

O-24-25

ORDINANCE NO. _____

AN ORDINANCE VACATING AND ABANDONING A CERTAIN UNUSED EASEMENT ON PROPERTY LOCATED AT 7612 YUMA COURT 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, Ian and Rosemary Snyder, 7612 Yuma Court, North Little Rock, Arkansas 72116, have requested that the unused utility easement located at 7612 Yuma Court be vacated to allow the construction of a garage (see email from the Snyders 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 easement (see approvals attached hereto, collectively, as Exhibit C); and

WHEREAS, the applicants are seeking approval from the North Little Rock City Council; and

WHEREAS, a sign has been placed on the property, and a legal advertisement of notice of a public hearing to be held April 9, 2024 at 6:00 p.m. has been placed in the newspaper.

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 utility easement on property located at 7612 Yuma Court, more particularly described as Lot 41 of the Indian Hills West Addition to the City of North Little Rock, Pulaski County, Arkansas (see maps and surveys attached collectively 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SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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

Charlie Hight

Council Member Charlie Hight

by AF

Diane Whitbey, City Clerk

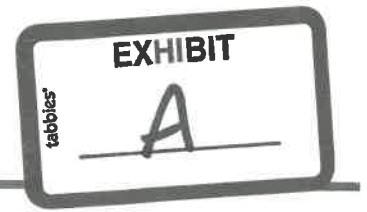
APPROVED AS TO FORM:

Amy Beckman Fields

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED	<u>10:45</u>	A.M.	__	P.M.
By	<u>A. Fields</u>			
DATE	<u>4-2-24</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>S. Ussery</u>			



James, Donna

From: Dale Snyder <dalehsnyder@comcast.net>
Sent: Tuesday, March 12, 2024 4:43 PM
To: James, Donna
Subject: Abondamnet Easement for 7612 Yuma CT

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.



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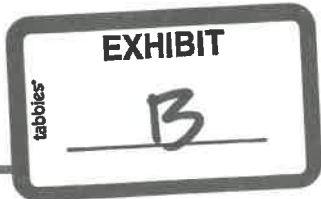
To the Mayor & City Council from Ian & Rosemarie Snyder

We are requesting that the easement across the rear of Lot 41, Indian Hills addition to the city of North Little Rock, AR also known as 7612 Yuma CT NLR be abandoned in order for us to build a garage.

Ian M Snyder & Rosemarie Snyder , Owners

7612 Yuma CT NLR 72116

501 206-1852



James, Donna

From: Cook, David
Sent: Wednesday, March 27, 2024 3:26 PM
To: iansnyder@artelco.com; Jim Ferguson; curt fulmer; Woodward, Gregory; Scott Kerby; kunderwood; cknox; tg5473
Cc: James, Donna
Subject: RE: Request for Abandonment of Easement

I am fine with abandoning the easement. Thanks

David Cook, P.E.
Chief City Engineer
700 West 29th Street
North Little Rock, AR 72114
Office: 501-371-8339
Cell: 501-351-8936
DCook@nlr.ar.gov

-----Original Message-----

From: iansnyder@artelco.com <iansnyder@artelco.com>
Sent: Wednesday, March 27, 2024 8:54 AM
To: Jim Ferguson <jim.ferguson@carkw.com>; Cook, David <DCook@nlr.ar.gov>; curt fulmer <curt_fulmer@comcast.com>; Woodward, Gregory <GWoodward@nlr.ar.gov>; Scott Kerby <skerby@nlrwu.com>; kunderwood <kunderwood@nlrwu.com>; cknox <cknox@summitutilities.com>; tg5473 <tg5473@att.com>
Cc: James, Donna <DJames@nlr.ar.gov>
Subject: Request for Abandonment of Easement

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To the Mayor and City Council

We are requesting that the easement across the rear of Lot 41, Indian Hills addition in the city of North Little Rock AR, also known as 7612 Yuma Ct NLR be abandoned in order to build a garage.

