O-22-77

ORDINANCE NO. _____

AN ORDINANCE VACATING AND ABANDONING A CERTAIN UNUSED EASEMENT ON PROPERTY LOCATED AT 7810 INDUSTRY DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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, Andrew Rike, on behalf of Mida Group II LLC, 3071 118th Avenue North, St. Petersburg, Florida 33716, has requested that an unused 5' utility easement located at 7810 Industry Drive be vacated for future construction (see letter from the Mr. Rike, attached hereto as Exhibit A); and

WHEREAS, the herein described easement abandonment is supported by the North Little Rock Planning Department and City Engineer (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 an unused 5' utility easement on property located at 7810 Industry Drive, more particularly described below.

THE EAST FIVE FEET OF LOT 9 OF THE PLAT OF LOTS 9 AND 10 OF THE HOUSE ADDITION 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SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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:

Linda Robinson

Council Member Linda Robinson

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 8.2.22

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

RECEIVED BY S. Ussery

EXHIBIT
A

Harbor

Environmental | Safety | Engineering

July 28, 2022

City of North Little Rock City Council
North Little Rock City Hall
300 Main St
North Little Rock, Arkansas 72214

Re: Request for Easement Abandonment

Dear Honorable Mayor and Members of the North Little Rock City Council,

We hereby request that the utility and drainage easement located between Lot 8 of the Plat of Lots 2, 3, 4, 5, 6, & 8 of House Industrial Addition, North Little Rock, Pulaski County, Arkansas and Lot 9 of the Plat of Lots 9 & 10, House Addition, North Little Rock, Pulaski County, Arkansas be abandoned.
The 5-foot Utility Easement being described as: The East five feet of Lot 9 of the Plat of Lots 9 and 10 of House Addition, North Little Rock, Pulaski County, Arkansas.

Applicant: Mida Group II LLC
3071 118th Ave North
St. Petersburg, FL 33716
(727) 520-7711

This is being requested to increase the number of parking spaces on Lot 9R of the proposed replat.

Thank you for your consideration of this matter.

Sincerely,

Andrew

Andrew Rike, P.E., *Principal*
Harbor
5800 Evergreen Drive, Little Rock, AR 72205
O 501.663.8800 | C 501.765.0440
arike@harborenv.com

EXHIBIT
B

2B

a) City of North Little Rock Planning

From: SSpencer@nlr.ar.gov <SSpencer@nlr.ar.gov>
Sent: Wednesday, July 27, 2022 3:07 PM
To: Woody Martin <wmartin@harborenv.com>
Cc: DCook@nlr.ar.gov
Subject: Industry Drive Lots 9R&8R Replat

Planning Department has no concerns 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.

b) City of North Little Rock Engineering

NLR Engineering has no concerns abandoning the easement.

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: Woody Martin <wmartin@harborenv.com>
Sent: Wednesday, July 27, 2022 1:42 PM
To: Spencer, Shawn <SSpencer@nlr.ar.gov>; Cook, David <DCook@nlr.ar.gov>
Cc: Andrew Rike <arike@harborenv.com>
Subject: FW: Industry Drive Lots 9R&8R Replat and Improvements

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.

Shawn and David,

I am attaching the draft replat with corrected SF's and acreages as requested.

If I understand the requirements correctly, I will need to include your response in the package that will be submitted to the Planning department for inclusion on the City Council Agenda.

Please respond via letter or email with either of the following:

- Planning Department, Engineering Department has no concerns abandoning the easement.

EXHIBIT

tabbies

C

a) AT&T

-------- Original message --------

From: "KEATHLEY, CHRIS" <ck0826@att.com>

Date: 7/26/22 8:40 PM (GMT-06:00)

To: Andrew Rike <arike@harborenv.com>

Cc: "MONROE, TIMOTHY I" <tm994e@att.com>

Subject: RE: Utility Easement to be Vacated - Request for Review and Response - 7810 Industry Drive, NLR, AR

AT&T approves the request to abandon the 5' utility and drainage easement along the east side of lot 9R of the House Addition also know as 7810 Industry Dr to the City of Little Rock.

