MEMORANDUM

TO: Jeff Dingman, City Administrator

CC: Maggie Rice, Deputy City Administrator

FROM: Todd Mittge, Director of Engineering

DATE: November 23, 2026

SUBJECT: Easement Acquisitions for 2020 SSA Remedial Measures, Sub-Basin Z007, Project 25-09

SUMMARY

As part of the construction for this Consent Decree project both Sewer Utility and Temporary Construction Easements for eight (8) tracts are required. The total amount for the easements listed below is $14,662.83.

Tract 1 – SUE - PAR# 12610-0460-00000-00 - $1,595.08-Richard D. & Lawana D. Staggs

Tract 2 – SUE - PAR# 12610-0461-00000-00 - $1,886.73-James Wesley Bratcher & Veronica Kasprzak-Bratcher

Tract 3 – SUE - PAR# 12610-0462-00000-00 - $2,506.49-Shelton E. & Jacqui A. Sargent

Tract 4 – TCE - PAR# 12644-0719-00000-00 - $524.99-Stephen M. Hornsey

Tract 5 – TCE - PAR# 12644-0720-00000-00 - $962.05-Sam L. Berry & Sam Berry

Tract 6 – SUE - PAR# 12644-0733-00000-00 - $1,187.00-9508 Belhaven View Family Trust

Tract 7 – SUE - PAR# 12644-0734-00000-00 - $1,217.39-Diogo Carreira & Shellie Ashmore

Tract 8 – SUE - PAR# 12644-0759-00000-00 - $4,783.10-Teresa Madden Living Trust

Property owners have been notified of the Board meeting details and values considered for approval for their property. In the event the named landowner declines to grant the easements, staff recommends the city attorney be allowed to proceed under eminent domain to obtain the required easements. Because of the project's scheduling, staff recommends that the attached Resolution, which includes authorizing the city administrator and city attorney to proceed with eminent domain actions to acquire the needed sewer utility and temporary construction easements if the landowner declines to accept the city's offer, be submitted to the Board for approval. As always, representatives of the city will continue to negotiate with the property owners in an effort to reach a mutually agreeable settlement.

This project aligns with the goals of the comprehensive plan policy TI5.2 (ensure that utility

and infrastructure systems can meet the city's long-term needs).

Please contact me should you or members of the Board have any questions or desire additional information

ATTACHMENTS

1. 3307_12-1-26_Item_ID_3307_Resolution_Engineering-Utilities.pdf
2. 12-1-26 Item ID 3307 Attachment Engineering-Utilities.pdf

FISCAL IMPACT: *$14,662.83*
BUDGET INFORMATION: *Budgeted / Engineering-Utilities - 2025 Sales and Use Tax Bonds*

RESOLUTION NO. _____

RESOLUTION AUTHORIZING ACQUISITION OF SEWER UTILITY AND TEMPORARY CONSTRUCTION EASEMENTS IN CONNECTION WITH THE 2020 SSA REMEDIAL MEASURES, SUB-BASIN Z007, PROJECT NO. 25-09

BE IT RESOLVED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

SECTION 1: The following values for the acquisition of sewer utility and temporary construction easements for construction purposes for the 2020 SSA Remedial Measures, Sub-Basin Z007, Project 25-09 are approved and acquisition of the easements for the amounts listed are hereby authorized for a total of $14,662.83:

Tract 1 – SUE - PAR# 12610-0460-00000-00 - $1,595.08

Tract 2 – SUE - PAR# 12610-0461-00000-00 - $1,886.73

Tract 3 – SUE - PAR# 12610-0462-00000-00 - $2,506.49

Tract 4 – TCE - PAR# 12644-0719-00000-00 - $524.99

Tract 5 – TCE - PAR# 12644-0720-00000-00 - $962.05

Tract 6 – SUE - PAR# 12644-0733-00000-00 - $1,187.00

Tract 7 – SUE - PAR# 12644-0734-00000-00 - $1,217.39

Tract 8 – SUE - PAR# 12644-0759-00000-00 - $4,783.10

SECTION 2: The City Administrator, or his designated agent, and the City Attorney are hereby authorized to acquire the easements for the above listed amounts.

SECTION 3: In the event the easements described herein cannot be acquired by negotiation, the City Administrator and the City Attorney are hereby authorized to commence eminent domain proceedings to obtain the necessary easements herein described and make deposits of just compensation of the values of the easements listed herein.

THIS RESOLUTION ADOPTED THIS _____ Day of _____, 2026.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

Approved as to form:

_____npr