RESOLUTION NO. _________________

A RESOLUTION AUTHORIZING THE USE OF EMINENT DOMAIN ON
THE 36TH AND SHACKLEFORD ROAD 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 36th Street and Shackleford Road from Dover Drive to Old Shackleford, Project No. 13-6-100, has been unsuccessful due to a lack of response from one (1) property owner; and

WHEREAS, 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, Permanent Construction Easements, and Temporary Construction Easements necessary for construction of the 36th Street and Shackleford Road project as shown on the plans for right-of-way acquisition.

SECTION 2. Funding for this project is available from 2013 Capital Improvement Bonds for Streets and Drainage and the 3/8-Cent Capital Improvement and Compensating Use Tax Funds as authorized by Resolution No. 13,699 and amended by Resolution 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ordinances, resolutions, or parts of the same, that are inconsistent with the provisions of this resolution, are hereby repealed to the extent of such inconsistency.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: February 2, 2016

ATTEST:                        APPROVED:

__________________________________  ____________________________________
Susan Langley, City Clerk         Mark Stodola, Mayor
APPROVED AS TO LEGAL FORM

Thomas M. Carpenter, City Attorney

//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//
//

[Page 2 of 2]