

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

**AN ORDINANCE VACATING AND ABANDONING AN UNUSED PORTION OF A RIGHT OF WAY LOCATED ALONG THE RIVER ROAD TRAIL, 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 rights of way and easements not required for municipal purposes; and

WHEREAS, Jim Jackson has requested, on behalf of the North Bluffs Development Company ("North Bluffs"), that the City of North Little Rock abandon an unused portion of a road right of way (formerly River Road) and an electrical easement right of way which adjoin property owned and being developed by North Bluffs along River Road Trail in the City of North Little Rock (see maps attached as Exhibits A and B); and

WHEREAS, the subject portion of the right of way and easement are no longer needed for municipal purposes due to the remodeling of the River Road Trail and the relocation of electrical lines owned by the North Little Rock Electric Department.

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 an unused portion of a right of way for street and electrical easements located along River Road Trail (as shown on the maps attached as Exhibits A and B) are hereby vacated and abandoned, said abandonment being more fully described as follows:

VACATED RIGHT OF WAY DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 34, TOWNSHIP 2 NORTH, RANGE 12 WEST AND LOT 33 PHASE 2 ROCKWATER VILLAGE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID ROCKWATER VILLAGE PHASE II, THENCE ALONG A CURVE TO THE LEFT HAVING RADIUS OF 1,071.63', LENGTH 17.36 AND A CHORD BEARING AND DISTANCE OF S78°59'55"E 17.36 BEING THE SOUTH RIGHT-OF-WAY OF ROCKWATER BLVD.; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY S80°27'01"E 92.65; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY S80°30'06"E 63.67'; THENCE LEAVING SAID SOUTH RIGHT-

OF-WAY S9°25'49"W 412.29' TO THE POINT OF BEGINNING;  
THENCE N51°28'06"W 199.19'; THENCE S09°29'55"W 12.03';  
THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS  
1,722.08' LENGTH OF 235.63' AND A CHORD S50°52'56"E 235.44';  
THENCE N09°33'35"E 16.67' TO THE POINT OF BEGINNING  
CONTAINING 2,102.21 SQUARE FEET.

SECTION 2: That any and all other utility and drainage easements not the subject of this legislation 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 abandonment will not interfere with the continued use of the subject road and electrical easements, 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:

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\_\_\_\_\_  
Mayor Joe A. Smith

SPONSOR:

ATTEST

Linda Robinson  
Council Member Linda Robinson

\_\_\_\_\_  
Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/cf

FILED	11:20	A.M.	_____	P.M.
By	A. Fields			
DATE	09-18-2018			
<b>Diane Whitbey, City Clerk and Collector</b> North Little Rock, Arkansas				
RECEIVED BY	<u>[Signature]</u>			







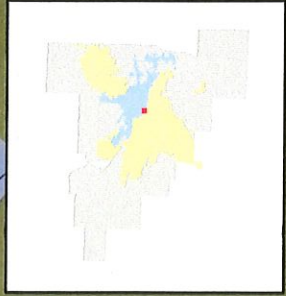


**EXHIBIT B**  
-3419988



0 50 100 200 Feet

Date: 9/12/2018  
This map is not survey accurate.



**NR**  
Community Planning Department  
**Vacated Right of Way**