O-22-17

ORDINANCE NO. _____

AN ORDINANCE VACATING AND ABANDONING AN UNUSED PORTION OF A RIGHT OF WAY LOCATED AT 800 MAIN STREET, 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 rights of way and easements not required for municipal purposes; and

WHEREAS, Eric Holloway has requested, on behalf of the Holloway Engineering, that the City of North Little Rock vacate an unused portion right of way located at 800 Main Street; and

WHEREAS, the vacation of the herein described right of way will not include abandonment of utility easements.

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

SECTION 1: That the interests of the City of North Little Rock in an unused portion of a right of way located at 800 Main Street are hereby vacated and abandoned, said abandonment being more fully described as follows:

VACATED RIGHT OF WAY DESCRIPTION:

LANDS LYING IN PART OF FAUCETTE'S TRIANGLE IN ARGENTA, NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS, FILED FOR RECORD ON JULY 27, 1912, RECORDS OF PULASKI COUNTY, ARKANSAS, AND LOTS 1, 2, AND NORTH 30 FEET OF LOT 3 AND PART OF LOTS 10, 11 AND 12, BLOCK 41 ARGENTA SUBDIVISION MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND ½" PIPE THAT IS ALSO ON THE SOUTHEAST CORNER OF LOTS 1, 2 AND NORTH 30' OF LOT 3 AND PART LOTS 10, 11 AND 12 BLOCK 41, ARGENTA SUBDIVISION, THENCE NORTH 88 DEGREES 20 MINUTES 28 SECONDS WEST 103.49 FEET; THENCE NORTH 01 DEGREES 03 MINUTES 25 SECONDS EAST 19.48 FEET; THENCE NORTH 88 DEGREES 27 MINUTES 07 SECONDS WEST 123.85 FEET TO A POINT THAT IS ALSO ON THE EAST RIGHT-OF-WAY OF NORTH MAIN STREET; THENCE ALONG SAID EAST RIGHT-OF-WAY NORTH 02 DEGREES 18 MINUTES 57 SECONDS EAST 497.98 FEET TO A POINT THAT IS ALSO ON THE SOUTH RIGHT-OF-WAY OF EAST 9TH STREET; THENCE ALONG SAID SOUTH RIGHT-OF-WAY SOUTH 88 DEGREES 21 MINUTES 25 SECONDS EAST 51.37 FEET; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY ALONG THE WEST RIGHT-OF-WAY OF MISSOURI PACIFIC

RAILROAD SOUTH 19 DEGREES 20 MINUTES 03 SECONDS EAST 339.68 FEET; THENCE NORTH 88 DEGREES 23 MINUTES 26 SECONDS WEST 7.78 FEET; THENCE SOUTH 14 DEGREES 03 MINUTES 11 SECONDS EAST 207.83 FEET TO THE POINT OF BEGINNING CONTAINING 1.689 ACRES MORE OR LESS.

LESS AND EXCEPT:

ALL LANDS LYING WITHIN THE EXISTING RIGHT-OF-WAY OF 8TH STREET.

SECTION 2: That any and all other utility and drainage easements not the subject of this legislation within the property described above shall be unaffected by this Ordinance.

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 herein described abandonment will not interfere with the continued use of the subject road and electrical easements, and 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:

ATTEST

Mayor Terry C. Hartwick

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 K Miller, City Atty Jc
DATE 3/8/22

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

RECEIVED BY B/Byh