

R-08-204

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A RIGHT-OF-WAY EASEMENT FROM THE CITY OF NORTH LITTLE ROCK TO ENTERGY ARKANSAS, INC.; AND FOR OTHER PURPOSES.**

WHEREAS, pursuant to Resolution No. 7288, the North Little Rock City Council authorized an agreement between the City and Entergy Arkansas for relocation of power lines that inhibited the proper development of the Smart House Way property near Riverfront Drive; and

WHEREAS, in addition to the relocation agreement, the City also executed an easement in certain aerial rights for the relocation of the power lines (see Exhibit "A" attached hereto); and

WHEREAS, it has become necessary for the City to convey an additional easement to Entergy for the new line in a 25 foot alley, between Riverfront Drive and Smart House Way, which allows the new line to go from the Entergy substation north to the right-of-way along Riverfront Drive as shown on the survey attached hereto as Exhibit "B"; and

WHEREAS, the execution of all conveyances by the City is governed by Ark. Code Ann. § 14-54-303 which authorizes the same when approved by written resolution of a majority of the City Council present and participating.

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 right-of-way conveyance (substantially similar to Exhibit "C" attached hereto) from the City of North Little Rock to Energy Arkansas, Inc., said utility easement described as follows:

Commencing at the Northwest corner of Lot 2R, Weiss-Anderson Addition to the City of North Little Rock, Pulaski County, Arkansas, said corner being on the southerly right-of-way line of Riverfront Drive (150' R/W); Thence along said southerly right-of-way line N 48°39'46" W for 105.97 feet to the point of beginning;  
Thence S 29° 36' 44" W for 337.64 feet;  
Thence N 60° 51' 48" W for 19.67 feet;  
Thence S 40° 26' 28" W for 25.50 feet;  
Thence N 60° 51' 19" W for 25.54 feet;  
Thence N 29° 36' 44" E for 7.82 feet;  
Thence N 60° 23' 43" W for 33.88 feet;  
Thence N 28° 14' 24" E for 15.00 feet;

Thence S 60° 23' 43" E for 34.32 feet;  
Thence N 29° 36' 44" E for 350.62 feet;  
Thence S 48° 39' 46" E for 51.07 feet to the point of beginning.

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

PASSED:

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APPROVED:

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Mayor Patrick H. Hays

SPONSOR:

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Mayor Patrick H. Hays

ATTEST:

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Diane Whitbey, City Clerk

APPROVED AS TO FORM:

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C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b