

ORDINANCE NO. _____

**AN ORDINANCE VACATING AND ABANDONING A CERTAIN
UNUSED EASEMENT ON PROPERTY LOCATED AT 5120
NORTHSHORE 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, Erika Glidden of White-Daters & Associates, 24 Rahling Circle, Little Rock, Arkansas 72223, has requested, on behalf of the owner, that the unused utility easement located at 5120 Northshore Drive be vacated to combine two lots and construct an office building (see letter from Ms. Glidden attached hereto as Exhibit A); and

WHEREAS, there are no objections to the herein described easement abandonment (see approvals attached hereto, collectively, as Exhibit B); and

WHEREAS, this request did not go before the North Little Rock Planning Commission and 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 December 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 5120 Northshore Drive, more particularly described as Lots 4 and 5, Block 3 of the Northshore Business Park Addition to the City of North Little Rock, Pulaski County, Arkansas (see maps and surveys attached collectively as Exhibit C).

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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

Ron Harris
Council Member Ron Harris *by AF*

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields
Amy Beckman Fields, City Attorney

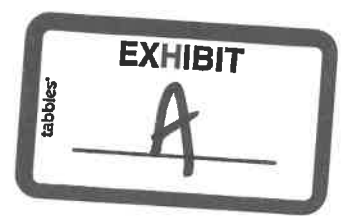
PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED	<u>10:43</u>	A.M.	__	P.M.
By	<u>City Atty Amy Fields</u>			
DATE	<u>12-3-24</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>H. Thomas</u>			



WHITE - DATERS & ASSOCIATES, INC.

24 Rahling Circle
Little Rock, Arkansas 72223
Phone: 501-821- 1667
www.whitedaters.com



From: Erika Glidden

Sent: Thursday, October 24, 2024 1:10 PM

To: 'JWilson@nlr.ar.gov' <JWilson@nlr.ar.gov>; 'djames@nlr.ar.gov' <djames@nlr.ar.gov>; 'MClayton@nlrwu.com' <MClayton@nlrwu.com>; 'sspencer@nlr.ar.gov' <sspencer@nlr.ar.gov>; 'tm994e@att.com' <tm994e@att.com>; 'Hill, Richard' <richard_hill2@comcast.com>; '[CENHRT-South Little Rock Construction]' <cenhrt-south_little_rock_construction@comcast.com>; 'Adam Gober' <agober@summitutilities.com>
Cc: Timothy Daters <tdaters@whitedaters.com>; bwe@man@arcodb.com; esafko@arcodb.com
Subject: Lots 3 & 4, Block 3, North Shore Business Park

Gentlemen,

Montrose Environmental, the owner of Lots 3 & 4, Block 3, North Shore Business Park would like to combine the two lots and remove the platted easement on the common lot line. There are no utilities in the easement area to be abandoned.

I have attached a sketch of the easement to be abandoned with legal description as Exhibit A, and a copy of the proposed replat. Please confirm you have no objection to the abandonment of that portion of the easement shown in red and as described.

The Owners are anxious to get the item before the City Council and the Replat recorded. Thank you

Erika Glidden
Office Manager
White-Daters & Associates
24 Rahling Circle
Little Rock, AR 72223
Direct Line: (501) 255-3391
Fax: (501) 821-1668
Main Phone: (501) 821-1667
Email: erika@whitedaters.com

James, Donna

From: Underwood, Justin
Sent: Wednesday, November 20, 2024 11:11 AM
To: James, Donna
Cc: Cook, David
Subject: Lots 3 & 4, Block 3, North Shore Business Park

Donna,

The NLR Engineering department does not have any issues with removing the platted easement from the combined lots referenced above.

Thanks,



Justin Underwood, E.I.
Project Engineer
700 West 29th Street
North Little Rock, AR 72114
Office: 501-812-2516
Cell: 501-539-1295
JUnderwood@nlr.ar.gov



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Little Rock, Arkansas 72223
Phone: 501-821- 1667
www.whitedaters.com

From: Underwood, Kristy <kunderwood@nlrwu.com>
Sent: Friday, October 25, 2024 8:53 AM
To: Erika Glidden <erika@whitedaters.com>
Subject: RE: Lots 3 & 4, Block 3, North Shore Business Park

Erika

NLRW does not have any objection to the abandonment of the portion of the easement shown in red and described.

