1	ORDINANCE NO.		
2			
3	AN ORDINANCE TO ABANDON OF A NUMBER OF EASEMENTS AND		
4	COVENANTS LOCATED WITHIN THE LITTLE ROCK LAND COMPANY		
5	MEDICAL AND COMMERCIAL PARK BOUNDED BY SOUTH		
6	UNIVERSITY AVENUE, MIDTOWN AVENUE, MCKINLEY STREET AND		
7	INTERSTATE 630 IN THE CITY OF LITTLE ROCK, ARKANSAS; AND		
8	FOR OTHER PURPOSES.		
9			
10	WHEREAS, the Little Rock Midtown Limited Partnership ("Partnership") is the property owner of the		
11	Little Rock Land Company Medical and Office Park located within the boundaries of South University		
12	Avenue, Midtown Avenue, South McKinley Street and Interstate 630; and,		
13	WHEREAS, the Partnership requests the City abandon the easements and covenants to facilitate		
14	redevelopment of the property bounded by South University Avenue, Midtown Avenue, McKinley Street and		
15	Interstate 630; and,		
16	WHEREAS, all proper statutory procedures for such an abandonment have been met and the issue is ripe		
17	for consideration by the Board of Directors.		
18	NOW, THEREFORE, BE IT ORDAINDED BY THE BOARD OF DIRECTORS OF THE CITY		
19	OF LITTLE ROCK, ARKANSAS:		
20	Section 1. After a public hearing concerning the abandonment of the following easements and covenants		
21	located at 600 South University Avenue was held on July 17, 2018, the Board of Directors concluded it was		
22	appropriate to abandon various easements and covenants.		
23	Section 2. The abandonment of these easements and covenants are part of a proposed rezoning and		
24	redevelopment of this property, and the various easements are more particularly described as follows:		
25	(a) A TWENTY (20)-FOOT DRAINAGE EASEMENT AS ILLUSTRATED & RECORDED		
26	AS PART OF LITTLE ROCK LAND COMPANY MEDICAL AND COMMERCIAL		
27	PARK, PLAT BOOK 32, PAGE 22.		
28	Being known as a twenty (20)-foot wide drainage easement lying over a part of a parcel of		
29	land known as Plot 6 of Little Rock Land Company Medical and Commercial Park as shown		
30	by plat recorded in Plat Book 32, Page 22 in Pulaski County, Arkansas, and lying in the NE		
31	1/4, SE 1/4 of Section 1, T-1N, R-13W, being more particularly described as follows:		
32	Commencing at the northwesterly corner of Plot 8 of said Little Rock Land Company Medical		
33	and Commercial Park, said point also being the southwesterly corner of said Plot 6, and lying		

1 in an easterly line of Cardinal Heights Addition as shown by plat recorded in Plat Book 11, 2 Page 24 in Pulaski County, Arkansas. Thence along said easterly line North 01°50'46" East a 3 distance of 156.79 feet to the point of beginning of the easement herein intended to be 4 described. Thence continuing North 01°50'46" East along said easterly line, a distance of 365.18 feet to a point; Thence South 87°19'39" East a distance of 184.46 feet to a point lying 5 6 in a westerly line of Plot 5 of said Commercial Park; Thence along said westerly line South 7 01°46'21" West a distance of 20.00 feet to a point; Thence North 87°19'40" West a distance 8 of 164.48 feet to a point; Thence South 01°50'46" West a distance of 327.55 feet to a point; 9 thence South 79°59'54" East a distance of 144.24 feet to a point; Thence South 83°07'51" 10 East a distance of 22.22 feet to a point lying in said westerly line of Plot 5; Thence along said 11 westerly line, South 01°46'21" West a distance of 20.08 feet to a point; Thence North 12 83°07'51" West a distance of 24.55 feet to a point; Thence North 79°59'54" West a distance 13 of 162.12 feet to the point of beginning and containing 13,948 square-feet, more or less.

