

**OFFICE OF THE CITY MANAGER  
LITTLE ROCK, ARKANSAS**

**BOARD OF DIRECTORS COMMUNICATION  
FEBRUARY 17, 2015 AGENDA**

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| <p><b>Subject:</b></p> <p>Authorizing the use of Eminent Domain on the Yarberry Lane Improvement Project</p> <p><b>Submitted By:</b></p> <p>Public Works Department</p> | <p><b>Action Required:</b></p> <p style="text-align: center;">Ordinance<br/>✓ <b>Resolution</b><br/>Approval<br/>Information Report</p> | <p><b>Approved By:</b></p> <p style="text-align: center;">Bruce T. Moore<br/>City Manager</p> |
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| <p style="text-align: center;"><b>SYNOPSIS</b></p>              | <p>Authorizes the City Attorney to use eminent domain to complete acquisition of right-of-way, temporary construction easements and land for the Yarberry Lane Improvement Project, Project No. 13-7-057. <i>This project is in Ward 7.</i></p>  |
| <p style="text-align: center;"><b>FISCAL IMPACT</b></p>         | <p>Funding for this project is available from 3/8-Cent Capital Improvement and Compensating Use Tax Funds as authorized by Resolution No. 13,699.</p>  |
| <p style="text-align: center;"><b>RECOMMENDATION</b></p>        | <p>Approval of the resolution.</p>   |
| <p style="text-align: center;"><b>CITIZEN PARTICIPATION</b></p> | <p>The project is an element of the 2013 Capital Improvement Plan previously endorsed by the Board at the May 21, 2013, meeting, via Resolution No. 13,699 following a series of fourteen (14) public Ward Meetings. One (1) additional public meeting was held to present the project design.</p>                       |
| <p style="text-align: center;"><b>BACKGROUND</b></p>            | <p>City Staff is in the process of acquiring land and right-of-way necessary for the construction of the Yarberry Lane Improvement Project. At this time, acquisition of two (2) parcels have been unsuccessful due to problems in obtaining clear title or no response from the land owner after multiple attempts.</p> |

**BACKGROUND  
CONTINUED**

The City will continue to negotiate and acquire the necessary property without the use of eminent domain; however, it is anticipated that condemnation action will be needed to move the project forward.

The project will widen and improve Yarberry Lane from Chicot Road to Buck Point Lane to a thirty-six (36) feet collector standard street with storm sewer, curb and gutter, sidewalks on one (1) side.