RESOLUTION NO. ____________________

A RESOLUTION AUTHORIZING USE OF EMINENT DOMAIN ON THE
YARBERRY LANE IMPROVEMENT PROJECT; AND FOR OTHER
PURPOSES

WHEREAS, attempts to acquire some right-of-way, permanent construction easements, and
temporary construction easements necessary for the construction of the Yarberry Lane Improvement
Project, No. 13-7-057, have been unsuccessful due to title problems or lack of response from the owner;
and

WHEREAS, staff has successfully acquired through eighteen (18) of twenty (20) parcels and will
continue to acquire the necessary property and easements without the use of eminent domain.

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 project as shown on the plans for right-of-way acquisition.

SECTION 2. Funding for this project is available from 3/8-Cent Capital Improvement and
Compensating Use Tax Funds as authorized by Resolution No. 13,699.

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with the provisions of this resolution, are hereby repealed to the extent of such inconsistency.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: February 17, 2015

ATTEST:    APPROVED:

____________________________________  ______________________________________
Susan Langley, City Clerk                      Mark Stodola, Mayor

APPROVED AS TO LEGAL FORM:

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Thomas M. Carpenter, City Attorney