

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

**AN ORDINANCE VACATING AND ABANDONING CERTAIN UNUSED EASEMENTS ON PROPERTY LOCATED AT 3919 PIKE AVENUE IN THE CITY OF NORTH LITTLE ROCK; 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, 72116, has requested that certain unused easements located at 3919 Pike Avenue be vacated as the easements are unused and currently interfere with Thomas Engineering’s construction of a new fire station for the City of North Little Rock (see letter from Thomas Pownall, attached hereto as Exhibit A); and

WHEREAS, the herein described unused easements abandonment is supported by the North Little Rock Planning Department (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 certain unused easements on property located at 3919 Pike Avenue, more particularly described below.

A 10’ UTILITY EASEMENT LYING WITHIN LOT 5R, GEORGE E. BROWN ADDITION, CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY REAR LOT CORNER OF LOT 3, GEORGE E. BROWN ADDTION; THENCE S 01° 50’ 08” W ALONG THE EASTERLY LINE OF SAID LOT 5R AND ALSO BEING THE WESTERLY LINE OF LOT 4, GEORGE E. BROWN ADDITION FOR 105.02 FEET TO THE SOUTHWESTERLY REAR LOT CORNER OF SAID LOT 4; THENCE S 87° 21’ 01” E ALONG THE NORTHERLY LINE OF SAID LOT 5 AND ALSO BEING THE SOUTHERLY LINE OF SAID LOT 4 FOR 140.16 FEET; THENCE S 01° 46’ 25” W FOR 10.00 FEET; THENCE N 87° 21’ 01” W FOR 150.17 FEET; THENCE N 01° 50’ 08” E FOR 105.07 FEET; THENCE N 87° 03’ 03” W FOR 46.11 FEET; THENCE N 01° 43’ 47” E FOR 10.00 FEET TO THE SOUTHWESTERLY REAR LOT CORNER OF SAID LOT 3;

THENCE S 87° 03' 03" E ALONG THE SOUTHERLY LINE OF SAID LOT 3 FOR 56.13 FEET TO THE POINT OF BEGINNING; CONTAINING 3,013 SQUARE FEET, OR 0.069 ACRES, MORE OR LESS.

A UTILITY EASEMENT LYING WITHIN LOT 3, GEORGE E. BROWN ADDITION, CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY REAR LOT CORNER OF LOT 3, GEORGE E. BROWN ADDITION; THENCE N 87° 03' 03" W ALONG THE SOUTHERLY REAR LOT LINE OF SAID LOT 3 FOR 56.13 FEET TO THE SOUTHWESTERLY REAR LOT CORNER OF SAID LOT 3; THENCE N 01° 43' 47" E ALONG THE WESTERLY SIDE LOT LINE OF SAID LOT 3 FOR 10.00 FEET; THENCE S 87° 03' 03" E FOR 51.14 FEET; THENCE N 01° 50' 08" E FOR 34.97 FEET; THENCE S 87° 21' 01" E FOR 5.00 FEET TO THE EASTERLY PROPERTY LINE OF SAID LOT 3; THENCE S 01° 50' 08" W ALONG SAID EASTERLY LINE FOR 45.00 FEET TO THE POINT OF BEGINNING; CONTAINING 736 SQUARE FEET, OR 0.017 ACRES MORE OR LESS. (See map and survey attached, collectively, hereto as Exhibit D).

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4: 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 5: It is hereby found and determined that the City has no need for the referenced unused easements, 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 Joe A. Smith

SPONSOR:

ATTEST

Steve Baxter  
Council Member Steve Baxter *WJH*

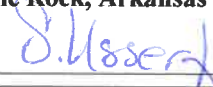
\_\_\_\_\_

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/cf

FILED	10.50	A.M.	_____	P.M.
By	<u>A. Fields</u>			
DATE	<u>4-7-2020</u>			
<b>Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas</b>				
RECEIVED BY	<u></u>			



THOMAS ENGINEERING COMPANY

civil engineers

land surveyors

3810 LOOKOUT RD

NORTH LITTLE ROCK, AR 72116

(501) 753-4463

NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS

March 13, 2020

North Little Rock City Council  
c/o  
Mr. Shawn Spencer  
Director  
North Little Rock Planning Department  
120 Main Street  
North Little Rock, Arkansas 72114

RE: Easement Abandonment Request  
North Little Rock Fire Station No. 6

City Council Members:

Please accept this letter serve as our request to abandon easements within the property of Fire Station No. 6 located on Pike Avenue in Levy. We wish to placed on the earliest available meeting agenda.

