

AN ORDINANCE VACATING AND ABANDONING AN ALLEYWAY RUNNING NORTH AND SOUTH BETWEEN E. 4TH AND E. 5TH STREETS, EAST OF POPLAR STREET, 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, Christopher Harris of Global Surveying Consultants, Inc. has requested, on behalf of the owner of property described as "All of Block 29 Original Town of Argenta," that the City of North Little Rock abandon the 20' Platted Alley that runs along and within the owner's property (see letter with exhibit attached as Exhibit "A"); and

WHEREAS, the Platted Alley has never been developed and is not needed for municipal purposes, said alleyway running north/south between East 4th and East 5th Streets and located east of Poplar Street and west of Magnolia Street (see map attached as Exhibit "B"); and

WHEREAS, the owner of the property is requesting the replat of existing lots into one lot and site plan approval to allow for the construction of a multi-family residential development known as Thrive Argenta; and

WHEREAS, the applicant has researched the alleyway for utilities and has found that no utilities exist within the said alleyway; and

WHEREAS, the subject alleyway is not needed for municipal purposes (see letter from City Engineer attached hereto as Exhibit "C", and the abandonment is supported by the North Little Rock Planning Department (see Exhibit "D" attached hereto; and

WHEREAS, the Planning Commission has approved a Replat and Site Plan Review of Thrive Argenta, conditioned upon approval of all right-of-way abandonments by City Council before the final plat/replat will be signed.

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

SECTION 1: That the interests of the City of North Little Rock in the alleyway described below (and as shown on Exhibit "B" attached hereto) are hereby vacated and abandoned:

A 20' alley between Lots 1 thru 6 on the west side and Lots 7 thru 12 on the east side between East 5th Street to the North and East 4th Street to the South, all located in Block 29, Original Town of Argenta.

SECTION 2: That any and all existing utility and drainage easements within the property described above shall be unaffected by this Ordinance.

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 herein described alleyway abandonment is necessary for development of the site, which will promote economic growth for the City and will serve the community, and 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

Maurice Taylor
Alderman Maurice Taylor *by AF*

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter
C. Jason Carter, City Attorney *by AF*

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED	<u>11:17</u>	A.M.	_____	P.M.
By	<u>Amy Fields</u>			
DATE	<u>5/16/17</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>J. McGraw</u>			

Global Surveying Consultants, Inc.

Professional Land Surveyors

6511 Heilman Court • North Little Rock, AR 72118
Phone: 501.455.4984 • Fax: 501.455.8158

May 4, 2017

Attn: Mayor & Aldermen
City of North Little Rock, Arkansas
300 Main Street
North Little Rock, AR 72119

RE: Alley Abandonment – Property located between Poplar Street, East 5th Street, Magnolia Street, and East 4th Street

Dear Mayor and City Aldermen,

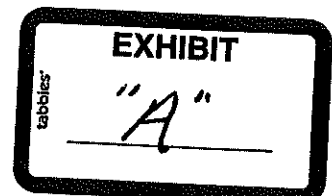
Please accept this letter to serve as our request for an Alley Abandonment. We are requesting approval to abandon the 20' Platted Alley that runs along and within our clients property. This is a platted alley from the 1900's that was never developed. We also researched the alley for utilities and found that no utilities exist within said alley to be abandoned. For your reference, I have enclosed an Exhibit that shows the location of the alley referenced above. It is our understanding that our request will be reviewed at the City Council Meeting on May 22, 2017.

