

ORDINANCE NO. 6343

AN ORDINANCE AUTHORIZING EMINENT DOMAIN CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF CERTAIN REAL PROPERTY (ID# 55346) LOCATED ON OZARK STREET OWNED BY ENNIS JACKSON; AND FOR OTHER PURPOSES.

WHEREAS, Parcel ID# 55346 located along Ozark Street is needed for flood control improvements along the Whittington Creek watershed to mitigate flooding of downtown Hot Springs.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Hot Springs, Arkansas;

SECTION 1: It is hereby determined that Parcel ID# 55346 located along Ozark Street is required for the flood control improvements planned along the Whittington Creek watershed to mitigate flooding of downtown Hot Springs. Said project being for a public purpose and, therefore, necessary for the benefit of the public generally pursuant to A.C.A. §18-15-309.

SECTION 2: The appropriate city officials of the City of Hot Springs, Arkansas, are hereby authorized to exercise the right of eminent domain to obtain by condemnation the following described real property stated in Section 1 hereof:

A part of Lots 28 & 29, in Block 128 of Hot Springs Reservation, parcel I.D. # 55346, located in Section 32, Township 2 South, Range 19 West, Garland County, Arkansas; more particularly described in the 1954 Warranty Deed recorded in Deed Book No. 385, Page 176-177 in the possession of the Garland County Circuit Clerk as:

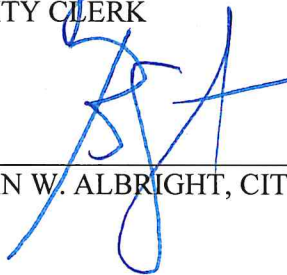
Begin at a point on Water Street at the common corner of Lots 28 and 29, run thence Easterly along Water Street on the north line of lot 28 for 35 feet; thence southerly parallel with the west line of Lot 28 for 70 feet, more or less, to the rear line of Lot 28, thence westerly 35 feet to the southwest corner of Lot 28, thence southerly along the east line of Lot 29 for 65 feet, more or less, to point where the east lone of Lot 29 hits the northeast line of Lot 31, thence northwesterly along the dividing line between Lots 29 and 31 a distance of 25 feet; thence northerly or a straight line across Lot 29 to the place of the beginning.

SECTION 3: The City Attorney is hereby authorized and directed to initiate eminent domain proceedings, and to deposit in the registry of the Garland County Circuit Court the appraised value of the property required, said appraised amount being \$2,000; or such amounts as may be designated by order of the court for the purpose of making the compensation and paying damages when the amount thereof has been assessed by the court, said amount to be ultimately paid to the property owner.

PASSED: September 1, 2020

APPROVED: 
PAT McCABE, MAYOR


ATTEST: 
HARMONY MORRISSEY, CITY CLERK

APPROVED AS TO LEGAL FORM: 
BRIAN W. ALBRIGHT, CITY ATTORNEY

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF GARLAND

SUBSCRIBED AND SWORN to before me this 1ST day of September, 2020.


NOTARY PUBLIC

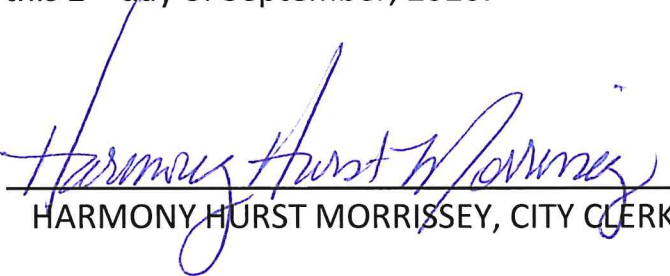
My Commission Expires: 11-04-2029

LEIGH LEAVERTON
Notary Public-Arkansas
Garland County
My Commission Expires 11-04-2029
Commission # 12709265

CERTIFICATE

I, Harmony Morrissey, City Clerk of the City of Hot Springs, Arkansas, do hereby certify that the foregoing is a true and perfect copy of Ordinance No. 6343, approved at the Regular Meeting of the City Board of Directors, held at the regular meeting place of the Board at 7:00 o'clock p.m. on the 1st day of September, 2020, and the same is now in full force and effect and on file in the office of the City Clerk.

GIVEN under my hand and seal this 2nd day of September, 2020.


HARMONY HURST MORRISSEY, CITY CLERK

(SEAL)