Owner: City of North Little Rock  
116 Main Street  
North Little Rock, Arkansas 72114

Reason: Easements lie on the property where the new structure is to be located. No utilities are located within the easements and therefore will not negatively impact utility service or incur costs.

If you have any questions, please give me a call.

Sincerely,

Thomas R. Pownall, P.E.  
Vice President



**Thomas R. Pownall**

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**From:** TReavis@nlr.ar.gov  
**Sent:** Wednesday, March 4, 2020 1:51 PM  
**To:** thomas@thomasengineering2000.com  
**Subject:** RE: Levy Fire Station - Easement Abandonment

The Planning Department has no problem with the proposed easement abandonment.

Thank you,

*PLANNING APPROVAL*

Tim Reavis  
Assistant Planning Director  
City of North Little Rock

**From:** Thomas R. Pownall [mailto:thomas@thomasengineering2000.com]  
**Sent:** Wednesday, March 4, 2020 12:13 PM  
**To:** 'Joni Bates' <joni.bates@centerpointenergy.com>; Scott Kerby <skerby@nlrwu.com>; Jason Lowder <jason.lowder@carkw.com>; Woodward, Gregory <GWoodward@nlr.ar.gov>; Cook, David <DCook@nlr.ar.gov>; Reavis, Timothy <TReavis@nlr.ar.gov>  
**Subject:** Levy Fire Station - Easement Abandonment

All,

The City of North Little Rock is constructing Fire Station No 6 on the attached property. To do so, easements will need to be abandoned as shown on the Preliminary Plat. My research shows no conflict with these easements. Can you please review and let me know if you accept these abandonments. An email response by the end of this week is much appreciated.

Thanks

Thomas R. Pownall, P.E.  
Vice President



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This email has been scanned for viruses and malware.



**Thomas R. Pownall**

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**From:** GWoodward@nlr.ar.gov  
**Sent:** Wednesday, March 4, 2020 12:44 PM  
**To:** thomas@thomasengineering2000.com  
**Subject:** RE: Levy Fire Station - Easement Abandonment

ELECTRICAL APPROVAL

NLRED will accept the abandonments.

Thanks,  
Greg Woodward

Distribution Design Supervisor  
City of North Little Rock Electric Department  
1400 West Maryland  
North Little Rock, AR 72120  
[gwoodward@northlittlerock.ar.gov](mailto:gwoodward@northlittlerock.ar.gov)  
Office: (501)992-4073  
Fax: (501)992-4166

**From:** Thomas R. Pownall <thomas@thomasengineering2000.com>  
**Sent:** Wednesday, March 4, 2020 12:13 PM  
**To:** 'Joni Bates' <joni.bates@centerpointenergy.com>; Scott Kerby <skerby@nlrwu.com>; Jason Lowder <jason.lowder@carkw.com>; Woodward, Gregory <GWoodward@nlr.ar.gov>; Cook, David <DCook@nlr.ar.gov>; Reavis, Timothy <TReavis@nlr.ar.gov>  
**Subject:** Levy Fire Station - Easement Abandonment

All,

The City of North Little Rock is constructing Fire Station No 6 on the attached property. To do so, easements will need to be abandoned as shown on the Preliminary Plat. My research shows no conflict with these easements. Can you please review and let me know if you accept these abandonments. An email response by the end of this week is much appreciated.

