

R-20- 149

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN OFFER AND ACCEPTANCE TO SELL CERTAIN REAL PROPERTY LOCATED ON PIKE AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO RECOVERY CENTERS OF ARKANSAS, INC.; AND FOR OTHER PURPOSES.

WHEREAS, Arkansas Code Ann. § 14-54-302 authorizes the City to sell its real property when authorized by a resolution approved by a majority vote of the City Council present and participating; and

WHEREAS, the City of North Little Rock (the "City") owns and desires to sell real property, containing approximately 1.164 acres (50,704 square feet), located on Pike Avenue (the "Property"), being more particularly described as:

LOT A AND OTHER LANDS LYING IN BLOCK 1, BARING CROSS ADDITION TO THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS, THE WHOLE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE AND CAP AT THE NORTHWEST CORNER OF SAID LOT A, BLOCK 1;

THENCE SOUTH 88° 39' 18" EAST ALONG THE NORTH LINE OF SAID LOT A FOR 139.90 FEET TO AN IRON PIPE AND CAP AT THE INTERSECTION OF SAID NORTH LINE WITH THE WEST RIGHT OF WAY LINE OF MOSS STREET (26' RIGHT OF WAY);

THENCE SOUTH 01° 27' 44" WEST ALONG SAID EAST RIGHT OF WAY LINE FOR 204.36 FEET TO AN IRON PIPE AT THE INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF PIKE AVENUE (RIGHT OF WAY VARIES)

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING COURSES:

SOUTH 14° 38' 11" WEST FOR 101.78 FEET TO AN IRON PIPE AND CAP AND THE BEGINNING OF A CURVE;

ALONG SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 01° 31' 15.6", HAVING A RADIUS OF 2904.79 FEET, AND WHOSE LONG CHORD BEARS SOUTH 13° 52' 33" WEST

FOR A DISTANCE OF 77.11 FEET TO AN IRON PIPE AND CAP;

SOUTH 61° 54' 22" WEST FOR 26.52 FEET TO AN IRON PIPE AND CAP AT THE INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF WEST 13TH STREET (57.5' RIGHT OF WAY);

THENCE DEPARTING SAID WEST RIGHT OF WAY LINE AND NORTH 88° 00' 46" WEST ALONG SAID NORTH RIGHT OF WAY LINE FOR 77.76 FEET TO AN IRON PIPE AND CAP ON THE EAST LINE OF A 15' ALLEY;

THENCE NORTH 01° 33' 50" EAST FOR 390.85 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING (see maps attached hereto collectively as Exhibit A); and

WHEREAS, Recovery Centers of Arkansas, Inc. ("RCA") has offered to pay the sum of Twenty Five Thousand Dollars and 00/100 cents (\$25,000.00) for the Property, and it is in the best interests of the City and its residents to sell said Property to RCA.

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 an Offer and Acceptance (substantially similar to Exhibit B attached hereto) and to sell to Recovery Centers of Arkansas, Inc. the Property located on Pike Avenue for the total sum of \$25,000.00.

SECTION 2: That the Mayor and City Clerk are hereby authorized to execute all documents necessary to effect the completion of the herein stated sale; with all contracts/agreements to be reviewed and approved by the City Attorney prior to execution.

SECTION 3: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Joe A. Smith

SPONSOR:

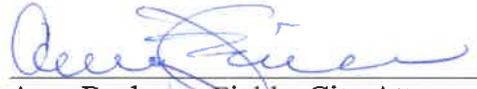
ATTEST:



Mayor Joe A. Smith

Diane Whitbey, City Clerk

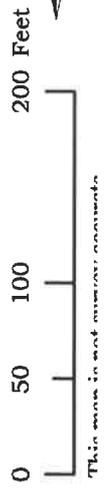
APPROVED AS TO FORM:



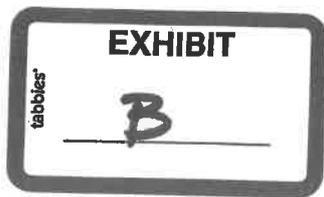
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED	<u>10:55</u>	A.M.	_____	P.M.
By	<u>Amy Fields, City Atty</u>			
DATE	<u>10/6/20</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>B. Taylor</u>			



Date: 10/15/2020



OFFER & ACCEPTANCE

KNOW ALL MEN BY THESE PRESENTS:

1. **BUYER & SELLER(S):** City of North Little Rock, Arkansas, owner of property located on Pike Avenue in the City of North Little Rock, Arkansas, hereinafter referred to as "Seller", offers to sell, subject to the terms set forth herein, the following described property to the Recovery Centers of Arkansas, Inc., hereinafter referred to as "Buyer."

