

ORDINANCE NO. _____

AN ORDINANCE TO ESTABLISH AND LAY OFF CITY OF LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. 2016-323 (DENNY ROAD PROJECT); TO DECLARE AND EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, a Petition to form City of Little Rock Municipal Property Owners' Multipurpose Improvement District No. 2016-323 (Denny Road Project) has been filed with the Little Rock City Clerk; and

WHEREAS, the City Clerk has presented the petition to the Mayor; and

WHEREAS, the Mayor has set August 20, 2016, at 6:00 PM, as the date and time for a hearing before the Little Rock Board of Directors for consideration of the petition; and

WHEREAS, the Little Rock Board of Directors has determined from an abstractor's certificate of property ownership that those signing the petition constitute all the owners of the real property to be located in said district; and

WHEREAS, the Arkansas Municipal Property Owners' Improvement District Law provides that if the governing body determines that all the owners of the real property to be located in the district have petitioned for the improvements, it shall then be its duty by ordinance to establish and lay off the District as defined in the Petition and to appoint the Commissioners named in the Petition.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

Section 1. That the real property described in Exhibit "A" attached hereto and made a part hereof is hereby established and laid off as City of Little Rock Municipal Property Owners' Multipurpose Improvement District No. 2016-323 (Denny Road Project) for the purpose of providing recreational facilities and maintaining the infrastructure and improvements within the District, together with facilities related to any of the foregoing within said District.

Section 2. The following three (3) individuals are hereby appointed as Commissioners of said Improvement District: Robert Graham Smith; Scott M. Hurley; and Zack DeYmaz.

Section 3. The name of Improvement District shall be City of Little Rock Municipal Property Owners' Multipurpose Improvement District No. 2016-323 (Denny Road Project).

Section 4. Severability. In the event any title, subtitle, section, subsection, subdivision, paragraph, subparagraph, item, sentence, clause, phrase, or work of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional

1 was not originally a part of this ordinance.

2 **Section 5. Repealer.** All ordinances, resolutions, or parts of the same that are inconsistent with the
3 provisions of this ordinance are hereby repealed to the extent of such inconsistency including, but not limited
4 to, Section 2 of Little Rock, Ark., Ordinance No. 19,607 (October 3, 2006).

5 **Section 6. Emergency Clause.** *The ability of an improvement district to be organized and to comply with*
6 *the statutory and constitutional requirements of Arkansas law in order to proceed with the necessary*
7 *improvements is essential to the public health, safety and welfare; an emergency is, therefore, declared to exist*
8 *and this ordinance shall be in full force and effect from and after the date of its passage.*

9 **PASSED: September 20, 2016**

10 **ATTEST:**

APPROVED:

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13 **Susan Langley, City Clerk**

Mark Stodola, Mayor

14 **APPROVED AS TO LEGAL FORM:**

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17 **Thomas M. Carpenter, City Attorney**

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1 **EXHIBIT A**

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3 **Legal Description**

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5 **PROPERTY DESCRIPTION - TRACT 1:**

6 **PART OF THE W1/2, SECTION 35, TOWNSHIP 2 NORTH, RANGE 14 WEST, LITTLE ROCK,**
7 **PULASKI COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

8 **BEGINNING AT AN ALUMINUM DISK AT THE EAST 1/4 CORNER OF SAID SECTION 35;**
9 **THENCE N 01° 58' 19" E ALONG THE WEST LINE OF SAID SECTION 35 FOR 451.93 FEET TO**
10 **A REBAR AND CAP; THENCE N 44° 03' 37" E FOR 211.02 FEET TO A COTTON PICKER**
11 **SPINDLE (C.P.S.) IN THE CENTERLINE OF DENNY ROAD; THENCE S 44° 18' 37" E ALONG**
12 **SAID CENTERLINE FOR 247.71 FEET TO A PK NAIL; THENCE S 01° 01' 23" W FOR 434.89**
13 **FEET TO A 1" REBAR ON THE NORTH LINE OF THE NW1/4 SW1/4 SAID SECTION 35;**
14 **THENCE S 88° 28' 25" E ALONG SAID NORTH LINE FOR 480.59 FEET TO A PK NAIL IN THE**
15 **CENTERLINE OF DENNY ROAD; THENCE S 45° 56' 06" E ALONG SAID CENTERLINE FOR**
16 **240.58 FEET TO A PK NAIL; THENCE S 41° 31' 15" W FOR 406.12 FEET TO A REBAR AND CAP;**
17 **THENCE S 06° 33' 40" W FOR 221.04 FEET TO A REBAR AND CAP;**