Please state there is no concern with the abandonment or if you do not support the abandonment and the reason. Thank you.

Ian M. Snyder & Rosemarie Snyder, Owners
7612 Yuma Ct
No. Little Rock, AR 72116

Phone 501-206-1852

James, Donna

To: iansnyder@artelco.com
Subject: RE: Request for Abandonment of Easement

Planning has no objection to the abandonment.

-----Original Message-----

From: iansnyder@artelco.com <iansnyder@artelco.com>
Sent: Wednesday, March 27, 2024 8:54 AM
To: Jim Ferguson <jim.ferguson@carkw.com>; Cook, David <DCook@nlr.ar.gov>; curt fulmer <curt_fulmer@comcast.com>; Woodward, Gregory <GWoodward@nlr.ar.gov>; Scott Kerby <skerby@nlrwu.com>; kunderwood <kunderwood@nlrwu.com>; cknnox <cknox@summitutilities.com>; tg5473 <tg5473@att.com>
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Ian M. Snyder & Rosemarie Snyder, Owners
7612 Yuma Ct
No. Little Rock, AR 72116

Phone 501-206-1852



James, Donna

From: Fulmer, Curt <curt_fulmer@comcast.com>
Sent: Thursday, March 28, 2024 8:27 AM
To: Scott Kerby; iansnyder@artelco.com; Jim Ferguson; Cook, David; Woodward, Gregory; Underwood, Kristy; cknox; tg5473
Cc: James, Donna
Subject: RE: Request for Abandonment of Easement

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Comcast has no objection to abandonment of this easement.

-----Original Message-----

From: Kerby, Scott <skerby@nlrwu.com>
Sent: Thursday, March 28, 2024 8:23 AM
To: iansnyder@artelco.com; jim ferguson <jim.ferguson@arkw.com>; DCook <DCook@nlr.ar.gov>; Fulmer, Curt <curt_fulmer@comcast.com>; GWoodward <GWoodward@nlr.ar.gov>; Underwood, Kristy <kunderwood@nlrwu.com>; cknox <cknox@summitutilities.com>; tg5473 <tg5473@att.com>
Cc: DJames <DJames@nlr.ar.gov>
Subject: [EXTERNAL] RE: Request for Abandonment of Easement

NLRW has no objection to the abandonment of 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

-----Original Message-----

From: iansnyder@artelco.com <iansnyder@artelco.com>
Sent: Wednesday, March 27, 2024 8:54 AM
To: jim ferguson <jim.ferguson@arkw.com>; DCook <DCook@nlr.ar.gov>; curt fulmer <curt_fulmer@comcast.com>; GWoodward <GWoodward@nlr.ar.gov>; Kerby, Scott <skerby@nlrwu.com>; Underwood, Kristy <kunderwood@nlrwu.com>; cknox <cknox@summitutilities.com>; tg5473 <tg5473@att.com>
Cc: DJames <DJames@nlr.ar.gov>
Subject: Request for Abandonment of Easement

To the Mayor and City Council

James, Donna

From: Kerby, Scott <skerby@nlrwu.com>
Sent: Thursday, March 28, 2024 8:23 AM
To: iansnyder@artelco.com; Jim Ferguson; Cook, David; curt fulmer; Woodward, Gregory; Underwood, Kristy; cknox; tg5473
Cc: James, Donna
Subject: RE: Request for Abandonment of Easement

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NLRW has no objection to the abandonment of the easement

Respectfully,

Scott Kerby, P.E.
Engineering Manager
North Little Rock Wastewater
7400 Baucum Pike
(PO Box 17898)
North Little Rock, AR 72117
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Cc: DJames <DJames@nlr.ar.gov>
Subject: Request for Abandonment of Easement

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Ian M. Snyder & Rosemarie Snyder, Owners
7612 Yuma Ct
No. Little Rock, AR 72116

James, Donna

From: Woodward, Gregory
Sent: Thursday, March 28, 2024 7:31 AM
To: iansnyder@artelco.com; Jim Ferguson; Cook, David; curt fulmer; Scott Kerby; kunderwood; cknox; tg5473
Cc: James, Donna
Subject: RE: Request for Abandonment of Easement

WLRED is fine with the abandonment except for where the guy's and anchors are on the east side of the property. We need to keep 30' west of this location 10' wide.

