

O-21-41

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE VACATING AND ABANDONING A CERTAIN UNUSED EASEMENT ON PROPERTY LOCATED AT 4700 RANDOLPH ROAD IN THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, Act 67 of 1885 provides that cities of the first class may vacate and abandon easements not required for municipal purposes; and

WHEREAS, Thomas R. Pownall of Thomas Engineering, 3810 Lookout Road, North Little Rock, 72116, has requested that a certain easement located at 4700 Randolph Road be vacated (see letter from Mr. Pownall, attached hereto as Exhibit A); and

WHEREAS, the herein described easement abandonment is supported by the North Little Rock Planning Department (see Exhibit B attached hereto); and

WHEREAS, there are no objections from utility companies to the vacation of the herein described easements (see approvals attached hereto collectively, as Exhibit C).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That the City Council hereby vacates and abandons a certain unused easement on property located at 4700 Randolph Road, more particularly described below.

AN EASEMENT LYING WITHIN LOT 1 OF THE VILLAS AT LAKEWOOD, BEING A REPLAT OF LOT 6, BLOCK 26 AND PART OF LOT 2, BLOCK 30 OF THE LAKEWOOD ADDITION AND OTHER LANDS IN THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AN 8 FOOT WIDE SEWER AND UTILITY EASEMENT LYING ON THE EASTERN BACK LOT LINES OF THOSE LOTS FORMALLY PLATTED AS LOTS 1 THROUGH 5, BLOCK 26 OF THE LAKEWOOD ADDITION TO THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS (See map attached hereto as Exhibit D).

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 4: It is hereby found and determined that the City has no need for the referenced unused easement, that the abandonment hereof has been properly reviewed and approved, and that the immediate passage of this Ordinance is necessary in order to insure the proper and orderly growth of this land and the City of North Little Rock, Arkansas, and being necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

\_\_\_\_\_

\_\_\_\_\_  
Mayor Terry C. Hartwick

SPONSOR:

ATTEST

Charlie Hight  
Council Member Charlie Hight *by AF*

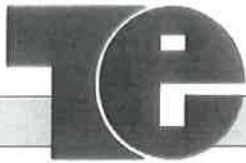
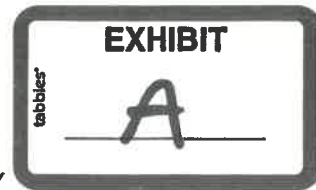
\_\_\_\_\_  
Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED	<u>10:35</u>	A.M.	___	P.M.
By	<u>Amy Fields, CA</u>			
DATE	<u>5/4/21</u>			
<b>Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas</b>				
RECEIVED BY	<u>[Signature]</u>			



THOMAS ENGINEERING COMPANY

**civil engineers**

**land surveyors**

3810 LOOKOUT RD

NORTH LITTLE ROCK, AR 72116

(501) 753-4463

NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS

April 28, 2021

Mr. Shawn Spencer  
Director  
North Little Rock Planning Department  
120 Main Street  
North Little Rock, Arkansas 72114

Ms. Amy Fields  
City Attorney  
North Little Rock City Attorney's Office  
116 Main Street  
North Little Rock, Arkansas 72114

RE: Easement Abandonment Request  
The Villas at Lakewood  
McCain Boulevard & Randolph Road

Dear Mr. Spencer:

Please accept this letter as our request to abandon a sewer and utility easement within the Villas at Lakewood. We wish this item be to be placed on the May 10<sup>th</sup>, 2021 City Council Agenda. Alderman Charlie Hight has agreed to sponsor this legislation.

The following items are included with this submittal letter:

1. Exhibit Map of sewer to be abandoned.
2. Utility Companies approval of the easement abandonment.
3. Original plat of the lots and easement.

Legal Description:

An 8 foot wide sewer and utility easement lying on the eastern back lot lines of those lots formally platted as Lots 1 through 5, Block 26, Lakewood, City of North Little Rock, Pulaski County, Arkansas.

These lots were reduced to acreage by County Court Order recorded in Book 61, Page 201 on February 12, 1968.

If you have any questions, please give me a call.

