

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE REAL PROPERTY LOCATED AT 1206 WEST 4TH STREET AND 219 PARKER STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES.**

WHEREAS, pursuant to Resolution No. 9491, passed on August 13, 2018, the North Little Rock City Council ("City Council") authorized the City Attorney to initiate eminent domain proceedings against certain properties needed by the City for a public purpose, located at 1206 West 4th Street and 219 Parker Street, more particularly described herein, and appropriated \$44,000.00 from the General Fund for the purchase of both properties; and

WHEREAS, pursuant to Ark. Code Ann. § 18-15-103(b)(6), the City was required to make a written good faith offer to the property owner prior to initiating eminent domain proceedings; and

WHEREAS, after a good faith offer was made to the property owner, the City Attorney and counsel for the property owner negotiated in good faith to resolve this matter without the necessity of initiating litigation; and

WHEREAS after assessing the risk and the uncertainty of litigation, as well as the protracted period of time that litigation of this matter would require, the City Attorney recommends acceptance of a settlement arrangement reached between the parties to purchase both properties for the sum of \$85,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That the Mayor and City Clerk are hereby authorized to purchase certain properties for a total purchase price of \$85,000.00, located at 1206 West 4th Street and 219 Parker Street in the City of North Little Rock, and more particularly described as follows:

PARCEL 1:

LOT 7 BLOCK 12, MRS. E.A. GILES ADDITION TO THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS, and more commonly known as 1206 West 4th Street, North Little Rock, Arkansas (see map attached hereto as Exhibit A).

PARCEL 2:

LOT 5 BLOCK 13, MRS. E.A. GILES ADDITION TO THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS, and more commonly known as 219 Parker Street, North Little Rock, Arkansas (see map attached hereto as Exhibit A).

SECTION 2: That the City Attorney shall review and approve all documents necessary to effectuate the purchase of the herein described properties.

SECTION 3: That the sum of \$44,000.00 has been previously appropriated for the acquisition of these properties and the additional sum of \$41,000.00 for the purchase of the properties is hereby appropriated from the General Fund.

SECTION 4: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

\_\_\_\_\_

\_\_\_\_\_  
Mayor Joe A. Smith

SPONSOR:

ATTEST:

Joe A. Smith  
Mayor Joe A. Smith *by AF*

\_\_\_\_\_  
Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/ABF

FILED	<u>10:25</u>	A.M.	_____	P.M.
By	<u>Amy Fields City Atty</u>			
DATE	<u>10-16-18</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>[Signature]</u>			