O-22-35

ORDINANCE NO. _____

AN ORDINANCE VACATING AND ABANDONING A CERTAIN UNUSED EASEMENT ON PROPERTY LOCATED AT 4240 STOCKTON DRIVE; 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, John R. Pownall of Thomas Engineering Company has requested that a certain easement located at 4240 Stockton Drive be vacated for the development of a new bank building (see letter from the Mr. Pownall, 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 objections from utility companies to the vacation of the herein described easements (see approvals attached hereto, collectively, 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 at 4240 Stockton Drive, more particularly described below.

LOTS 5 & 7, BLOCK 4 OF THE SPRINGHILL DEVELOPMENT TO THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS (See map and survey attached, collectively, 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SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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:

ATTEST

Debi Ross

Council Member Debi Ross by AF

Diane Whitbey, City Clerk

Nathan Hamilton

Council Member Nathan Hamilton by AF

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:50 A.M. __ P.M.

By A Fields

DATE 5.3.22

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

RECEIVED BY S. Ussery

EXHIBIT
A

THOMAS ENGINEERING COMPANY
civil engineers land surveyors
3810 LOOKOUT RD NORTH LITTLE ROCK, AR 72116 (501) 753-4463
NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS

April 18, 2022

NLR City Council Members
City Hall
300 Main Street
North Little Rock, AR 72114

RE: Easement Abandonment Request
Lots 5 & 7, Block 4, Springhill Development
Smokey Lane and Stockton Drive

Dear City Council Members:

Please accept this letter as our request to abandon a sewer and utility easement on Lots 5 & 7, Block 4, Springhill Development. We wish this item to be placed on the May 9th, 2022 City Council Agenda. Alderwoman Debi Ross has agreed to sponsor this legislation.

The following items are included with this submittal letter:

1. Exhibit Map of easement to be abandoned.
2. Utility Companies approval of the easement abandonment.

Legal Description:

A 20-foot-wide sewer and utility easement on Lots 5 & 7, Block 4, Springhill Development lying 10 feet of each side of the rear line between said Lots 5 & 7.

The easement abandonment is requested because these lots are being replatted into one lot so that a bank building may be constructed partially within the abandoned easement.

If you have any questions, please give me a call.

Sincerely,

John R. Pownall, P.E.
President

EXHIBIT
B

april@thomasengineering2000.com

From: SSpencer@nlr.ar.gov
Sent: Thursday, April 7, 2022 3:32 PM
To: john@thomasengineering2000.com
Cc: april@thomasengineering2000.com
Subject: Springhill lot 5A block 4 easement abandonment

We are replatting lots 5 and 7 block 4 Springhill Development into lot 5A.
We are requesting to abandon the rear easement between lots 5 and 7.

Please review the attached replat and respond with either

Planning has no concerns on abandoning the easement

Shawn Spencer
NLR Planning Department

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware.

EXHIBIT
C

april@thomasengineering2000.com

From: DCook@nlr.ar.gov
Sent: Monday, April 18, 2022 8:37 AM
To: john@thomasengineering2000.com
Cc: SSpencer@nlr.ar.gov; DJames@nlr.ar.gov
Subject: RE: Springhill lot 5A block 4

John,

Engineering has no issues with abandoning the easements. We will need to approve drainage prior to signing off for a Building Permit.

David Cook, P.E.
City Engineer
500 West 13th Street
North Little Rock, AR 72114
Office: 501-371-8339
Cell: 501-351-8936
DCook@nlr.ar.gov

From: John R. Pownall, P.E. <john@thomasengineering2000.com>
Sent: Thursday, April 7, 2022 2:57 PM
To: Spencer, Shawn <SSpencer@nlr.ar.gov>; Cook, David <DCook@nlr.ar.gov>; James, Donna <DJames@nlr.ar.gov>; Chris Keathley <ck0826@att.com>; Justin Norwood <justin_norwood@cable.comcast.com>; Jim Ferguson <jim.ferguson@carkw.com>; Scott Kerby <skerby@nlrwu.com>; Woodward, Gregory <GWoodward@nlr.ar.gov>; smangan@summitutilities.com
Cc: 'Randy Hathcock' <rhathcock@esi-ms.com>
Subject: Springhill lot 5A block 4

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To all
We are replatting lots 5 and 7 block 4 Springhill Development into lot 5A.
We are requesting to abandon the rear easement between lots 5 and 7.

