

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

# A Bill

SENATE BILL 855

5 By: Senator D. Sanders  
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## For An Act To Be Entitled

8 AN ACT TO REGULATE THE ABANDONMENT OF UNPAVED ROAD  
9 EASEMENTS; AND FOR OTHER PURPOSES.  
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### Subtitle

11 TO REGULATE THE ABANDONMENT OF UNPAVED  
12 ROAD EASEMENTS.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code § 18-61-101, concerning actions to recover  
20 land, tenements, or hereditaments, is amended to add an additional subsection  
21 to read as follows:

22 (e)(1) Subsections (a)-(c) of this section do not apply to unpaved  
23 road easements.

24 (2) The right to use an unpaved road established by an easement  
25 is abandoned if:

26 (A) Access is denied by a gate across the road; and

27 (B) The gate is closed and locked continuously, other than  
28 briefly to allow access by the owner or others with the owner's express  
29 permission, for one (1) year.

30 (3) An action to assert a right to use an unpaved road  
31 established by an easement is barred after the easement is abandoned under  
32 subdivision (e)(2) of this section.

33 (4) This subsection does not apply to:

34 (A) A road or highway maintained by the State of Arkansas;

35 (B) A road maintained or accepted for perpetual  
36 maintenance by a county;