Thanks

Thomas R. Pownall, P.E.  
Vice President



CIVIL ENGINEERS • LAND SURVEYORS  
501.753.4463 - Office  
501.351.6695 - Cell



**Thomas R. Pownall**

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**From:** Norwood, Justin <Justin\_Norwood@comcast.com>  
**Sent:** Thursday, March 5, 2020 9:07 AM  
**To:** Thomas R. Pownall; Justin Barrett  
**Subject:** RE: [EXTERNAL] Levy Fire Sation - Easement Abandonment

*COMCAST APPROVAL*

Thomas,  
Comcast is good with this release of easement. There is not any Comcast infrastructure in the area of question.



Thanks,

*Kyle Norwood*  
Construction Specialist 2

**Thomas R. Pownall**

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**From:** Andrew Pownall <Andrew.Pownall@carkw.com>  
**Sent:** Thursday, March 5, 2020 1:40 PM  
**To:** Thomas R. Pownall  
**Cc:** Jason Lowder  
**Subject:** RE: [External] FW: Levy Fire Station - Easement Abandonment

CAW has no objections to abandoning the requested easements as shown on the plat for Lot 1 Fire Station No. 6 Addition, dated 1/28/2020.

CAW APPROVAL

Andrew Pownall  
Senior Engineer  
Central Arkansas Water  
501-377-1342 (Office)  
501-218-6898 (Cell)



**From:** Thomas R. Pownall <thomas@thomasengineering2000.com>  
**Sent:** Wednesday, March 04, 2020 1:09 PM  
**To:** Andrew Pownall <Andrew.Pownall@carkw.com>  
**Subject:** [External] FW: Levy Fire Station - Easement Abandonment

Jason is out. Can you address this, please?

Thomas R. Pownall, P.E.  
Vice President



REGISTERED ENGINEERS LAND SURVEYORS  
501.753.4463 - Office  
501.351.6695 - Cell

**From:** Thomas R. Pownall <thomas@thomasengineering2000.com>  
**Sent:** Wednesday, March 4, 2020 12:13 PM  
**To:** 'Joni Bates ([joni.bates@centerpointenergy.com](mailto:joni.bates@centerpointenergy.com))' <[joni.bates@centerpointenergy.com](mailto:joni.bates@centerpointenergy.com)>; 'Scott Kerby' <[SKerby@nlrwu.com](mailto:SKerby@nlrwu.com)>; 'Jason Lowder' <[Jason.Lowder@carkw.com](mailto:Jason.Lowder@carkw.com)>; 'Greg Woodward ([gwoodward@nlr.ar.gov](mailto:gwoodward@nlr.ar.gov))' <[gwoodward@nlr.ar.gov](mailto:gwoodward@nlr.ar.gov)>; 'DCook@nlr.ar.gov' <[DCook@nlr.ar.gov](mailto:DCook@nlr.ar.gov)>; 'TReavis@nlr.ar.gov' <[TReavis@nlr.ar.gov](mailto:TReavis@nlr.ar.gov)>  
**Subject:** Levy Fire Station - Easement Abandonment

All,

The City of North Little Rock is constructing Fire Station No 6 on the attached property. To do so, easements will need to be abandoned as shown on the Preliminary Plat. My research shows no conflict with these easements. Can you please



## Thomas R. Pownall

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**From:** KEATHLEY, CHRIS <ck0826@att.com>  
**Sent:** Thursday, March 5, 2020 2:19 PM  
**To:** Thomas R. Pownall  
**Cc:** MONROE, TIMOTHY I  
**Subject:** FW: Levy Fire Station - Easement Abandonment  
**Attachments:** LEVY FIRE STATION 6-SITE.pdf; 3910.PDF; LEVY FIRE STATION PLAT-PREPLAT.pdf

AT&T approves the request for easement abandonment in lots 3, 4, and part of 5R in the George E. Brown Addition in the City of North Little Rock, AR. Thanx Chris

AT&T APPROVAL

Chris Keathley  
Lead OSP Png & Eng Dsgn  
501.615.5823 Cell  
[ck0826@att.com](mailto:ck0826@att.com)

**From:** Thomas R. Pownall <thomas@thomasengineering2000.com>  
**Sent:** Thursday, March 05, 2020 12:21 PM  
**To:** KEATHLEY, CHRIS <ck0826@att.com>  
**Subject:** Levy Fire Station - Easement Abandonment

Chris,

The City of North Little Rock is constructing Fire Station No 6 on the attached property. To do so, easements will need to be abandoned as shown on the Preliminary Plat. My research shows no conflict with these easements. Can you please review and let me know if you accept these abandonments. An email response by the end of this week is much appreciated.