Please review the attached replat and respond with either

a. You have no concerns abandoning the easement
b. You do not support abandoning the easement because _____.

Thank you for your time

John R. Pownall, P.E.
President

april@thomasengineering2000.com

From: Suzanne Mangan <smangan@summitutilities.com>
Sent: Tuesday, April 12, 2022 9:50 AM
To: John R. Pownall, P.E.
Subject: RE: [EXTERNAL EMAIL] Springhill lot 5A block 4
Attachments: SPRINGHILL LOTS 5 & 7 BK 4 EASEMENT.pdf

Good morning,

Summit Utilities does not object to the proposed Easement Abandonment as received on 4/7/2022. Summit Utilities does not have any facilities in the said easement between Lots 5 and 7, Block 4 of the Springhill Development. Summit Utilities recommends calling Arkansas One Call at 811 or by visiting arkonecall.com to have all utilities located and marked prior to any excavation activities. If any exposure of Summit Utilities facilities occurs, please contact Dylan Byrd at (501) 366-2028 immediately.

Thank you,

summit

Suzy Mangan
Associate Gas Engineer | AR/OK Region
501.377.4542 w. | 501.416.8412 c.
summitutilities.com

From: John R. Pownall, P.E. <john@thomasengineering2000.com>
Sent: Thursday, April 7, 2022 2:57 PM
To: SSpencer@nlr.ar.gov; David Cook <DCook@nlr.ar.gov>; Donna James <DJames@nlr.ar.gov>; ck0826@att.com; Justin Norwood <Justin_Norwood@cable.comcast.com>; jim.ferguson@carkw.com; Scott Kerby <SKerby@nlrwu.com>; Woodward Greg <gwoodward@nlr.ar.gov>; Suzanne Mangan <smangan@summitutilities.com>
Cc: 'Randy Hathcock' <rhathcock@esi-ms.com>
Subject: [EXTERNAL EMAIL] Springhill lot 5A block 4

To all
We are replatting lots 5 and 7 block 4 Springhill Development into lot 5A.
We are requesting to abandon the rear easement between lots 5 and 7.

Please review the attached replat and respond with either

a. You have no concerns abandoning the easement
b. You do not support abandoning the easement because _____.

Thank you for your time

John R. Pownall, P.E.
President

april@thomasengineering2000.com

From: Kerby, Scott <skerby@nlrwu.com>
Sent: Monday, April 11, 2022 10:54 AM
To: John R. Pownall, P.E.
Subject: RE: Springhill lot 5A block 4

John,

NLRW has no concerns about abandoning this easement.

Respectfully,

Scott Kerby, P.E.

North Little Rock Wastewater
7400 Baucum Pike
P.O. Box 17898
North Little Rock, Arkansas 72117-0898
(501)945-7186

SKerby@nlrwu.com

From: John R. Pownall, P.E. <john@thomasengineering2000.com>
Sent: Thursday, April 7, 2022 2:57 PM
To: SSpencer@nlr.ar.gov; David Cook <DCook@nlr.ar.gov>; Donna James <DJames@nlr.ar.gov>; ck0826@att.com; Justin Norwood <Justin_Norwood@cable.comcast.com>; jim.ferguson@carkw.com; Kerby, Scott <skerby@nlrwu.com>; Woodward Greg <gwoodward@nlr.ar.gov>; smangan@summitutilities.com
Cc: 'Randy Hathcock' <rhathcock@esi-ms.com>
Subject: Springhill lot 5A block 4

To all
We are replatting lots 5 and 7 block 4 Springhill Development into lot 5A.
We are requesting to abandon the rear easement between lots 5 and 7.

Please review the attached replat and respond with either

a. You have no concerns abandoning the easement
b. You do not support abandoning the easement because _____.

