INSTRUCTIONS FOR FILING A PETITION FOR
ABANDONMENT OF A PUBLIC RIGHT-OF-WAY, STREET OR ALLEY

1. The applicant/owner or authorized agent shall appear at the Department of Planning and Development, 723 West Markham, Little Rock, Arkansas; 371-4790, and complete the required application forms. These forms may be obtained in advance in order to expedite the filing.

2. The applicant shall submit as part of his/her application eighteen (18) copies of a survey or other instrument such as a recorded plat indicating the area of the street or alley involved.

3. Payment of a filing fee is required no later than the published docket closing date. Said fees are established by the City’s adopted Fee Ordinance.

4. The applicant shall submit as part of the filing a letter from each of the five public utility companies stating their approval of the closure, or stating their request for needed easements including dimensions.

5. The applicant shall submit as part of his/her application a letter from an abstract company or equally reliable source which shall delineate the reversionary rights in the right-of-way and the source of dedication. The applicant must also submit a list of owners of all abutting properties as compiled and certified by an abstract company. The applicant shall submit a petition signed by all persons owning property which abuts the right-of-way to be abandoned.

6. Prior to acceptance of the petition, the owner is required to sign a statement dealing with dedication of required street rights-of-way on abutting streets. The applicant will be provided a form for this purpose which shall be completed by the owner indicating his/her position. The owner will be required at his or her expense to provide the proper legal instrument for such dedication. A blank form for this purpose may be obtained from the Planning Staff.

7. After filing the proper forms and meeting the requirements set forth above, the applicant shall give notice to affected properties as required below. Before the Planning Commission shall consider a petition for right-of-way, the petitioner shall first give at least 15 days written notice of the time, place and date of public hearing thereon to all record owners of land abutting portions of the street or alley involved. THIS MEANS OWNERS OF PROPERTY WHICH ABUTS ANY PORTION OF THE RIGHT-OF-WAY TO BE CLOSED, INCLUDING OWNERS AT EACH END OF THE AFFECTED RIGHT-OF-WAY. The notification shall be by certified mail. The form for notice shall be that as provided by the staff.

8. An affidavit is required stating the owner has complied as directed on the notice requirement. The affidavit shall be accompanied by a copy of the notice mailed and the postal receipts for mailing. A return receipt is not required. This proof of notice shall be filed with the staff at least six (6) days prior to the Planning Commission meeting.

9. The applicant should be present at the meeting in order to answer any questions of the Commission or other interested parties. The absence of the applicant may be cause for deferral.

10. The applicant’s noncompliance with the above may cause the petition to be withheld or not considered at the meeting scheduled and may require the renotification of property owners.

NOTE: PLEASE CHECK WITH THE PLANNING STAFF FOR THE APPROPRIATE FILING DATE FOR THE PLANNING COMMISSION PUBLIC HEARING.
PETITION FOR ABANDONMENT OF PUBUC RIGHT-OF-WAY

PLANNING COMMISSION MEETING DOCKETED FOR ________________ , __________ , AT __________ P.M.

A petition is hereby submitted to the Board of Directors of the City of Little Rock, Arkansas through the Little Rock Planning Commission, requesting a closure of the following described public right-of-way.

GENERAL DESCRIPTION:

________________________________________________________________________

LOCATION:

________________________________________________________________________

SIZE: ___________ SQ. FT. ___________ ACRES

Title to this public right-of-way will transfer to:

________________________________________________________________________

Present use of the property to which street right-of-way or alley will be joined:

________________________________________________________________________

Desired use of the right-of-way after closure:

________________________________________________________________________

It is understood that notice of the public hearing hereon before the Little Rock Planning Commission will be circulated by the applicant at his/her expense to all parties in interest.

