

1 **RESOLUTION NO. \_\_\_\_\_**

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3 **A RESOLUTION AUTHORIZING USE OF EMINENT DOMAIN ON THE**

4 **WEST BASELINE ROAD IMPROVEMENT PROJECT; AND FOR OTHER**

5 **PURPOSES**

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7 **WHEREAS,** attempts to acquire right-of-way, permanent Construction Easements, and temporary

8 Construction Easements necessary for the construction of the West Baseline Road Improvement Project

9 has been unsuccessful in spite of attempts by staff to negotiate the purchase of easements at or above fair

10 market value, and,

11 **WHEREAS,** staff has successfully acquired other parcels necessary to complete the project and will

12 continue to acquire the necessary property and easements without the use of eminent domain wherever

13 possible.

14 **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY**

15 **OF LITTLE ROCK, ARKANSAS:**

16 **Section 1.** The City Manager and City Attorney are hereby authorized to use eminent domain to

17 complete acquisition of right-of-way, temporary Construction Easements and permanent Construction

18 Easements necessary for construction of the West Baseline Road Improvement Project as shown on the

19 plans for right-of-way acquisition.

20 **Section 2.** Funding for these projects are available from the 3/8-Cent Capital Improvement Sales and

21 Compensating Use Tax as authorized by Resolution No. 14,310, Special Project Activity TS0B128 (West

22 Baseline).

23 **Section 3. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or

24 word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or

25 adjudication shall not affect the remaining portions of the resolution which shall remain in full force and

26 effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the

27 resolution.

28 **Section 4. Repealer.** All laws, ordinances, resolutions, or parts of the same, that are inconsistent with

29 the provisions of this resolution, are hereby repealed to the extent of such inconsistency.

30 **ADOPTED: September 4, 2018**

31 **ATTEST:**

**APPROVED:**

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34 **Susan Langley, City Clerk**

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**Mark Stodola, Mayor**

1 **APPROVED AS TO LEGAL FORM:**

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4 **Thomas M. Carpenter, City Attorney**

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