1	<b>RESOLUTION NO.</b>		
2			
3	A RESOLUTION TO SET DECEMBER 15, 2020, AS THE DATE OF		
4	PUBLIC HEARING TO ESTABLISH AND LAY OFF LITTLE ROCK		
5	MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT		
6	DISTRICT NO. 2020-002 (BEAR DEN MOUNTAIN PROJECT); AND FOR		
7	OTHER PURPOSES.		
8			
9	WHEREAS, the City Clerk has been provided a petition executed by the Commissioners of the District		
10	of the relevant property to form and lay off a Municipal Property Owners' Multipurpose Improvement		
11	District 2020-002 (Bear Den Mountain Project); and,		
12	WHEREAS, Little Rock, Arkansas, Ordinance No. 21,857 (April 7, 2020) ("LRO 21,857") formed		
13	the Municipal Property Owners' Multipurpose Improvement District 2020-002 (Bear Den Mountain		
14	Project) (the "District") for the purpose of constructing and installing facilities for waterworks, drainage,		
15	gas pipelines, underground trenches and excavations necessary for the installation of electric and telephone		
16	distribution systems, sanitary sewers, streets, including curbs, gutters and sidewalks, together with facilities		
17	related to any of the foregoing within the District; and,		
18	WHEREAS, the District has filed a Complaint for Condemnation in the Circuit Court of Pulaski		
19	County, Arkansas, to exercise its right of eminent domain under Ark. Code Ann. § 14-94-112(a) to condemn		
20	a 3,776 square-foot tract of real property adjacent to the District for the public purpose of connecting sewer		
21	service to an existing manhole owned by the Little Rock Water Reclamation Authority located within		
22	approximately seventy-eight (78) feet of the District; and,		
23	WHEREAS, the owner of the real property at issue has moved to dismiss the District's Complaint for		
24	Condemnation on the grounds that LRO No. 21,857 limits the District's power of eminent domain to the		
25	geographical boundaries of the District; and,		
26	WHEREAS, before such action can be taken it is necessary to have a public hearing before the Little		
27	Rock Board of Directors to determine if it was or was not the intent of LRO No. 21,857 to limit the District's		
28	authority.		
29	NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY		
30	OF LITTLE ROCK, ARKANSAS:		
31	Section 1. A public hearing will be held by the Board of Directors at its meeting that will start at 6:00		
32	PM on the 15 <sup>th</sup> day of December 2020, at the Robinson Center, William Grant Still Ballroom, 426 West		
33	Markham Street, Little Rock, Arkansas, regarding the question of whether City of Little Rock Board of		

1	Directors did or did not intend to limit the District's authority under Ark. Code Ann. § 14-94-101 et seq. to		
2	condemn real property located outside the boundaries of the District, more particularly described as:		
3	THE S <sup>1</sup> / <sub>2</sub> OF THE SE <sup>1</sup> / <sub>4</sub> OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 14 WEST,		
4	PULASKI COUNTY, ARKANSAS.		
5	Section 2. The City Clerk is hereby directed to give notice of such hearing in the manner prescribed		
6	by law by publication once a week for two (2) consecutive weeks in a newspaper published in Pulaski		
7	County, Arkansas, and having a general circulation in the City of Little Rock, Arkansas.		
8	Section 3. All persons who request further information about this Improvement District and it Petition		
9	may view the documents on file with the City Clerk, 2nd Floor, City Hall, 500 West Markham Street, Little		
10	Rock, Arkansas; or contact counsel for the proposed District: Mr. Peter G. Kumpe, Rose Law Firm, 120 E.		
11	Fourth Street, Little Rock, Arkansas 72201, (501) 375-9131.		
12	Section 4. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or		
13	word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or		
14	adjudication shall not affect the remaining portions of the resolution which shall remain in full force and		
15	effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the		
16	resolution.		
17	Section 5. Repealer. All laws, ordinances, resolutions, or parts of the same, that are inconsistent with		
18	the provisions of this resolution, are hereby repealed to the extent of such inconsistency.		
19	ADOPTED: December 1, 2020		
20	ATTEST:	APPROVED:	
21			
22	Second Longham Clark	East Carth In Manage	
23	Susan Langley, City Clerk	Frank Scott, Jr., Mayor	
24 25	APPROVED AS TO LEGAL FORM:		
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27			
<i>L</i> /	Thomas M. Carpenter, City Attorney	-	
27	<b>Thomas M. Carpenter, City Attorney</b> //	-	
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