O-21- 57

ORDINANCE NO. _____

AN ORDINANCE VACATING AND ABANDONING A CERTAIN UNUSED EASEMENT ON PROPERTY LOCATED ON NORTHSHORE 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, Samuel Piazza of Gill Ragon Owen, P.A., 425 West Capitol Avenue, Suite 3800, Little Rock, 72201, has requested that a certain easement located on Northshore Drive be vacated (see letter from Mr. Piazza attached hereto as Exhibit A); and

WHEREAS, the herein described easement abandonment is supported by the North Little Rock Planning Department (see Exhibit B attached hereto); and

WHEREAS, there are no utilities located within the easement and the abandonment will not negatively impact utility services (see letter from Scott Kerby of North Little Rock Wastewater attached hereto as Exhibit C).

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 a certain unused easement on property located on Northshore Drive, more particularly described below.

AN EASEMENT LYING WITHIN LOT 2, BLOCK 4 IN THE NORTHSHORE BUSINESS PARK SUDIVISION OF THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE RIGHT OF WAY EASEMENT FILED FOR RECORD ON MAY 18, 2000 AND RECORDED AS INSTRUMENT NO. 2000 034338, PULASKI COUNTY, ARKANSAS ACROSS LOT 2, BLOCK 4 IN THE NORTHSHORE BUSINESS PARK SUBDIVISION OF THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS. LESS AND EXCEPT THE EAST 15 FEET AND THE WEST 15 FEET THEREOF (See maps attached hereto as Exhibit D).

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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 referenced unused easement, that the abandonment hereof has been 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 Terry C. Hartwick

SPONSOR:

Ron Harris

Council Member Ron Harris

ATTEST

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 9:55 A.M. ___ P.M.

By Amy Fields, CA

DATE 6/22/21

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

RECEIVED BY

GILL RAGON OWEN
ATTORNEYS

GILL RAGON OWEN, P.A.
ATTORNEYS AT LAW
425 WEST CAPITOL AVENUE, SUITE 3800
LITTLE ROCK, ARKANSAS 72201
TELEPHONE 501.376.3800
FACSIMILE 501.372.3359
www.gill-law.com

SAMUEL PIAZZA | ATTORNEY
EMAIL: piazza@gill-law.com

June 15, 2021

North Little Rock City Council
Attn: Shawn Spencer
Director, North Little Rock Planning Department
120 Main Street
North Little Rock, Arkansas 72214

Re: Easement Abandonment Request
Lot 2, Block 4, Northshore Business Park Subdivision

City Council Members:

Please allow this letter to serve as our request to abandon easements within Lot 2, Block 4, Northshore Business Park Subdivision located on Northshore Drive, North Little Rock, Arkansas 72218.

Owner: City of North Little Rock
120 Main Street
North Little Rock, AR 72115

Reason for Abandonment: Easement lies on the property where a new structure would be located. No utilities are located within the easement and the abandonment will not negatively impact utility services.

Please do not hesitate to contact me if you have any questions.

Sincerely

Samuel Piazza

EXHIBIT
A

June 17, 2021

North Little Rock City Council
300 Main St.
NLR, AR 72114

Re: Easement abandonment on Lot 2, Block 4, Northshore Business Park

Councilmembers:

The Planning Department has no issues abandoning the sewer easement on the above referenced lot since the NLR Wastewater has indicated no active sewer utilities are located in the easement.

Thank you,

Tim Reavis
Assistant Planning Director
Planning Department
501-975-8835

EXHIBIT
B

NORTH LITTLE ROCK WASTEWATER UTILITY

May 28, 2021

Mr. Hartsill Ragon III
Gill Ragon Owen, PA
Little Rock, AR

RE: Lots 2 and 3, Block 4 Northshore Business Park Subdivision

Dear Mr. Ragon:

NLRW has verified no active sanitary sewer 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,

Scott Kerby, E.I.

