ORDINANCE NO. _____

AN ORDINANCE TO AMEND LITTLE ROCK, ARK., ORDINANCE NO. 21,857 (APRIL 7, 2020), THAT ESTABLISHED THE CITY OF LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. 2020-002 (BEAR DEN MOUNTAIN PROJECT); AND FOR OTHER PURPOSES.

WHEREAS, a petition to form the City of Little Rock Municipal Property Owners' Multipurpose Improvement District No. 2020-002 (Bear Den Mountain 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 December 15, 2020, at 6:00 PM, or as soon afterwards as the item may be reached on the regular call of the agenda, as the date and time for a Public 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 Ark. Code Ann § 14-94-101 *et.seq.* 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 as:

> The S ½ of the SE ¼ of Section 22, Township 2 North, Range 14 West, Pulaski County,
> Arkansas.

of this ordinance is hereby established and laid off as the City of Little Rock Municipal Property Owners' Multipurpose Improvement District No. 2020-002 (Bear Den Mountain Project) for the purpose of constructing and installing, either within or without the boundaries of the District, if the property within the District will be benefited thereby, facilities for waterworks, drainage, gas pipelines, underground trenches and excavations necessary for the installation of Electric and Telephone Distribution Systems, sanitary sewers, streets, including curbs, gutters and sidewalks, together with facilities related to any of the foregoing

1   within the District.

2   **Section 2.** Nothing in this ordinance shall limit the District's authorities granted by Statute (Ark. Code

3   Ann. § 14-94-101 *et seq.),* including, but not limited to, the District's authority to condemn real property

4   located outside the boundaries of the District as may be necessary for the construction and installation of

5   improvements located within the District

6   **Section 3.** The following three (3) individuals are hereby appointed as Commissioners of said

7   Improvement District: Andrew Holbert; Kevin Huchingson; and Bradford Gaines.

8   **Section 4.** The name of the Improvement District shall be the City of Little Rock Municipal Property

9   Owners' Multipurpose Improvement District No. 2020-002 (Bear Den Mountain Project).

10 **Section 5.** *Severability.* In the event any title, subtitle, section, subsection, subdivision, paragraph,

11 subparagraph, item, sentence, clause, phrase, or work of this ordinance is declared or adjudged to be invalid

12 or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the ordinance

13 which shall remain in full force and effect as if the portion so declared or adjudged invalid or

14 unconstitutional was not originally a part of this ordinance.

15 **Section 6.** *Repealer.* All ordinances and resolutions, and parts of the same, that are inconsistent with

16 the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

17 **PASSED: December 15, 2020**

18 **ATTEST:**   **APPROVED:**

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21 **Susan Langley, City Clerk**   **Frank Scott, Jr., Mayor**

22 **APPROVED AS TO LEGAL FORM:**

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

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