(b) A TEN (10)-FOOT SEWER EASEMENT AS ILLUSTRATED (NOTED AS NOT RECORDED) ON THE PLAT OF LITTLE ROCK LAND COMPANY MEDICAL AND COMMERCIAL PARK, PLAT BOOK 32, PAGE 22.

17 Being known as a ten (10)-foot wide sewer easement (five (5)-foot offset both sides from 18 centerline of the existing improvements) lying over parts of parcels of land known as Plot 5 19 and 6 of Little Rock Land Company Medical and Commercial Park as shown (as unrecorded) 20 by plat recorded in Plat Book 32, Page 22 in Pulaski County, Arkansas, and lying in the NE 21 1/4, SE 1/4 of Section 1, T-1N, R-13W, being more particularly described as follows: 22 Commencing at an interior corner of Plot 4 of said Commercial Park, said point also being the 23 northwesterly corner of said Plot 5. Thence along a southerly line of said Plot 4 South 24 87°19'39" East a distance of 488.46 feet to the point of beginning of the easement herein 25 intended to be described. Thence continuing South 87°19'39" East a distance of 10.00 feet to 26 a point; Thence South 02°31'19" West a distance of 29.61 feet to a point; Thence South 27 08°21'55" East a distance of 212.43 feet to a point; Thence South 01°07'24" West a distance 28 of 156.84 feet to a point; Thence South 88°06'29" East a distance of 276.53 feet to a point 29 lying in a northwesterly sideline of Interstate 630; Thence along said northwesterly sideline 30 South 44°26'51" West a distance of 13.58 feet to a point; Thence North 88°06'29" West a 31 distance of 267.95 feet to a point; Thence South 10°05'10" West a distance of 198.80 feet to 32 a point; Thence South 89°15'06" East a distance of 117.81 feet to a point lying in said 33 northwesterly sideline of Interstate 630; Thence along said northwesterly sideline South 34 44°26'51" West a distance of 13.83 feet to a point; Thence North 89°15'06" West a distance

1 of 114.80 feet to a point; Thence North 74°25'13" West a distance of 347.35 feet to a point; 2 Thence North 76°44'55" West a distance of 356.23 feet to a point lying in an easterly line of 3 Cardinal Heights Addition as shown by plat recorded in Plat Book 11, Page 24 in Pulaski 4 County, Arkansas; Thence along said easterly line North 01°50'46" East a distance of 10.20 5 feet to a point; Thence South 76°44'55" East a distance of 358.45 feet to a point; Thence 6 South 74°25'13" East a distance of 341.40 feet to a point; Thence North 10°05'10" East a distance of 203.51 feet to point; Thence North 01°06'05" East a distance of 160.16 feet to a 7 8 point; Thence North 08°21'55" West a distance of 212.55 feet to a point; Thence North 9 02°31'19" East a distance of 30.59 feet to the point of beginning and containing 17,022 10 square-feet, more or less.

11 12

13

(c) A TEN (10)-FOOT GAS EASEMENT AS ILLUSTRATED & RECORDED AS PART OF LITTLE ROCK LAND COMPANY MEDICAL AND COMMERCIAL PARK, PLAT BOOK 32, PAGE 22.

