

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

As Engrossed: S1/20/05

# A Bill

SENATE BILL 73

5 By: Senators Hill, Capps  
6  
7

## For An Act To Be Entitled

9 AN ACT TO EXTEND EXISTING LEASES BETWEEN THE  
10 STATE OF ARKANSAS AND ARKANSAS LIVESTOCK SHOW  
11 ASSOCIATION; AND FOR OTHER PURPOSES.  
12

### Subtitle

14 AN ACT TO EXTEND EXISTING LEASES BETWEEN  
15 THE STATE OF ARKANSAS AND ARKANSAS  
16 LIVESTOCK SHOW ASSOCIATION.  
17  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 SECTION 1. Arkansas Code § 22-3-1101(a), concerning the acquisition of  
22 facilities by the state for holding the Arkansas State Fair and Livestock  
23 Show, is amended to read as follows:

24 (a)(1) ~~The Arkansas Livestock and Poultry Commission is empowered and~~  
25 ~~authorized to~~ Arkansas Building Authority may enter into an agreement with  
26 the Arkansas State Fair and Livestock Show Association and make such  
27 contracts as are necessary for the purpose of purchasing the permanent site  
28 of the association and for the purchase or construction of buildings and  
29 facilities for the holding of the Arkansas State Fair and Livestock Show~~+~~.

30 (2) Any lands, buildings, or other improvements purchased by the  
31 state out of funds so provided shall belong to the State of Arkansas, and the  
32 ~~commission~~ authority is empowered to enter into an agreement with and execute  
33 a lease for a term of fifty (50) years to the association for the use of the  
34 facilities for the sum of one dollar (\$1.00) per year~~+~~.

35 (3) The lease shall be:

36 (A) ~~executed~~ Executed at the time the state acquires title



1 to the site now owned by the association; or

2 (B) Extended as provided in this section.

3 (4) The ~~commission~~ authority reserves the right to cancel the  
4 lease, and it shall be forfeited back to the state in the event no show is  
5 held during a period of four (4) consecutive years, unless the holding of any  
6 show is made impracticable by reason of war or acts of God.

7  
8 SECTION 2. Arkansas Code § 22-3-1101(c), concerning leases of  
9 facilities by the state for holding the Arkansas State Fair and Livestock  
10 Show, is amended to read as follows:

11 (c)(1) The ~~commission is authorized and directed to~~ authority shall  
12 negotiate with the association and execute a lease with it ~~in lieu of the~~  
13 ~~existing lease dated December 16, 1952, authorized by subsection (a) of this~~  
14 ~~section, on the lands described therein and other lands now constituting a~~  
15 ~~part of the association grounds and parking areas subsequently acquired by~~  
16 ~~the State of Arkansas for a term expiring November 28, 2013~~ December 31,  
17 2055, for the sum of one dollar (\$1.00) per year; ~~and.~~

18 (2) The lease shall include a provision that portions of the  
19 grounds suitable for the use of a standard stock car racing track and quarter  
20 horse racing track may be subleased by the association to any person who  
21 will, as a part of the transaction, hard-surface the automobile racetrack,  
22 build appropriate guardrails around the track, build a grandstand for  
23 spectators, and build adequate concession stands and restroom facilities, and  
24 will allow that portions of the grounds may be leased to other persons for  
25 use in connection with and consistent with the Arkansas State Fair and  
26 Livestock Show activities.

27 (3) The property that is the subject of the lease described in  
28 this subsection includes the following lands constituting a part of the  
29 association grounds and parking areas lying within Pulaski County, Arkansas:

30 (A) Lots 7, 8, 9, 10, 11, and 12, Block 2, Nettie F.  
31 Riffel Addition, City of Little Rock, Arkansas;

32 (B) Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Block 3,  
33 Nettie F. Riffel Addition, City of Little Rock, Arkansas;

34 (C) Lots 1, 2, 3, 4, 5, and 6, Block 4, Nettie F. Riffel  
35 Addition, City of Little Rock, Arkansas;