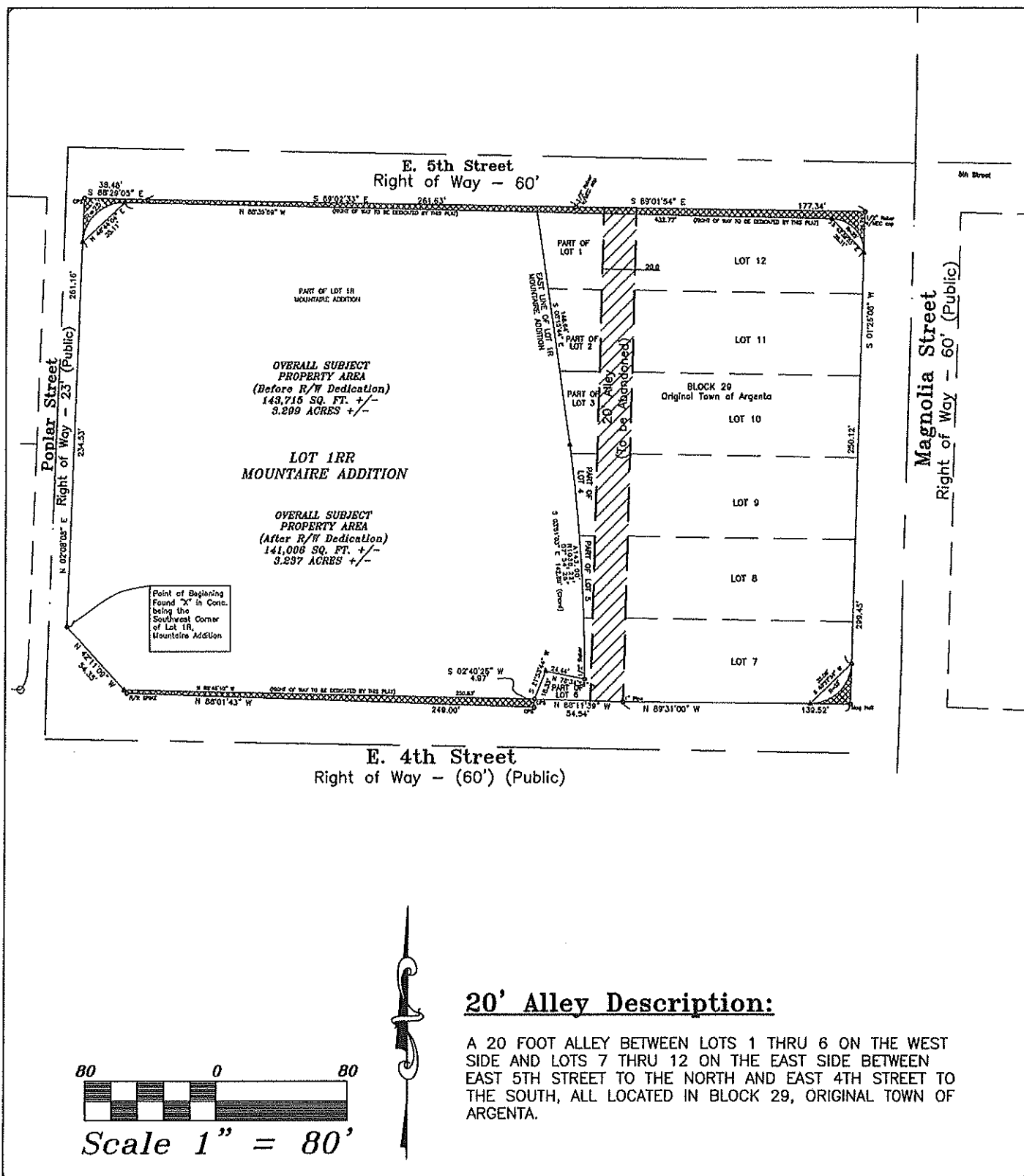
The approval of this alley abandonment will allow our client to continue with their plans to develop this site into a Mixed use Development and will provide more economic growth for the city, as well as, serve the community.

If you have any questions, please do not hesitate to contact us.

Thanks,

Christopher Harris, Survey Manager
Global Surveying Consultants, Inc.





DATE: 5/4/2017 | SCALE: 1"=80' | DRAWN BY: CH | SURVEYED BY: N/A | CHECKED BY: JSA | PROJECT No.: 16-3105.01

Global Surveying Consultants, Inc.

