

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING THE DEDICATION OF
COMMERCE COVE IN THE CITY OF NORTH LITTLE ROCK;
DECLARING AN EMERGENCY; AND FOR OTHER
PURPOSES.**

WHEREAS, the owners of Commerce Cove have requested that the City of North Little Rock accept the dedication of said street as a city roadway and to assume responsibility for its maintenance (see Exhibit "A" attached hereto); and

WHEREAS, the said roadway and related improvements were completed according to plans and specifications in 2006 and a maintenance bond was provided to the City in April 2007; however, due to an oversight, dedication procedures were not implemented, and the owners of the roadway have requested that the City waive requirements for another maintenance bond; and

WHEREAS, the said roadway and related improvements have been duly approved by the North Little Rock City Engineer, who has also recommended waiving the maintenance bond since the previous bond has expired (see Exhibit "B").

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

SECTION 1: That the City of North Little Rock, Arkansas hereby accepts the dedication of a 60-foot right-of-way, to be known as Commerce Cove, lying within Counts-Massie Industrial Subdivision, North Little Rock, Pulaski County, Arkansas, more particularly described on Exhibits "C" and "D" attached hereto and incorporated by reference.

SECTION 2: That a certified copy of this Ordinance shall be filed in the Office of the Pulaski County Recorded and recorded in the Deed Records of Pulaski County.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4: 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 5: That it is hereby found and determined that the acceptance of the above-mentioned roadway is immediately necessary 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:

SPONSORS:

Alderman Cary Gaines

Alderman Sam Baggett

APPROVED AS TO FORM:

C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

APPROVED:

Mayor Patrick H. Hays

ATTEST:

Diane Whitbey, City Clerk