

**OFFICE OF THE CITY MANAGER  
LITTLE ROCK, ARKANSAS**

**BOARD OF DIRECTORS COMMUNICATION  
FEBRUARY 2, 2016 AGENDA**

<b>Subject:</b>	<b>Action Required:</b>	<b>Approved By:</b>
<p>Authorizing the use of Eminent Domain on the 36th Street and Shackelford Road Improvement Project</p> <p><b>Submitted By:</b></p> <p>Public Works Department</p>	<p style="text-align: center;">Ordinance ✓ <b>Resolution</b> Approval Information Report</p>	<p style="text-align: center;">Bruce T. Moore City Manager</p>
<p style="text-align: center;"><b>SYNOPSIS</b></p>	<p>Authorizes the City Attorney to use eminent domain to complete acquisition of right-of-way, temporary construction easements and land for improvements to 36th Street and Shackelford Road from Dover Drive to Old Shackelford, Project No. 13-6-100. <i>This project is in Ward 6.</i></p>	
<p style="text-align: center;"><b>FISCAL IMPACT</b></p>	<p>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.</p>	
<p style="text-align: center;"><b>RECOMMENDATION</b></p>	<p>Approval of the resolution.</p>	
<p style="text-align: center;"><b>CITIZEN PARTICIPATION</b></p>	<p>The project is an element of the 2013 Capital Improvement Plan previously endorsed by the Board following a series of fourteen (14) public Ward Meetings. One (1) additional public meeting was held to present the project design.</p>	
<p style="text-align: center;"><b>BACKGROUND</b></p>	<p>City staff is in the process of acquiring land and right-of-way necessary for the construction of the 36th Street and Shackelford Road Improvement Project. At this time, acquisition of one (1) parcel has owned by Yancy Partners. Limited Partnership.</p>	

**BACKGROUND  
CONTINUED**

Acquisition has been unsuccessful due to a lack of response from the land owners. Staff has made multiple attempts to contact the owners by mail and hand-delivery of information. The City will continue to negotiate and acquire the necessary property without the use of eminent domain, but it is anticipated that condemnation action will be needed to move the project forward.

The project will widen and improve 36th Street to a three (3)-lane roadway with bike lanes and sidewalk, and Shackleford Road north to Shackleford Crossing with a new sidewalk.