

**Boston Mountain Solid Waste District
Resolution 2005-03**

IN THE MATTER OF THE SALE AND LEASE OF REAL PROPERTY TO THE
ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT

WHEREAS, the Boston Mountain Solid Waste District owns real estate in Washington County situated adjacent to U.S. Highway 62 between Prairie Grove and Lincoln; and

WHEREAS, the Arkansas Highway and Transportation Department (AHTD) is conducting a bridge replacement along the highway adjacent to our property during 2005; and

WHEREAS, the AHTD has offered to purchase 0.36 acres for permanent right-of-way for \$2,350.00 and offered to lease an additional 0.40 acres for temporary construction easement for an additional \$550.00; and

WHEREAS, failure to voluntarily sell and lease the requested property will result in condemnation proceedings against the District by AHTD; and

WHEREAS, the property sought to be purchased/leased is not needed for operations by the District, nor is any future use planned; and

WHEREAS, the amount offered is in excess of the appraised value at the time of the District's purchase in November 2001.

NOW, THEREFORE, THE DISTRICT BOARD DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Boston Mountain Solid Waste District hereby authorizes the Director to enter into any necessary agreements and sign any necessary documents and/or deeds to effectuate the sale and lease of the property described on the attached documents and in accordance with the terms therein.

Approved this 17th day of February, 2005.

ATTEST:

Judge Wes Fowler, Chair

Steven L. Parker, Director