



TIM GRIFFIN
ATTORNEY GENERAL

Opinion No. 2025-081

December 18, 2025

The Honorable Les Warren
State Representative
Post Office Box 22900
Hot Springs, Arkansas 71903

Dear Representative Warren:

I am writing in response to your request for an opinion regarding the release of a pipeline easement. You explain that a constituent, through legal counsel, is pursuing a quiet-title action for property in Garland County. One potential encumbrance is a pipeline easement conveyed in 1953 to the State of Arkansas for public purposes related to the Arkansas Resources and Development Commission. According to the constituent, the easement is not currently in use, and the Commission no longer exists. You also note that every state agency contacted has disclaimed authority to release the easement and allow the quiet-title action to proceed. Finally, you have provided a copy of the quitclaim deed appearing in Deed Record Book No. 383, pages 360–367, for review.

Against this background, you ask the following questions:

1. What state agency or entity is the successor in interest to the Arkansas Resources and Development Commission?

Brief response: The Arkansas Economic Development Commission is the successor in interest to the Arkansas Resources and Development Commission with respect to the quitclaim deed recorded in Deed Record Book No. 383, pages 360–367.

2. What state agency or entity has or should have the legal authority to release and/or convey a public or pipeline easement?

Brief response: The Arkansas Economic Development Commission has legal authority to release or convey the pipeline easement.

DISCUSSION

Question 1: What state agency is the successor in interest to the Arkansas Resources and Development Commission?

The Arkansas Economic Development Commission (AEDC) is the successor in interest to the Arkansas Resources and Development Commission (ARDC) with respect to the quitclaim deed recorded in Deed Record Book No. 383, pages 360–367. To understand why the AEDC holds this status, a brief review of the ARDC's history and its transformation into the AEDC is necessary.

The ARDC was established by Act 138 of 1945, which abolished the Arkansas Forestry Commission and transferred its duties to the ARDC.¹ The ARDC was tasked with promoting interests related to resource development, conservation, and infrastructure planning.

In 1955, Act 404 abolished the ARDC and transferred “all titles, functions, powers, and duties” to the newly created Arkansas Industrial Development Commission (AIDC).² Particularly relevant is Section 11 of Act 404, which provides:

The State of Arkansas hereby transfers to the Commission all of its right, title and interest in and to all that certain property received by the State as a gift from Westinghouse Electric Corporation by a certain quitclaim deed dated the 30th day of December, 1953, and appearing in Deed Record Book No. 383, at Pages Nos. 360-367, in the office of the Circuit Clerk and Ex-Officio Recorder of the County of Garland, and State of Arkansas, subject, however, to the reservations, exceptions, easements, claims, and outstanding interests set out in said deed.³

Thus, the quitclaim deed, along with the easement, passed to the AIDC.

In 1997, the AIDC was renamed the Arkansas Economic Development Commission (AEDC) to reflect a broader mission beyond manufacturing. The AEDC expanded its focus to include high-tech industries, service sectors (such as healthcare, logistics, and finance), and international business development.⁴

¹ See Act 138 of 1945, § 3. Act 42 of 1953, as amended by Act 99 of 1955 and Act 232 of 1959, recreated the Arkansas Forestry Commission, separating it from the Resources and Development Commission and restoring duties outlined in Act 234 of 1931.

² Act 404 of 1955, § 7.

³ Act 404 of 1955, § 11.

⁴ Arkansas Economic Development Commission, *Encyclopedia of Arkansas* (Apr. 25, 2025), <https://encyclopediaofarkansas.net/entries/arkansas-economic-development-commission-424/> (last visited Oct. 3, 2025).

Finally, Act 910 of 2019 placed the AEDC under the Arkansas Department of Commerce, consolidating its role as the state's lead economic development agency. Despite this structural change, the AEDC retains authority over programs originally established to promote resource and infrastructure development.

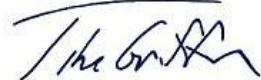
Based on this statutory and organizational history, the AEDC—now operating within the Department of Commerce—is the legal successor in interest to the ARDC regarding the quitclaim deed recorded in Deed Record Book No. 383, pages 360–367.

Question 2: What state agency or entity has or should have the legal authority to release and/or convey a public or pipeline easement?

As successor in interest under the quitclaim deed recorded in Deed Record Book No. 383, pages 360–367, the Arkansas Economic Development Commission (AEDC) has legal authority to release or convey the pipeline easement. Under A.C.A. § 15-4-209, the AEDC is empowered to enter into contracts and to acquire or dispose of interests in real property.⁵

Assistant Attorney General Justin Hughes prepared this opinion, which I hereby approve.

Sincerely,



TIM GRIFFIN
Attorney General

⁵ A.C.A. § 15-4-209(a)(17), (b)(1)–(2).