R-20-107

RESOLUTION NO. ____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 3805 MACARTHUR DRIVE IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES.

WHEREAS, the buildings and structures whose location is set forth herein are vacant and have become run down, dilapidated, unsightly, dangerous, obnoxious, unsafe, not fit for human habitation and detrimental to the public welfare of North Little Rock citizens and residents; and

WHEREAS, the condition of such property constitutes a serious fire and health hazard to the City of North Little Rock, and unless immediate actions are taken to remedy this situation by removing, razing and abating said nuisance, there is a great likelihood that the surrounding property may be destroyed by fire originating from such unsafe and hazardous structures, and also that since structures are without proper sanitary facilities and as such are unsafe and hazardous and a breeding place for rats, rodents and other dangerous germ carriers of diseases, such buildings constitute a serious hazard to the health and safety of the citizens of North Little Rock, and they should be moved or razed for the purpose of eliminating such hazards.

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

SECTION 1: That the City Council hereby declares the buildings, houses and other structures located at the property identified in Section 2 below to be vacant and run down, dilapidated, unsafe, unsightly, dangerous, obnoxious, unsanitary, a fire hazard, a menace to abutting properties, with the current condition of said structures not being fit for human habitation; and because of such conditions, the City Council declares the same to be condemned as a public nuisance and is ordered abated, removed or razed by the owner thereof.

SECTION 2: That the owner of record of the following described property is hereby directed to raze the same or otherwise abate the said nuisance within thirty (30) days after the posting of a true copy of this Resolution at a conspicuous place upon the structure constituting the nuisance described herein, to-wit:

A part of the Southwest 1/4 of the Northwest 1/4 of Section 22, Township 2 North, Range 12 West, in the City of North Little Rock, AR in Pulaski County, Arkansas, more particularly described as commencing at the Southwest corner of said Southwest 1/4 Northwest 1/4, Section 22; run thence North 624 feet to the Southerly right of way line of State Highway No. 365; thence 42 degrees 30 minutes 40 seconds East 600 feet; thence South 43 degrees 46 minutes 40 seconds East 13.3 feet to the point of beginning; run thence South 10 degrees 58 minutes 20 seconds

West 91.3 feet to the North right of way line of 38th Street; thence South 89 degrees 32 minutes East 54.4 feet; thence North 45 degrees 17 minutes 20 seconds East 135.85 feet to the right of way of State Highway No. 365; thence North 43 degrees 46 minutes 40 seconds West 90 feet to the point of beginning. (Parcel No. 33N1410008600 located at 3805 MacArthur Drive and owned by Billy B. Whitley.).

SECTION 3: If the aforementioned structures have not been razed and/or removed within thirty (30) days after posting a true copy of this Resolution at a conspicuous place upon the structures constituting the nuisance, or the nuisance otherwise abated, the structures shall be torn down and/or removed by the Director of Code Enforcement or his duly designated representative. Each day after the aforesaid thirty (30) days in which said nuisance is not abated shall constitute a separate and distinct offense punishable by a fine of $250.00 for each such separate and distinct offense.

SECTION 4: That the provisions of this Resolution 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 5: 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:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 11:05 A.M. _____ P.M.
By Amy Fields CA
DATE 7-21-20

Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED BY

The City of North Little Rock

TOM WADLEY
DIRECTOR

701 WEST 29TH STREET
NORTH LITTLE ROCK, ARKANSAS 72114
501-791-8581 • Fax 501-791-8584
NLRCodeEnforcement@northlittlerock.ar.gov

CODE ENFORCEMENT DEPARTMENT

June 26, 2020

Mayor Smith
City Council Members

Re: 3805 Macarthur
PT SW NW BEG SW COR N624'TO S'LY R/W HWY365 S42*E613 3'TO POB S45*W100'S 10*W91 3'TO N R/W38ST S89*E54 4'N45* E135 85'N43*W90'TO POB 22 2N 12W
Parcel 33N1410008600
North Little Rock, AR 72117

Owner: Billy B Whitley
Lonoke, AR

Dear Mayor Smith;

May 2020 Officer Epperson asked me to take a look at the property because of several complaints from neighboring business owners. The property was unsecure I was able to do an inspection which showed the property to have numerous property maintenance violations.

This structure has been vacant with the electric meter removed since May 2013 according to North Little Rock utility department.

Notice of City Council scheduled for July 27th 2020 hearing date was mailed by certified and regular mail to all interested parties and posted to the premises. Notice of hearing was also ran in local newspaper.

To date there has been no contact from the owner about the property. There has also been no permits pulled to repair or demolish the structure.

The structure is considered to be unfit for human habitation and also a public nuisance, it is the recommendation of the North Little Rock Code Enforcement Department that this structure be considered for condemnation.

Laura Petty
Code Enforcement Officer