14 Being known as a ten (10)-foot wide gas easement (five (5)-foot offset both sides from 15 centerline of the existing improvements) lying over a part of a parcel of land known as Plot 5 of Little Rock Land Company Medical and Commercial Park as shown by plat recorded in 16 Plat Book 32, Page 22 in Pulaski County, Arkansas, and lying in the NE 1/4, SE 1/4 of 17 18 Section 1, T-1N, R-13W, being more particularly described as follows: Commencing at the 19 southeasterly corner of Plot 1 of said Commercial Park, said corner also being the 20 northeasterly corner of Plot 5 and lying in the current westerly right-of-way of South 21 University Avenue. Thence along the southerly line of said Plot 1 and the southerly line of 22 Plot 2 of said Commercial Park, North 87°19'39" West a distance of 520.85 feet to the point 23 of beginning of the easement herein intended to be described. Thence South $00^{\circ}54'51''$ West 24 a distance of 223.80 feet to a point; Thence South 03°24'01" West a distance of 223.90 feet 25 to a point; Thence North 86°14'01" East a distance of 205.84 feet to a point lying in a 26 northwesterly sideline of Interstate 630; Thence along said northwesterly sideline South 27 44°26'51" West a distance of 15.01 feet to a point; Thence South 86°14'01" West a distance 28 of 196.00 feet to a point; Thence South 04°41'07" West a distance of 161.21 feet to a point 29 lying in a northerly sideline of said Interstate 630; Thence along said northerly sideline North 30 89°01'26" West a distance of 10.02 feet to a point; Thence North 04°41'07" East a distance of 166.01 feet to a point; Thence North 03°24'01" East a distance of 229.41 feet to a point; 31 32 Thence North 00°54'51" East a distance of 223.89 feet to a point in said southerly line of Plot 33 2; Thence along said southerly line South 87°19'39" East a distance of 10.00 feet to the point 34 of beginning and containing 8,200 square-feet, more or less.

(d) A ROADWAY EASEMENT AS ILLUSTRATED & RECORDED AS PART OF LITTLE ROCK LAND COMPANY MEDICAL AND COMMERCIAL PARK, PLAT BOOK 32, PAGE 22.

4 Being known as an easement containing an existing roadway lying over parts of parcels of 5 land known as Plot 1 and Plot 5 of Little Rock Land Company Medical and Commercial Park 6 as shown by plat recorded in Plat Book 32, Page 22 in Pulaski County, Arkansas, and lying in 7 the NE 1/4, SE 1/4 of Section 1, T-1N, R-13W, being more particularly described as follows: 8 Beginning at the southeasterly corner of Plot 1 of said Commercial Park, said corner also 9 being the northeasterly corner of Plot 5 and lying in the current westerly right-of-way of South 10 University Avenue. Thence along said westerly tight-of-way South 00°54'24" West a distance 11 of 37.31 feet to a point; Thence northwesterly along a curve deflecting to the left a distance of 12 47.15 feet, said curve having a radius of 49.39 feet and a chord which bears North 58°34'07" 13 West, 45.38 feet to a point; Thence North 87°26'09" West a distance of 147.61 feet to a 14 point; Thence South 75°15'11" West a distance of 68.11 feet to a point; Thence South 15 84°35'58" a distance of 91.81 feet to a point; Thence North 89°59'37" West a distance of 34.96 feet to a point; Thence North 87°13'46" West a distance of 724.59 feet to a point lying 16 17 in the easterly line of Plot 6 of said Commercial Park; Thence along said easterly line and the 18 easterly lines of Plot 7 and Plot 4 of said Commercial Park North 01°46'21" East a distance of 19 30.92 feet to a point lying in said easterly line of Plot 4; Thence South 87°13'26" East a 20 distance of 745.14 feet to a point; Thence North 84°39'30" East a distance of 63.46 feet to a 21 point; Thence North 84°33'06" East a distance of 40.92 feet to a point; Thence North 22 78°16'34" East a distance of 62.04 feet to a point; Thence North 85°31'27" East a distance of 23 69.90 feet to a point; Thence South 88°38'02" East a distance of 74.88 feet to a point; Thence 24 South 86°55'35" East a distance of 24.57 feet to a point; Thence northeasterly along a curve 25 deflecting to the left a distance of 27.79 feet, said curve having a radius of 33.13 feet and a chord which bears North 64°18'33" East, 26.98 feet to a point lying in said westerly right-of-26 27 way; Thence along said westerly right-of-way South 00°54'24" West a distance of 33.27 feet 28 to the point of beginning and containing 34,891 square-feet, more or less.

