

ORDINANCE NO. 5-76

ORDINANCE PROVIDING FOR THE CONDEMNATION OF
REAL PROPERTY, DECLARING AN EMERGENCY AND
FOR OTHER PURPOSES

WHEREAS the City of Cotter, Ark., has entered into contracts with the City of Gassville, Ark., and with numerous contractors and others for the construction of a sewer system jointly with Gassville; and has also entered into contracts for the construction of a sewer system within the service area of the City of Cotter, Ark.; and

WHEREAS, in order to construct both the joint sewer system with the City of Gassville, Ark., and to construct the sewer system within the service area of the City of Cotter, Ark., whenever the owners of real property across whose land sewer lines will be constructed refuse to grant easements to the cities or city, as the case may be, it is necessary that land for said lines be acquired in the public interest and for the public use in said construction;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cotter, Arkansas, that whenever easements are refused across any real property which are necessary for public use in the construction of said sewer system and in the public interest for said purpose, that the acquisition of the land necessary for such purpose by eminent domain is found and declared to be necessary for the public use and in the construction of said sewer system;

BE IT FURTHER ORDAINED that the city attorney of the City of Cotter, Arkansas, be, and she hereby is, authorized and directed to take all steps necessary for such acquisition whenever she cannot obtain the necessary easements for said sewer lines; and, further, that she be, and she hereby is, authorized and directed to act jointly with the city attorney for the City of Gassville, Ark., in taking all steps necessary for such acquisition when such acquisition is for the construction of the joint sewer system and to take any and all steps necessary for such acquisition on behalf of the City of Cotter, Arkansas, when such acquisition is for the construction of sewer lines within the service area of the City of Cotter, Arkansas; and that all steps heretofore taken by the City Attorney in connection with eminent domain proceedings for easements be, and they hereby are, approved; and,

BE IT FURTHER ORDAINED that it is hereby found and determined that an emergency exists endangering the health, welfare and safety of the residents of Cotter and that the acquisition of any such real property is hereby found and determined to be an emergency and this ordinance shall take effect immediately upon its passage.

Dated this 4th day of August, 1976.

CITY OF COTTER

By



Mayor

ATTEST:



City Recorder