Thank you for your time

John R. Pownall, P.E.

april@thomasengineering2000.com

From: Jim Ferguson <Jim.Ferguson@carkw.com>
Sent: Thursday, April 7, 2022 3:25 PM
To: John R. Pownall, P.E.
Cc: Andrew Pownall; Jason Lowder
Subject: RE: Springhill lot 5A block 4
Attachments: SPRINGHILL LOTS 5 & 7 BK 4 EASEMENT.pdf

I have reviewed the easement abandonment request as shown on the Final Plat of Lot 5A, Block 4, Springhill Development, North Little Rock, dated 2/17/22, issued by Thomas Engineering Company. Central Arkansas Water does not currently have and does not plan to have any public water facilities within the 10-foot utility easements along the rear of the original Lots 5 and 7. Central Arkansas Water does not oppose the abandonment of these two easements.

Thank you,

Jim Ferguson, P.E.
Director of Engineering
Central Arkansas Water
501.377.1298 office
jim.ferguson@carkw.com

From: John R. Pownall, P.E. <john@thomasengineering2000.com>
Sent: Thursday, April 7, 2022 2:57 PM
To: SSpencer@nlr.ar.gov; David Cook <DCook@nlr.ar.gov>; Donna James <DJames@nlr.ar.gov>; ck0826@att.com; Justin Norwood <Justin_Norwood@cable.comcast.com>; Jim Ferguson <Jim.Ferguson@carkw.com>; Scott Kerby <SKerby@nlrwu.com>; Woodward Greg <gwoodward@nlr.ar.gov>; smangan@summitutilities.com
Cc: 'Randy Hathcock' <rhathcock@esi-ms.com>
Subject: [External] Springhill lot 5A block 4

[CAUTION:] This email originated from outside of the CAW. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To all
We are replatting lots 5 and 7 block 4 Springhill Development into lot 5A.
We are requesting to abandon the rear easement between lots 5 and 7.

Please review the attached replat and respond with either

a. You have no concerns abandoning the easement
b. You do not support abandoning the easement because _____.

Thank you for your time

John R. Pownall, P.E.
President

april@thomasengineering2000.com

From:	KEATHLEY, CHRIS <ck0826@att.com>
Sent:	Thursday, April 7, 2022 4:15 PM
To:	John R. Pownall, P.E.
Cc:	MONROE, TIMOTHY I
Subject:	RE: Springhill lot 5A block 4
Attachments:	SPRINGHILL LOTS 5 & 7 BK 4 EASEMENT.pdf

AT&T approves the request to replat Lots 5 & 7 Block 4 to Lot 5A in the Springhill Development in the City of North Little Rock.

Chris Keathley
Lead OSP Plng & Eng Dsgn
501.615.5823 Cell
ck0826@att.com

at&t

From: John R. Pownall, P.E. <john@thomasengineering2000.com>
Sent: Thursday, April 7, 2022 2:57 PM
To: SSpencer@nlr.ar.gov; David Cook <DCook@nlr.ar.gov>; Donna James <DJames@nlr.ar.gov>; KEATHLEY, CHRIS <ck0826@att.com>; Justin Norwood <Justin_Norwood@cable.comcast.com>; jim.ferguson@carkw.com; Scott Kerby <SKerby@nlrwu.com>; Woodward Greg <gwoodward@nlr.ar.gov>; smangan@summitutilities.com
Cc: 'Randy Hathcock' <rhathcock@esi-ms.com>
Subject: Springhill lot 5A block 4

To all
We are replatting lots 5 and 7 block 4 Springhill Development into lot 5A.
We are requesting to abandon the rear easement between lots 5 and 7.

Please review the attached replat and respond with either

a. You have no concerns abandoning the easement
b. You do not support abandoning the easement because _____.

Thank you for your time

John R. Pownall, P.E.
President
THOMAS ENGINEERING COMPANY
CIVIL ENGINEERS LAND SURVEYORS
501.753.4463 - Office

april@thomasengineering2000.com

From: GWoodward@nlr.ar.gov
Sent: Friday, April 8, 2022 7:18 AM
To: john@thomasengineering2000.com
Cc: EHeinrichs@nlr.ar.gov
Subject: RE: Springhill lot 5A block 4

John,

NLRED has no concerns abandoning the easement.