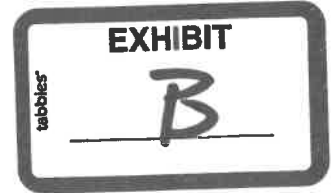
Sincerely,

Thomas R. Pownall, P.E.  
Vice President



The City of  
**NORTH LITTLE ROCK**

OFFICE OF COMMUNITY PLANNING  
120 Main St. • North Little Rock, AR 72114-2134  
Phone (501) 975-8835 • Fax (501) 975-8837



April 29, 2021

Thomas Engineering  
3810 Lookout Rd.  
NLR, AR 72116

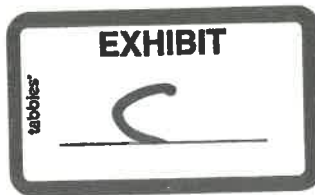
Re: Lot 1, The Villas easement abandonment request

Thomas,

The Planning Department has no problem with abandoning the easement as indicated on the plat.

Thank you,

Tim Reavis  
Planning Department  
City of North Little Rock  
501-975-8835



EWCTAL

**Thomas R. Pownall, P.E.**

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**From:** GWoodward@nlr.ar.gov  
**Sent:** Wednesday, April 28, 2021 7:42 AM  
**To:** thomas@thomasengineering2000.com  
**Subject:** Easement Abandonment - Villas at Lakewood

Thomas,

North Little Rock Electric has no issues with the abandonment of the old electric easement at the Villas at Lakewood.

Thanks,  
Greg Woodward

Distribution Design Supervisor  
City of North Little Rock Electric Department  
1400 West Maryland  
North Little Rock, AR 72120  
[gwoodward@northlittlerock.ar.gov](mailto:gwoodward@northlittlerock.ar.gov)  
Office: (501)992-4073  
Fax: (501)992-4166

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This email has been scanned for viruses and malware.

WASTEWATER

**Thomas R. Pownall, P.E.**

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**From:** Kerby, Scott <SKerby@nlrwu.com>  
**Sent:** Wednesday, April 28, 2021 8:14 AM  
**To:** Thomas R. Pownall, P.E.; Andrew Pownall at carkw; Greg Woodward; Joni Bates; Chris; DCook@nlr.ar.gov  
**Cc:** 'Bear Davidson'  
**Subject:** RE: Easement Abandonment - Villas at Lakewood

Thomas,

NLRW has no objection to the easement abandonment.

Respectfully,

**Scott Kerby**

North Little Rock Wastewater  
7400 Baucum Pike  
P.O. Box 17898  
North Little Rock, Arkansas 72117-0898  
(501)945-7186

[SKerby@nlrwu.com](mailto:SKerby@nlrwu.com)



**From:** Thomas R. Pownall, P.E. [mailto:thomas@thomasengineering2000.com]  
**Sent:** Tuesday, April 27, 2021 4:22 PM  
**To:** Andrew Pownall at carkw <Andrew.Pownall@carkw.com>; Kerby, Scott <SKerby@nlrwu.com>; Greg Woodward <gwoodward@nlr.ar.gov>; Joni Bates <joni.bates@centerpointenergy.com>; Chris <ck0826@att.com>; DCook@nlr.ar.gov  
**Cc:** 'Bear Davidson' <bear@davidsonengineers.com>  
**Subject:** Easement Abandonment - Villas at Lakewood

All:

Attached is a plat of Villas at Lakewood. We are needing to abandon an easement within the property. The City of North Little Rock requires all of your approval to do so.

The easement originally contained an overhead power line, which has been moved as part of this project. ATT and NLR Electric, you two are the most important approvals given the power line was at one time in the easement. CAW, NLR Wastewater, NLR Public Works and Centerpoint, I need your approval as well. I feel very confident you do not have any facilities in the old easement.

CAW

**Thomas R. Pownall, P.E.**

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**From:** Andrew Pownall <Andrew.Pownall@carkw.com>  
**Sent:** Wednesday, April 28, 2021 8:11 AM  
**To:** Thomas R. Pownall, P.E.; Scott Kerby; Greg Woodward; Joni Bates; Chris; DCook@nlr.ar.gov  
**Cc:** 'Bear Davidson'  
**Subject:** RE: [External] Easement Abandonment - Villas at Lakewood

CAW has no objection. Approved.

