

**RESOLUTION No. 2012-05**

A RESOLUTION AUTHORIZING THE INITIATION OF EMINENT DOMAIN  
PROCEEDINGS TO ACQUIRE TITLE TO CERTAIN REAL PROPERTY LOCATED IN THE  
CITY OF SEARCY, ARKANSAS, FOR THE PUBLIC PURPOSE OF THE CONSTRUCTION  
OF A ROAD, STREET OR WAY

The City Council of the City of Searcy, Arkansas, meeting in regular session, makes the following findings of fact:

WHEREAS, development along Beebe-Capps Expressway has increased, and the need for additional signal lights are necessary to control traffic flow along this state highway; and

WHEREAS, this development has included an increase in the number of students at Southwest Middle School and further signal lights along this corridor will facilitate the safety of students, their parents, and other drivers along this state highway; and

WHEREAS, a proposed street has been discussed connecting South Sowell Street to Beebe-Capps Expressway; and

WHEREAS, certain real property that is necessary for this extension of South Sowell Street has not had any conveyances evidenced in the real property records of White County, Arkansas, other than the patent issued to the original holder from the United States of America in the 19<sup>th</sup> century; and

WHEREAS, the use of eminent domain by the City of Searcy, Arkansas, is necessary to obtain title to this property for the construction of a public road, street or way and that this is a proper public purpose under the laws of the State of Arkansas.

NOW, THEREFORE, be it resolved by the City Council of the City of Searcy, Arkansas, as follows:

Section 1. The City Council of the City of Searcy, Arkansas, recognizes that the use of eminent domain for the construction of a public road, street or way to connect South Sowell to Beebe-Capps Expressway will provide a public benefit to drivers in the City of Searcy, and will serve to make drivers safer on that roadway and could lead to the construction of traffic control signals at such an intersection.

Section 2. The Mayor and City Clerk-Treasurer, along with the Searcy City Attorney are authorized and directed to take all actions they determine to be appropriate to exercise the rights of the City of Searcy in eminent domain pursuant to, inter alia, Ark. Code Ann. § 18-15-303(b) as to that real property identified on Exhibit A, which is attached hereto and incorporated here by this reference, to obtain fee simple absolute title to the subject real property.

PASSED AND ADOPTED this 13th day of March, 2012.

/s/ David Morris  
**MAYOR**

ATTEST:

/s/ Margaret Meads  
**CITY CLERK**

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