

O-17-90

ORDINANCE NO. _____

AN ORDINANCE VACATING AND ABANDONING A CERTAIN SEWER UTILITY EASEMENT LOCATED ON LOT 3, COCK OF THE WALK SUBDIVISION TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Tri Star Corporation has acquired property located at Lot 3, Cock of the Walk Subdivision to the City of North Little Rock, Arkansas; and

WHEREAS, a sewer easement located on Lot 3, Cock of the Walk Subdivision to the City of North Little Rock, Arkansas, is no longer needed by the North Little Rock Wastewater Utility; and

WHEREAS, the owner's application to abandon the sewer easement was duly considered and approved (8 affirmative votes; 1 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof, held on October 10, 2017; and

WHEREAS, the City Council finds that it is in the best interests of the citizens and residents of the City of North Little Rock that the said easement be abandoned.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That the City of North Little Rock hereby releases, vacates and abandons all its rights in and to the sewer easement located on Lot 3, Cock of the Walk Subdivision to the City of North Little Rock, Arkansas, more particularly described in Exhibit "A" attached hereto.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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

SPONSOR:

Steve Baxter
Council Member Steve Baxter

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter
C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/ABF

FILED 11:00 A.M. P.M.
BY J. Carter
DATE 11-7-17
Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas
RECEIVED by S. Ussery



MARLAR ENGINEERING CO., INC.
Consulting Civil Engineers & Land Surveyors
5318 John F. Kennedy Boulevard
North Little Rock, Arkansas 72116

Michael P. Marlar, P.E., PLS
Sarah Waggoner
Jason Bouwknecht
Jack Fleming, Hydrologist

AUG. 28, 2017

City of North Little Rock
300 Main Street
North Little Rock, AR 72114

RE: EASEMENT ABANDONMENT
Lot 3, Cock of the Walk
Tri Star Corporation

Dear Mayor Joe Smith & Aldermen,

Please accept this letter to serve as our application for the above referenced submittal. We wish to be placed on the Sept. 11, 2017 City Council Agenda. The owner would like to request that the old sewer easement that ran from Cock of the Walk Restaurant to a septic system on the southeast corner of the property be abandoned.

- The old sewer line that is in the easement is not active and the septic system no longer works.
- The Cock of the Walk restaurant is now connected to gravity sewer line along the west property line.

Sincerely,
Marlar Engineering Co., Inc.

Mike Marlar, PE
President

MPM/jb

Enclosures



Reavis, Timothy

To: Scott Kerby
Subject: RE: Sewer easement abandonment Cock of the Walk

From: Scott Kerby [mailto:SKerby@nlrwu.com]
Sent: Thursday, November 2, 2017 12:59 PM
To: Reavis, Timothy <TReavis@nlr.ar.gov>
Subject: RE: Sewer easement abandonment Cock of the Walk

Tim,

The attached drawing shows the highlighted easements NLRW has agreed to abandon.

Thanks,

Scott Kerby

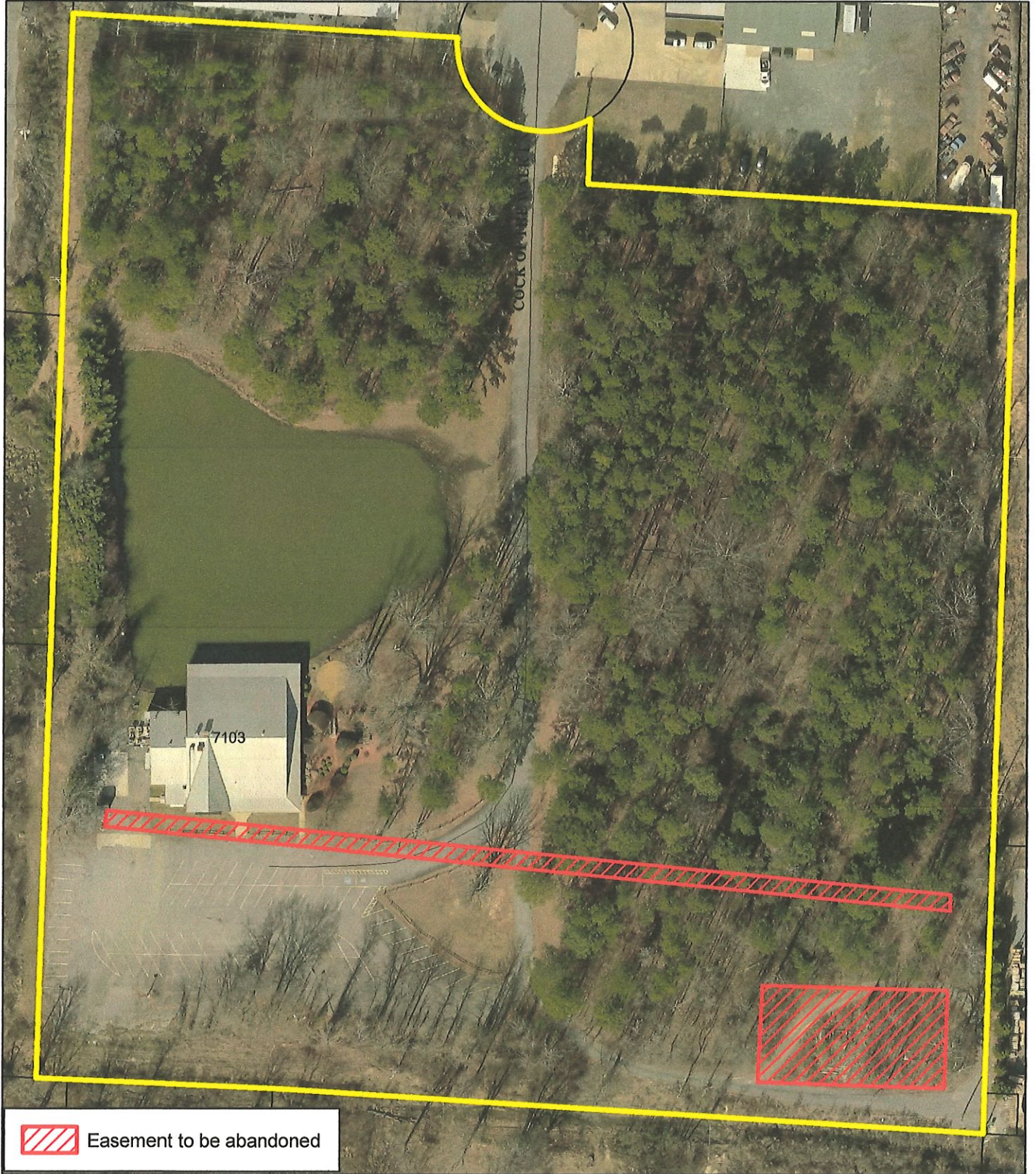
North Little Rock Wastewater
7400 Baucum Pike
P.O. Box 17898
North Little Rock, Arkansas 72117-0898
(501)945-7186


SKerby@nlrwu.com



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Public Hearing Case # 2017-15



 Easement to be abandoned



Ortho Map

1 inch = 100 feet



Date: 11/2/2017



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