

**OFFICE OF THE CITY MANAGER  
LITTLE ROCK, ARKANSAS**

**BOARD OF DIRECTORS COMMUNICATION  
FEBRUARY 1, 2022 AGENDA**

<b>Subject:</b>	<b>Action Required:</b>	<b>Approved By:</b>
<p>Request to abandon the portion of the Jack Stephens Drive right-of-way, located south of Plateau Street to West 6<sup>th</sup> Street (G-23-481).</p> <p><b>Submitted By:</b></p> <p>Planning &amp; Development Department</p>	<p>√ <b>Ordinance</b> Resolution</p>	<p>Bruce T. Moore City Manager</p>
<p><b>SYNOPSIS</b></p>	<p>The adjacent property owner requests to abandon the portion of Jack Stephens Drive, from the south right-of-way line of Plateau Street to the south right-of-way line of West 6<sup>th</sup> Street.</p>	
<p><b>FISCAL IMPACT</b></p>	<p>None.</p>	
<p><b>RECOMMENDATION</b></p>	<p>Staff recommends approval of the abandonment. The Planning Commission voted to recommend approval by a vote of 9 ayes, 0 nays and 2 absent.</p>	
<p><b>BACKGROUND</b></p>	<p>The applicant proposes to abandon the portion of Jack Stephens Drive, from the south right-of-way line of Plateau Street to the south right-of-way line of West 6<sup>th</sup> Street. Jack Stephens Drive is a paved right-of-way located within the UAMS Campus, with varying right-of-way widths. The right-of-way is generally between forty (40) and sixty (60) feet wide. A small portion of the right-of-way (approximately 100 feet in length) was previously abandoned by Ordinance No. 17,852 (October 20, 1998). This portion is located between West 4<sup>th</sup> Street and West Capitol Street.</p> <p>The applicant has made the following comment with request to the proposed abandonment:</p>	

**BACKGROUND  
CONTINUED**

“All abandoned right-of-way areas will be retained as Utility and Drainage Easements as there are many lines existing there today. The abandonment will facilitate UAMS in taking ownership of several duct banks, presently owned by Entergy Corporation, as well as their continued improvements in this part of the campus.”

UAMS is the only property owner which abuts the area of right-of-way to be abandoned. Therefore, there were no other property owners to notify of the abandonment request.

A letter from Beach Abstract Company makes the following comments with respect to reversionary clause(s) for the right-of-way to be abandoned:

1. We find that the east ½ of Elm Street was dedicated to the Public in the Dedication Plat and Bill of Assurance to the City of Little Rock, Arkansas, which was filed for record June 5, 1895, in Plat Book AB, Page 252 and the THERE ARE NO REVERSIONARY CLASUES.
2. We find that the east ½ of Elm Street was dedicated to the Public in the Dedication Plat and Bill of Assurance to the City of Little Rock, Arkansas, which was filed for record July 20, 1906, in Plat Book 1, Page 25 and the THERE ARE NO REVERSIONARY CLASUES.
3. *According to the City of Little Rock the west ½ of Elm Street was most likely never dedicated because it was always owned by the State of Arkansas and it was not required for them to dedicate. So therefore, we cannot state whether there is a Reversionary Clause.*

Several of the public utility companies request that all or parts of the area of abandonment be retained as a utility easement; therefore, the entire area of abandonment will be retained as a Utility and Drainage Easement.

There are no Master Street Plan issues, as the area of abandonment is not classified as a collector street or higher.

Abandoning this right-of-way will have no adverse impact on the public welfare and safety. The Little Rock Fire Department submitted no negative comments to the proposed abandonment request.

**BACKGROUND  
CONTINUED**

The Planning Commission reviewed this request at their December 9, 2021, meeting and there were no objectors present. All neighborhood associations registered with The City of Little Rock were notified of the public hearing. Please see the attached Planning Commission Minute Record for the complete staff analysis.