Please let me know if you need further information.

Thank you,

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



A Clean Water Agency

From: Collins, Jesse <Jesse_Collins@comcast.com>
Sent: Friday, October 25, 2024 8:56 AM
To: Erika Glidden <erika@whitedaters.com>
Subject: RE: Lots 3 & 4, Block 3, North Shore Business Park

We have fiber on the edge of the easement. I highlighted the red line the fiber is the Aqua color and the marron is the coax cable. If they are not disturbing that Comcast approves.

From: SSpencer@nlr.ar.gov <SSpencer@nlr.ar.gov>
Sent: Friday, October 25, 2024 10:09 AM
To: Erika Glidden <erika@whitedaters.com>; Timothy Daters <tdaters@whitedaters.com>
Subject: RE: Lots 3 & 4, Block 3, North Shore Business Park

The Planning Department does not have any concerns about the replatting of lots 3 and 4 into one lot.

Shawn Spencer
NLR Planning Dept



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Little Rock, Arkansas 72223
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From: MURDOCK, RODERICK D <rx531e@att.com>
Sent: Tuesday, October 29, 2024 9:53 AM
To: Erika Glidden <erika@whitedaters.com>; tm994e@att.com; Adam Gober <agober@summitutilities.com>; WESTBROOK, JOHN <jw7676@att.com>; GURLEY, JOHN CURTIS <JG0866@att.com>; Alyssa Rodgers <alyrodgers@summitutilities.com>; gilchrist@summitutilities.com; Suzanne Mangan <smangan@summitutilities.com>
Subject: RE: Lots 3 & 4, Block 3, North Shore Business Park

APPROVED FROM AT&T

From: Alyssa Rodgers <alyrodgers@summitutilities.com>
Sent: Tuesday, October 29, 2024 11:18 AM
To: Erika Glidden <erika@whitedaters.com>
Subject: RE: [EXTERNAL EMAIL] FW: Lots 3 & 4, Block 3, North Shore Business Park

Summit Utilities has no objection to the proposed plat. Thank you!



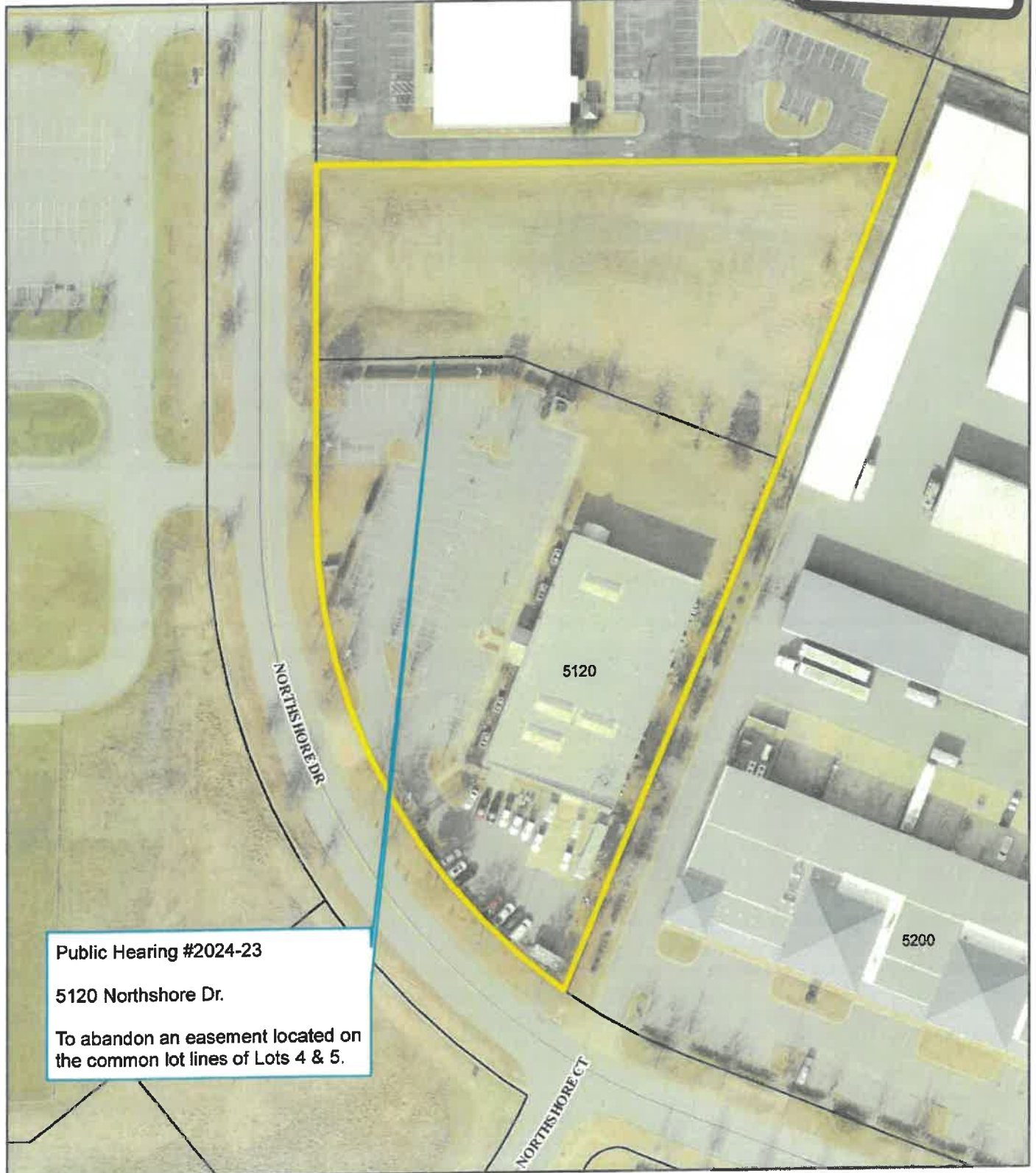
Alyssa Rodgers
Associate Gas Engineer
(m) 501.577.0928 | www.SummitUtilitiesInc.com
alyrodgers@summitutilities.com

