## 1 **RESOLUTION NO.** 2 3 A RESOLUTION TO AUTHORIZE THE MAYOR, CITY CLERK AND CITY MANAGER TO EXECUTE REAL ESTATE SALES CONTRACTS, 4 5 CONVEY CERTAIN REAL **PROPERTY**, PERMANENT AND 6 **TEMPORARY CONSTRUCTION EASEMENTS LOCATED ALONG THE** 7 PROPSED ARCH STREET BRIDGE REPLACEMENT PROJECT TO 8 THE **ARKANSAS** HIGHWAY AND TRANSPORTATION 9 **DEPARTMENT: AND FOR OTHER PURPOSES.**

10

WHEREAS, the Arkansas Highway and Transportation Department is undertaking a bridge replacement project along State Highway 367, Arch Street which will necessitate the acquisition of real property and permanent and temporary construction easements from the City; and,

14 WHEREAS, the Arkansas Highway and Transportation Department has requested a donation of the 15 real property and easements needed from the City to accomplish this portion of the construction; and,

WHEREAS, the Arkansas Highway and Transportation Department has further offered to compensate the City for the improvements to the property and to provide relocation assistance for the Urban Forestry facilities currently occupying a portion of the property.

WHEREAS, the City Board of Directors has determined that it is in the best interests of the City and
its inhabitants for the City to sell and donate City-owned property and accept compensation for the values
of improvements and relocation assistance from the Arkansas State Highway Department for the Arch
Street Bridge Replacement Project;

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

Section 1. The Mayor, City Clerk, and City Manager are hereby authorized to execute, in a form approved by the City Attorney, any sales contracts and documents required to sell and convey to the Arkansas State Highway Department certain lands located in the Pulaski County, Arkansas, more particularly described as follows:

29 <u>Tract 1</u>:

30 Part of the Southeast Quarter of the Southwest Quarter of Section 15, Township 1 North, Range

31 12 West, Pulaski County, Arkansas, more particularly described as follows:

32 Commencing at a point being used as the Center South Sixteenth Corner of said Section 15;

thence north 87°45'06" west along the north line of the Southeast Quarter of the Southwest

34 Ouarter of Section 15 a distance of 91.71 feet to the western right-of-way line of Arkansas State 35 Highway 367 (Arch Street) as established by AHTD Job 6236; thence South 03°00'20" West 36 along said right-of-way line a distance of 0.39 feet to a point; thence south  $20^{\circ}12'04''$  west along 37 said right-of-way line a distance of 209.36 feet to a point; thence south 86°59'40" east along said 38 right-of-way line a distance of 10.00 feet to a point; thence south 02°26'06" east along said right-39 of-way line a distance of 703.17 feet to the POINT OF BEGINNING; thence south 86°51'13" 40 east along said right-of-way line a distance of 42.01 feet to a point on the western prescriptive 41 right-of-way line of Arkansas State Highway 367 (Arch Street) as established by State Highway 42 Affidavit dated May 6, 2013; thence south 03°08'47" west along said right-of-way line a distance 43 of 151.78 feet to a point on the western right-of-way line of Arkansas State Highway 367 (Arch 44 Street) as established by AHTD Job 060395; thence North 32°46'39" West along said right-of-45 way line a distance of 86.46 feet to a point; thence North 09°13'56" East along said right-of-way 46 line a distance of 82.22 feet to the POINT OF BEGINNING and containing 0.13 acres (5,567 47 square-feet), more or less as shown on AHTD plans referenced as Job 060395.

48 And Also,

49 <u>Tract 4</u>:

Part of Lots 12 and 13, Block 5, Twen Cen Addition to the City of Little Rock, Arkansas, being
part of the Northwest Quarter of the Southeast Quarter of Section 15, Township 1 North, Range
12 West, Pulaski County, Arkansas, more particularly described as follows:

53

54 Commencing at a point being used as the Center South Sixteenth Corner of said Section 15; 55 thence south 87°45'06" east along the south line of the Northwest Quarter of the Southeast 56 Quarter of Section 15 a distance of 26.95 feet to the eastern right-of-way line of Arkansas State 57 Highway 367 (Arch Street) as established by the plat Twen Cen Addition to the City of Little 58 Rock, Arkansas, recorded in Plat Book 76, Page 474 for the POINT OF BEGINNING; thence 59 north 03°07'46" east along said right-of-way line a distance of 352.45 feet to a point on the 60 southern right-of-way line of 35<sup>th</sup> Street as established by the plat Twen Cen Addition to the City of Little Rock, Arkansas, recorded in Plat Book 76, Page 474; thence south 87°45'06" east along 61 62 said right-of-way line a distance of 57.53 feet to a point on the eastern right-of-way line of 63 Arkansas State Highway 367 (Arch Street) as established by AHTD Job 060395; thence south 64 03°02'02" west along said right-of-way line a distance of 352.44 feet to a point on the south line 65 of Block 5, Twen Cen Addition, said point also being on the south line of the Northwest Quarter of the Southeast Quarter of Section 15; thence north 87°45'06" west along said south lines a 66 67 distance of 58.11 feet to the POINT OF BEGINNING and containing 0.47 acres (20,376 square68 feet), more or less as shown on AHTD plans referenced as Job 060395.