36 (D) Lots 1, 2, 3, 4, and 5, Block 5, Nettie F. Riffel

1 Addition, City of Little Rock, Arkansas;

2 (E) Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Block 6,

3 Nettie F. Riffel Addition, City of Little Rock, Arkansas;

4 (F) Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Block 7,

5 Nettie F. Riffel Addition, City of Little Rock, Arkansas;

6 (G) Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Block 8,

7 Nettie F. Riffel Addition, City of Little Rock, Arkansas;

8 (H) All of that part of the South  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of  
9 the Northwest  $\frac{1}{4}$  and the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 16,

10 Township 1 North, Range 12 West, that lies East of the Rock Island Railway;

11 (I) Two (2) acres in the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of  
12 Section 16, Township 1 North, Range 12 West, beginning at the point of  
13 intersection or the East boundary line of the Right-of-way of the Choctaw and  
14 Memphis Railway (New CRI P Railway) and South boundary of said Southeast  $\frac{1}{4}$  of  
15 the Northwest  $\frac{1}{4}$  of said Section 16, running thence in a northwesterly  
16 direction along said Right-of-way boundary 540', thence due East parallel to  
17 the South boundary of said Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  165', thence due  
18 South parallel to the East boundary line of said southeast  $\frac{1}{4}$  of the northwest  
19  $\frac{1}{4}$  535' to the point of beginning, containing exactly two (2) acres;

20 (J) All that part of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of  
21 Section 16, Township 1 North, Range 12 West, lying east of the Missouri  
22 Pacific Railway and South of a line established by following the East line of  
23 the Missouri Pacific Railway south 828' from its intersection with the North  
24 line of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , thence East 381', thence  
25 Northeast parallel with the Railway 150', thence East to the East line of the  
26 Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; and

27 (K) The South 755.5' of that part of the Southeast  $\frac{1}{4}$  of  
28 the Northwest  $\frac{1}{4}$  of Section 16, Township 1 North, Range 12 West, lying West of  
29 the CRI P R/W, containing six and one-half acres.

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31 SECTION 3. Arkansas Code § 22-3-1101 is amended to add an additional  
32 subsection to read as follows:

33 (d)(1) The authority shall negotiate with the association and execute  
34 a lease with it for a term expiring December 31, 2055, for the sum of one  
35 dollar (\$1.00) per year.

36 (2) The property that is the subject of the lease described in

1 this subsection includes the following lands lying within Pulaski County,  
2 Arkansas:

3 (A) Lots 1 and 2, Block 2, Nettie F. Riffel Addition, City  
4 of Little Rock, Arkansas;

5 (B) West 46 2/3' of lots 11 and 12, Block 1, Nettie F.  
6 Riffel Addition, City of Little Rock, Arkansas;

7 (C) Lots 5, 11, and 12, Block 4, McCarthy's Addition, City  
8 of Little Rock, Arkansas; and

9 (D) Lot 7, Block 11, Sunset Addition to the City of Little  
10 Rock, Pulaski County, Arkansas and the West 1/2 of an adjacent closed alley.

11 And, that part of West 32<sup>nd</sup> and Schiller Streets beginning at the Southeast  
12 corner of Lot 7, Block 11, Sunset Addition, thence South 25 feet, thence West  
13 165 feet, thence North 25 feet, thence East 165 feet to the point of  
14 beginning.

15  
16 SECTION 4. Arkansas Code § 22-3-1102 is amended to read as follows:  
17 22-3-1102. Eminent domain.

18 (a) From and after the passage and approval of this section, the  
19 ~~Arkansas Livestock and Poultry Commission shall have the right to~~ Arkansas  
20 Building Authority may acquire, by eminent domain, any real property,  
21 including the improvements and fixtures ~~thereon~~ on the property, which that  
22 it may deem necessary to provide a permanent site and show facilities for a  
23 state fair and livestock show and for aid to the livestock industry.

24 (b) The ~~commission~~ authority, upon adoption of a resolution declaring  
25 that the acquisition of the property described ~~therein~~ in the resolution is  
26 in the public interest and necessary for public use, may exercise the power  
27 of eminent domain:

28 (1) In the manner provided by §§ 18-15-1202 - 18-15-1207 for  
29 taking private property for rights-of-way for railroads;

30 (2) In the manner provided by §§ 18-15-301 - 18-15-307; or

31 (3) Pursuant to any other applicable statutory provision for the  
32 exercise of the power of eminent domain.

33  
34 /s/ Hill  
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