Chris Keathley

Lead OSP Plng & Eng Dsgn

501.615.5823 Cell

ck0826@att.com

at&t

From: Andrew Rike <arike@harborenv.com>
Sent: Tuesday, July 26, 2022 4:21 PM
To: KEATHLEY, CHRIS <ck0826@att.com>
Subject: Utility Easement to be Vacated - Request for Review and Response - 7810 Industry Drive, NLR, AR

Chris,

We are working on behalf of Mida Group II LLC to extend their existing parking lot to the east, their lot being located on Lot 9 of the House Addition, 7810 Industry Drive. This will necessitate the vacating of

b) Central Arkansas Water

-------- Original message --------

From: Jim Ferguson <Jim.Ferguson@carkw.com>

Date: 7/27/22 8:29 AM (GMT-06:00)

To: Andrew Rike <arike@harborenv.com>

Cc: Andrew Pownall <Andrew.Pownall@carkw.com>, Jason Lowder <Jason.Lowder@carkw.com>

Subject: RE: [External] Utility Easement to be Vacated - Request for Review and Response - 7810 Industry Drive, NLR, AR

Central Arkansas Water does not have and does not plan to have any public water facilities in the five foot wide utility easement located along the east line of Lot 9 (Lot 9R) of the House Industrial Addition to the City of North Little Rock, Arkansas. Central Arkansas Water does not oppose the closure or abandonment of this utility easement.

Thank you,

Jim Ferguson, P.E.

Director of Engineering

Central Arkansas Water

501.377.1298 office

jim.ferguson@carkw.com

From: Andrew Rike <arike@harborenv.com>
Sent: Tuesday, July 26, 2022 4:21 PM
To: Jim Ferguson <Jim.Ferguson@carkw.com>
Subject: [External] Utility Easement to be Vacated - Request for Review and Response - 7810 Industry Drive, NLR, AR

[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.

c) Comcast

From: "Fulmer, Curt" <Curt_Fulmer@comcast.com>

Date: 7/27/22 8:39 AM (GMT-06:00)

To: "Hill, Richard" <Richard_Hill2@comcast.com>, "[CENHRT-South Little Rock Construction]" <CENHRT-South_Little_Rock_Construction@comcast.com>, Andrew Rike <arike@harborenv.com>

Subject: RE: Utility Easement to be Vacated - Request for Review and Response - 7810 Industry Drive, NLR, AR

IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender Curt_Fulmer@comcast.com

Andrew,

Comcast has no issues with abandoning this easement.

Our lines are in the front with a line feeding that bldg. from the front.

From: Hill, Richard <Richard_Hill2@cable.comcast.com>
Sent: Tuesday, July 26, 2022 4:59 PM
To: [CENHRT-South Little Rock Construction] <CENHRT-South_Little_Rock_Construction@comcast.com>
Subject: Fwd: Utility Easement to be Vacated - Request for Review and Response - 7810 Industry Drive, NLR, AR

Anyone want to look at this

From: Andrew Rike <arike@harborenv.com>
Sent: Tuesday, July 26, 2022 4:20:36 PM
To: Hill, Richard <Richard_Hill2@cable.comcast.com>

d) North Little Rock Wastewater

From: "Kerby, Scott" <skerby@nlrwu.com>

Date: 7/27/22 11:10 AM (GMT-06:00)

To: Andrew Rike <arike@harborenv.com>

Subject: RE: Utility Easement to be Vacated - Request for Review and Response - 7810 Industry Drive, NLR, AR

Andrew,

NLRW has no concerns abandoning the easement.

Respectfully,

Scott Kerby, P.E.
Engineering Manager

North Little Rock Wastewater
7400 Baucum Pike
(PO Box 17898)
North Little Rock, AR 72117
501-945-7186

A Clean Water Agency

From: Andrew Rike <arike@harborenv.com>
Sent: Tuesday, July 26, 2022 4:20 PM
To: Kerby, Scott <skerby@nlrwu.com>
Subject: Utility Easement to be Vacated - Request for Review and Response - 7810 Industry Drive, NLR, AR

Scott,

e) North Little Rock Electric

From: GWoodward@nlr.ar.gov <GWoodward@nlr.ar.gov>
Sent: Wednesday, July 27, 2022 1:45 PM
To: Ian Klein <iklein@harborenv.com>
Cc: Woody Martin <wmartin@harborenv.com>; Andrew Rike <arike@harborenv.com>
Subject: RE: Industry Drive Lots 9R & 8R Replat

IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender GWoodward@nlr.ar.gov

Ian,

North Little Rock Electric 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: Ian Klein
Sent: Wednesday, July 27, 2022 12:47 PM
To: gwoodward@nlr.ar.gov
Cc: Woody Martin <wmartin@harborenv.com>; Andrew Rike <arike@harborenv.com>
Subject: Industry Drive Lots 9R & 8R Replat

f) Summit Utilities

From: Caleb Knox <cknox@summitutilities.com>
Sent: Thursday, July 28, 2022 9:19 AM
To: Andrew Rike <arike@harborenv.com>
Subject: RE: [EXTERNAL EMAIL] Utility Easement to be Vacated - Request for Review and Response - 7810 Industry Drive, NLR, AR