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

-----Original Message-----

From: iansnyder@artelco.com <iansnyder@artelco.com>
Sent: Wednesday, March 27, 2024 8:54 AM
To: Jim Ferguson <jim.ferguson@carkw.com>; Cook, David <DCook@nlr.ar.gov>; curt fulmer <curt_fulmer@comcast.com>; Woodward, Gregory <GWoodward@nlr.ar.gov>; Scott Kerby <skerby@nlrwu.com>; kunderwood <kunderwood@nlrwu.com>; cknox <cknox@summitutilities.com>; tg5473 <tg5473@att.com>
Cc: James, Donna <DJames@nlr.ar.gov>
Subject: Request for Abandonment of Easement

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Ian M. Snyder & Rosemarie Snyder, Owners


James, Donna

From: GREGORY, TODD R <tg5473@att.com>
Sent: Thursday, March 28, 2024 8:47 AM
To: Fulmer, Curt; Scott Kerby; iansnyder@artelco.com; Jim Ferguson; Cook, David; Woodward, Gregory; Underwood, Kristy; cknox
Cc: James, Donna
Subject: RE: Request for Abandonment of Easement

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AT&T has sent a letter to the Homeowner, but I am not sure if I am to answer this too? AT&T is fine with this also. Thank You everyone. -tg

Thank You, Todd R. Gregory

	Todd R. Gregory AT&T Arkansas & SW Missouri Right-of-Way & Pole Ops Mgr. (501) 321-3207 Work (501) 476-179 Mobile tg5473@att.com P.O. Box 6505 Hot Springs, AR 71902
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Act Boldly 

