

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE VACATING AND ABANDONING A CERTAIN UNUSED WASTEWATER EASEMENT ON PROPERTY LOCATED IN THE TULIP FARM DEVELOPMENT 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, Thomas Pownall of Thomas Engineering Company, 3810 Lookout Road, North Little Rock, Arkansas has requested that an unused wastewater easement located on property in the Tulip Farms Development be vacated.

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 wastewater easement located in the Tulip Farms Development, more particularly described as:

A 20 FOOT WIDE WATER LINE EASEMENT IN THE N1/2 SECTION 29 AND THE N1/2 NE1/4 SECTION 30, ALL IN TOWNSHIP 2 NORTH, RANGE 10 WEST, CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS. THE CENTERLINE OF SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST LOT CORNER OF LOT 1, TULIP FARMS ADDITION, CITY OF NORTH LITTLE ROCK, ARKANSAS; THENCE S 22° 38' 20" W ALONG THE EASTERN LOT LINE OF SAID LOT 1 FOR 552.86 FEET TO THE POINT OF BEGINNING; THENCE S 67° 21' 40" E FOR 1251.18 FEET; THENCE S 22° 42' 41" E FOR 352.59 FEET; THENCE S 89° 18' 05" E FOR 663.18 FEET; THENCE S 67° 21' 40" E FOR 2266.65 FEET TO THE END OF SAID EASEMENT, CONTAINING 90,672 SQUARE FEET, OR 2.082 ACRES, MORE OR LESS.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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 wastewater easement 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

Terry C. Hartwick  
Mayor Terry C. Hartwick *by AF*

\_\_\_\_\_  
Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED <u>11:00</u> A.M. ___ P.M.
By <u>City Atty Amy Fields</u>
DATE <u>10-17-23</u>
<b>Diane Whitbey, City Clerk and Collector</b> <b>North Little Rock, Arkansas</b>
RECEIVED BY <u>R. Thomas</u>