R-21-148

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 5625 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 OWNERS 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, noxious, 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:

Tract "A": A parcel of land located in Lot One of Perry's Subdivision of the Southeast Quarter of the Northwest Quarter of Section 16, Township 2 North, Range 12 West, being part of Tract 1 of Perry's Addition to Argenta, now North Little Rock, in Pulaski County Arkansas, more particularly described as follows, to-wit: Begin at Southeast corner of said Tract 1 of Perry's Addition, in the Southeast 1/4 of Section 16, Township 2 North, Range 12 West, a point where the East line of said Southeast 12/4 Northwest 1/4 of Section 16, Township 2 North, Range 12 West, intersects the Northerly and Easterly line of the Old Conway

Highway; thence North along the East line of said Southeast 1/4 Northwest 1/4 a distance of 148 feet to a point where said East line intersects the Southerly line of the New Conway Highway now known as Highway 365; thence Northwesterly along the line of said New Conway Highway 209.55 feet to the point where said Southerly line of the said Southerly direction with said East Right-of-Way line a distance of 68.76 feet to the line of the Right-of-Way line of the Old Conway Highway; thence in a Southeasterly direction 249.8 feet along said Right-of-Way to the point of beginning (Parcel No. 33N0990000100 located at 5625 MacArthur Drive (also known as 5623 MacArthur Drive and owned by E-Steps Investors LLC/BSTW Properties LLC.).

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 her 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 Terry C. Hartwick

SPONSOR:

Terry C. Hartwick

Mayor Terry C. Hartwick

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:45 A.M. _____ P.M.
By A. Fields
DATE 9-21-21

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

RECEIVED BY J. Ussery

The City of North Little Rock

FELECIA MCHENRY
DIRECTOR

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

CODE ENFORCEMENT DEPARTMENT

August 31, 2021

Mayor Hartwick
City Council Members

Re: 5623 MacArthur Dr. OTHERWISE KNOWN AS 5625 MacArthur
Lot Pt Lot 1 Block 5 Sub: Perry Addn
Legal Description TRACT "A" OF PT LOT 1 PERRY'S SUB OF SE NW OF SECT 16, TOWNSHIP 2 NORTH, RANGE 12 WEST BEING A PT OF TRACT 1 OF PERRY'S ADDN TO ARGENTA NOW NORTH LITTLE ROCK MPDA BEG SE CORNER OF SAID TRACT 1 OF PERRY'S ADDN IN THE SE1/4 OF SECT 16 WHERE ELN OF SE NW INTERSECTS THE NORTHERLY AND EASTERLY LINE OF THE OLD CONWAY HWY (PARKWAY DR) TH N AL ELN SE NW 148' TO WHERE ELN INTERSECTS THE SOUTHERLY LINE OF THE NEW CONWAY HWY NOW KNOWN AS HWY 365 TH NORTHWESTERLY AL NEW CONWAY HWY (HWY 365) 209.55' TO SOUTHERLY LINE OF SOUTHERLY DIRECTION WITH SAID E R/W LINE 68.76' TO R/W OF OLD CONWAY HWY (PARKWAY DR) TH SOUTHEASTERLY 249.8' AL SAID R/W TO POB
Parcel 33N0990000100
City of North Little Rock, AR 72118

Owners: E-Steps Investors LLC/ BSTW Properties LLC
North Little Rock, AR

Dear Mayor Hartwick;

March 2021 during an inspection of the area, Officer Cedric Williams conducted an exterior inspection of the above named property. The property was unsecured with signs of vagrant in the property. According to North Little Rock Utility Department, the structure has been vacant April of 2015. Officer Williams made contact with Paul Wilson and made a request for an interior inspection. Inspection was never scheduled and Officer was not able to make any further contact with Mr. Wilson.

May 2021 Officer Ward Reese conducted an inspection of the above property and posted a Notice of City Council Date. The structure was unsecured with individuals squatting in the buildings; Officer Reese was able to take photos from the exterior to show the extent of the deterioration. To-date Code Enforcement has not been able to make any further contact with owners of record.

The condemnation procedures were started due to the condition of the structure. Owners and/or heirs and all interested parties were given notice of City Council for the September 27, 2021 Hearing date. Notices were mailed by certified and regular mail, legal notice ran in the newspaper, and were also posted on the property. This structure is considered to be unfit for human habitation.

This property constitutes a public nuisance; it is the recommendation of the North Little Rock Code Enforcement Department that this structure be considered for condemnation.

Ward Reese
Code Enforcement Supervisor