Win As One 

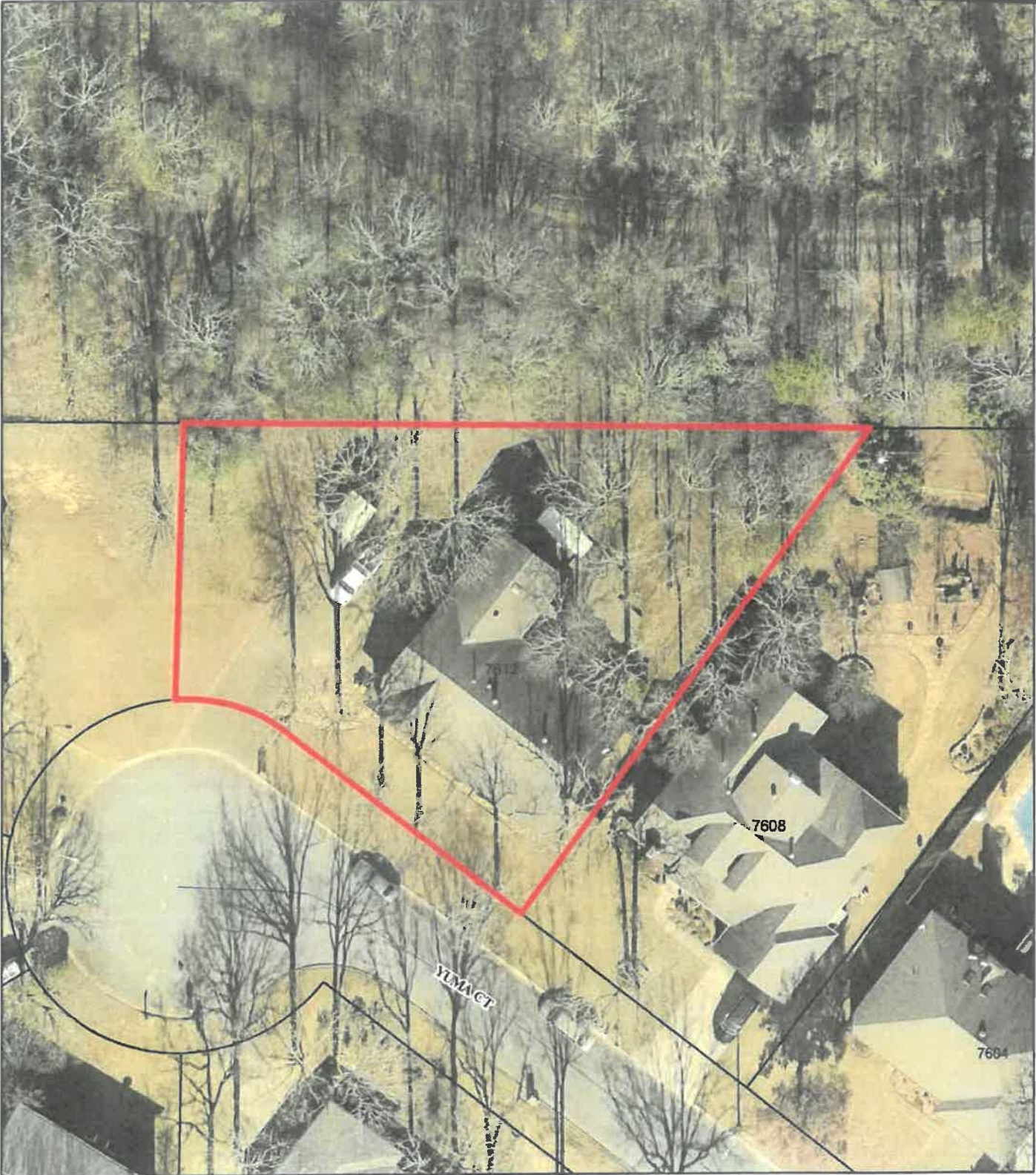
This message and any attachments to it contain confidential business information intended solely for the recipients. If you have received this email in error please do not forward or distribute it to anyone else, but telephone 501-321-3207 to report the error, and then delete this message from your system.

From: Fulmer, Curt <curt_fulmer@comcast.com>
Sent: Thursday, March 28, 2024 8:27 AM
To: Kerby, Scott <skerby@nlrwu.com>; iansnyder@artelco.com; jim ferguson <jim.ferguson@carkw.com>; DCook <DCook@nlr.ar.gov>; GWoodward <GWoodward@nlr.ar.gov>; Underwood, Kristy <kunderwood@nlrwu.com>; cknox <cknox@summitutilities.com>; GREGORY, TODD R <tg5473@att.com>
Cc: DJames <DJames@nlr.ar.gov>
Subject: RE: Request for Abandonment of Easement

Comcast has no objection to abandonment of this easement.

Public Hearing Case # 2024-06

EXHIBIT
12



Ortho Map

1 inch = 40 feet



Date: 3/29/2024

Public Hearing Case # 2024-06

Public Hearing #2024-06

7612 Yuma Ct.

To abandon an unused easement
along the rear property line.

