

18015

Doc#2013- 17743

Date 09/27/2013

00:22:24 AM

Filed & Recorded in

Official Records of

Faulkner County

RHONDA WHARTON

FAULKNER COUNTY CIRCUIT CLERK

Fees \$20.00

by \_\_\_\_\_

390051

D. C.



City of Conway, Arkansas  
Ordinance No. O-13-101

**AN ORDINANCE APPROVING THE ACQUISITION OF PROPERTY LOCATED AT 1110 SPENCER STREET;  
DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES**

**Whereas**, it is the intention of the City Council of the City of Conway to enter into a purchase contract with the Rosa M. West Trust for the acquisition of 1.44 Acres of Real Property only, located at 1110 Spencer Street, currently occupied by Conway Scrap Metal; and

**Whereas**, the acquisition is to be Voluntary, and will be for the amount of \$315,000, to be paid in a minimum of three (3) equal installments, one in 2013 and two in 2014 as outlined in said contract. The 3<sup>rd</sup> installment is to be made no later than June 30<sup>th</sup>, 2014, but not before City approves that all contract contingencies have been met and title has been closed; and

**Whereas**, the City has made all appropriate inquiries into the previous ownership and uses of the facility in accordance with generally accepted good commercial and customary standards and practices in accordance with 42 U.S.C. 9601, et seq., including but not limited to Phase I and Phase II EPA Environmental Assessments and Environmental Reviews as required by US Department of Housing and Urban Development; and

**Whereas**, the City will make all appropriate inquires prior to closing title in accordance with 42 U.S.C. 9601, et seq., including but not limited to a Phase 1 Environmental Assessment within 180 days of taking title.

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

**Section 1:** The Mayor and City Clerk of the City of Conway are hereby authorized to execute the purchase of said property.

**Section 2:** The City of Conway shall appropriate the first payment of \$105,000 from the General Fund – Fund Balance Appropriation Account (001.119.4900) to the CIP – Land Improvements account (001.119.5902). The remainder of the balance for the purchase of said property will be included in the FY2014 budget.

**Section 3:** This ordinance is necessary for the protection of the public peace, health and safety, and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

**Section 4:** All ordinances in conflict herewith are repealed to the extent of the conflict.

Passed this 16<sup>th</sup> day of September, 2013.

Approved:

Attest:

Michael O. Garrett  
City Clerk/Treasurer

Mayor Tab Townsell