ORDINANCE NO. _________

AN ORDINANCE TO ABANDON A PORTION OF THE POLK STREET RIGHT-OF-WAY LOCATED ADJACENT TO 5424 COUNTRY CLUB BOULEVARD, IN THE CITY OF LITTLE ROCK, ARKANSAS (G-23-480); AND FOR OTHER PURPOSES.

WHEREAS, the property owner applicant proposes to abandon the east fifteen (15) feet of the Polk Street right-of-way (fifteen (15) feet by 140 feet), located adjacent to Lot 8, Block 9, Newton’s Addition in the City of Little Rock, Arkansas (G-23-480); and,

WHEREAS, the Polk Street right-of-way was dedicated with the original subdivision of Newton’s Addition to the City of Little Rock; and,

WHEREAS, the Board has determined that abandoning the Polk Street partial right-of-way will not have an adverse impact to the subdivision of Newton’s Addition; and,

WHEREAS, the right-of-way abandonment is requested based on the fact that the applicant owner of the residence located at 5424 Country Club Boulevard has requested to incorporate the area of abandonment into this single-family residential lot for extra yard space; and,

WHEREAS, the reversionary rights will extend to the owner of Lot 8, Block 9, Newton’s Addition for this portion of the east half of the right-of-way; and,

WHEREAS, all of the public utility companies and the Little Rock Fire Department have reviewed and approved the requested right-of-way abandonment; and,

WHEREAS, there are no Master Street Plan issues associated with this abandonment request, as the right-of-way is not classified as a collector street or higher.

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

Section 1. The City of Little Rock, hereby releases, vacates, and abandons the Polk Street right-of-way at this location which is currently eighty (80) feet wide. A fifty (50)-foot wide right-of-way is typically required in single-family residential areas. The fifteen (15)-foot wide portion of right-of-way proposed for abandonment is excess right-of-way.

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 section, subsection, subdivision, paragraph, subparagraph, 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 provisions of this ordinance, as if such invalid or unconstitutional provision was not originally a part of this ordinance.

Section 4. Repealer. All ordinances, resolutions, bylaws, and other matters inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

PASSED: December 7, 2021

ATTEST: 

APPROVED:

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Susan Langley, City Clerk  Frank Scott, Jr., Mayor

APPROVED AS TO LEGAL FORM:

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Thomas M. Carpenter, City Attorney