ORDINANCE NO.


#### Abstract

AN ORDINANCE TO ABANDON A UTILITY EASEMENT AND RIGHT-OF-WAY EASEMENT LOCATED WITHIN LOT 3, GATEWAY TOWN CENTER, PHASE 1, AN ADDITION TO THE CITY OF LITTLE ROCK, PULASKI COUNTY, ARKANSAS. (G-24-050); AND FOR OTHER PURPOSES.


WHEREAS, a request has been made for the abandonment of a ten (10)-foot easement and right-ofway, located in the southern portion of Lot 3, Phase 1, Gateway Town Center Addition; located at Bass Pro Drive and Interstate 30 North Frontage Road, pursuant to the City's General Police Power Authority under Ark. Code Ann. § 14-54-104; and,

WHEREAS, the easement is located entirely within the applicant's property, and no notice to other parties is required; and,

WHEREAS, all utility companies and public works have approved the abandonment, and there are no facilities located in the easement/right-of-way;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

Section 1. The Board of Directors hereby abandons the proposed ten (10)-foot easement and right-of-way located in the southern portion of Lot 3, Phase 1, Gateway Town Center Addition, located at Bass Pro Drive and Interstate 30 North Frontage Road, and described as set out in Exhibit "A", which is attached hereto.

Section 2. A copy of this ordinance, duly certified by the City Clerk, shall be filed in the real estate records of the recorder of the Circuit Clerk in ex officio recorder of Pulaski County, Arkansas.

Section 3. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the portion so declared or adjudged to be invalid or unconstitutional were not originally a part of the ordinance.

Section 4. Repealer. All laws, ordinances, resolutions, or parts of the same that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency. PASSED: January 19, 2016

| 1 | ATTEST: |
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| 2 |  |
| 3 |  |
| 4 | Susan Langley, City Clerk |
| 5 | APPROVED AS TO LEGAL FORM: |
| 6 |  |
| 7 |  |
| 8 | Thomas M. Carpenter, City Attorney |
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## APPROVED:

## Mark Stodola, Mayor

## EXHIBIT "A"

## EASEMENT AND RIGHT-OF-WAY PROPOSED FOR ABANDONMENT

A PART OF LOT 3, GATEWAY TOWN CENTER, PHASE I, AN ADDITION TO THE CITY OF LITTLE ROCK, PULASKI COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORDED SEPTEMBER 28, 2012, IN REAL ESTATE RECORDS OF PULASKI COUNTY, ARKANSAS, AS INSTRUMENT NO. 2012062719 AND AMENDED FINAL PLAT RECORDED FEBRUARY 13, 2013, AS INSTRUMENT NO. 2013013220 AND CORRECTION THEREOF, RECORDED FEBRUARY 22, 2013, AS INSTRUMENT NO. 2013014206, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 3, RUN THENCE NORTH 14 DEGREES 46 MINUTES 00 SECONDS EAST, A DISTANCE OF 10.30 FEET TO A POINT; THENCE NORTH 43 DEGREES 48 MINUTES 04 SECONDS EAST, A DISTANCE OF 82.07 FEET TO A POINT; THENCE NORTH 86 DEGREES 59 MINUTES 05 SECONDS EAST, A DISTANCE OF 52.14 FEET TO A POINT; THENCE SOUTH 46 DEGREES 11 MINUTES 56 SECONDS EAST, A DISTANCE OF 161.72 FEET TO A POINT ON THE SOUTHEASTERLY PROPERTY LINE OF SAID LOT 3, SAID POINT ALSO BEING ON THE NORTHWESTERN RIGHT-OFWAY OF NORTH FRONTAGE ROAD; THENCE ALONG SAID RIGHT-OF-WAY, SOUTH 39 DEGREES 54 MINUTES 26 SECONDS WEST, A DISTANCE OF 9.71 FEET TO THE SOUTHERN CORNER OF SAID LOT 3; THENCE LEAVING SAID RIGHT-OF-WAY, NORTH 77 DEGREES 56 MINUTES 08 SECONDS WEST, A DISTANCE OF 0.58 FEET TO A POINT; THENCE NORTH 46 DEGREES 11 MINUTES 56 SECONDS WEST, A DISTANCE OF 157.56 FEET TO A POINT; THENCE SOUTH 86 DEGREES 59 MINUTES 05 SECONDS WEST, A DISTANCE OF 43.86 FEET TO A POINT; THENCE SOUTH 43 DEGREES 48 MINUTES 04 WEST, A DISTANCE OF 5.88 FEET BACK TO THE POINT OF BEGINNING. SAID EASEMENT CONTAINING 2,940 SQUARE-FEET OR 0.067 ACRES. MORE OR LESS.

