RESOLUTION NO. ____________________

A RESOLUTION AUTHORIZING THE USE OF EMINENT DOMAIN ON
THE PINE VALLEY ROAD AT MCKINLEY STREET ROUNDABOUT
INTERSECTION 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 Pine Valley Road at McKinley
Street Roundabout Project, Project No. B-3c, has been unsuccessful, and

WHEREAS, staff has successfully acquired or have agreements on three (3) of the four (4) 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 Pine Valley Road at McKinley Street Roundabout 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 Sales and Compensating Use Tax as authorized by
Resolution No. 13,699 and 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the provisions of this resolution, are hereby repealed to the extent of such inconsistency.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: August 2, 2016

ATTEST: APPROVED:

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

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Thomas M. Carpenter, City Attorney

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