Public Hearing Case # 2024-23

EXHIBIT

C

tabbles



Public Hearing #2024-23

5120 Northshore Dr.

To abandon an easement located on
the common lot lines of Lots 4 & 5.



Ortho Map

1 inch = 100 feet

0 50 100 200 300 Feet



Date: 11/22/2024

1. DAVE HARRISON, HENRY CERTIFY THAT THIS
PLAN CORRECTLY REPRESENTS A BOUNDARY
SURVEY MADE BY VERIFIED BY ME, ALL
MEASUREMENTS WERE MADE ACCURATELY AND
AND ARE CORRECTLY SHOWN HEREIN AND THAT ALL
BURNING MEASUREMENTS OF THE BURNING LIT
HOCK SUBDIVISION ARE IN ACCORDANCE WITH
THE BURNING COMMISSION.



EXPERIENCE OF INVESTIGATIVE AGENCY

I, THOMAS E. BRYAN, HARRY CHERRY
WAS THE PLAT EXACTLY BETWEEN A
PLAT MADE BY ME, AND THAT THE
EXPERIENCE INVESTIGATIVE OF THE NORTH LITTLE
ROCK SUPPLEMENTAL BLACK AND REVELATIONS
GIVEN: JOHN CHERRY WEL



REPRODUCTION OF OTHER

WE, THE UNDERSIGNED, OWNERS OF THE REAL
ESTATE, SHOWN AND DESCRIBED HEREON, DO
HEREBY CERTIFY THAT WE HAVE LAMB CIV,
PLASTER, AND STUMPS, AND DO HEREBY
LAY CIV, PLAT, AND SUBSIDE THE REAL
ESTATE IN ACCORDANCE WITH THE PLAT.

