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RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING USE OF EMINENT DOMAIN ON THE
MCADOO STREET IMPROVEMENT PROJECT; AND FOR OTHER
PURPOSES**

WHEREAS, attempts to acquire some of the right-of-way, permanent construction easements, and temporary construction easements necessary for the construction of the McAdoo Street Improvements, Project No. B-3g, has been unsuccessful due to a lack of response from eight (8) property owners, and

WHEREAS, City Staff has successfully acquired all 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, temporary construction easements and permanent construction easements necessary for construction of the McAdoo Street Improvement project as shown on the plans for right-of-way acquisition.

SECTION 2. Funding for this project is available from the 2013 Capital Improvement Bonds for Streets and Drainage as authorized by Resolution No. 13,699, as amended by Resolution No. 14,269.

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resolutions, or parts of the same, that are inconsistent with the provisions of this resolution, are hereby repealed to the extent of such inconsistency.

SECTION 5. This resolution will be in full force and effect from and after the date of its adoption.

ADOPTED: April 5, 2016

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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