

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

**BOARD OF DIRECTORS COMMUNICATION
MARCH 17, 2015 AGENDA**

<p>Subject:</p> <p>Authorizing the use of eminent domain on the Asher Avenue Improvement Project</p> <p>Submitted By:</p> <p>Public Works Department</p>	<p>Action Required:</p> <p style="text-align: center;">Ordinance ✓ Resolution Approval Information Report</p>	<p>Approved By:</p> <p style="text-align: center;">Bruce Moore City Manager</p>
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SYNOPSIS	Authorizes the City Attorney to use eminent domain to complete acquisition of right-of-way, temporary construction easements and land for the Asher Avenue Improvement Project, Project No. 13-B-1A. <i>This project is in Ward 1.</i>
FISCAL IMPACT	Funding for this project is available from the 2013 Capital Improvement Bonds for Streets and Drainage as authorized by Resolution No. 13,699.
RECOMMENDATION	Approval of the resolution.
CITIZEN PARTICIPATION	The project is an element of the 2013 Capital Improvement Plan previously endorsed by the Board at the May 21, 2013, meeting, via Resolution No. 13,699 following a series of fourteen (14) public Ward Meetings. One (1) additional public meeting was held to present the project design.
BACKGROUND	City Staff is in the process of acquiring land and right-of-way necessary for the construction of the Asher Avenue Improvement Project. At this time, acquisition of parcels from nine (9) landowners have been unsuccessful. Three (3) attempts have been to contact these landowners by certified and first class mail; however, the owners have not been responsive. Where owners have an address in the area, mail has been hand-delivered to them.

**BACKGROUND
CONTINUED**

It should be noted that twenty eight (28) landowners have been fully cooperative and those easements have either been acquired or a sale is being negotiated. The majority of residents and businesses have supported the project. The City will continue to attempt to make contact with and negotiate with the property owner, but it is anticipated that condemnation action will be needed to move the project forward.

The project consists of improving Asher Avenue from Oak to Woodrow Street with storm sewer, curb and gutter, and sidewalks.