| 1 | RESOLUTION NO |
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| 3 | TO AUTHORIZE THE MAYOR OF THE CITY OF LITTLE ROCK, |
| 4 | ARKANSAS, TO EXECUTE ANY DOCUMENTS NECESSARY TO |
| 5 | CONVEY APPROXIMATELY 685 SQUARE-FEET OF LAND AS TRACT |
| 6 | 10, IN ADDITION TO A TEMPORARY EASEMENT AS TRACT 10E-1, |
| 7 | FOR THE PURPOSE OF HIGHWAY CONSTRUCTION AS SHOWN ON |
| 8 | THE ARKANSAS DEPARTMENT OF TRANSPORTATION RIGHT-OF- |
| 9 | WAY PLANS FOR JOB NO. 061454; AND FOR OTHER PURPOSES |
| 10 | |
| 11 | WHEREAS, the Arkansas State Highway Commission has developed plans for Job No. 061454; Gill |
| 12 | Street & Railroad Overpass Structures and Approaches (Job No. 061454) Project which will replace a |
| 13 | bridge structure on Cantrell Road over Gill Street, Rose Creek and the Little Rock & Western Railroad; |
| 14 | and, |
| 15 | WHEREAS, the Arkansas State Highway Commission has identified Tract 10 and Tract 10E-1 on the |
| 16 | Arkansas Department of Transportation (ArDOT) Right-of-Way Plans for Job No. 061454 as necessary for |
| 17 | the construction of the highway improvements; and, |
| 18 | WHEREAS, Tract 10 and Tract 10E-1 impact property owned by the City of Little Rock and occupied |
| 19 | and maintained with the permission and agreement of the City of Little Rock by the Little Rock Water |
| 20 | Reclamation Authority (LRWRA) for public purposes including the operation and maintenance of a |
| 21 | wastewater pumping station; and, |
| 22 | WHEREAS, LRWRA has reviewed project plans prepared by the Arkansas State Highway |
| 23 | Commission for Job No. 061454 and granted their consent to the to the dedication of Tract 10 as right-of- |
| 24 | way and Tract 10E-1 as a Temporary Easement for the purpose of constructing and maintaining ArDOT |
| 25 | Job No. 061454 as set forth in the attached Consent to Acquisition and Easement, labeled Exhibit A. |
| 26 | NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY |
| 27 | OF LITTLE ROCK, ARKANSAS: |
| 28 | Section 1. The Little Rock City Board of Directors authorizes the Mayor to execute a Contract to Sell |
| 29 | Real Estate for Highway Purposes for Tract 10 containing approximately 685 square-feet in addition to a |
| 30 | Temporary Construction Easement for Tract 10E-1 to the Arkansas State Highway Commission for Job |
| 31 | 061454: |
| 32 | Part of Lots 20 and 21, also known as part of Blocks 20 and 21, Worthen's Subdivision, |
| 33 | being in the Northeast Quarter of Section 4, Township 1 North, Range 12 West, Pulaski |
| 34 | County, Arkansas, more particularly described as follows: Commencing at a ½-inch rebar |

being used as the northwest corner of Lot 19, Worthen's Subdivision recorded in Deed Record Book M2, Page 629; thence South 87°47'40" East along the north line of the Northeast Quarter of Section 4 a distance of 306.69 feet to a point on the east line of Lot19, Worthen's Subdivision; thence South 02°12'15" West along said east line a distance of 209.78 feet to a point on the southerly right-of-way line of Arkansas State Highway 10 (Cantrell Road) as established by AHTD Job No. 6678; thence South 79°21'59" East along said right –f-way line a distance of 349.64 feet to a point on the southerly right-of-way line of Arkansas State Highway 10 (Cantrell Road) as established by ArDOT Job No. 061454 for the POINT OF BEGINNING; thence North 84°23'14" East along the southerly rightof-way line of Arkansas State Highway 10 (Cantrell Road) as established by AHTD Job No. 6678 a distance of 19.75 feet to a point; thence South 79°16'12" East along said rightof-way line a distance of 36.50 feet to a point on the Southerly right-of-way line of Arkansas State Highway 10 (Cantrell Road) as established by the Corporation Dedication Deed recorded in Document 99074317; thence South 20°43'51" East along said right-ofway line a distance of 19.36 feet to a point on the southerly right-of-way line of Arkansas State Highway 10 (Cantrell Road) as established by ArDOT Job No. 061454; thence North 75°23'27" West along said right-of-way line a distance of 30.10 feet to a point; thence North 65°10'16" West along said right-of-way line a distance of 36.63 feet to the point of beginning and containing 685 square-feet, more or less, as shown on plans prepared by the ArDOT and referenced as Job No. 061454. Section 2. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or

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Section 2. *Severability*. In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the resolution which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the resolution.

Section 3. *Repealer*. All laws, ordinances, resolutions, or parts of the same, that are inconsistent with the provisions of this resolution, are hereby repealed to the extent of such inconsistency.

| 28 | ADOPTED: August 1, 2023 | | |
|----|------------------------------------|-------------------------|--|
| 29 | ATTEST: | APPROVED: | |
| 30 | | | |
| 31 | | | |
| 32 | Susan Langley, City Clerk | Frank Scott, Jr., Mayor | |
| 33 | APPROVED AS TO LEGAL FORM: | | |
| 34 | | | |
| 35 | | | |
| 36 | Thomas M. Carpenter, City Attorney | | |

Consent to Acquisition and Easement ARDOT Job 061454 Gill St. & RR Overpass Strs. & Apprs. (S) Tract 10, 10E-1

LRWRA (as lessee) hereby consents to the dedication of easements by the City of Little Rock (lessor) for the purpose of constructing and maintaining ARDOT Job 061454 as of the date below:

WITNESS my/our hands/s on this 27th day of June , 20 23.

Signature: Ibliby Name: John Holloway

Title: Director of Engineering Date: - 6/27/2028

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF Palask

BE IT REMEMBERED, that on this day before the undersigned, a Notary Public, within and for the County, and State aforesaid, duly commissioned and acting, appeared in person John Holloway , to me well known as the Grantor(s) in the foregoing instrument, and stated that he/she/they had executed the same for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public this 21th day of June 20 23.

MY COMMISSION EXPIRES: 4/27/32 NOTARY PUBLIC NOTARY PUBLIC

T. BALOWAY SYSUM OF OTARY SYSUM EXP. NO. OTARY SYSU