29 ALSO:

Being known as an easement containing an existing roadway lying over parts of parcels of
land known as Plot 3 and Plot 4 of Little Rock Land Company Medical and Commercial Park
as shown by plat recorded in Plat Book 32, Page 22 in Pulaski County, Arkansas, and lying in
the NE 1/4, SE 1/4 of Section 1, T-1N, R-13W, being more particularly described as follows:

1 Commencing at the northwesterly corner of said Plot 3, lying in an easterly line of Cardinal 2 Heights Addition as shown by plat recorded in Plat Book 11, Page 24 in Pulaski County, 3 Arkansas. Said corner also lying in a southerly right-of-way of Midtown Avenue. Thence 4 along said southerly right-of-way South 87°11'14" East a distance of 4.60 feet to the point of beginning of the easement herein intended to be described: Thence continuing South 5 6 87°11'14" East along said southerly right-of-way a distance of 39.58 feet to a point; Thence 7 South 08°29'27" West a distance of 12.39 feet to a point; Thence South 02°25'20" West a 8 distance of 94.63 feet to a point; Thence South 06°42'01" West a distance of 16.36 feet to a 9 point; Thence South 08°26'22" West a distance of 63.41 feet to a point; Thence South 10 07°50'01" West a distance of 16.04 feet to a point; Thence South 02°03'39" West a distance 11 of 246.11 feet to a northeasterly corner of Plot 7 of said Commercial Park; Thence along a northerly line of said Plot 7 North 87°19'39" West a distance of 27.48 feet to a point; Thence 12 North 01°58'57" East a distance of 451.79 feet to the point of beginning and containing 13 14 13,936 square-feet, more or less.

(e) A SERVICE DRIVE EASEMENT AS ILLUSTRATED & RECORDED AS PART OF LITTLE ROCK LAND COMPANY MEDICAL AND COMMERCIAL PARK, PLAT BOOK 32, PAGE 22.

18 Being known as an easement containing an existing roadway lying over parcels of land known 19 as Plot 7 and Plot 8 of Little Rock Land Company Medical and Commercial Park as shown by 20 plat recorded in Plat Book 32, Page 22 in Pulaski County, Arkansas, and lying in the NE 1/4, 21 SE 1/4 of Section 1, T-1N, R-13W, being more particularly described as follows: 22 Commencing at the Southwesterly corner of Plot 4 of said Commercial Park, said corner lying in an easterly line of Cardinal Heights Addition as shown by plat recorded in Plat Bk. 11, 23 24 Page 24 in Pulaski County, Arkansas. Thence along a southerly line of said Plot 4 South 87°19'39" East a distance of 3.52 feet to the point of beginning of the easement herein 25 26 intended to be described: Thence continuing South 87°19'39" East along said southerly line 27 a distance of 27.48 feet to a point; Thence southeasterly along a curve deflecting to the left a 28 distance of 25.94 feet, said curve having a radius of 25.00 feet and a chord which bears South 29 35°17'47" East, 24.79 feet to a point; Thence South 87°19'39" East a distance of 138.39 feet 30 to a point lying in the westerly line of Plot 5 of said Commercial Park; Thence along said westerly line South 01°46'21" West a distance of 21.20 feet to a point; Thence North 31 32 87°19'39" West a distance of 180.93 feet to a point; Thence North 01°54'54" East a distance 33 of 18.80 feet to a point; Thence North 01°47'43" East a distance of 21.90 feet to the point of 34 beginning and containing 4,461 square-feet, more or less.