Thanks,
Greg Woodward

Distribution Design Supervisor
North Little Rock Electric Department
1400 West Maryland
North Little Rock, AR 72120
gwoodward@nlr.ar.gov
Office: (501) 992-4073
Cell: (501) 680-6134

From: John R. Pownall, P.E. <john@thomasengineering2000.com>
Sent: Thursday, April 7, 2022 2:57 PM
To: Spencer, Shawn <SSpencer@nlr.ar.gov>; Cook, David <DCook@nlr.ar.gov>; James, Donna <DJames@nlr.ar.gov>; Chris Keathley <ck0826@att.com>; Justin Norwood <justin_norwood@cable.comcast.com>; Jim Ferguson <jim.ferguson@carkw.com>; Scott Kerby <skerby@nlrwu.com>; Woodward, Gregory <GWoodward@nlr.ar.gov>; smangan@summitutilities.com
Cc: 'Randy Hathcock' <rhathcock@esi-ms.com>
Subject: Springhill lot 5A block 4

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To all
We are replatting lots 5 and 7 block 4 Springhill Development into lot 5A.
We are requesting to abandon the rear easement between lots 5 and 7.

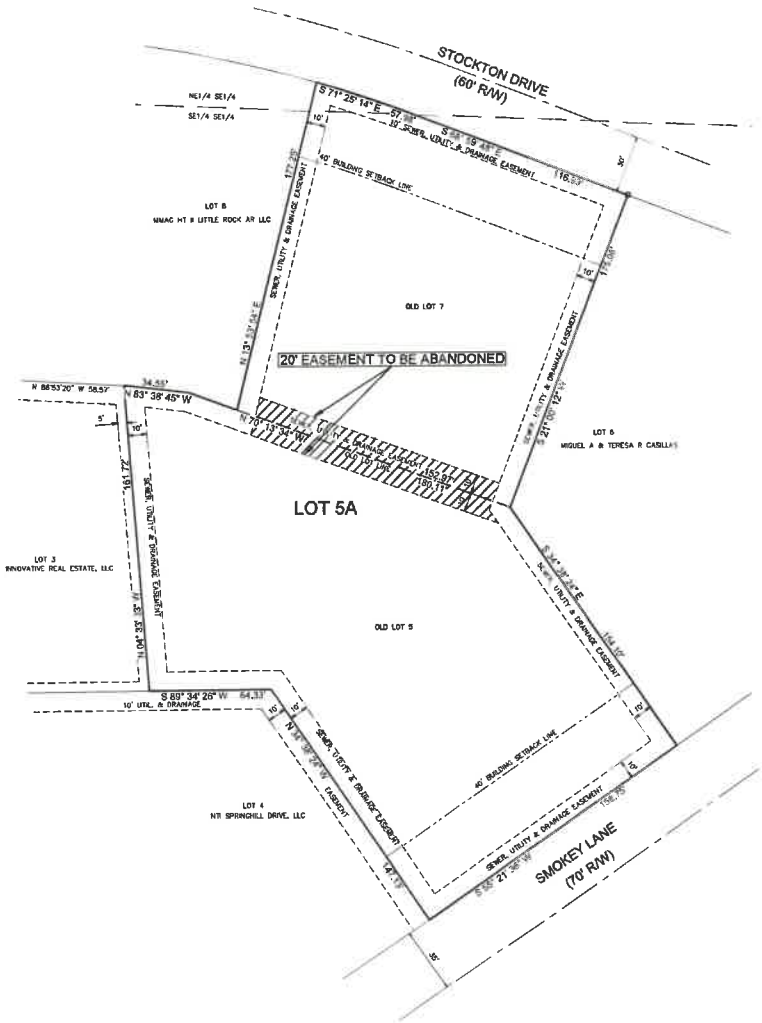
Please review the attached replat and respond with either

a. You have no concerns abandoning the easement
b. You do not support abandoning the easement because _____.