BIRMINGHAM, Ala. (AP) — _____

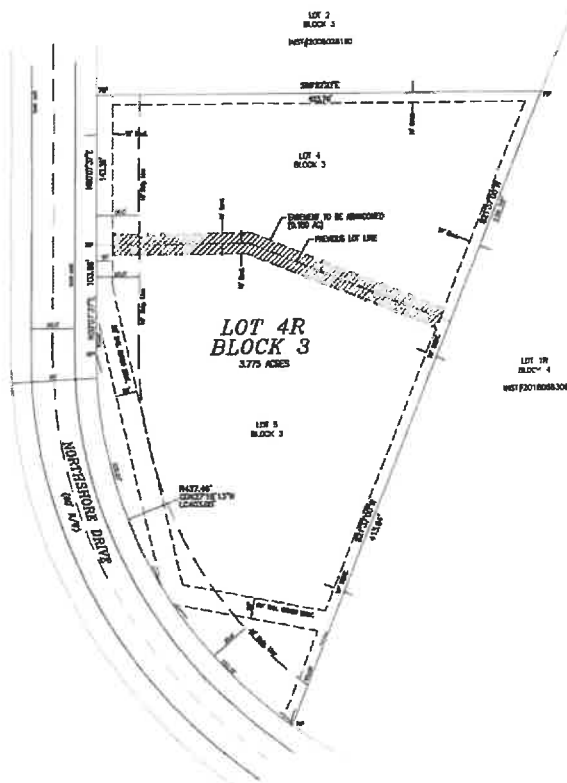
CERTIFICATE OF FINAL APPROVAL

PURSUANT TO THE NORTH LITRE WITH SUBMISSION
POWER AND REGULATIONS, AND ALL OF THE
CONDITIONS OF APPROVAL HAVING BEEN
COMPLETED, THIS DOCUMENT IS HEREBY
ACCEPTED. THIS CERTIFICATE IS HEREBY
EMBEDDED UNDER THE AUTHORITY OF SAS

DATE OF EXPIRATION

CERTIFICATE OF RECORDING

THIS DOCUMENT, NUMBER _____, PAGE FOR
RECORD _____, IS PLAT BOOK _____
PAGE _____.

[illegible]

Scale 1" = 40 ft



1. 1/4" WOOD FLOOR BEG SET AT ALL LOT CORNERS
2. ALL EMBLEMENTS SHOWN ===== ARE TO BE DIED FOR BRUSHAGE AND/OR VULNER.
3. DISTANCES SHOWN ALONG CURVES ARE CHORD DISTANCES.
4. BRANCH OF CLEARING EXPOSED IS BELONG
5. NO PORTION OF THIS PROJECT IS BEHIND THE 10' WOOD FLOOR ELEVATION AS SHOWN ON THE FLOODING, FLOOD BOUNDARY AND FLOOD INSURANCE WORK MAP FOR FLOODING CIRCUMSTANCES.
6. PROPERTY WOOD BRUSHES WITH ONE YEAR FLOOD ZONE BY FRAMA, LETTER RE MAP REVIEW, DATE NOV 2004 - NADA