LEGAL DESCRIPTION OF PROPERTY:

LOT A AND OTHER LANDS LYING IN BLOCK 1, BARING CROSS ADDITION TO THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS, THE WHOLE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE AND CAP AT THE NORTHWEST CORNER OF SAID LOT A, BLOCK 1;

THENCE S 88° 39' 18" E ALONG THE NORTH LINE OF SAID LOT A FOR 139.90 FEET TO AN IRON PIPE AND CAP AT THE INTERSECTION OF SAID NORTH LINE WITH THE WEST RIGHT OF WAY LINE OF MOSS STREET (26' R/W);

THENCE S 01° 27' 44" W ALONG SAID EAST RIGHT OF WAY LINE FOR 204.36 FEET TO AN IRON PIPE AT THE INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF PIKE AVENUE (R/W VARIES)

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING COURSES:

S 14° 38' 11" W FOR 101.78 FEET TO AN IRON PIPE AND CAP AND THE BEGINNING OF A CURVE;

ALONG SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 01° 31' 15.6", HAVING A RADIUS OF 2904.79 FEET, AND WHOSE LONG CHORD BEARS S 13° 52' 33" W FOR A DISTANCE OF 77.11 FEET TO AN IRON PIPE AND CAP;

S 61° 54' 22" W FOR 26.52 FEET TO AN IRON PIPE AND CAP AT THE INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF WEST 13TH STREET (57.5' R/W);

THENCE DEPARTING SAID WEST RIGHT OF WAY LINE AND N 88° 00' 46" W ALONG SAID NORTH RIGHT OF WAY LINE FOR 77.76 FEET TO AN IRON PIPE AND CAP ON THE EAST LINE OF A 15' ALLEY;

THENCE N 01° 33' 50" E FOR 390.85 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING;

CONTAINING 50,704 SQUARE FEET OR 1.164 ACRES, MORE OR LESS.

2. PURCHASE PRICE: The Buyer will pay \$25,000.00 for fee simple title to the herein-described property. The Sellers will be responsible for reasonable closing costs; provided, however, that Buyer will pay for the cost of the survey of the property, attached hereto as Exhibit A.

3. EXPRESS CONDITIONS: This agreement is conditioned upon the following:

(a) Approval by the North Little Rock City Council; and

(b) Closing shall occur no later than December 1, 2020, except as agreed to by both Seller and Buyer.

4. CONVEYANCE/WARRANTY: Seller agrees to grant, bargain, transfer and convey the above-described property unto Buyer and unto its administrators and assigns. Seller hereby covenants with the Buyer that it is the lawful owner of said property, that the property is free from liens and encumbrances, that Seller has good right to sell the same; and that Seller will warrant and defend the same against the lawful claims and demands of all persons or entities whomsoever.

5. POSSESSION: Possession shall be delivered to Buyer upon closing.

6. INSPECTION: Buyer certifies that Buyer has inspected the property and is not relying upon any warranties, representations or statements of any agent or Sellers other than those specified herein.

7. MISCELLANEOUS:

a. This agreement shall be governed by the laws of the State of Arkansas.

b. This agreement contains the complete agreement between the parties and cannot be varied except by written agreement of the parties. The parties agree that there are no

oral agreements, understandings, representations or warranties which are not expressly set forth herein.

c. Any portion of this agreement not otherwise consummated at closing will survive the closing of this transaction as a continuing agreement by and between the parties.

d. This agreement shall inure to the benefit of and bind the parties hereto and their respective heirs, representatives, successors and assigns.

e. Time is of the essence with respect to this offer and acceptance.