Thank you for your time

John R. Pownall, P.E.

VICINITY MAP



LEGEND

- SHOWS EXISTING STREETS
- SHOWS SEWER, UTILITY AND DRAINAGE EASEMENT
- SHOWS 1/2" PIPE WITH CAP PLS 1215
- SHOWS "PK" NAIL IN ASPHALT

GENERAL NOTES

1. PLAT CONTAINS 1.669 ACRES, MORE OR LESS.
2. THIS PROPERTY IS ZONED C-3. ALL ADJACENT PROPERTY IS ZONED C-3.
3. THIS PLAT IS NOT IN THE 100 YEAR FLOOD PLAIN AS PER FLOOD INSURANCE RATE MAP No. 05019C0420D, DATED JULY 6, 2015.
4. BASIS OF BEARINGS: ARKANSAS STATE PLANE, NORTH ZONE (FAGS).

EXHIBIT

tabbles

PLAT OF

LOT 5A BLOCK 4 SPRINGHILL DEVELOPMENT

(BEING A REPLAT OF LOT 5 AND LOT 7 BLOCK 4, SPRINGHILL DEVELOPMENT)
IN THE CITY OF NORTH LITTLE ROCK
AND IN THE SE1/4 SECTION 19, TOWNSHIP 2 NORTH,
RANGE 11 WEST,
PULASKI COUNTY, ARKANSAS

CERTIFICATE OF SURVEYING ACCURACY

I, JOHN R. POWNALL HEREBY CERTIFY THAT THIS PLAT REPRESENTS A BOUNDARY SURVEY MADE BY ME AND THAT BOUNDARY MARKERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN.

DATE JOHN R. POWNALL RLS 1215

CERTIFICATE OF ENGINEERING ACCURACY

I, JOHN R. POWNALL, HEREBY CERTIFY THAT THIS PLAT REPRESENTS A PLAN MADE BY ME, AND THAT IT MEETS ALL THE ENGINEERING REQUIREMENTS OF THE NORTH LITTLE ROCK SUBDIVISION RULES AND REGULATIONS.

DATE JOHN R. POWNALL PE 4685

CERTIFICATE OF OWNER

WE, THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREON, HEREBY CERTIFY THAT WE HEREBY LAY OFF, PLAT, AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT.

DATE NAME

CERTIFICATE OF FINAL APPROVAL

PURSUANT TO THE NORTH LITTLE ROCK SUBDIVISION RULES AND REGULATIONS, AND ALL OF THE CONDITIONS OF APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF SAID RULES AND REGULATIONS.

DATE NORTH LITTLE ROCK PLANNING COMMISSION

LEGAL DESCRIPTION

LOTS 5 AND 7, BLOCK 4, SPRINGHILL DEVELOPMENT, CITY OF NORTH LITTLE ROCK, ARKANSAS

OWNER & SUBDIVIDER:

BANCORPSOUTH
201 SOUTH SPRING STREET, 4TH FLOOR
TUPELO, MS 38804
PH. 662 680 2331

GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft.

