1	RESOLUTION
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3	A RESOLUTION TO AUTHORIZE THE EXECUTION OF A HISTORIC
4	PRESERVATION EASEMENT FOR THE U.S. ARSENAL BUILDING AND
5	SURROUNDING GROUNDS; AND FOR OTHER PURPOSES.
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7	WHEREAS, the City of Little Rock, Arkansas, was awarded an Historic Preservation Restoration
8	Grant from the Department of Arkansas Heritage in the amount of One Hundred Thousand Dollars
9	(\$100,000.00) to restore the north and south porch decks and work on compliance with the Americans with
10	Disabilities Act on a lift, at the U.S. Arsenal Building in MacArthur Park - the home of the Museum of
11	Arkansas Military History; and,
12	WHEREAS, the Arkansas Historic Preservation Program (AHPP) has requested an Historic
13	Preservation Easement as a condition of the grant and such an interest in property must be approved by the
14	Board of Directors of the City of Little Rock by resolution;
15	NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY
16	OF LITTLE ROCK, ARKANSAS:
17	Section 1. The Mayor, City Manager, and City Clerk, are authorized to execute a Historic Façade
18	Easement between the City and AHPP for the U.S. Arsenal Building in MacArthur Park as a condition of
19	receipt of a One Hundred Thousand Dollar (\$100,000.00) grant to restore the porches and a lift and the
20	grounds surrounding the structure.
21	Section 2. The terms of the Façade Easement approved shall be in a form which sets forth the
22	following terms as to archeological excavation and relic hunting:
23	(a) Any and all ground disturbing activities or earth removal on the property may require
24	archeological survey, or investigation, or both, if in the opinion of AHPP such activity may
25	impact the historic battlefield landscape, existing historic buildings, structures, or
26	archeologically significant deposits, sites, or features of the property. More intensive
27	investigation may be required by AHPP if such survey or investigation is necessary to
28	identify, protect, preserve or recover archeologically significant deposits, sites or features.
29	Such survey or investigation shall be completed prior to the commencement of the
30	proposed ground disturbing activity;
31	(b) Archeological investigation may be undertaken on the property only if a scope of work
32	for such is approved in writing in advance by AHPP and of if it is performed in accordance

professional qualified archeologist. Any investigation shall be designed to protect,
 preserve, recover, or any combination of these activities, archeologically significant
 deposits, sites, or features in the area of the proposed ground disturbing activity. It shall
 be completed prior to the commencement of the proposed ground disturbing activity;

5 (c) Artifacts, both prehistoric and historic, recovered from the property after the effective 6 date of the Historic Facade Easement shall remain the personal property of the City of 7 Little Rock, Arkansas, unless otherwise provided by law. The Department of Arkansas 8 Heritage may choose to donate any or all artifacts to AHPP or to another educational or 9 museum organization with the prior written approval of AHPP. All artifacts professionally 10 excavated from archeological deposits, sites, or features on the property shall be preserved 11 according to the State Plan for the Conversation of Archeological Resources, as it may be 12 amended;

(d) The Department of Arkansas Heritage shall take all reasonable precautions to protect
archeological deposits, sites or features on the property from looting, vandalism, erosion,
mutilation, or destruction from any cause. The Department of Arkansas Heritage shall
notify AHPP as soon as practicable but within thirty (30) calendar days following
discovery or knowledge of any looting, vandalism, erosion, mutilation, or destruction of
archeological deposits, sites, or features on the property.

(e) No archeological activities of any kind, including but not limited to the use of
non-invasive technologies, may take place on the property without the express written
consent of AHPP. Relic hunting of any kind on the property is expressly forbidden.

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 were not originally a part of the resolution.

27 Section 4. *Repealer*. All laws, ordinances, resolutions, or parts of the same, that are inconsistent with 28 the provisions of this resolution, are hereby repealed to the extent of such inconsistency.

29 ADOPTED:	September 5, 2017
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30 ATTEST:

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33 Susan Langley, City Clerk

Mark Stodola, Mayor

APPROVED:

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1	APPROVED AS TO LEGAL FORM:
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4	Thomas M. Carpenter, City Attorney
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