1 ALSO: 2 Being known as an easement containing an existing roadway lying over a parcel of land 3 known as Plot 8 of Little Rock Land Company Medical and Commercial Park as shown by 4 plat recorded in Plat Book 32, Page 22 in Pulaski County, Arkansas, and lying in the NE 1/4, 5 SE 1/4 of Section 1, T-1N, R-13W, being more particularly described as follows: Beginning 6 at the northwesterly corner of Plot 9 of said Commercial Park, said corner lying in an easterly 7 line of Cardinal Heights Addition as shown by plat recorded in Plat Book 11, Page 24 in 8 Pulaski County, Arkansas. Thence along an easterly line of said Addition, North 01°50'46" 9 East a distance of 27.00 feet to the southwesterly corner of Plot 6 of said Commercial Park; 10 Thence along the southerly line of said Plot 6, South 89°15'50" East a distance of 185.14 feet 11 to the southeasterly corner, thereof, lying in the westerly line of Plot 5 of said Commercial 12 Park; Thence along said westerly line South 01°46'21" West a distance of 27.02 feet to the 13 northeasterly corner of said Plot 9; Thence along the northerly line of said Plot 9, North 14 89°15'31" West a distance of 185.17 feet to the point of beginning and containing 5,001 15 square-feet, more or less. (f) AN EASEMENT AND RIGHT-OF-WAY DATED MARCH 4, 1968, IN FAVOR OF 16 17 ARKANSAS POWER AND LIGHT COMPANY, FILED FOR RECORD APRIL 1, 1968, 18 AND RECORDED IN BOOK 1,029, PAGE 180, RECORDS OF PULASKI COUNTY, 19 **ARKANSAS.** 20 (g) AN EASEMENT DATED MAY 19, 1972, IN FAVOR OF ARKANSAS POWER AND 21 LIGHT COMPANY, FILED FOR RECORD MAY 26, 1972, AND RECORDED IN BOOK 22 1,196, PAGE 509, RECORDS OF PULASKI COUNTY, ARKANSAS. 23 (h) A TWENTY-FIVE (25)-FOOT UTILITY EASEMENT RESERVED BY ORDINANCE 24 NO. 11,916, FILED FOR RECORD JULY 10, 1967, AND RECORDED IN DEED BOOK 1,002, PAGE 203, RECORDS OF PULASKI COUNTY, ARKANSAS. 25 26 (i) A TEN (10)-FOOT UTILITY EASEMENT RECORDED AS ORDINANCE NO. 11,916, FILED FOR RECORD JULY 10, 1967, AND RECORDED IN DEED BOOK 1,002, PAGE 27 28 203, RECORDS OF PULASKI COUNTY, ARKANSAS. 29 (i) A TWENTY-FIVE (25)-FOOT UTILITY EASEMENT RESERVED BY ORDINANCE NO. 30 12,002, FILED FOR RECORD JANUARY 9, 1968, DEED BOOK 1,020, PAGE 609, **RECORDS OF PULASKI COUNTY, ARKANSAS.** 31 32 (k) AN EASEMENT IN FAVOR OF ARKANSAS POWER AND LIGHT COMPANY, FILED 33 FOR RECORD JULY 3, 1975, AND RECORDED IN BOOK 1,343 PAGE 555, RECORDS

34 OF PULASKI COUNTY, ARKANSAS.

(1) A PORTION OF AN EASEMENT IN FAVOR OF LITTLE ROCK MUNICIPAL WATER WORKS, FILED FOR RECORD SEPTEMBER 9, 1986, AND RECORDED AS INSTRUMENT NO. 86-055517, RECORDS OF PULASKI COUNTY, ARKANSAS.

4 Being known as a fifteen (15)-foot wide waterline easement lying over a part of a parcel of 5 land known as Plot 5 of Little Rock Land Company Medical and Commercial Park as shown 6 by plat recorded in Plat Bk. 32, Page 22 in Pulaski County, Arkansas, and lying in the NE 1/4, 7 SE 1/4 of Section 1, T-1N, R-13W, being more particularly described as follows: 8 Commencing at the southeasterly corner of Plot 1 of said Commercial Park, lying in the 9 westerly right-of-way of South University Avenue, said corner also being the northeasterly 10 corner of said Plot 5; Thence along said westerly right-of-way South 00°54'24" West a 11 distance of 33.93 feet to the point of beginning of the easement herein intended to be described: Thence continuing South 00°54'24" West along said westerly right-of-way a 12 distance of 3.45 feet to a point; Thence continuing along said westerly right-of-way South 13 14 01°28'38" West a distance of 23.94 feet to a point; Thence South 34°36'39" West a distance 15 of 12.32 feet to a point; Thence South $02^{\circ}24'52''$ West a distance of 65.85 feet to a point; Thence North 87°35'08" West a distance of 15.00 feet to a point; Thence North 02°24'52" 16 17 East a distance of 70.18 feet to a point; Thence North 34°36'39" East a distance of 39.57 feet 18 to the point of beginning and containing 1,410 square-feet, more or less.

