

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 H1/28/05

A Bill

SENATE BILL 73

5 By: Senators Hill, Capps
6 By: Representative Sullivan
7

For An Act To Be Entitled

10 AN ACT TO EXTEND EXISTING LEASES BETWEEN THE
11 STATE OF ARKANSAS AND ARKANSAS LIVESTOCK SHOW
12 ASSOCIATION; AND FOR OTHER PURPOSES.
13

Subtitle

14 AN ACT TO EXTEND EXISTING LEASES BETWEEN
15 THE STATE OF ARKANSAS AND ARKANSAS
16 LIVESTOCK SHOW ASSOCIATION.
17
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

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

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

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

36 (3) The lease shall be:



1 (A) ~~executed~~ Executed at the time the state acquires title
2 to the site now owned by the association; or

3 (B) Extended as provided in this section.

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

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

12 (c)(1) The ~~commission is authorized and directed to~~ authority shall
13 negotiate with the association and execute a lease with it ~~in lieu of the~~
14 ~~existing lease dated December 16, 1952, authorized by subsection (a) of this~~
15 ~~section, on the lands described therein and other lands now constituting a~~
16 ~~part of the association grounds and parking areas subsequently acquired by~~
17 ~~the State of Arkansas for a term expiring November 28, 2013~~ December 31,
18 2055, for the sum of one dollar (\$1.00) per year; ~~and.~~

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

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

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

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

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

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

3 (E) Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Block 6,
4 Nettie F. Riffel Addition, City of Little Rock, Arkansas;

5 (F) Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Block 7,
6 Nettie F. Riffel Addition, City of Little Rock, Arkansas;

7 (G) Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Block 8,
8 Nettie F. Riffel Addition, City of Little Rock, Arkansas;

9 (H) All of that part of the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of
10 the Northwest $\frac{1}{4}$ and the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 16,
11 Township 1 North, Range 12 West, that lies East of the Rock Island Railway;

12 (I) Two (2) acres in the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of
13 Section 16, Township 1 North, Range 12 West, beginning at the point of
14 intersection or the East boundary line of the Right-of-way of the Choctaw and
15 Memphis Railway (New CRI P Railway) and South boundary of said Southeast $\frac{1}{4}$ of
16 the Northwest $\frac{1}{4}$ of said Section 16, running thence in a northwesterly
17 direction along said Right-of-way boundary 540', thence due East parallel to
18 the South boundary of said Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ 165', thence due
19 South parallel to the East boundary line of said southeast $\frac{1}{4}$ of the northwest
20 $\frac{1}{4}$ 535' to the point of beginning, containing exactly two (2) acres;

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

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

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

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

1 (2) The property that is the subject of the lease described in
2 this subsection includes the following lands lying within Pulaski County,
3 Arkansas:

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

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

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

10 (D) Lot 7, Block 11, Sunset Addition to the City of Little
11 Rock, Pulaski County, Arkansas and the West 1/2 of an adjacent closed alley.
12 And, that part of West 32nd and Schiller Streets beginning at the Southeast
13 corner of Lot 7, Block 11, Sunset Addition, thence South 25 feet, thence West
14 165 feet, thence North 25 feet, thence East 165 feet to the point of
15 beginning.

16
17 SECTION 4. Arkansas Code § 22-3-1102 is amended to read as follows:
18 22-3-1102. Eminent domain.

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

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

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

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

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

34
35 /s/ Hill, et al