LICENSED PROFESSIONAL SURVEYOR — STATE OF ARKANSAS NO. 1215 — JOHN R. POWNALL

CERTIFICATE OF AUTHORIZATION — THOMAS ENGINEERING CO. — No. 94 — ARKANSAS

STATE OF ARKANSAS — REGISTERED PROFESSIONAL ENGINEER — No. 4685 — JOHN R. POWNALL

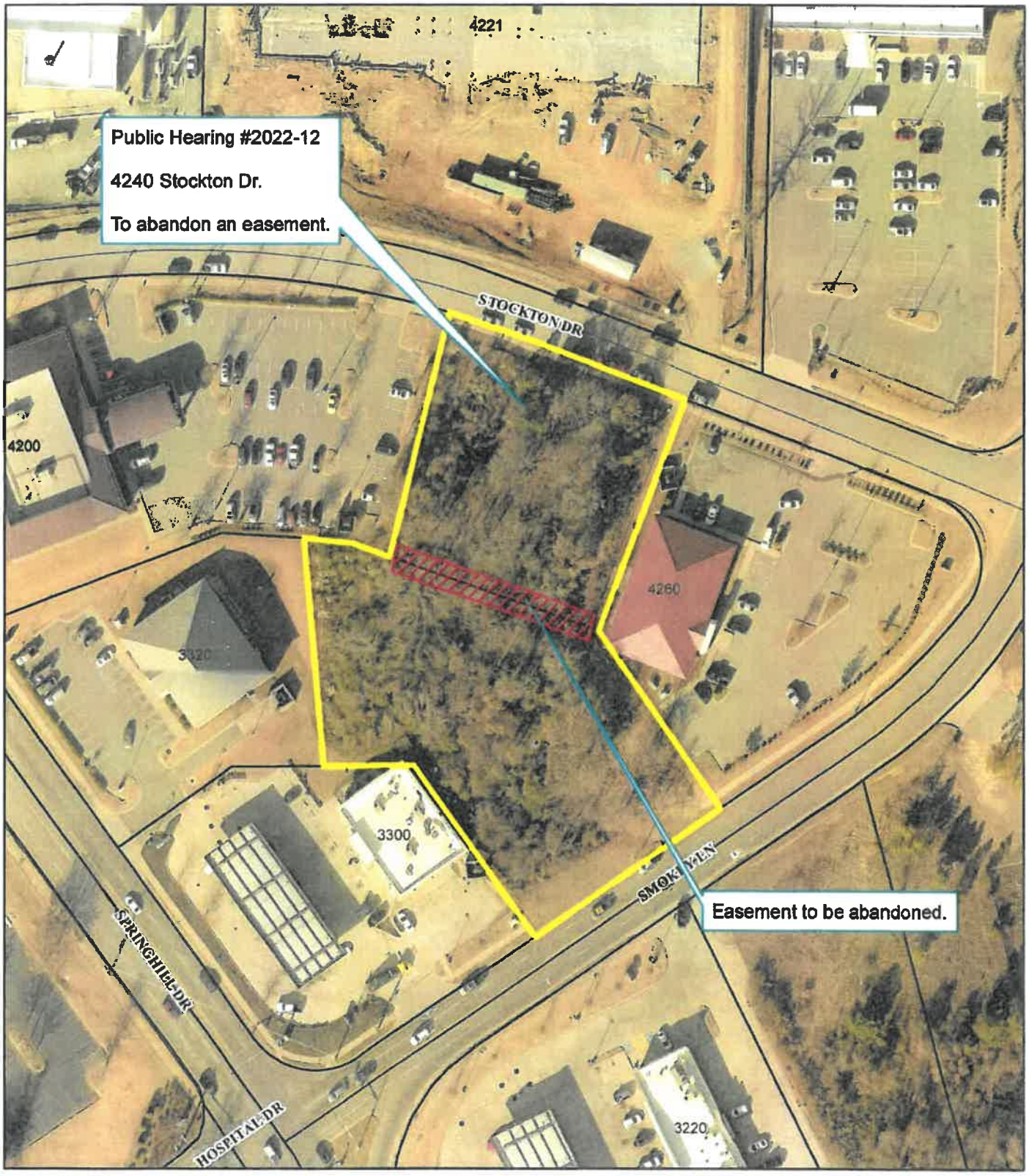
THOMAS ENGINEERING COMPANY
3810 LOOKOUT ROAD, N. LITTLE ROCK, AR. 72116
TEL. 501-753-4483

FINAL PLAT OF
LOT 5A, BLOCK 4,
SPRINGHILL DEVELOPMENT
NORTH LITTLE ROCK,
PULASKI COUNTY, ARKANSAS

APPROVED	DRAWN BY	DATE	SHEET NO.
	MJC	2/17/22	1 OF 1

SCALE 1" = 30'

Public Hearing Case # 2022-12



Ortho Map

1 inch = 100 feet

0 50 100 200 300 Feet

N W E S

Date: 4/20/2022