(m) A PORTION OF AN EASEMENT IN FAVOR OF ARKANSAS POWER & LIGHT COMPANY, FILED FOR RECORD JULY 3, 1975, AND RECORDED AS IN PLAT BOOK 36, PAGE 5, RECORDS OF PULASKI COUNTY, ARKANSAS.

22 Being known as a ten (10)-foot wide electric easement lying over a part of a parcel of land 23 known as Plot 5 of Little Rock Land Company Medical and Commercial Park as shown by 24 plat recorded in Plat Book 32, Page 22 in Pulaski County, Arkansas, and lying in the NE 1/4, 25 SE 1/4 of Section 1, T-1N, R-13W, being more particularly described as follows: 26 Commencing at an interior corner of Plot 4 of said Commercial Park, also being known as the 27 northwesterly corner of said Plot 5. Thence along a southerly line of said Plot 4 South 28 87°19'39" East a distance of 491.44 feet to the point of beginning of the easement herein 29 intended to be described: Thence continuing South 87°19'39" East along said southerly line 30 10.01 feet to a point; Thence South 05°44'35" West a distance of 54.18 feet to a point; Thence North 87°19'39" West a distance of 10.01 feet to a point; Thence North 05°44'35" 31 32 East a distance of 54.18 feet to the point of beginning and containing 542 square-feet, more or 33 less.

34 (n) ALL EASEMENTS WITHIN THE BOUNDARIES OF THE PLAT OF LITTLE ROCK

1	LAND COMPANY MEDICAL AND COMMERCIAL PARK, PLAT BOOK 32, PAGE 22		
2	NOT FOUND OF RECORD THAT ARISE FROM PRESCRIPTIVE OR SIMILAR		
3	RIGHTS.		
4	(0) ANY RIGHTS ARISING UNDER THAT CERTAIN COVENANT FILED IN THE REAL		
5	PROPERTY RECORDS OF PULASKI COUNTY, ARKANSAS, ON JANUARY 12, 1962,		
6	IN BOOK 784 AT PAGE 189, AND ANY RIGHTS ARISING FROM THAT CERTAIN		
7	AMENDMENT TO COVENANT FILED IN THE REAL PROPERTY RECORDS OF		
8	PULASKI COUNTY, ARKANSAS, ON JULY 10, 1967, IN BOOK 1,002 AT PAGE 151.		
9	(p) ANY RIGHTS ARISING UNDER THAT CERTAIN COVENANT FILED IN THE REAL		
10	PROPERTY RECORDS OF PULASKI COUNTY, ARKANSAS, ON JULY 7, 1966, IN		
11	BOOK 966 AT PAGE 221.		
12	Section 3. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or word		
13	of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication		
14	shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the		
15	portion so declared or adjudged invalid or unconstitutional were not originally a part of the ordinance.		
16	Section 4. Repealer. All laws, ordinances, resolutions, or parts of the same, that are inconsistent with the		
17	provisions of this ordinance, are hereby repealed	ed to the extent of such inconsistency.	
18	PASSED: July 17, 2018		
19	ATTEST:	APPROVED:	
20			
21			
22	Susan Langley, City Clerk	Kathy Webb, Vice-Mayor	
23	APPROVED AS TO LEGAL FORM:		
24			
25 26	Bill Mann, Chief Deputy City Attorney	-	
27	//		
28	//		
29	//		
30	//		
31	//		
32	//		
33	//		
34	//		
35	//		