18 **THENCE S 11° 04' 00" E FOR 189.30 FEET TO A REBAR AND CAP; THENCE S 21° 57' 42" W**
19 **FOR 197.79 FEET TO A REBAR AND CAP; THENCE S 09° 10' 45" W FOR 75.53 FEET TO A**
20 **REBAR AND CAP ON THE NORTH LINE OF A FIFTY (50)-FOOT WIDE RAW WATER LINE**
21 **OWNED BY THE CITY OF LITTLE ROCK, ARKANSAS; THENCE ALONG SAID NORTH LINE**
22 **THE FOLLOWING COURSES; THENCE N 88° 09' 44" W FOR 49.36 FEET TO A REBAR AND**
23 **CAP; THENCE N 86° 19' 30" W FOR 222.79 FEET TO A REBAR AND CAP; THENCE N 88° 52' 59"**
24 **W FOR 186.21 FEET TO A REBAR AND CAP; THENCE N 89° 59' 08" W FOR 82.21 FEET TO A**
25 **RBAR AND CAP; THENCE N 86° 26' 39" W FOR 55.40 FEET TO A REBAR AND CAP; THENCE N**
26 **88° 04' 35" W FOR 17.14 FEET TO A REBAR AND CAP; THENCE N 89° 45' 23" W FOR 63.22**
27 **FEET TO A REBAR AND CAP AT THE INTERSECTION OF SAID NORTH LINE WITH THE**
28 **WEST LINE OF SAID SECTION 35; THENCE DEPARTING SAID NORTH LINE N 01° 58' 19" E**
29 **ALONG SAID WEST LINE FOR 1133.21 FEET TO THE POINT OF BEGINNING; CONTAINING**
30 **1,056,645 SQUARE-FEET OR 24.257 ACRES, MORE OR LESS. LESS AND EXCEPT THE RIGHT**
31 **OF WAY FOR DENNY ROAD.**

32 **PROPERTY DESCRIPTION - TRACT 2:**

33 **PART OF THE NE1/4 SE1/4 AND THE SE1/4 NE1/4, SECTION 34, TOWNSHIP 2 NORTH, RANGE**
34 **14 WEST, LITTLE ROCK, PULASKI COUNTY, ARKANSAS, MORE PARTICULARLY**
35 **DESCRIBED AS FOLLOWS:**

1 **BEGINNING AT AN ALUMINUM DISK AT THE EAST 1/4 CORNER OF SAID SECTION 34;**
2 **THENCE S 01° 58' 19" W ALONG THE EAST LINE OF SAID SECTION 34 FOR 1133.21 FEET TO**
3 **AN IRON PIPE AND CAP ON THE NORTH LINE OF A FIFTY (50)-FOOT WIDE RIGHT-OF-WAY**
4 **FOR A RAW WATER LINE OWNED BY THE CITY OF LITTLE ROCK, ARKANSAS; THENCE N**
5 **88° 12' 55" W FOR 511.56 FEET ALONG SAID NORTH RIGHT OF WAY LINE TO AN IRON PIPE**
6 **AND CAP; THENCE N 02° 18' 08" E FOR 1027.00 FEET TO A REBAR AND CAP; THENCE N 44°**
7 **03' 37" E FOR 754.37 FEET TO A REBAR AND CAP; THENCE S 01° 58' 19" W FOR 451.93 FEET**
8 **TO THE POINT OF BEGINNING; CONTAINING 663,430 SQUARE-FEET OR 15.230 ACRES,**
9 **MORE OR LESS.**

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