

RESOLUTION NO. R-76-22

RESOLUTION AUTHORIZING THE ACQUISITION OF PERMANENT SEWER UTILITY EASEMENTS FOR CONSTRUCTION AND MAINTENANCE OF THE BASIN 10 AND 14 CAPACITY IMPROVEMENTS – PHASE 1

WHEREAS, the City is engaged in the construction and maintenance of the Basin 10 and 14 Capacity Improvements – Phase 1, Project Number 18-16-Property-P;

WHEREAS, the City seeks to acquire sewer utility easements for the Project across two tracts of real property; however, title to such real property is in dispute and the City cannot determine the owner thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

SECTION 1: The following appraised values for the acquisition of sewer utility easements for the construction and maintenance of the Basin 10 and 14 Capacity Improvements – Phase 1, Project Number 18-16-P, are hereby approved, and the acquisition of the easements for the amount listed is hereby authorized:

<u>City Tract #</u>	<u>Owner</u>	<u>Calculated Value</u>
2	Estate of Clarence Smith/Parcel Strategies LLC	<u>\$1,900.00</u>
3	Estate of Clarence Smith/Parcel Strategies LLC	<u>\$700.00</u>

SECTION 2: The City Administrator, or his designated agent, and the City Attorney are hereby authorized to acquire the easements for the above-listed amounts.

SECTION 3: The City Administrator and the City Attorney are hereby authorized to commence eminent domain proceedings to obtain the necessary easements herein described and make a deposit of just compensation of the appraised value of the easements listed herein. All such actions previously taken for this Project are hereby confirmed.

This Resolution adopted this 17th day of May 2022.

APPROVED:

[Signature]
Vice-Mayor

Attest:

[Signature]

City Clerk

APPROVED AS TO FORM:

[Signature] npr