NORTH LITTLE ROCK,
PULASKI COUNTY, ARKANSAS

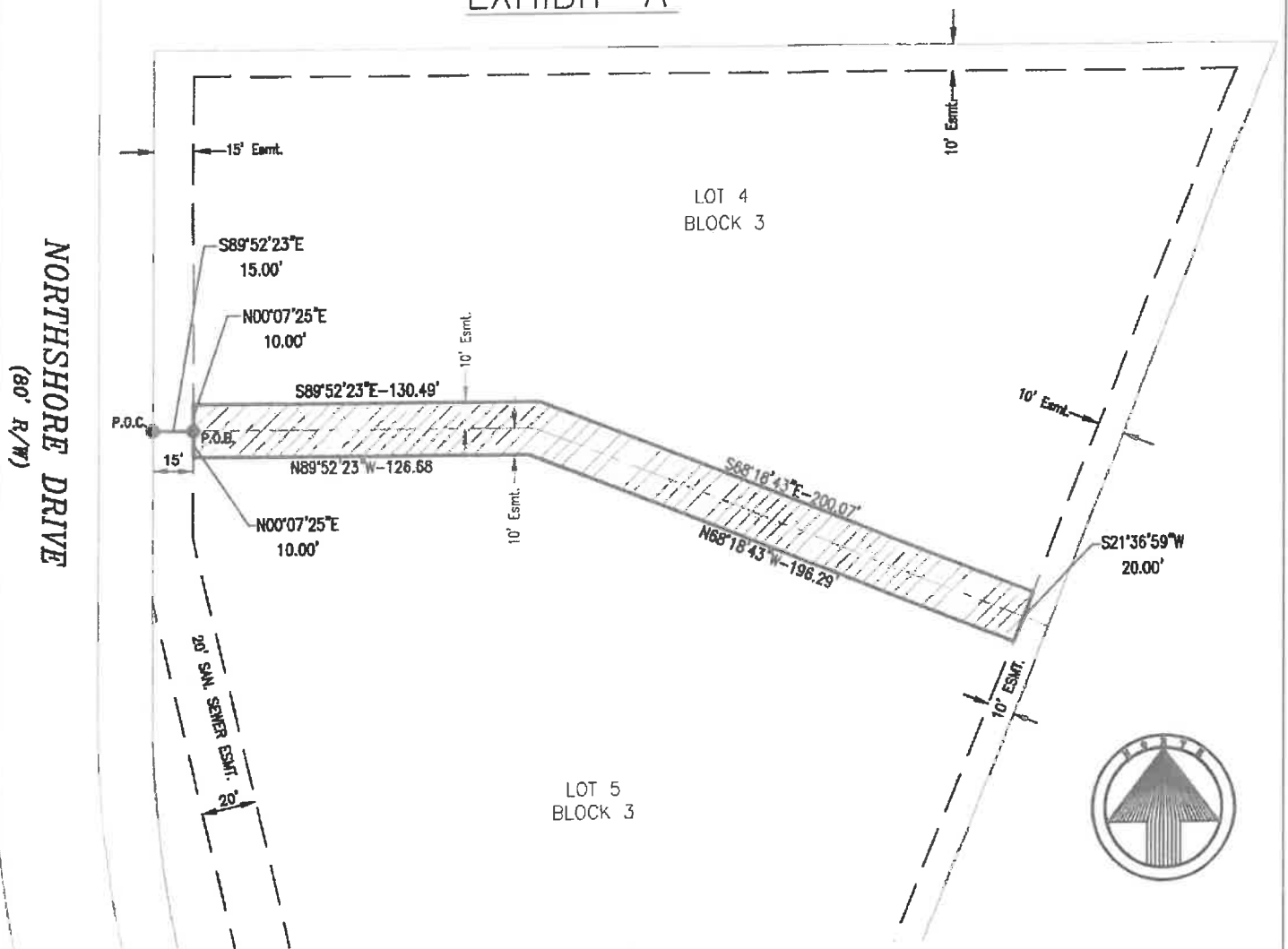
PART OF THE SW1/4 OF SECTION 13, T-2-N, R-15-W

BEING A REPLAT OF LOT 4 AND LOT 5, BLOCK 3
NORTHSHORE BUSINESS PARK SUBDIVISION

SEPTEMBER, 2024

WHEELBURN & ASSOCIATES, INC.
 1000, BROADWAY, 10TH FLOOR, NEW YORK, NEW YORK
 10018-3001, TEL: 212-692-1000, FAX: 212-692-1001

EXHIBIT 'A'



EASEMENT TO BE ABANDONED LEGAL

COMMENCING AT THE SOUTHWEST CORNER OF LOT 4, BLOCK 3, NORTHSHORE BUSINESS PARK SUBDIVISION, NORTH LITTLE ROCK ARKANSAS, AS RECORDED ON INSTRUMENT NO. 2007045196, RECORDS OF PULASKI COUNTY, ARKANSAS, SAID POINT ALSO BEING ON THE EAST RIGHT OF WAY LINE OF NORTHSHORE DRIVE; THENCE S89°52'23'E, 15.00 FEET TO A POINT ON THE EAST LINE OF AN EXISTING 15' EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID EASEMENT LINE N00°07'25"E, 10.00 FEET; THENCE LEAVING SAID EASEMENT LINE S89°52'23"E, 130.49 FEET; THENCE S68°18'43"E, 200.07 TO A POINT ON THE WEST LINE OF AN EXISTING 10' EASEMENT; THENCE SOUTHERLY ALONG SAID EASEMENT LINE S21°36'59"W, 20.00 FEET; THENCE LEAVING SAID EASEMENT LINE N68°18'43"W, 196.29 FEET; THENCE N89°52'23"W, 126.68 FEET TO A POINT ON THE EAST LINE OF AN EXISTING 15' EASEMENT; THENCE NORTHERLY ALONG SAID EASEMENT LINE N00°07'25"E, 10.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.1500 ACRES MORE OR LESS.