

1 **ORDINANCE NO. \_\_\_\_\_**

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3 **AN ORDINANCE TO ABANDON THAT PORTION OF THE WEST 2<sup>ND</sup>**  
4 **STREET AND ALLEY PARTIAL RIGHT-OF-WAY, LOCATED**  
5 **ADJACENT TO, AND WITHIN, BLOCK 5, UNION DEPOT ADDITION,**  
6 **IMMEDIATELY EAST OF THE WEST 2<sup>ND</sup> STREET & SOUTH**  
7 **BATTERY STREET INTERSECTION IN THE CITY OF LITTLE ROCK,**  
8 **ARKANSAS (G-23-479); AND FOR OTHER PURPOSES.**

9  
10 **WHEREAS,** the City of Little Rock proposes to abandon the fifty (50)-foot wide West 2<sup>nd</sup> Street  
11 right-of-way, between South Battery Street and the alley right-of-way within Block 5, Union Depot  
12 Addition, and the south ninety-one (91) feet of the fourteen (14)-foot wide alley right-of-way within  
13 Block 5, Union Depot Addition, immediately east of the West 2<sup>nd</sup> Street & South Battery Street  
14 intersection in the City of Little Rock, Arkansas (G-23-479); and,

15 **WHEREAS,** the abandonment is proposed to incorporate the properties to the east, west and south  
16 for future development, the areas of abandonment are currently undeveloped with some site work  
17 completed over the past several years; and,

18 **WHEREAS,** a letter from an abstract company refers to a reversionary clause for the rights-of-way  
19 in favor of Sam W. Rayburn, Trustee, and the applicant is currently working with their legal counsel to  
20 determine the current ownership implications of the reversionary clause; and,

21 **WHEREAS,** several of the public utility companies request that all, or parts, of the area of  
22 abandonment be retained as a utility easement; and,

23 **WHEREAS,** the Engineering Division has reviewed and requests that the areas of abandonment be  
24 retained as a drainage easement; and,

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

27 **WHEREAS,** abandoning this portion of right-of-way will have no adverse impact on the public  
28 welfare and safety.

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

31 **Section 1.** The City of Little Rock, hereby releases, vacates, and abandons a portion of the West 2<sup>nd</sup>  
32 Street right-of-way and an alley right-of-way as follows:

- 1 1. The fifty (50)-foot wide West 2<sup>nd</sup> Street right-of-way located between South Battery Street  
2 right-of-way and the alley right-of-way within Block 5, Union Depot Addition  
3 (approximately 149 linear-feet).
- 4 2. The south ninety-one (91) feet of the fourteen (14)-foot wide alley right-of-way, located  
5 within Block 5, Union Depot Addition, between Lots 5/6 and Lots 7/8, Block 5, Union Depot  
6 Addition.

7 The areas of abandonment will be incorporated into the properties to the east, west and south for future  
8 development. The areas of abandonment are currently undeveloped. Some site work has taken place  
9 around these areas over the past several years.

10 **Section 2.** A copy of this ordinance duly certified by the City Clerk, shall be filed in the Real Estate  
11 Records of the Recorder of the Circuit Clerk in Ex-Officio Recorder of Pulaski County, Arkansas.

12 **Section 3. Severability.** In the event any section, subsection, subdivision, paragraph, subparagraph,  
13 item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or  
14 unconstitutional, such declaration or adjudication shall not affect the remaining provisions of this  
15 ordinance, as if such invalid or unconstitutional provision was not originally a part of this ordinance.

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

18 **PASSED: December 7, 2021**

19 **ATTEST:**

**APPROVED:**

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21 \_\_\_\_\_  
22 **Susan Langley, City Clerk**

\_\_\_\_\_ **Frank Scott, Jr., Mayor**

23 **APPROVED AS TO LEGAL FORM:**

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26 **Thomas M. Carpenter, City Attorney**

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