CROSSING UNDER			
CENTRAL AIRPORT ROAD			
PULASKI COUNTY, ARKANSAS			
SCALE: AS NOTED	DRAWN BY: HMM	DRAWING NO.	REVISION
DATE: 07/14/15	PLOT DATE: 07/14/15	6601-PU-HWRT1-MR	1

PULASKI COUNTY, ARKANSAS

**PIPE DATA SHEET
FOR PROPOSED INSTALLATIONS**

STATE PROJECT NO. _____ PERMIT NO. _____
 HIGHWAY NO. Pulaski County CONTROL SECTION _____
 OWNER OF PROPOSED FACILITY Magellan Pipeline Company, L.P.

DATA	CARRIER PIPE	CASING (if used)
Contents to be handled	Refined Petroleum Products	N/A
Pipe Material	Carbon Steel	N/A
Specification & Grade of Pipe	API-5L-X60	N/A
Outside Diameter (inches)	12.750"	N/A
Wall thickness (inches)	0.344"	N/A
Yield Strength (PSI)	60,000	N/A
Maximum Operating Pressure (PSIG)	1440 PSIG	N/A
Design Factor (for Liquid Line)	0.72	N/A
Type of Joint (w/ welded, mechanical joint, etc.)	Welded	N/A
Method of Installation (Dry Bore & Jack, open cut)	Horizontal Directional Drill	N/A
Location (crossing or parallel)	Crossing	N/A
Min. Depth beneath roadway surface	10'-0" Minimum	N/A
Min. Depth beneath ditches or drainage structures	10'-0" Minimum	N/A
Coating Material	13-20 mils FBE w/32 mils ARO	N/A
Cathodic Protection	Yes	N/A

This proposed installation is in compliance with Department Standards.

DISTRICT PERMIT SPECIALIST

SHEET 2 OF 2

DRAFTING DEPARTMENT	MAGELLAN PIPELINE COMPANY, L.P.		
CHECKED: ALA	ONE WILLIAMS CENTER, TULSA, OK 74172		
APPROVED:	PROPOSED 12" PIPELINE CROSSING UNDER		
ENGINEERING DEPARTMENT	CENTRAL AIRPORT ROAD		
CHECKED:	PULASKI COUNTY, ARKANSAS		
APPROVED:	SCALE: AS NOTED DATE: 07/14/15	DRAWN BY: HMM PLOT DATE: 07/14/15	DRAWING NO. 6601-PU-HWRT1-MR
			REVISION 1

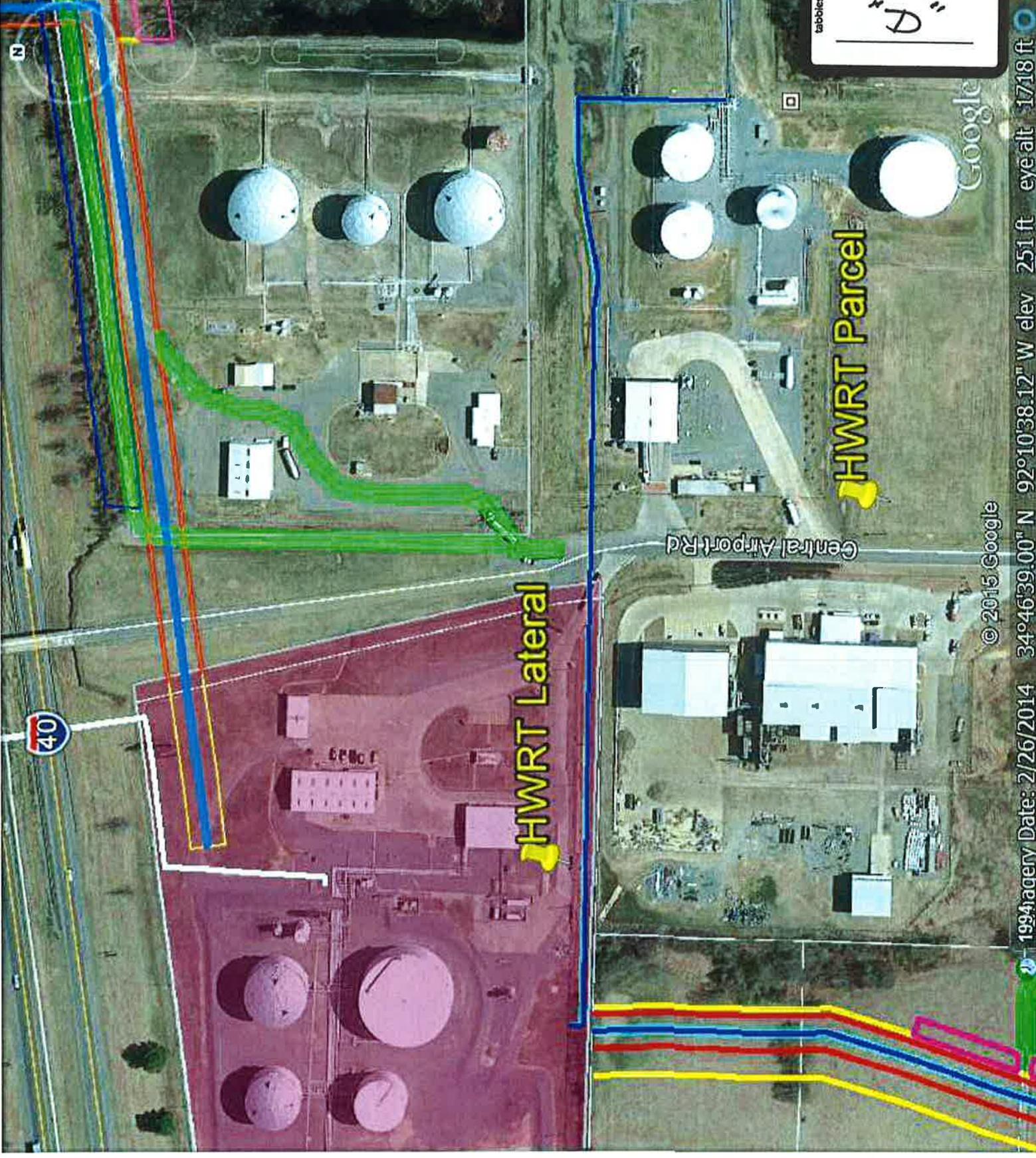


EXHIBIT
"D"
tabbles

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1994 Agency Date: 2/26/2014 34°46'39.00" N 92°10'38.12" W elev 251 ft eye alt 1718 ft