And Also,

70 <u>Tract 6</u>:

Part of Lots 4 and 5, Block 5, Callaway Addition to the City of Little Rock, Arkansas, being part
of the Northeast Quarter of the Southwest Quarter of Section 15, Township 1 North, Range 12
West, Pulaski County, Arkansas, more particularly described as follows:

74

75 Commencing at a point being used as the Northeast Corner of Lot 1, Block 5, Callaway Addition, 76 said point also being on the western right-of-way line of Arkansas State Highway 367 (Arch 77 Street) as established by the plat of Callaway Addition to the City of Little Rock, Arkansas, 78 recorded in Plat Book 1, Page 95; thence south 03°00'20" west along said right-of-way line a 79 distance of 150.55 feet to the POINT OF BEGINNING; thence continue south 03°00'20" west 80 along said right-of-way line a distance of 67.53 feet to a point on the western right-of-way line of 81 Arkansas State Highway 367 (Arch Street) as established by AHTD Job 060395; thence north 82 18°05'22" west a distance of 72.17 feet to a point on the north line of Lot 4; thence south 83 87°25'54" east along said north line a distance of 25.98 feet to the POINT OF BEGINNING and 84 containing 0.02 acres (877 square-feet), more or less as shown on AHTD plans referenced as Job 85 060395.

86 And Also,

## 87 <u>Tract 7X</u>:

Part of Lots 11, 12, 13 and 14, Block 2, Twen Cen Addition to the City of Little Rock, Arkansas,
being part of the Northwest Quarter of the Southeast Quarter of Section 15, Township 1 North,
Range 12 West, Pulaski County, Arkansas, more particularly described as follows:

91

92 Commencing at a point being used as the Northwest Corner of Lot 22, Block 2, Twen Cen 93 Addition, said point also being on the eastern right-of-way line of Arkansas State Highway 367 94 (Arch Street) as established by the plat of Twen Cen Addition recorded in Plat Book 76 Page 474; 95 thence south  $02^{\circ}40'45''$  west along said right-of-way line a distance of 300.11 feet to a point on 96 the eastern right-of-way line of Arkansas State Highway 367 (Arch Street) as established by 97 Dedication Deed recorded in Book 96 Page 79892; thence south 86°45'20" east along said right-98 of-way line a distance of 10.00 feet to a point; thence south 02°40'45" west along said right-of-99 way line a distance of 100.00 feet to a point on the north line of Lot 14 for the POINT OF 100 BEGINNING; thence south 86°45'20" east along said north line a distance of 21.05 feet to a 101 point on the eastern right-of-way line of Arkansas State Highway 367 (Arch Street) as established 102 by AHTD Job 060395; thence south 01°09'58" east along said right-of-way line a distance of 103 174.63 feet to a point; thence south 41°19'53" east along said right-of-way line a distance of 104 21.45 feet to the northern right-of-way line of 34<sup>th</sup> Street as established by the plat of Twen Cen 105 Addition recorded in Plat Book 76 Page 474; thence south 64°46'36" west along said right-of-106 way line a distance of 99.82 feet to a point on the eastern right-of-way line of Arkansas State 107 Highway 367 (Arch Street) as established by the Plat of Twen Cen Addition recorded in Plat 108 Book 76, Page 474; thence North 02°40'45" east along said right-of-way line a distance of 236.98 109 feet to a point on the eastern right-of-way line of Arkansas State Highway 367 (Arch Street) as 110 established by Dedication Deed recorded in Book 96 Page 79892; thence south 86°45'20" east 111 along said right-of-way line a distance of 40.56 feet to the POINT OF BEGINNING and 112 containing 0.35 acres (15,079 square-feet), more or less as shown on AHTD plans referenced as 113 Job 060395.

And Also,

115 **Tract 7XR**:

Part of Lots 11, 12, 13 and 14, Block 2, Twen Cen Addition to the City of Little Rock,
Arkansas, being part of the Northwest Quarter of the Southeast Quarter of Section 15,
Township 1 North, Range 12 West, Pulaski County, Arkansas, more particularly described as
follows:

