

**OFFICE OF THE CITY MANAGER
LITTLE ROCK, ARKANSAS**

**BOARD OF DIRECTORS COMMUNICATION
MARCH 7, 2023 AGENDA**

| Subject: | Action Required: | Approved By: |
|--|--|--|
| <p>Alley Right-of-Way Abandonment located within Block 176, Original City of Little Rock, block bounded by West 7th Street, West 8th Street, State Street and South Gaines Street (G-23-487).</p> <p>Submitted By:</p> <p>Planning & Development Department</p> | <p>√ Ordinance Resolution</p> | <p>Bruce T. Moore City Manager</p> |

| | |
|-----------------------|--|
| SYNOPSIS | The adjacent property owners request to abandon the north 160 feet of the twenty (20)-foot wide alley right-of-way located within Block 176, Original City of Little Rock, block bounded by West 7 th Street, West 8 th Street, South State Street and South Gaines Street. |
| FISCAL IMPACT | None. |
| RECOMMENDATION | Staff recommends approval of the ROW abandonment. The Planning Commission voted to recommend approval by a vote of 10 ayes, 0 nays and 1 open position. |
| BACKGROUND | <p>The applicant requests to abandon the north 160 feet of the twenty (20)-foot wide alley right-of-way located within Block 176, Original City of Little Rock. The block is bounded by West 7th Street to the north, West 8th Street to the south, South State Street to the west and South Gaines Street to the east.</p> <p>The portion of the alley right-of-way proposed for abandonment lies under an existing two (2)-story commercial building located at 711/717 West 8th Street. The south portion of the alley right-of-way which is not being proposed for abandonment serves as a service drive area for garbage pick-up, etc.</p> |

**BACKGROUND
CONTINUED**

A letter from an abstract company makes the following comment with respect to reversionary clause(s) for the right-of-way to be abandoned:

“Pulaski County Title has examined the title and abstract records for the above-referenced property. The legal description for the property in question references the Original City of Little Rock. As such, there is no Bill of Assurance on record. The original Plat for the City of Little Rock is a dedication of all lands, including streets and alleys, to the City. As such, it is our opinion that the Plat is the source of dedication for the alley sought to be abandoned by the Petitioner. It is our opinion that the reversionary rights vest in the City of Little Rock. The Petitioner has asked for an abandonment of same.”

The alley right-of-way is located within the Original City of Little Rock. Based on the fact that the alley right-of-way is within the Original City of Little Rock, the City will retain ownership of the area after abandonment. The applicant must follow the established procedure to purchase the property from the City after abandonment. The applicant has been provided a copy of the procedure.

None of the public utility companies object to the abandonment request. Additionally, none of the public utility companies request any portion of the right-of-way to be retained as an easement.

There are no Master Street Plan issues, as the area of abandonment is not classified as a collector street or higher.

Abandoning this right-of-way will have no adverse impact on the public welfare and safety. The Little Rock Fire Department submitted no negative comments to the proposed abandonment request. Staff supports the requested abandonment of the north 160 feet of the alley right-of-way located within Block 176, Original City of Little Rock.

The Planning Commission reviewed this request at their January 12, 2023, meeting and there were no objectors present. All owners of property located within 200 feet of the site, as well all Neighborhood Associations registered within the City of Little Rock, were notified. Please see the attached Planning Commission minutes for Staff’s Analysis and the Commission’s action.