

CITY OF SPRINGDALE
Committee Agendas
Monday, June 15th, 2020
City Council Chamber
City Administration Building
Meetings begin at 5:30 P.M.

Street and Capital Improvement Committee by Rick Evans

1. **A Resolution** authorizing the City Attorney to settle a Condemnation Lawsuit wherein the Marvin E. Moles Revocable Trust and the Sharon A. Moles Revocable Trust are Defendants. Resolution presented by Ernest Cate, City Attorney. **Pgs. 2 - 5**

Finance Committee by Chairman Jeff Watson

2. **COVID 19 Update**

Health Sanitation & Property Maintenance by Chairman Brian Powell

3. **A Discussion** "Curb Your Dog" Ordinance led by Kathy Jaycox.
4. **A Discussion** regarding the addition of Sanitation Stations in the parks and on the trails led by Chad Wolf, Parks and Recreation.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO SETTLE A CONDEMNATION LAWSUIT WHEREIN THE MARVIN E. MOLES REVOCABLE TRUST AND THE SHARON A. MOLES REVOCABLE TRUST ARE DEFENDANTS.

WHEREAS, the City of Springdale has filed a lawsuit against the Marvin E. Moles Revocable Trust and the Sharon A. Moles Revocable Trust to condemn easements across property owned by the Moles for the Ford Avenue Extension to Butterfield Coach Road (Project 18BPS6);

WHEREAS, the City of Springdale deposited the sum of \$30,800.00 into the Registry of the Court as estimated just compensation for the easements across the subject property;

WHEREAS, the property owners have provided an appraisal for the property, and other supporting documentation, to support an offer to settle the condemnation lawsuit for the total sum of \$52,500.00;

WHEREAS, it is the recommendation of the Mayor and City Attorney that the City Council approve the additional sum of \$21,700.00 to settle this lawsuit, as this amount is reasonable, is justified, and will avoid the cost, expense, and risk of a trial;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the City Attorney is hereby authorized to settle the Marvin E. Moles Revocable Trust and the Sharon A. Moles Revocable Trust condemnation lawsuit for the total sum of \$52,500.00, with the additional \$21,700.00 to be paid from the 2018 Street Bond Program (Ford Avenue Extension, Project 18PBS6).

PASSED AND APPROVED this _____ day of _____, 2020.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

Appraisal Report

**Marvin E. Moles Revocable Trust & Sharon A Moles Revocable Trust
Ford Ave. Extension to Butterfield Coach Road
Project #18BPS6 Tract #3
0 Ford Ave.
Springdale, AR 72764**

**Presented To:
Marvin Moles
309 Lake Rd.
1458 Plaza Place
Springdale, AR 72764**

**Presented By:
The Real Estate Consultants
118 N. East Avenue
Fayetteville, AR 72701**

**Prepared By:
Mark E. Risk, GAA
State Certified General Appraiser #0202**

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118 N. East Avenue
P.O. Box 747
Fayetteville, AR 72702
Phone (479) 442-0762

March 20, 2020

Marvin Moles
309 Lake Rd.
Springdale, AR 72764

Re: Appraisal Service – Marvin Moles Revocable Trust & Sharon Moles Revocable Trust
Ford Ave.
Springdale, AR 72764
Ford Avenue Extension to Butterfield Coach Rd. Project #18BPS6 Tract #3

Dear Mr. Moles:

Per your request, I hereby certify I personally inspected the captioned property and made a survey of matters pertinent to developing an opinion of *Just Compensation* resulting from the City of Springdale partial property acquisition or taking (Right-of-Way and Utility Easement). You are the client and intended user in this matter. The appraisal report is prepared for your exclusive benefit and may not be relied upon by any other party. Any other party relying on information contained in this report, without express permission, does so at their own risk.

The following pages contain data gathered during my investigation and show the appraisal method in detail with conclusions rendered. The report conforms to the Uniform Standards of Professional Appraisal as promulgated by the Appraisal Foundation. Please see the report for applicable Assumptions & Limiting Conditions.

In the following sections, I analyze relevant facts and apply appropriate appraisal processes to the property. Therefore, it is my opinion Just Compensation for the Right-of-Way and Utility Easement to be acquired – as of July 8, 2019 and subject to stated assumptions and limiting conditions – is as follows:

Fifty Five Thousand Dollars
\$55,000



Mark E. Risk GAA

State Certified General Appraiser (#CG0202)

Executive Summary Cont'd.

ESTIMATED FAIR MARKET VALUE OF THE PROPERTY:

	BEFORE	AFTER
Land	\$212,000	\$158,000
Improvements	NA	NA
Landscaping	\$ 0	\$ 0
Total	\$212,000	\$158,000
FAIR MARKET VALUE OF SUBJECT AQUISITION		\$ 54,000

ALLOCATION OF JUST COMPENSATION FOR ACQUISITION:

Property Takings:

Permanent Right of Way	17,210± sq. ft. @ \$1.55/SF	=	\$ 26,676
Permanent Utility Easement	8,107 sq. ft. @ \$1.55/sq. ft.	=	\$ 12,566
Severance Damages	119,354 sq. ft. @ \$.12/sq. ft.	=	<u>\$ 14,322</u>
	Total	=	\$ 53,564
	Say		\$54,000
Temporary Construction Easement	4,207 sq. ft. @ \$1.55/sq. ft. = \$6,521 x .10	=	<u>\$ 652</u>
	Total		\$ 54,652
	Say		\$ 55,000
TOTAL JUST COMPENSATION FOR ACQUISITION			\$ 55,000