



City of Conway, Arkansas  
Resolution No. R-25-18

**A RESOLUTION AUTHORIZING CONWAY CORPORATION TO ACT PURSUANT TO ARK. CODE ANN. § 18-15-301 ET SEQ., ARK. CODE ANN. § 18-15-401 ET SEQ., ARK. CODE ANN. § 18-15-501 ET SEQ. AND OTHER STATE STATUTORY AUTHORITY TO SEEK CONDEMNATION BY EMINENT DOMAIN PROCEEDINGS OF CERTAIN PROPERTIES DESCRIBED HEREIN FOR THE PUBLIC PURPOSES OF CONSTRUCTING A WATER TREATMENT FACILITY AND A DUAL VOLTAGE SUBSTATION.**

**Whereas**, the City of Conway, Arkansas, is a city of the First Class duly organized and existing as a municipal corporation under the laws of the State of Arkansas. The City of Conway ("the City") has its principal place of business within the borders of Faulkner County, Arkansas; and

**Whereas**, Conway Corporation is an Arkansas non-profit corporation with its principal place of business located in Conway, Faulkner County, Arkansas. Conway Corporation is the franchisee of the City of Conway for the purposes of maintaining and operating the City's water and electric utilities; and

**Whereas**, the primary source of drinking water for the City of Conway is Brewer Lake, a manmade lake of approximately One Thousand One Hundred (1,100) acres located north of Plumerville, Arkansas. Water from Brewer Lake is carried through underground pipes across Conway County and Faulkner County, Arkansas, to water treatment facilities operated by Conway Corporation in or near the City of Conway, and then to the citizens and businesses of the City of Conway through the City's water distribution system, and

**Whereas**, it is necessary and in the public interest to construct an additional water treatment facility and electric substation to serve the need of the residents of the City in the eastern part of the City; and

**Whereas** the water treatment facility will carry water from Greers Ferry Lake to the City in order to meet the growing needs of the City of Conway; and

**Whereas** in order to properly complete the aforementioned project, it is necessary to acquire the following described lands (hereinafter referred to as the "Real Property"):

A PART OF THE NW1/4 OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 13 WEST, FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID NW1/4 AND RUNNING THENCE S01°30'27"W ALONG THE WEST LINE OF SAID NW1/4 325.6 FEET TO THE POINT OF BEGINNING; THENCE RUN S83°11'42"E, 1750.57 FEET TO A 1/2" REBAR WITH CAP (1363); THENCE RUN S01°44'45"W, 219.74 FEET TO A CHAIR LEG; THENCE RUN S69°55'19"E, 228.75 FEET TO A 1/2" REBAR WITH CAP (1363) ON THE EAST LINE OF THE W1/2 E1/2 OF SAID NW1/4; THENCE RUN S01°22'55"W, 1917.98 FEET TO THE SOUTHEAST CORNER OF SAID W1/2 E1/2 NW1/4; THENCE

RUN N87°22'41"W, 642.77 FEET TO THE SOUTHEAST CORNER OF THE SW1/4 OF SAID NW1/4; THENCE RUN N87°21'33"W, 1320.84 FEET TO THE SOUTHWEST CORNER OF SAID NW1/4; THENCE RUN N01°30'27"E, ALONG THE WEST LINE OF SAID NW1/4 100.02 FEET; THENCE RUN S87°21'33"E PARALLEL TO THE SOUTH LINE OF SAID SW1/4 NW1/4, 323.74 FEET; THENCE RUN N64°22'28"E, 382.51 FEET; THENCE RUN N64°15'03"E, 203.55 FEET; THENCE RUN N01°30'27"E, 869.65 FEET; THENCE RUN N87°21'33"W, 845.21 FEET TO THE WEST LINE OF SAID NW1/4; THENCE RUN N01°30'27"E, 1085.91 FEET TO THE POINT OF BEGINNING CONTAINING 80.00 ACRES MORE OR LESS.

**Whereas** to secure timely access to said Real Property, however, it is necessary that eminent domain authority be declared, established, and exercised for the purpose of the construction, maintenance, and public uses specified above. As well, and on behalf of the public, the City must continue ownership and control of the Real Property described herein.

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

**Section 1:** The City Council hereby finds and determines that it is necessary for public purposes to acquire the Real Property described herein upon which to construct and maintain said water treatment facility and electric substation. Being unable to reach an agreement and compromise as to the amount of just compensation to pay the respective landowners, it is necessary for public purposes to acquire the Real Property owned by the landowners described herein upon which to construct and maintain said water treatment facility and electric substation. The Real Property is owned by multiple landowners one of which is deceased with no estate having been opened, and there is no personal representative to obtain a Court order and sign a real estate contract to sale the decedent's interest in the Real Property. Because the City has established a legitimate public purpose for said Real Property, the City of Conway and Conway Corporation are empowered under Ark. Code Ann. § 18-15-301 *et seq.*, § 18-15-401 *et seq.* and § 18-15-501 *et seq.* to seek condemnation through eminent domain of the properties described herein and to properly compensate the owners of said properties pursuant to state law.

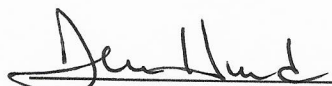
**Section 2:** Conway Corporation is hereby authorized, on behalf of the City, to initiate statutory proceedings for eminent domain and condemnation of the Real Property described herein for the purposes stated herein, up to and including filing appropriate legal pleadings and process in those courts of law having jurisdiction over such process and proceedings.

**PASSED** this 24<sup>th</sup> day of June, 2025

**Approved:**

  
**Mayor Bart Castleberry**

**Attest:**

  
**Denise Hurd**  
City Clerk/Treasurer