

R-09-90

RESOLUTION NO. _____

A RESOLUTION APPROVING SETTLEMENT IN THE CONDEMNATION CASES OF NORTH LITTLE ROCK VS. PAMELA McQUAID; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Resolutions No. 7232 and No. 7242, the Mayor and City Attorney were authorized to initiate condemnation proceedings against certain property located in the City of North Little Rock and owned by Pamela McQuaid; and

WHEREAS, condemnation proceedings were filed in Pulaski County Circuit Court, being Case No. CV 2008-5985 and CV 2008-5986. and the total sum of \$48,300.00 was deposited in the registry of the Court for both cases consistent with state law and approved by said resolutions; and

WHEREAS, the Office of the City Attorney recommends, and the parties have tentatively agreed, that the sum of \$70,000 constitutes fair compensation for the owner and proper management of legal risk for the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That settlement of the cases in Pulaski County Circuit Court in the matter of the City of North Little Rock vs. Pamela McQuaid, Case Numbers CV 2008-5985 and CV 2008-2986, is hereby approved.

SECTION 2: That the total sum of \$48,300 for both cases has previously been deposited into the registry of the Court to be used toward the purchase of said properties, and the additional amount of \$21,700.00 (bringing the total to be paid for both properties to \$70,000.00) is hereby appropriated from the General Fund.

SECTION 3: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Patrick H. Hays

SPONSOR:

ATTEST:

Mayor Patrick H. Hays

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b