Good morning Andrew,
Summit Utilities has no objection to the proposed abandonment.
Summit Utilities does have active facilities within and along the street right of way. Summit recommends calling Arkansas One Call at 811 or by visiting arkonecall.com to have all utilities located and marked prior to construction or excavation. If any exposure of Summit facilities occurs, please contact Mark Criswell at 501-772-0003 immediately.
Please let me know if I can provide any further information.
Thank you,

Caleb "Drew" Knox
Engineer – AR/OK Region
501.377.4865 | (m) 501.553.6488 | www.SummitUtilitiesInc.com
cknox@summitutilities.com

From: Andrew Rike <arike@harborenv.com>
Sent: Tuesday, July 26, 2022 4:21 PM
To: Caleb Knox <cknox@summitutilities.com>
Subject: [EXTERNAL EMAIL] Utility Easement to be Vacated - Request for Review and Response - 7810 Industry Drive, NLR, AR

You don't often get email from arike@harborenv.com. Learn why this is important

Caleb,

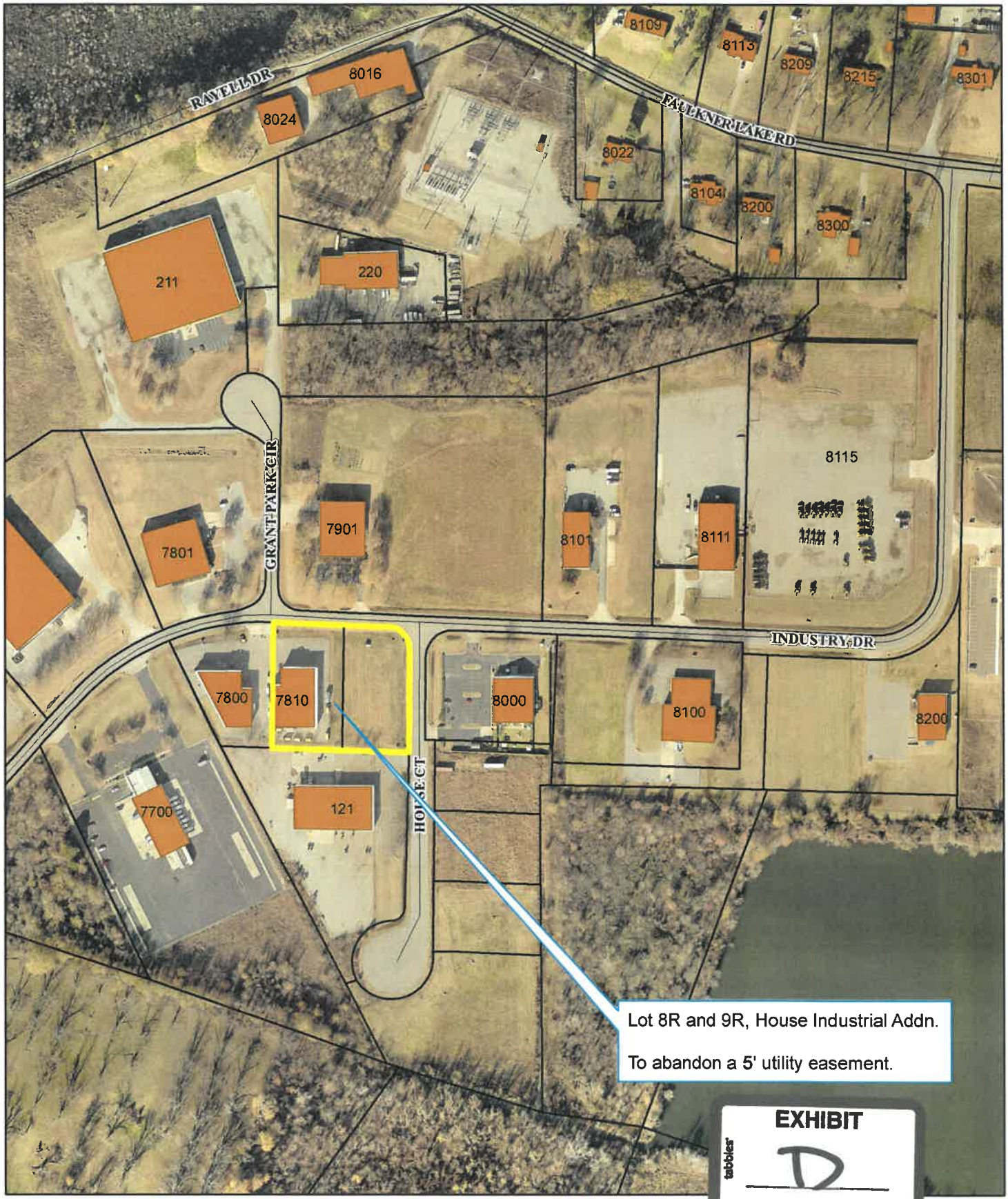
We are working on behalf of Mida Group II LLC to extend their existing parking lot to the east, their lot being located on Lot 9 of the House Addition, 7810 Industry Drive. This will necessitate the vacating of the existing utility and drainage easement described as the east 5 feet of Lot 9. Please respond via letter or email with either of the following:

