1	RESOLUTION NO
2	
3	A RESOLUTION AUTHORIZING USE OF EMINENT DOMAIN
4	ON THE ASHER AVENUE IMPROVEMENT PROJECT; AND
5	FOR OTHER PURPOSES
6	
7	WHEREAS, attempts to acquire some right-of-way, Permanent Construction Easements,
8	and Temporary Construction Easements necessary for the construction of the Asher Avenue
9	Improvement Project, No. 13-B-1A, have been unsuccessful due to a lack of response from the
10	owner or potential title problems; and
11	WHEREAS, staff has successfully acquired, contracted, or are in negotiations with twenty
12	eight (28) landowners and will continue attempts to contact and negotiate acquisitions with the
13	nine (9) landowners that have been un-responsive without the use of eminent domain.
14	NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF
15	THE CITY OF LITTLE ROCK, ARKANSAS:
16	SECTION 1. The City Manager and City Attorney are hereby authorized to use eminent
17	domain to complete acquisition of right-of-way, temporary construction easements and
18	permanent construction easements necessary for construction of the project as shown on the plans
19	for right-of-way acquisition for the Asher Avenue Improvement Project.
20	SECTION 2. Funding for this project is available from 2013 Capital Improvement Bonds
21	for Streets and Drainage as authorized by Resolution No. 13,699.
22	SECTION 3. Severability. In the event any title, section, paragraph, item, sentence, clause,
23	phrase, or word of this resolution is declared or adjudged to be invalid or unconstitutional, such
24	declaration or adjudication shall not affect the remaining portions of the resolution which shall
25	remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional
26	was not originally a part of the resolution.
27	SECTION 4. Repealer. All laws, ordinances, resolutions, or parts of the same, that are
28	inconsistent with the provisions of this resolution, are hereby repealed to the extent of such
29	inconsistency.
30	SECTION 5. This resolution will be in full force and effect from and after the date of its
31	adoption.
32	ADOPTED: March 17, 2015
33	ATTEST: APPROVED:
34	
35 36	Susan Langley, City Clerk Mark Stodola, Mayor

1 APPROVED AS TO LEGAL FORM: 2 3 4 **Thomas M. Carpenter, City Attorney** 5 // 6 // 7 // 8 // 9 // 10 // 11 // 12 // 13 // 14 // // 15 16 // 17 // 18 // 19 // 20 // 21 // 22 // 23 // // 24 25 // 26 // 27 // 28 // 29 // 30 // 31 // 32 // // 33 34 // 35 //

36

//