EXHIBIT
tabbies
C

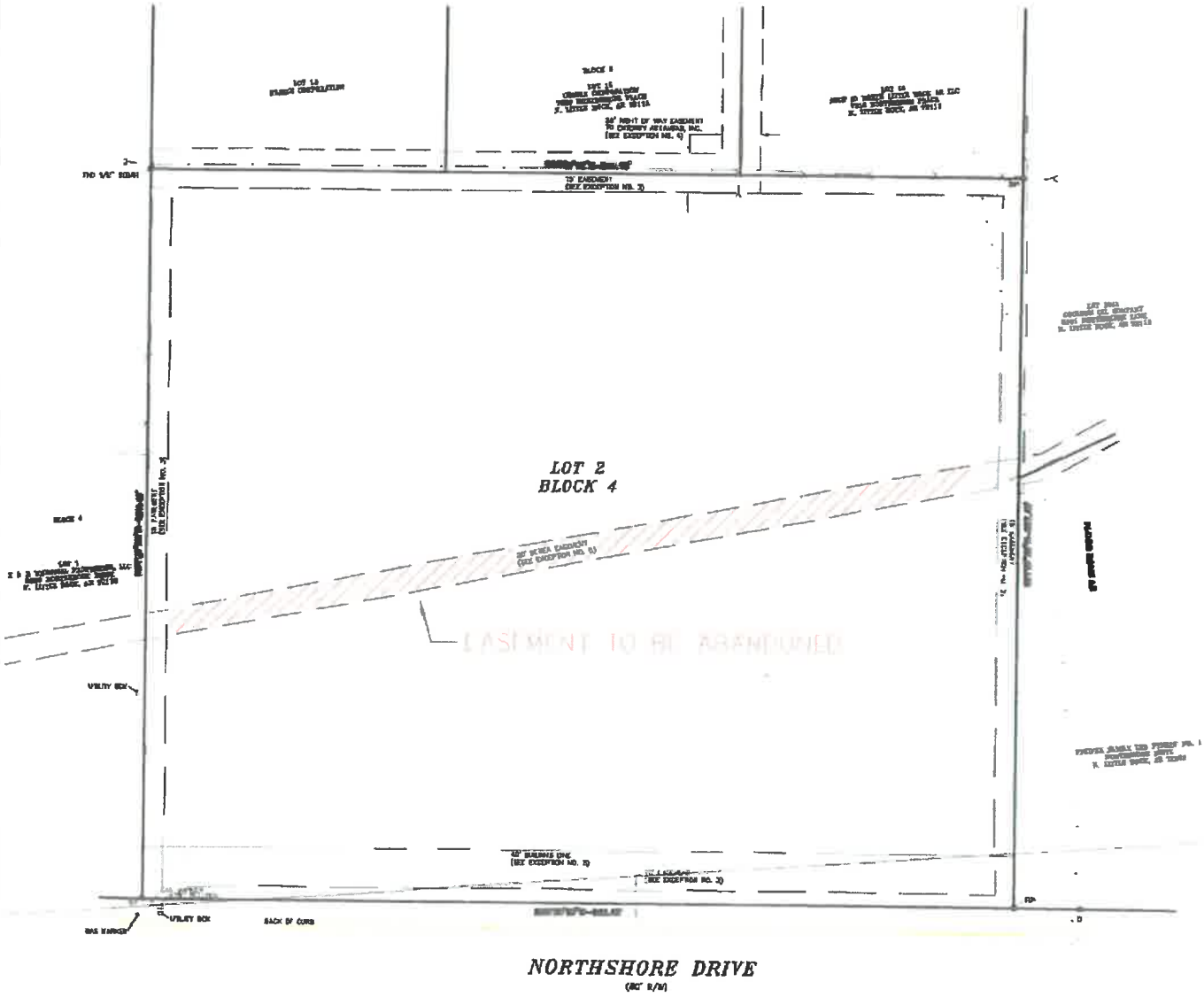
7400 BAUCUM PIKE
P.O. BOX 17898
NORTH LITTLE ROCK, AR 72117-0898

