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RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO USE
EMINENT DOMAIN ON THE CHATEAUS LANE IMPROVEMENT
PROJECT; AND FOR OTHER PURPOSES**

WHEREAS, attempts to acquire one of the right-of-way, Permanent Construction Easements, and Temporary Construction Easements necessary for the construction of the Chateaus Lane Improvement Project, has been unsuccessful in spite of attempts by staff to contact and negotiate the purchase at or above Fair Market Value.

WHEREAS, staff has successfully acquired other parcels necessary to complete the project and will continue to acquire the necessary property and easements without the use of Eminent Domain wherever possible.

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

Section 1. The City Manager and City Attorney are hereby authorized to use Eminent Domain to complete acquisition of right-of-way, Permanent Construction Easements, and Temporary Construction Easements necessary for the construction of the Chateaus Lane (Ward 7) Improvement Project as shown on the plans for right-of-way acquisition.

Section 2. Funding for these projects are available from the 3/8-Cent Capital Improvement Sales and Compensating Use, Tax as authorized by Resolution No. 14,310, and is available from Special Project Activities TS7B110 (Chateaus).

Section 3. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the resolution which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the resolution.

Section 4. Repealer. All laws, ordinances, resolutions, or parts of the same, that are inconsistent with the provisions of this resolution, are hereby repealed to the extent of such inconsistency.

ADOPTED: June 5, 2018

ATTEST:

APPROVED:

Susan Langley, City Clerk

Mark Stodola, Mayor

1 **APPROVED AS TO LEGAL FORM:**

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

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