I2



Zoning Map

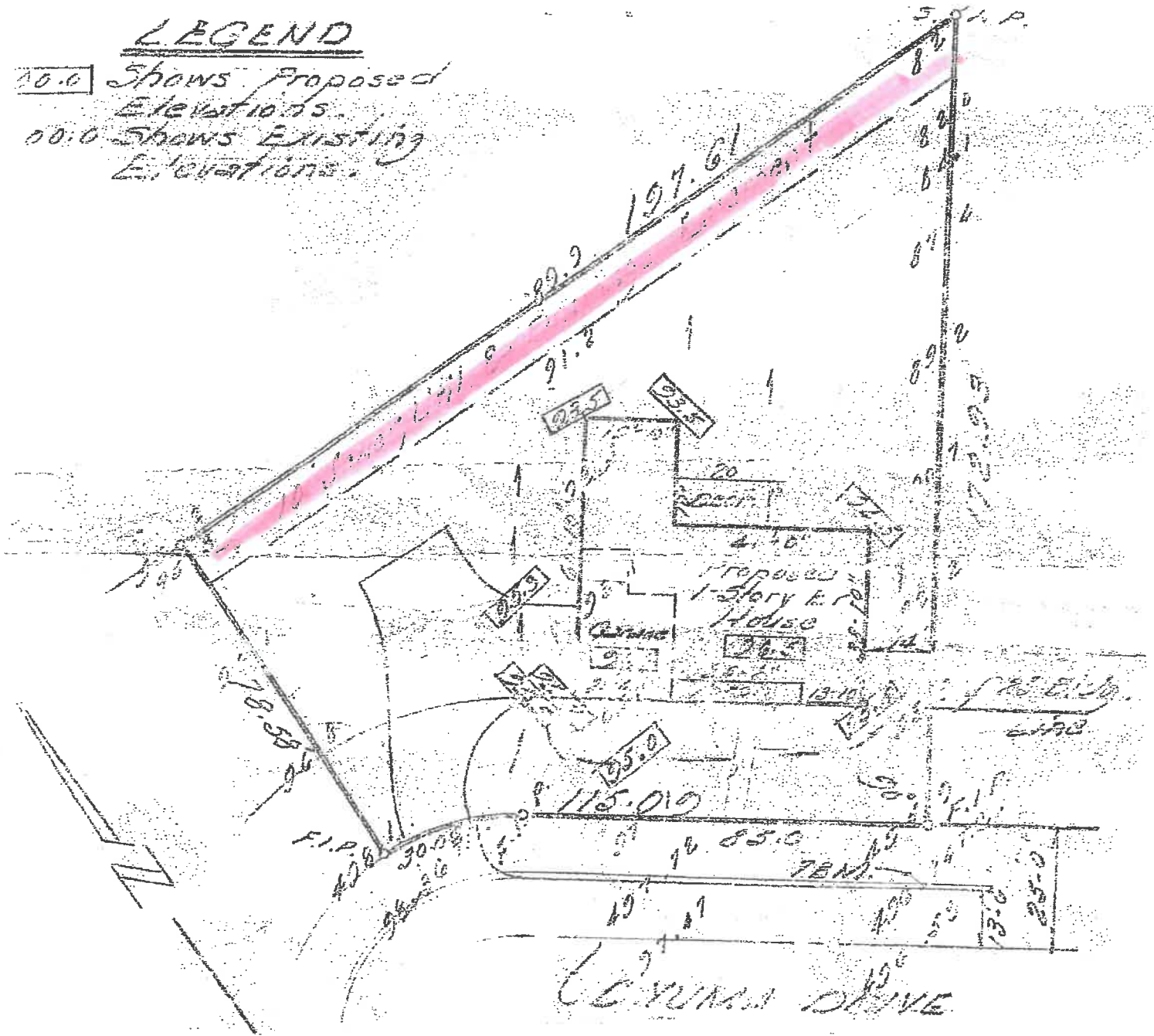
1 inch = 150 feet



Date: 3/29/2024

LEGEND

- 10.0 Shows Proposed Elevations.
- 00.0 Shows Existing Elevations.



SURVEY OF

LOT 41 BLOCK
INDIAN HILLS ADDITION

This is to certify that the above described land has been surveyed. The corners are marked as shown and are in accordance with existing monuments in the vicinity. This certification is for and limited to the parties shown hereon.

Date of Survey: 4-8-83
 Scale: 1"=20'
 Property Address: 7612 Yuma Court
 For Use & Benefit of: Henry Cameron, Builder

ARTHUR H. THOMAS
 REGISTERED
 LAND SURVEYOR
 STATE OF
 ARKANSAS
 NO. 6
A. H. Thomas
 SIGNATURE