PHONE (501) 945-7186
FAX (501) 945-3716

EXHIBIT

D

EXHIBIT



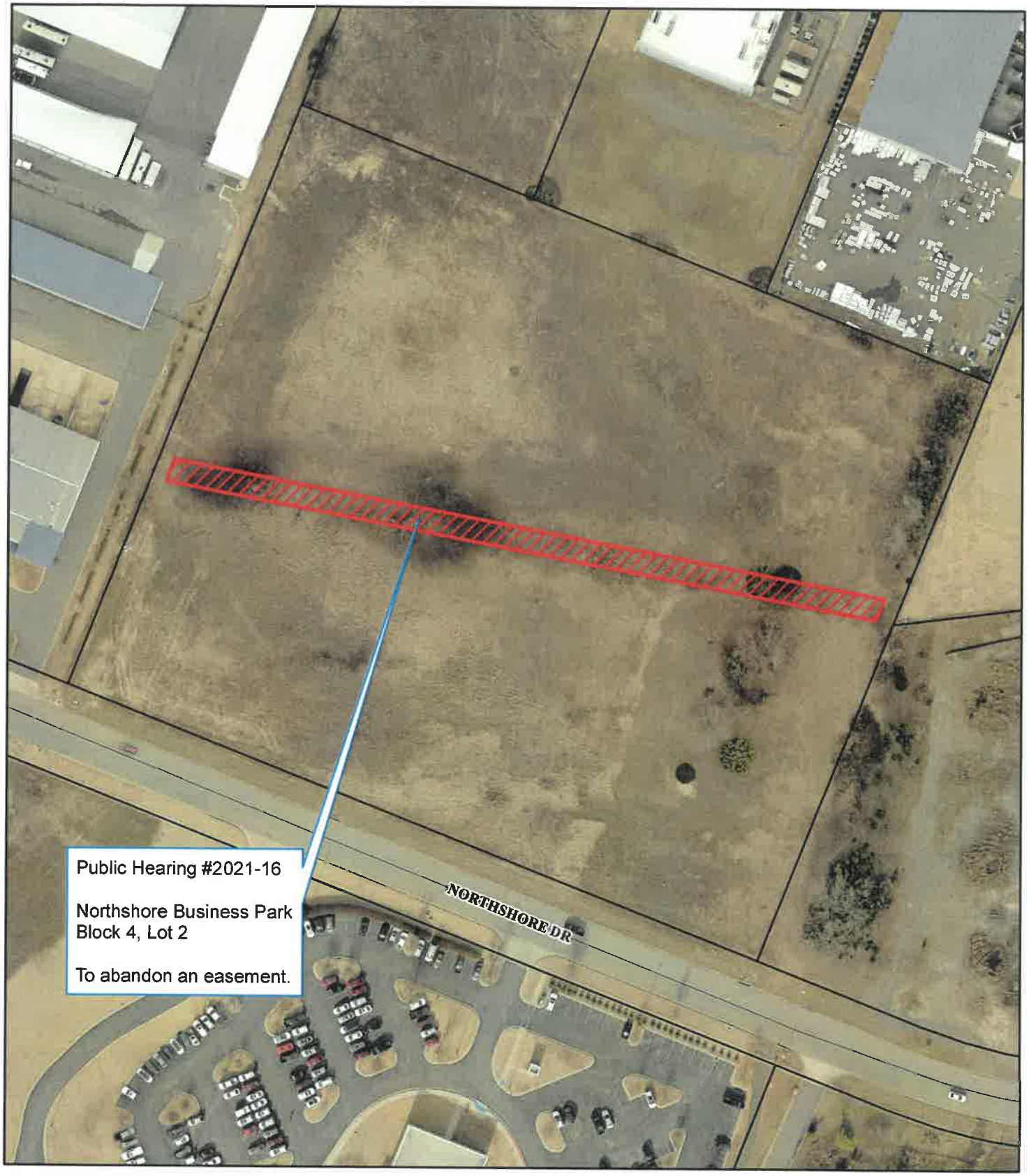
EASEMENT TO BE ABANDONED

A PORTION OF THE RIGHT OF WAY EASEMENT FILED FOR RECORD ON MAY 18, 2000 AND RECORDED AS INSTURMENT NO. 2000 034338, PULASKI COUNTY, ARKANSAS.

THAT PORTION TO BE ABANDONED MORE PARTICULARLY DESCRIBED AS FOLLOWS; THAT PORTION OF THE RIGHT OF WAY EASEMENT FILED FOR RECORD ON MAY 18, 2000 AND RECORDED AS INSTURMENT NO. 2000 034338, PULASKI COUNTY, ARKANSAS ACROSS LOT 2, BLOCK 4, NORTHSHORE BUSINESS PARK SUBDIVISION, NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS.

LESS AND EXCEPT THE EAST 15 FEET AND THE WEST 15 FEET THEREOF.

Public Hearing Case # 2021-16



NLR Community Planning

Ortho Map

1 inch = 120 feet

0 60 120 240 360 Feet

N W E S

Date: 6/18/2021