Andrew Pownall  
Senior Engineer  
Central Arkansas Water  
501-377-1342 (Office)  
501-218-6898 (Cell)



**From:** Thomas R. Pownall, P.E. <thomas@thomasengineering2000.com>  
**Sent:** Tuesday, April 27, 2021 4:22 PM  
**To:** Andrew Pownall <Andrew.Pownall@carkw.com>; Scott Kerby <SKerby@nlrwu.com>; Greg Woodward <gwoodward@nlr.ar.gov>; Joni Bates <joni.bates@centerpointenergy.com>; Chris <ck0826@att.com>; DCook@nlr.ar.gov  
**Cc:** 'Bear Davidson' <bear@davidsonengineers.com>  
**Subject:** [External] Easement Abandonment - Villas at Lakewood

**[CAUTION:]** This email originated from outside of the CAW. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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All:

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Please respond as quickly as possible.

I have also attached the construction plans for reference.

Thank you all.

**Thomas R. Pownall, P.E.**

---

**From:** DCook@nlr.ar.gov  
**Sent:** Wednesday, April 28, 2021 8:57 AM  
**To:** skerby@nlrwu.com; thomas@thomasengineering2000.com;  
 Andrew.Pownall@carkw.com; GWoodward@nlr.ar.gov;  
 joni.bates@centerpointenergy.com; ck0826@att.com  
**Cc:** bear@davidsonengineers.com  
**Subject:** RE: Easement Abandonment - Villas at Lakewood

Thomas,

NLR Engineering has no issues with abandoning this easement.



**David Cook, P.E.**  
**City Engineer**  
 500 West 13<sup>th</sup> Street  
 North Little Rock, AR 72114  
 Office: 501-371-8339  
 Cell: 501-351-8936  
[DCook@nlr.ar.gov](mailto:DCook@nlr.ar.gov)

**From:** Kerby, Scott <SKerby@nlrwu.com>  
**Sent:** Wednesday, April 28, 2021 8:14 AM  
**To:** Thomas Pownall <thomas@thomasengineering2000.com>; Andrew Pownall at carkw  
 <Andrew.Pownall@carkw.com>; Woodward, Gregory <GWoodward@nlr.ar.gov>; Joni Bates  
 <joni.bates@centerpointenergy.com>; Chris Keathley <ck0826@att.com>; Cook, David <DCook@nlr.ar.gov>  
**Cc:** 'Bear Davidson' <bear@davidsonengineers.com>  
**Subject:** RE: Easement Abandonment - Villas at Lakewood

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Thomas,

NLRW has no objection to the easement abandonment.

Respectfully,

**Scott Kerby**

North Little Rock Wastewater  
 7400 Baucum Pike  
 P.O. Box 17898  
 North Little Rock, Arkansas 72117-0898  
 (501)945-7186

[SKerby@nlrwu.com](mailto:SKerby@nlrwu.com)



ATT

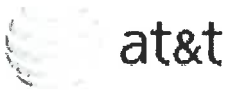
**Thomas R. Pownall, P.E.**

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**From:** KEATHLEY, CHRIS <ck0826@att.com>  
**Sent:** Wednesday, April 28, 2021 10:14 AM  
**To:** Thomas R. Pownall, P.E.; Andrew Pownall at carkw; Scott Kerby; Greg Woodward; Joni Bates; DCook@nlr.ar.gov  
**Cc:** 'Bear Davidson'; MONROE, TIMOTHY I  
**Subject:** RE: Easement Abandonment - Villas at Lakewood  
**Attachments:** EASEMENT EXHIBIT.pdf

Thomas..... AT&T approves the proposed easement abandonment shown in the attached for the Villas at Lakewood in the City of North Little Rock. Thanx Chris

Chris Keathley  
Lead OSP Plng & Eng Dsgn  
501.615.5823 Cell  
[ck0826@att.com](mailto:ck0826@att.com)



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**Sent:** Tuesday, April 27, 2021 4:22 PM  
**To:** Andrew Pownall at carkw <Andrew.Pownall@carkw.com>; Scott Kerby <SKerby@nlrwu.com>; Greg Woodward <gwoodward@nlr.ar.gov>; Joni Bates <joni.bates@centerpointenergy.com>; KEATHLEY, CHRIS <ck0826@att.com>; DCook@nlr.ar.gov  
**Cc:** 'Bear Davidson' <bear@davidsonengineers.com>  
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Vice President

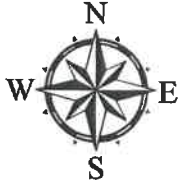


# Public Hearing Case # 2021-12



Ortho Map

1 inch = 100 feet



Date: 5/3/2021