- Summit Utilities has no concerns abandoning the easement.
- Summit Utilities does not support abandoning the easement for a given reason.

Thank you for your consideration of this request.

Sincerely,

Andrew
Andrew Rike, P.E., Principal
Harbor
5800 Evergreen Drive, Little Rock, AR 72205
O 501.663.8800 | C 501.765.0440
arike@harborenv.com



EXHIBIT

tabbies

D

NLR PLANNING

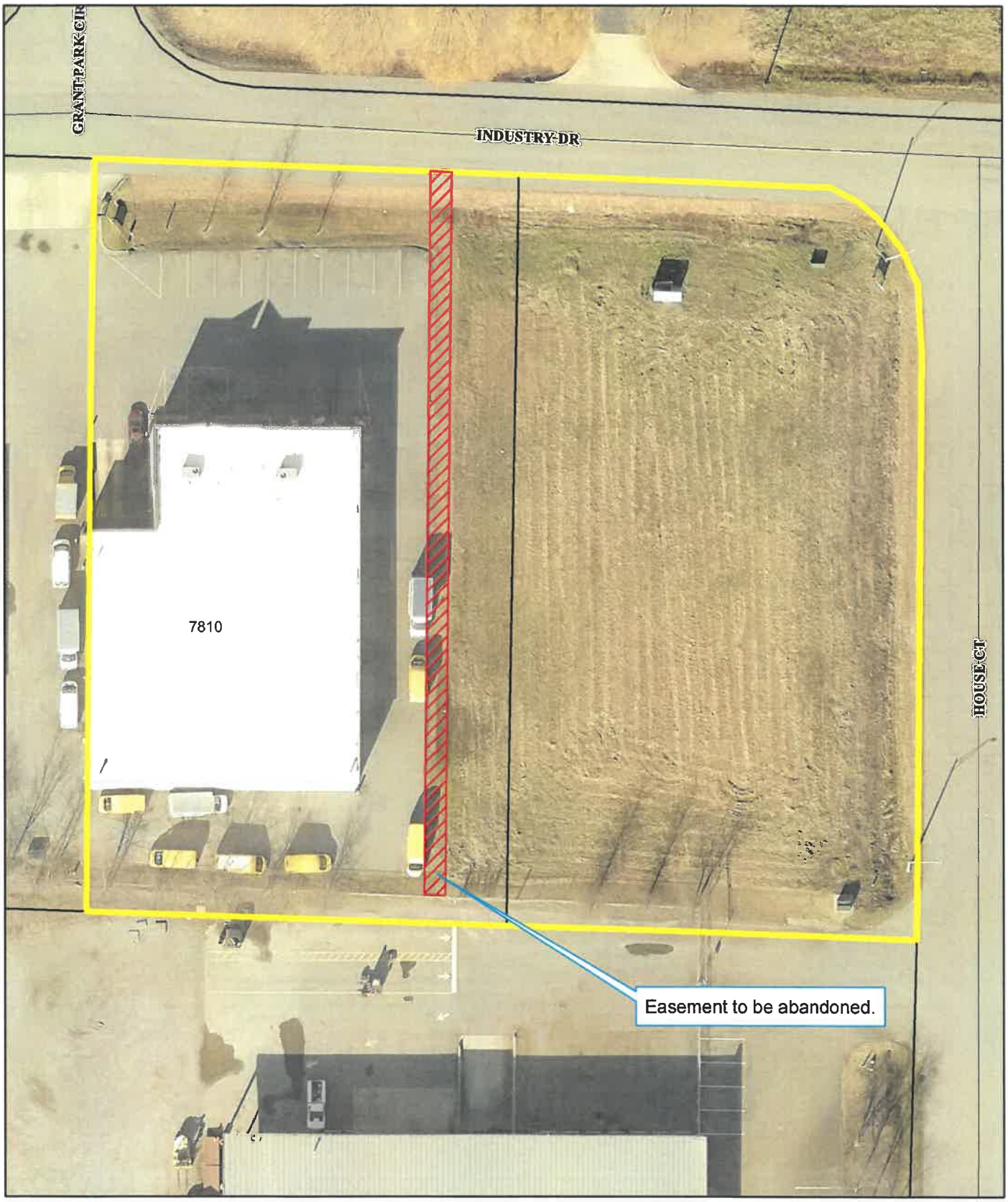
Ortho Map

1 inch = 300 feet

0 150 300 600 900 Feet

N W E S

Date: 7/28/2022



NLR PLANNING

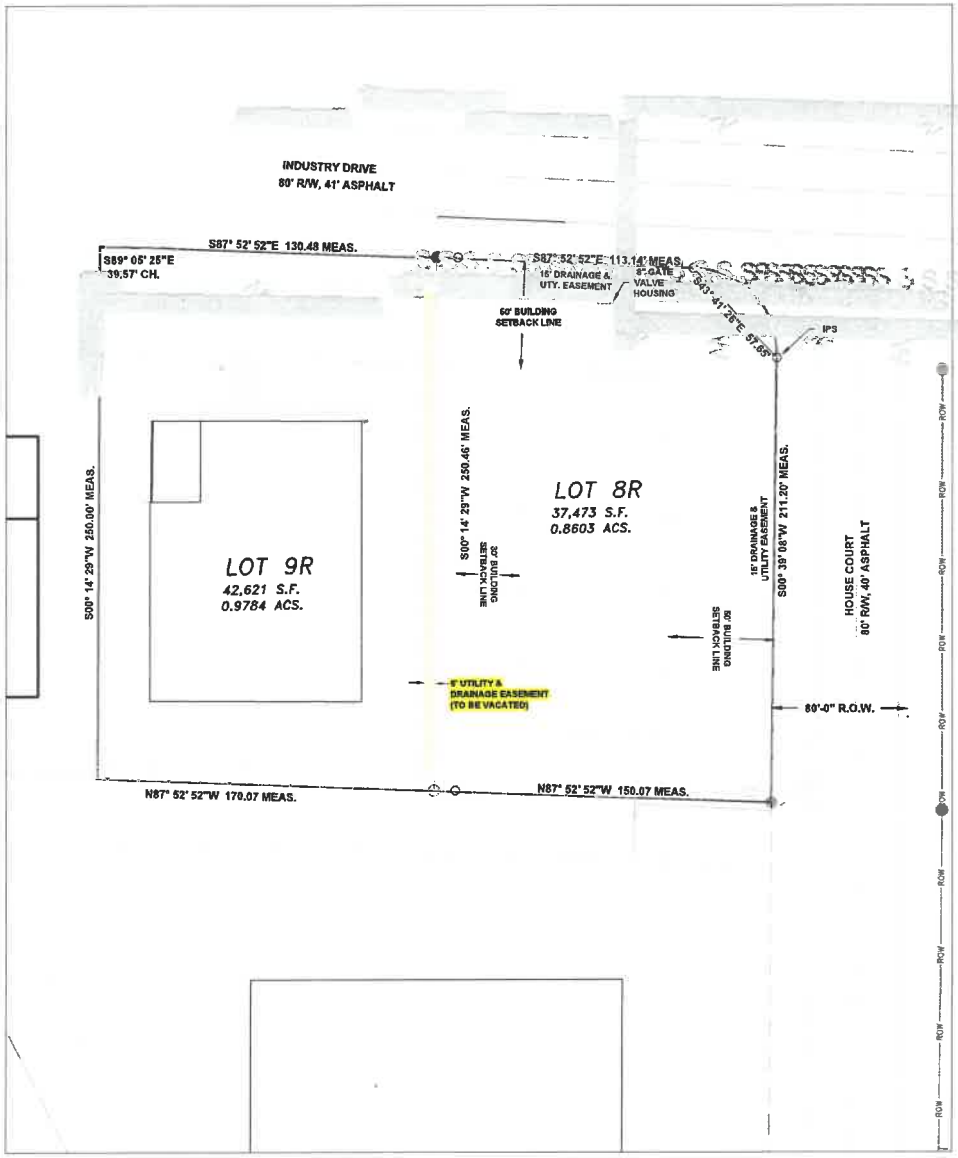
Ortho Map

1 inch = 50 feet

0 25 50 100 150 Feet

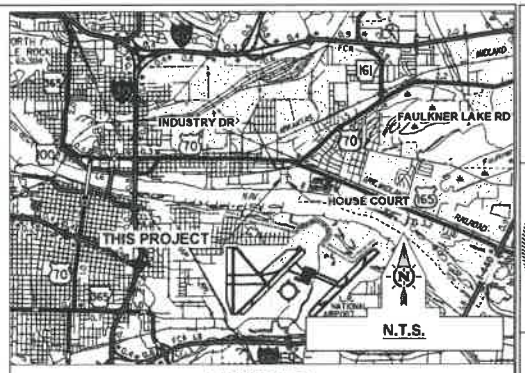
N W E S

Date: 7/28/2022



LEGEND

- (I.P.S.) SET 1/2" REBAR W/CAP (R.L.S. 1203)
- (I.P.F.) IRON PIN FOUND
- RB REBAR
- PROPERTY LINE ADJACENT
- RIGHT OF WAY
- BUILDING SETBACK LINE
- PROPERTY LINE
- UTILITY EASEMENT



VICINITY MAP

FINAL PLAT

LOT '8R' & '9R'
HOUSE INDUSTRIAL ADDITION
TO THE CITY OF
NORTH LITTLE ROCK, ARKANSAS

