

1 **RESOLUTION NO. _____**

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3 **A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER**
4 **INTO A SETTLEMENT AGREEMENT WHICH INCLUDES A PAYMENT**
5 **OF SEVEN HUNDRED NINETY-FIVE THOUSAND DOLLARS**
6 **(\$795,000.00), TO SUSAN TERRY BORNE', ET AL., TO RESOLVE ALL**
7 **CLAIMS AGAINST THE CITY OF LITTLE ROCK, ARKANSAS**
8 **MUSEUM OF FINE ARTS, AND THE ARKANSAS ARTS CENTER**
9 **FOUNDATION; AND FOR OTHER PURPOSES.**

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11 **WHEREAS**, on October 5, 1964, the City of Little Rock Board of Directors adopted Little Rock Ark.,
12 Resolution No. 3,218 accepting a deed from Adolphine Fletcher Terry and Mary Fletcher Drennan for the
13 Pike Fletcher Terry House located at 411 E. 7th Street, Little Rock, Arkansas; and,

14 **WHEREAS**, the recorded deed dated August 19, 1964, was conveyed to the City of Little Rock for
15 the use and benefit of the Arkansas Museum of Fine Arts; and,

16 **WHEREAS**, on October 20, 2021, the Plaintiffs filed a complaint against the City of Little Rock,
17 Arkansas Museum of Fine Arts, and the Arkansas Center Foundation in Case No. 60CV-21-6690 seeking
18 reversion and restoration of the property to a good condition; and,

19 **WHEREAS**, during the scope of discovery it was determined that the property is no longer being used
20 exclusively for the advancement of the cultural, artistic, or educational interest of the community and has
21 or should revert in an undivided one-half interest to the heirs of Adolphine Fletcher Terry and an undivided
22 one-half interest to the heirs of Mary Fletcher Drennan; and,

23 **WHEREAS**, it has been determined that it is in the best interest of all parties to settle the litigation in
24 Case No. 60CV-21-6690; and,

25 **WHEREAS**, the City Manager is authorized to settle the litigation in Case No. 60CV-21-6690, for an
26 amount not to exceed Seven Hundred Ninety-Five Thousand Dollars (\$795,000.00); and,

27 **WHEREAS**, the funds for this payment are available in Account No. 108129 S1OC374 and Account
28 No. 101002-62010; and,

29 **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY**
30 **OF LITTLE ROCK, ARKANSAS:**

31 **Section 1.** The City of Little Rock repeals Little Rock, Ark., Resolution No. 3,218 (October 5, 1964).

32 **Section 2.** The City Manager is hereby authorized to settle the litigation in Case No. 60CV-21-6690
33 for an amount not to exceed Seven Hundred Ninety-Five Thousand Dollars (\$795,000.00).

1 **Section 3.** The Mayor is hereby authorized to execute any deeds or documents necessary to transfer the
2 title of the property in undivided one-half interest to the heirs of Adolphine Fletcher Terry and an undivided
3 one-half interest to the heirs of Mary Fletcher Drennan.

4 **Section 4. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or
5 word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or
6 adjudication shall not affect the remaining portions of the resolution, which shall remain in full force and
7 effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the
8 resolution.

9 **Section 5. Repealer.** All laws, ordinances, resolutions, or parts of the same, that are inconsistent with
10 the provisions of this resolution, are hereby repealed to the extent of such inconsistency.

11 **ADOPTED: September 17, 2024**

12 **ATTEST:**

APPROVED:

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15 **Allison Segars, Acting City Clerk**

_____ **Frank Scott, Jr., Mayor**

16 **APPROVED AS TO LEGAL FORM:**

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

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