

R-08-199

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A TEMPORARY CONSTRUCTION EASEMENT TO ALLOW CONTAMINATION REMEDIATION ON THE KOPPERS SITE; AND FOR OTHER PURPOSES.

WHEREAS, the City Council passed Ordinance No. 8014 (“the Ordinance”) on November 26, 2007 to regulate the use of groundwater beneath certain lands located on Atkinson Street, between Short and Alma Streets, in North Little Rock described in the Ordinance as Zone A; and

WHEREAS, Section 2 of the Ordinance prohibits use of groundwater wells and restricts drilling in the Zone A area *except* for purposes of investigation, removal or remediation of any subsurface contamination; and

WHEREAS, there is a need to drill in Zone A of the Koppers site to remove contaminates from the property which process requires drilling a recovery well under a city roadway at an angle to an approximate depth of 100’ (see Exhibits “A” and “B” attached hereto); and

WHEREAS, it is in the best interests of the City and its residents that a temporary construction easement be given to allow drilling of a recovery well for contamination remediation at the site.

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

SECTION 1: That the Mayor and City Clerk are hereby authorized to execute a temporary construction easement (all documentation to be approved by the City Attorney’s Office) allowing drilling of a well (as depicted on Exhibits “A” and “B”) to remove contaminates from property known as the Koppers site and located on Atkinson Street between Short and Alma Streets.

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Patrick H. Hays

SPONSOR:

ATTEST:

Mayor Patrick H. Hays

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b