BEING A REPLAT OF LOT 8, HOUSE INDUSTRIAL ADDITION AND LOT 9, HOUSE ADDITION TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS.

CERTIFICATE OF OWNER

WE, THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED AND SUBDIVIDED, AND DO HEREBY LAY OFF, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT.

DATE OF EXECUTION

MIDA GROUP II LLC

SOURCE OF TITLE:
2022001846

CERTIFICATE OF SURVEYING ACCURACY

I, JOHNNY R. TWEEDLE, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY COMPLETED BY ME, AND ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN.

DATE OF EXECUTION

JOHNNY R. TWEEDLE
REGISTERED SURVEYOR
NO. 1203 ARKANSAS

REGISTERED STATE OF ARKANSAS NO. 1203 JOHNNY R. TWEEDLE PROFESSIONAL LAND SURVEYOR

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 OF EXECUTION

PLANNING DIRECTOR
CITY OF NORTH LITTLE ROCK

CERTIFICATE OF RECORDING

THIS DOCUMENT, NUMBER _____ FILED FOR RECORD _____, 2018, IN PLAT BOOK_____, PAGE_____.

CIRCUIT COUNTY CLERK
& RECORDER

FOR BILL OF ASSURANCE SEE DEED RECORD
BOOK_____,PAGE_____

FLOODPLAIN STATEMENT