8. ACCEPTANCE: The term “acceptance” as used herein shall mean the later of the two dates on which this agreement is signed by Sellers or when signed by North Little Rock’s Mayor, as indicated by the appropriate signatures below, which later date shall be the date of final execution and agreement by the parties hereto. If any date or deadline provided for herein falls on Saturday, Sunday, or a holiday, the applicable date shall be the next business day.

[THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK]

SELLER:

City of North Little Rock, Arkansas

By: _____
Joe A. Smith Mayor

Address: 300 Main Street
N. Little Rock, AR 72114

Date: _____

BUYER:

Recovery Centers of Arkansas, Inc.

By: _____
Carole Baxter, Executive Director

Address: _____

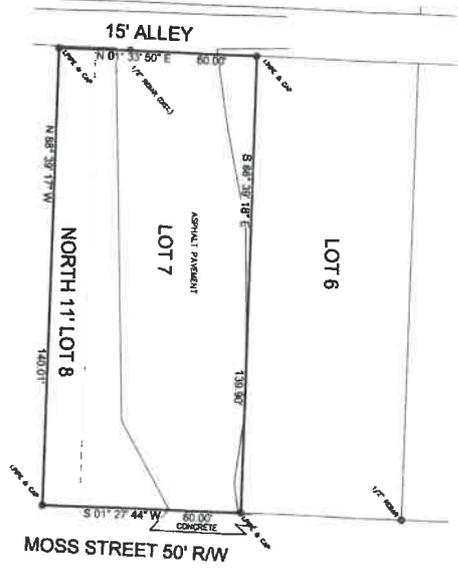
Date: _____

ATTEST:

Diane Whitbey, City Clerk

[SEAL]

PREPARED BY:
Office of North Little Rock City Attorney
116 Main Street
North Little Rock, AR 72114



SURVEYOR'S NOTES

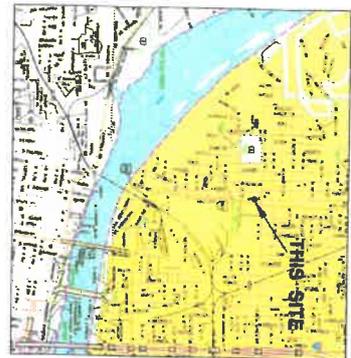
1. THE INFORMATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN HEREIN IS BASED ON RECORDS OF EXISTING UTILITY COMPANIES AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT TO BE FIELD ON AS SHOWN ON THESE PLANS. THE USER IS ADVISED BEFORE ANY EXPANSION TO REQUEST EXACT FIELD DATA.
2. BASE OF EVIDENCE: ARKANSAS STATE PLANNING COMMISSIONS NORTH ZONE (PINS)
3. THE PROPERTY IS NOT SHOWN IN THE 100 YEAR FLOOD PLAIN ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 0341 0
4. THIS PROPERTY IS ZONED R-4

LEGAL DESCRIPTION

LOT 7 AND THE NORTH 11.0 FEET OF LOT 8, BLOCK 1, BARING CROSS ADDITION, CITY OF NORTH LITTLE ROCK, LITTLE ROCK, PULASKI COUNTY, ARKANSAS, NORTH CONTAINING 0.187 SQUARE FEET OR 0.183 ACRES, MORE OR LESS.

CERTIFICATE
THIS IS TO CERTIFY THAT THE ABOVE DESCRIBED LAND HAS BEEN ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION ACT AND THE CONTRIBUTION IS FOR AND DEDICATED TO THE PURPOSES SHOWN HEREON.

GRAPHIC SCALE



VICINITY MAP

FOR USE AND BENEFIT OF
CITY OF NORTH LITTLE ROCK
RECOVERY CENTERS OF ARKANSAS

- LEGEND**
- PROPERTY LINE
 - FOUND SURVEY MARKS
 - SET ROW PINE AND GAP





**THOMAS
ENGINEERING
COMPANY**

8810 JOHNSON ROAD, K. LITTLE ROCK, AR 72116
TEL: 501-785-4483 FAX: 501-785-8814

SUPPLY OF
LOT 7 AND THE NORTH 11.0' OF
LOT 8, BLOCK 1,
BARING CROSS ADDITION
PULASKI COUNTY, ARKANSAS

APPROVED: [Signature] DATE: 01/08/20
SCALE: AS SHOWN
SHEET NO. 1 OF 1