Land Surveying • Planning • GPS • Subdivision • Design • Engineering



6511 Heilman Court
North Little Rock, AR 72118
TELE. (501) 455-4984 FAX (501) 455-8158
www.global-surveying.com



ALLEY ABANDONMENT EXHIBIT

FOR USE & BENEFIT OF:
ECOLOGICAL DESIGN GROUP, LLC

CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS

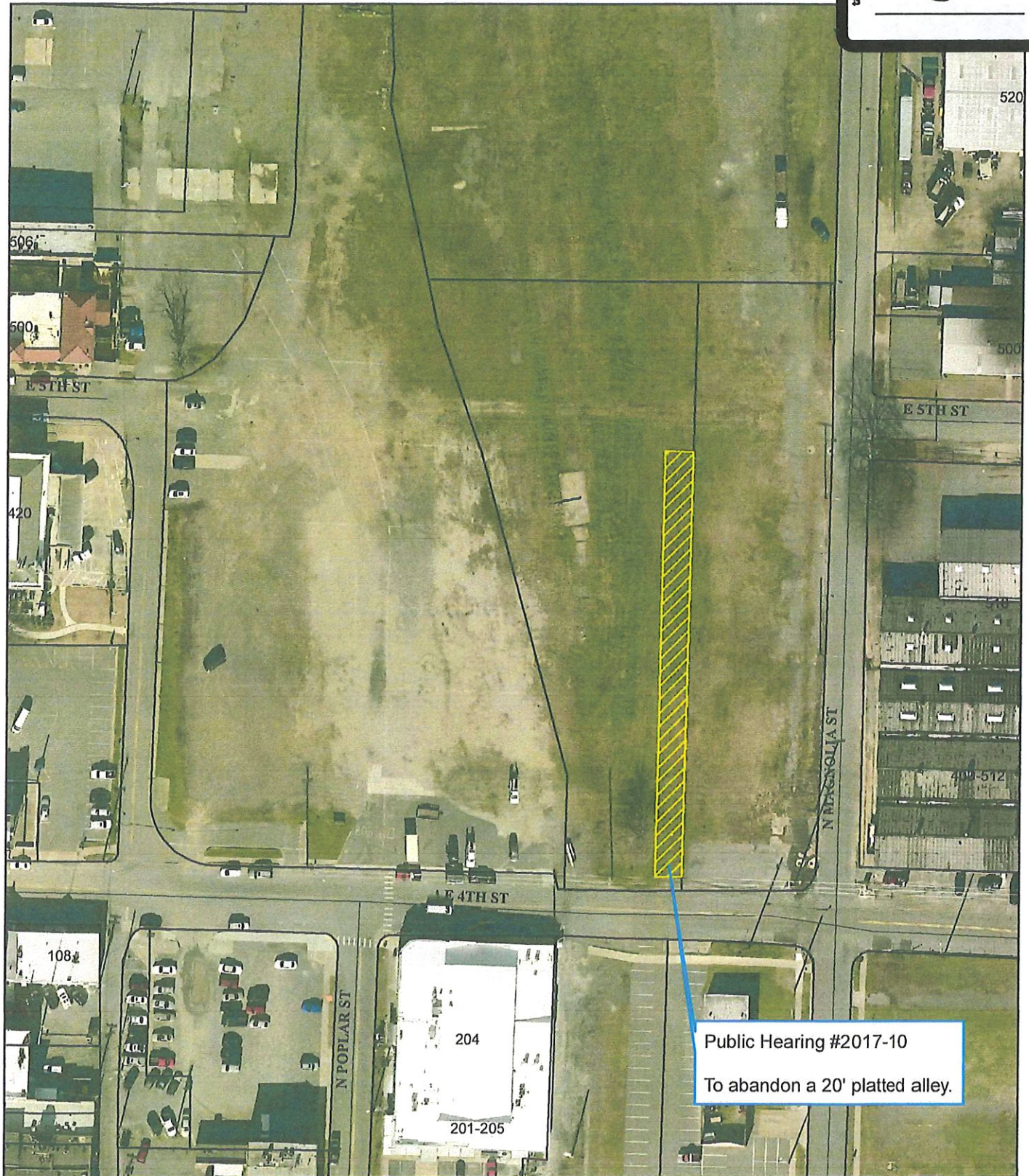
ALL PLANS, DESIGNS, AND IDEAS SHOWN ON THIS DRAWING ARE THE PROPERTY OF GLOBAL SURVEYING CONSULTANTS, INC., AND SHALL NOT BE USED, DISCLOSED, OR REPRODUCED BY ANY PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT WRITTEN PERMISSION OF GSC, INC.

Public Hearing Case # 2017-10

EXHIBIT

"B"

tabbies



Ortho Map

1 inch = 100 feet

0 50 100 200 300 Feet



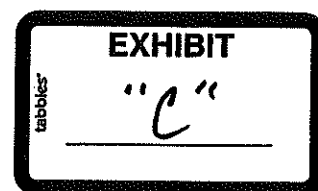
Date: 5/5/2017

Henderson, Becky

From: Spencer, Shawn
Sent: Monday, May 15, 2017 2:46 PM
To: Henderson, Becky
Subject: Alley west of N. Magnolia

Planning has no concerns with abandoning the platted alley between E. 4th and E 5th and west of Magnolia Street.

Shawn Spencer
Planning



Henderson, Becky

From: Cook, David
Sent: Monday, May 15, 2017 2:50 PM
To: Henderson, Becky
Cc: Wilbourn, Chris; Klamm, Michael
Subject: Alley Abandonment
Attachments: Public Hearing #2017-10 legislation.pdf

Engineering has no issues with the alley abandonment. Thanks,



David Cook
City Engineer
500 West 13th Street
North Little Rock, AR 72114
Office: 501-371-8345 Ext. 4
Cell: 501-351-8936
DCook@nlr.ar.gov