(OWNER) ____________________ (MAIL ADDRESS) ____________________

HOME: ____________________ PHONE: ____________________

AGENT) ____________________ BUSINESS PHONE: ____________________

PLANNING COMMISSION APPROVED: ____________________ , __________

PLANNING COMMISSION DENIED: ____________________ , __________

BOARD OF DIRECTORS APPROVED: ____________________ , __________

ORDINANCE NO.: ____________________

DEPARTMENT DIRECTOR BY: ____________________

Checklist:

Master Street Plan ____________________

Master Parks Plan ____________________

C.D.B.G. Area ____________________

Capitol Zoning Area ____________________

Census Tract No. ____________________

Floodplain Plan ____________________
NOTICE OF PUBLIC HEARING BEFORE
THE LITTLE ROCK PLANNING COMMISSION ON A
PETITION TO ABANDON A PUBLIC RIGHT-OF-WAY

To all owners of lands abutting the boundary of an alley or street described as:

Location/Description: ____________________________________________________________

Petitioner: ________________________________________________________________

Telephone Number: ________________________________

Address: ________________________________________________________________

Agent or Attorney: __________________________________________________________

Telephone Number: ________________________________

Notice is hereby given that a public hearing on the said petition will be held by the Little Rock Planning Commission in the Board of Directors Chambers, Second Floor, City Hall, on _________________________________, __________, at ______________ P.M.

All parties in interest may appear and be heard at said time and place or may notify the Planning Commission of their views on this matter by letter. All persons interested in this petition are invited to call or visit the Department of Planning and Development, 723 West Markham. The staff contact person is 371-4790.

APPLICANT (Owner or Authorized Agent): ______________________________________

DATE: __________________________________________

The City of Little Rock complies with all civil rights provisions of federal laws and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. The City of Little Rock does not discriminate on the basis of race, color, creed, religion, sex, national origin, age, disability, income status, marital status, sexual orientation, gender identity, genetic information, political opinions or affiliation, in admission or access to and treatment in the City’s programs and activities, as well as the city’s hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the City’s nondiscrimination policies may be directed to Caran Curry, Title VI Coordinator, 500 West Markham Street, Little Rock, AR 72201, 501-371-4583, or the following e-mail address: ccurry@littlerock.gov.

This notice is available from the Title VI Coordinator in large print or recording. Free language assistance for those with Limited English Proficiency is available upon request.

AFFIDAVIT

I hereby certify that I have properly notified all owners of record as directed in the instructions for filing a petition for abandonment. Further, that proof of such notice has been provided to the staff of the Planning Commission in compliance with the instructions.

APPLICANT (Owner of Authorized Agent):

(Name)

(Date)
STREET RIGHT-OF-WAY DEDICATION AGREEMENT

LOCATION/ADDRESS: ________________________________

DATE: ________________________________

DOCKETED FOR MEETING ON: ________________________________

I, ________________________________, do hereby agree / disagree to dedicate to the public any needed right-of-way as required by the Master Street Plan for a public street abutting property owned by me adjacent to the abandonment.

I, ________________________________, agree / disagree to provide at my expense an easement deed and/or other documents as necessary conveying such right-of-way to the public.

APPLICANT/OWNER ________________________________ DATE ________________________________

(IF THE ABOVE SIGNATURE REPRESENTS AN APPLICANT, ATTACHMENT OF A LETTER IS REQUIRED AUTHORIZING THIS PERSON TO ACT IN BEHALF OF THE TITLE-HOLDER.)
AFFIDAVIT

I. _______________________________ certify by my signature below that I hereby authorize _______________________________ to act as my agent regarding the _______________________________ of the below described property.

Property described
as: ____________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________

_______________________________________
Signature of Title Holder

_______________________________________
Date

Subscribed and sworn to me a Notary Public on this __________________________ day of
__________________________________________________________________________.

_______________________________________
Notary Public

My Commission Expires:

_______________________________________
NOTICE OF HEARING

TO BE HELD BY THE LITTLE ROCK BOARD OF DIRECTORS
ON A PETITION
TO CLOSE A “PORTION OF PUBLIC RIGHT-OF-WAY

TO ALL OWNERS OF LAND ABUTTING THE BELOW DESCRIBED STREET OR ALLEY
CLOSURE:

Notice is hereby given on __________________________, at 6:00 P.M. in the Chamber of the Board of Directors of the City of Little Rock, Second Floor, City Hall, Markham and Broadway Streets, the Little Rock Board of Directors will hold a public hearing on a petition filed by:

_________________________________
Applicant’s Signature

cc: City Clerk’s Office