120

121 Commencing at a point being used as the Northwest Comer of Lot 22, Block 2, Twen Cen 122 Addition, said point also being on the eastern right-of-way line of Arkansas State Highway 367 123 (Arch Street) as established by the plat of Twen Cen Addition recorded in Plat Book 76 Page 124 474: thence south 02°40'45" west along said right-of-way line a distance of 300.11 feet to a 125 point on the eastern right-of-way line of Arkansas State Highway 367 (Arch Street) as 126 established by Dedication Deed recorded in Book 96 Page 79892; thence south 86°45'20" east 127 along said right-of-way line a distance of 10.00 feet to a point; thence south 02°40'45" west 128 along said right-of-way line a distance of 100.00 feet to a point on the north line of Lot 14, 129 Block 2, Twen Cen Addition; thence south 86°45'20" east along said north line a distance of 130 30.56 feet to a point on the eastern right-of-way line of Arkansas State Highway 367 (Arch 131 Street) as established by AHTD Job 060395; thence continue south 86°45'20" east along said 132 right-of-way line and north line a distance of 21.05 feet to the POINT OF BEGINNING; thence 133 continue south 86°45'20" east along said north line a distance of 75.40 feet to a point on the 134 western right-of-way line of a platted alley as established by the plat of Twen Cen Addition 135 recorded in Plat Book 76 Page 474; thence south 02°40'45" west along said right-of-way line a

136 distance of 163.09 feet to the northern right-of-way line of 34th Street as established by the plat 137 of Twen Cen Addition recorded in Plat Book 76 Page 474; thence south 64°46'36" west along 138 said right-of-way line a distance of 55.20 feet to a point on the eastern right-of-way line of 139 Arkansas State Highway 367 (Arch Street) as established by AHTD Job 060395; thence north 140 41°19'53" west along said right-of-way line a distance of 21.45 feet to a point; thence north 141 01°09'58" west along said right-of-way line a distance of 174.63 feet to the POINT OF 142 BEGINNIN and containing 0.28 acres (12,326 square-feet), more or less as shown on AHTD 143 plans referenced as Job 060395.

144

## 145 <u>Tract 24</u>:

Part of Lot 1, Block 3, Chattanooga Addition to the City of Little Rock, Arkansas, being part of
the Southwest Quarter of the Northeast Quarter of Section 15, Township 1 North, Range 12 West,
Pulaski County, Arkansas, more particularly described as follows:

149

150 Commencing at a point being used as the Southwest Corner of Lot 3, Block 3, Chattanooga 151 Addition, said point also being on the eastern right-of-way line of Arkansas State Highway 367 152 (Arch Street) as established by the plat of Chattanooga Addition recorded in Plat Book 76 Page 153 381; thence north  $02^{\circ}53'16''$  east along said right-of-way line a distance of 95.00 feet to a point 154 on the south line of Lot 1 for the POINT OF BEGINNING; thence continue north 02°53'16" east 155 along said right-of-way line a distance of 47.87 feet to a point on the southern right-of-way line of 156 West 32<sup>nd</sup> Street as established by the plat of Chattanooga Addition recorded in Plat Book 76 157 Page 381; thence south 87°00'08" east along said right-of-way line a distance of 14.34 feet to a 158 point on the eastern right-of-way line of Arkansas State Highway 367 (Arch Street) as established 159 by AHTD Job 060395; thence south 04°16'21" west along said right-of-way line a distance of 160 48.04 feet to a point on the south line of Lot 1; thence north 86°20'46" west along said south line 161 a distance of 13.18 feet to the POINT OF BEGINNING and containing 0.02 acres (660 square-162 feet), more or less as shown on AHTD plans referenced as Job 060395.

- 163 4/11/13-DWY
- 164 And Also,
- 165Tract 4E-1 Temporary Construction Easement:An exclusive temporary right-of-way and166temporary easement for the sole purposes necessary for highway construction, together with167free ingress and egress, to, across, through and over the lands shown on the right-of-way Plans168for Job No. 060395, and designated as Tract No. 4E-1 situated in the County of Pulaski, State of169Arkansas.

1	This temporary easement as conditioned above shall terminate when the above subject job has	
2	been completed by the contractor and accepted by the Arkansas State Highway Commission.	
3	Section 2. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or	
4	word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or	
5	adjudication shall not affect the remaining portions of the resolution which shall remain in full force and	
6	effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the	
7	resolution.	
8	Section 3. Repealer. All laws, ordinances, resolutions, or parts of the same, that are inconsistent	
9	with the provisions of this resolution, are hereby repealed to the extent of such inconsistency.	
10	ADOPTED: January 6, 2015	
11	ATTEST:	APPROVED:
12		
13 14	Sugar Langlay City Clark	Mark Stadala Marian
14 15	Susan Langley, City Clerk APPROVED AS TO LEGAL FORM:	Mark Stodola, Mayor
15	AFFROVED AS TO LEGAL FORM:	
17		
18	Thomas M. Carpenter, City Attorney	
19	//	
20	//	
21	//	
22	//	
23	//	
24	//	
25 26	//	
26 27	//	
27 28	//	
28 29	// //	
30	// //	
31	// //	
32	// //	
33	// //	
34	// //	
35	// //	
50		