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#### Abstract

AN ORDINANCE TO FILL VACANT COMMISSIONER POSITIONS AND APPOINT NEW COMMISSIONERS TO THE BOARD OF COMMISSIONERS FOR CITY OF LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. 2006-300 (THE RIDGE ESTATES); TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.


WHEREAS, after a public hearing held October 3, 2006, the Little Rock Board of Directors permitted the creation and laying off of Little Rock Municipal Property Owners' Multipurpose Improvement District No. 2006-300 (The Ridge Estates) ("the District") in Little Rock, Ark., Ordinance No. 19,607 (October 3, 2006); and,

WHEREAS, John S. Williams, Jacqueline D. Williams and Nick O. McDaniel, were initially appointed as Commissioners for the District; and,

WHEREAS, after bonds were issued for certain improvements on the property secured by the property within the District and special assessments which since became delinquent; and,

WHEREAS, the bond trustee, First Community Bank, foreclosed on the property and received a judgment of foreclosure on July 22, 2010; and,

WHEREAS, the initial Commissioners have failed to take actions on behalf of the District, did not hold meetings, and have not filed required reports; and,

WHEREAS, the current owners of the property, First Community Bank, as required by Ark. Code Ann. § 14-88-304 (West 2004), have petitioned to remove the current Commissioners and replace them with three (3) new qualified persons;

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

Section 1. Upon petition of the property owners, John S. Williams, Jacqueline D. Williams and Nick O. McDaniel, are hereby removed as Commissioners of the District.

Section 2. Pursuant to the petition filed with the City Clerk on August 1, 2016, Mary Jane Lowman, Len Lowman and Nate Watson, are hereby appointed as Commissioners of the District, and shall have all powers and authorities of such commissioners upon the filing of their oath of office with the City Clerk.

Section 3. 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

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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 was not originally a part of this ordinance.

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ordinances, resolutions, or parts of the same that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency including, but not limited to, Section 2 of Little Rock, Ark., Ordinance No. 19,607 (October 3, 2006).

Section 5. Emergency Clause. The ability of an improvement district to comply with the statutory and constitutional requirements of Arkansas law is essential to the public health, safety and welfare; the fact that the Commissioners of this District are not currently fulfilling these required duties is an event which much be corrected as quickly as possible; an emergency is, therefore, declared to exist and this ordinance shall be in full force and effect from and after the date of its passage.

PASSED: August 2, 2016

## ATTEST:

## Susan Langley, City Clerk

## APPROVED:

## Mark Stodola, Mayor

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[^0]:    Thomas M. Carpenter, City Attorney