Thanks

Thomas R. Pownall, P.E.  
Vice President



CIVIL ENGINEERS LAND SURVEYORS  
501.753.4463 - Office  
501.351.6695 - Cell

**Thomas R. Pownall**

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**From:** Guiga, Ibrahim B <ibrahim.guiga@centerpointenergy.com>  
**Sent:** Thursday, March 5, 2020 2:57 PM  
**To:** thomas@thomasengineering2000.com  
**Cc:** Bates, Joni B.; Gober, Adam P  
**Subject:** RE: [External Email] Levy Fire Station - Easement Abandonment

*GAS APPROVAL*

Good afternoon Thomas,

CenterPoint Energy (CNP) does not object to the proposed Easement Abandonments in regard to the Levy Fire Station project located in North Little Rock, AR. As-Built's indicate the presence of active CNP below ground facilities directly West of proposed lot 5R. CNP advises calling 811 prior to any excavation activities. If an unexpected discovery of CNP facilities occurs, please call Kevin Clark (501)672-9419 immediately.

Best,



Ibrahim Guiga, EI  
Associate Engineer | AR/OK Region  
501.377.4849 w. | 501.747.8706 c.  
CenterPointEnergy.com



**From:** "Thomas R. Pownall" <thomas@thomasengineering2000.com>  
**Date:** March 4, 2020 at 12:13:28 PM CST  
**To:** "Joni Bates" <joni.bates@centerpointenergy.com>, "Scott Kerby" <SKerby@nlrwu.com>, "Jason Lowder" <Jason.Lowder@carkw.com>, "Greg Woodward" <gwoodward@nlr.ar.gov>, <DCook@nlr.ar.gov>, <TReavis@nlr.ar.gov>  
**Subject:** [External Email] Levy Fire Station - Easement Abandonment

**EXTERNAL EMAIL**

All,

The City of North Little Rock is constructing Fire Station No 6 on the attached property. To do so, easements will need to be abandoned as shown on the Preliminary Plat. My research shows no conflict with these easements. Can you please review and let me know if you accept these abandonments. An email response by the end of this week is much appreciated.

Thanks

Thomas R. Pownall, P.E.  
Vice President

**Thomas R. Pownall**

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**From:** Kerby, Scott <SKerby@nlrwu.com>  
**Sent:** Monday, March 9, 2020 12:52 PM  
**To:** Thomas R. Pownall  
**Subject:** RE: Levy Fire Station - Easement Abandonment

Thomas,

WASTEWATER APPROVAL

NLRW has no objection to abandoning the attached easements. Sorry for the delay.

Respectfully,

**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](mailto:SKerby@nlrwu.com)



**From:** Thomas R. Pownall [mailto:thomas@thomasengineering2000.com]  
**Sent:** Monday, March 9, 2020 12:42 PM  
**To:** Kerby, Scott <SKerby@nlrwu.com>  
**Subject:** FW: Levy Fire Station - Easement Abandonment

Scott,

Can you please address this? You are all I lack.

Thanks

Thomas R. Pownall, P.E.  
Vice President



CIVIL ENGINEERS (AND SURVEYORS)  
501.753.4463 - Office  
501.351.6695 - Cell

# Public Hearing Case # 2020-09

EXHIBIT  
D.



Public Hearing #2020-09  
3919 Pike Ave.  
To abandon an easement.



