



**City of Conway, Arkansas
Resolution No. R-24-08**

A RESOLUTION AUTHORIZING THE MAYOR TO APPROVE A CONSENT JUDGMENT TO ACQUIRE A PORTION OF PROPERTY LOCATED AT CONWAY TOWNE CENTER, AS BEING NECESSARY FOR THE LOWER RIDGE ROAD REALIGNMENT PROJECT.

Whereas, it has been determined that acquisition of a portion of the property located at Conway Towne Center, Conway, AR 72032, owned by Conway Realty, LLC and Conway Nassim, LLC, is necessary in order for the Conway Department of Transportation to begin and complete the Lower Ridge Road Realignment Project, and that it is in the best interest of the City to purchase that portion of the property needed to complete the project, said project being illustrated in the attached diagram.

Whereas, Resolution R-22-63 authorized the City Attorney's Office to file condemnation proceedings in reference to the below further described property in order to acquire a portion of Conway Towne Center necessary for the Lower Ridge Realignment Project. A condemnation lawsuit was filed, see case 23CV-22-1722.

Whereas, the consent judgment will resolve the pending condemnation lawsuit and allow the parties to enter an agreement.

Whereas, the property is further described as:

LEGAL DESCRIPTION

TRACT 1: (710-08185-004C)

A PART OF THE NE1/4 SW1/4, SECTION 31, T-06-N, R-13-W, FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND STONE FOR THE NE CORNER OF SAID NE1/4 SW1/4; THENCE ALONG THE EAST LINE OF SAID NE1/4 SW1/4 S01°41'47"W A DISTANCE OF 441.10' TO THE POINT OF BEGINNING, SAID POINT BEING ON THE EAST LINE OF PARCEL NO. 710-08185-004C; THENCE CONTINUE S01°41'47"W A DISTANCE OF 16.28' TO A FOUND 1/2" REBAR FOR THE SE CORNER OF SAID PARCEL; THENCE LEAVING SAID EAST LINE AND ALONG THE SOUTH LINE OF SAID PARCEL N88°23'01"W A DISTANCE OF 77.84'; THENCE LEAVING SAID SOUTH LINE N79°48'22"E A DISTANCE OF 79.55' TO THE POINT OF BEGINNING, CONTAINING 633.69 SQUARE FEET (0.0145 ACRES), MORE OR LESS.

TRACT 2: (710-08185-004C)

A PART OF THE NE1/4 SW1/4, SECTION 31, T-06-N, R-13-W, FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND STONE FOR THE NE CORNER OF SAID NE1/4 SW1/4, THENCE ALONG THE EAST LINE OF SAID NE1/4 SW1/4 S01°41'47"W A DISTANCE OF 457.38' TO A FOUND 1/2" REBAR FOR THE SE CORNER OF PARCEL NO. 710-08185-004C; THENCE LEAVING SAID EAST LINE AND ALONG THE SOUTH LINE OF SAID PARCEL N88°23'01"W A DISTANCE OF 335.16' TO A FOUND 1/2" REBAR; THENCE CONTINUE ALONG SAID SOUTH LINE S01°34'14"W A DISTANCE OF 12.29' TO THE POINT OF BEGINNING; THENCE

CONTINUE S01°34'14"W A DISTANCE OF 5.76' TO A FOUND RR-SPIKE; THENCE N88°23'01"W A DISTANCE OF 120.12'; THENCE LEAVING SAID SOUTH LINE N02°02'04"E A DISTANCE OF 6.64'; THENCE S87°57'56"E A DISTANCE OF 120.07' TO THE POINT OF BEGINNING, CONTAINING 744.36 SQUARE FEET (0.0171 ACRES), MORE OR LESS.

PARCEL: (710-08185-000C)

A PART OF THE NE1/4 SW1/4, SECTION 31, T-06-N, R-13-W, FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND STONE FOR THE NE CORNER OF SAID NE1/4 SW1/4; THENCE ALONG THE EAST LINE OF SAID NE1/4 SW1/4 S01°41'47"W A DISTANCE OF 457.38' TO A FOUND 1/2" REBAR FOR THE POINT OF BEGINNING, SAID POINT BEING THE NE CORNER OF PARCEL NO. 710-08185-000C; THENCE CONTINUE S01°41'47"W A DISTANCE OF 45.23'; THENCE LEAVING SAID EAST LINE S88°05'47"W A DISTANCE OF 247.63'; THENCE N87°57'56"W A DISTANCE OF 208.34'; THENCE N02°02'04"E A DISTANCE OF 8.16'; THENCE N88°06'43"W A DISTANCE OF 233.42' TO A FOUND PK NAIL BEING ON THE BOUNDARY LINE OF SAID PARCEL; THENCE ALONG SAID BOUNDARY LINE THE FOLLOWING CALLS: N88°59'15"W A DISTANCE OF 22.04' TO A FOUND PK NAIL; THENCE N01°33'01"E A DISTANCE OF 98.66'; THENCE N83°52'20"E A DISTANCE OF 29.64'; THENCE S01°33'01"W A DISTANCE OF 45.86'; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 39.24', WITH A RADIUS OF 25.00', WITH A CHORD BEARING OF S43°25'00"E, WITH A CHORD LENGTH OF 35.33'; THENCE S88°23'01"E A DISTANCE OF 321.50' TO A FOUND RR-SPIKE; THENCE N01°34'14"E A DISTANCE OF 5.76'; THENCE LEAVING SAID BOUNDARY LINE S87°57'56"E A DISTANCE OF 113.30'; THENCE N86°24'39"E A DISTANCE OF 144.60' TO THE NORTH LINE OF SAID PARCEL; THENCE ALONG SAID NORTH LINE S88°23'01"E A DISTANCE OF 77.84' TO THE POINT OF BEGINNING, CONTAINING 31,290.68 SQUARE FEET (0.7183 ACRES), MORE OR LESS.

Whereas, the property owner has agreed to sell the property/right of way for the sum of \$300,000 which represents a per square foot price of \$9.18.

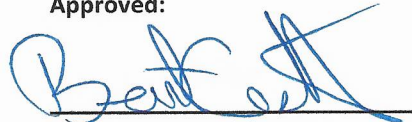
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

Section 1: The City Council for the City of Conway shall hereby authorize the Mayor to approve a consent judgment to acquire a portion of the property at Conway Towne Center, Conway, AR 72032 being necessary for completion of the Lower Ridge Road Realignment Project.


Section 2. That this resolution shall be in full force and effect from and after its passage and approval.

PASSED this 9th day of January, 2024.

Approved:


Mayor Bart Castleberry

Attest:


Michael O. Garrett
City Clerk/Treasurer