THE ABOVE CAPTIONED PROPERTY IS NOT WITHIN THE 100-YEAR FLOODPLAIN AS INDICATED ON THE NATIONAL FLOOD INSURANCE RATE MAP, PANEL 05119C0481G AS REVISED JULY 6, 2015.

LEGAL DESCRIPTION

LOT 8 OF THE PLAT OF LOTS 2, 3, 4, 5, 6, & 8 OF HOUSE INDUSTRIAL ADDITION, NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS, AND LOT 9 OF THE PLAT OF LOTS 9 & 10, HOUSE ADDITION, NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS.

OWNER/SUBDIVIDER
MIDA GROUP II LLC
3071 118TH AVE NORTH
SAINT PETERSBURG, FL 33716

SURVEYOR/ENGINEER:
HARBOR ENVIRONMENTAL INC.
5800 EVERGREEN DRIVE
LITTLE ROCK, AR 72205

Harbor
5800 Evergreen Drive
Little Rock, AR 72205
Ph (501) 663-8800
Fax (501) 588-0123
www.harborenv.com

CERTIFICATE OF AUTHORIZATION HARBOR ENVIRONMENTAL & SAFETY No. 2171 ARKANSAS ENGINEER

LOT 8 R of HOUSE INDUSTRIAL ADDITION AND LOT 9 R of HOUSE ADDITION

FOR MIDAS GROUP II, LLC

NO	REVISION DESCRIPTION	DATE
XX	X	XX-XX-XX

Drawn By: AES	Date: 7-15-2022
Checked By: JRT	Scale: NOTED

Project Number: HPRT-18102

V101