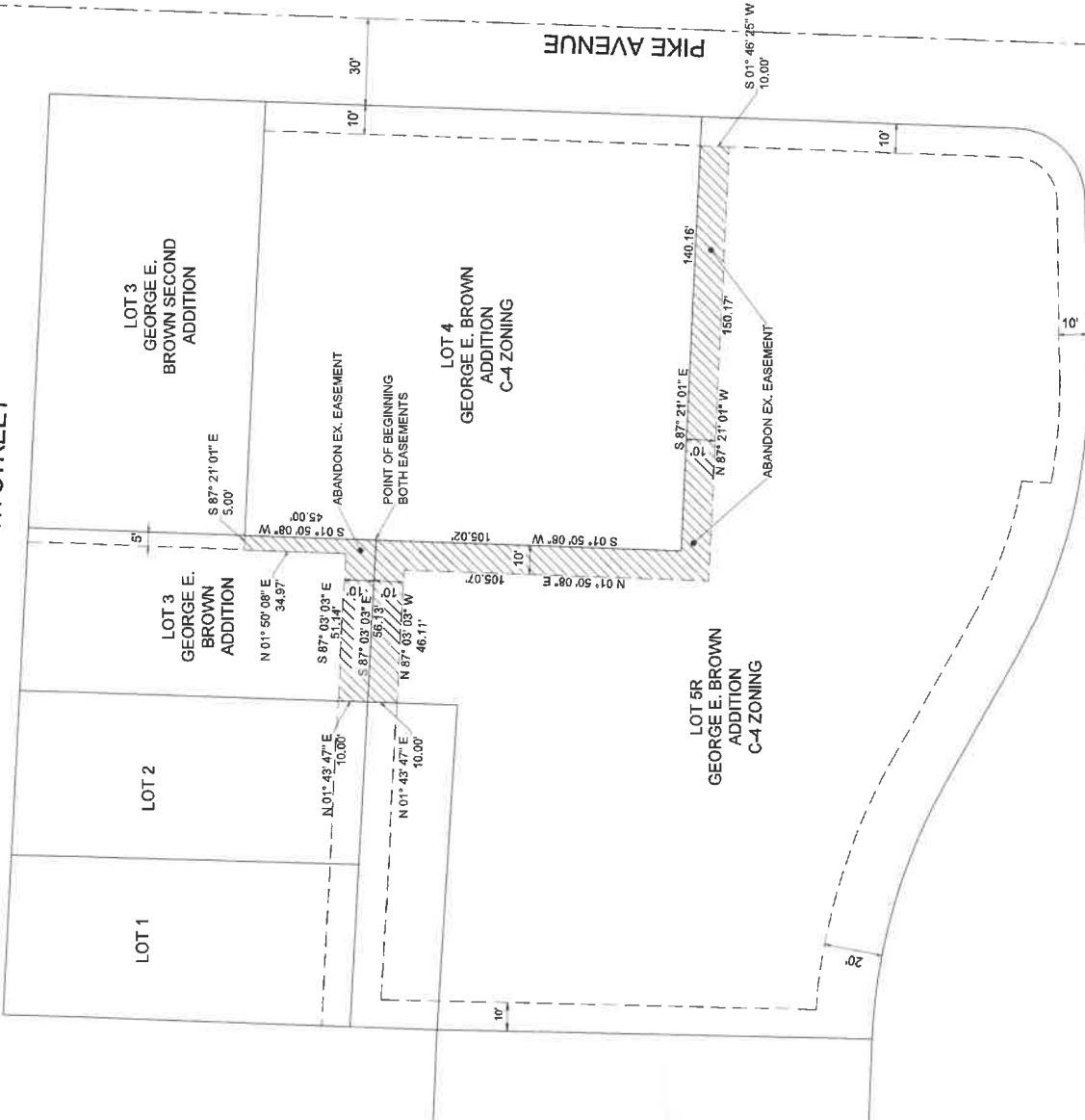
Ortho Map

1 inch = 50 feet



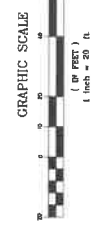
Date: 3/16/2020

W. 4TH STREET



EASEMENT ABANDONMENT DRAWING.dwg

PLOTTED: 3/13/2020



**THOMAS ENGINEERING COMPANY**  
 3800 LOOKOUT ROAD, N. LITTLE ROCK, AR. 72118  
 TEL: 501-753-4483 FAX: 501-753-8814

EXHIBIT MAP  
 EASEMENT ABANDONMENT  
 GEORGE E. BROWN ADDITION

APPROVED	DATE	SHEET NO.
[Signature]	3/13/20	1