ORDINANCE NO._____

AN ORDINANCE TO ESTABLISH AND LAY OFF THE VILLAGE AT
ISON CREEK PROPERTY OWNERS’ MULTIPURPOSE
IMPROVEMENT DISTRICT NO. 2015-318 OF LITTLE ROCK,
ARKANSAS: TO DECLARE AN EMERGENCY; AND FOR OTHER
PURPOSES.

WHEREAS, a Petition to form The Village at Ison Creek Municipal Property Owners’ Multipurpose Improvement District No. 2015-318 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 4, 2015, 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 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 has identified any mortgagee holding a first mortgage lien on real property constituting more than 10% in area of the real property to be located in the district; and
WHEREAS, the City Clerk has presented proof of notice of this hearing in the manner prescribed by law by certified mail to any mortgagee holding a first mortgage lien on real property constituting more than 10% in area of the real property to be located in the 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. the real property described in Exhibit “A” attached hereto and made a part hereof established and laid off as The Village At Ison Creek Municipal Property Owners’ Multipurpose Improvement District No. 2015-318 for the purpose of constructing, operating, maintaining, either within or without the boundaries of the District, if the property within the District will be benefited thereby, various improvements for recreation purposes, a system of roads and streets, including sidewalks, bikeway, trails, curbs and gutters, underground drainage system, a system of street lighting, retaining walls, coverts, bridges, landscaping, and all trenching, excavating, grading and all construction associated with the
installation of the above system and for all purposes authorized by Ark. Code. Ann. Title 14, Chapter 94 and amendments thereto, and to any and all other acts which shall be deemed necessary in order to purchase, construction, accept as a gift, operate and maintain any and all improvements authorized therein. The purposes are to be accomplished in the manner and with the materials that the Commissioners for the District shall deem in the best interest of the District and as specified by law. The cost of the project of the District shall be assessed upon the real property of the District according to the benefits received.

Section 2. The following three individuals nominated in the petition, are hereby appointed as commissioners of said improvement district: Keith A. Wingfield, Patricia L. Wingfield, and Brandon Tedder.

Section 3. The name of the improvement district shall be The Village at Ison Creek Property Owners’ Multipurpose Improvement District No. 2015-318.

Section 4. Severability. The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 5. Repealer. All laws, ordinances, resolutions, or parts thereof in conflict with the provision of this ordinance are hereby repealed to the extent of such conflict.

Section 6. Emergency. The Board of Directors hereby determined that there is a need for additional infrastructure within the City and hereby determines that the passage of this Ordinance, pursuant to the provisions of the improvement district statutes, will facilitate construction of additional infrastructure within the City that will protect the public health, safety and welfare; therefore, an emergency is hereby declared to exist, and this shall be in full force and effect from and after its passage and approval.

PASSED: August 4, 2015

ATTEST:          APPROVED: 

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Susan Langley, City Clerk         Mayor Mark Stodala

APPROVED AS TO LEGAL FORM: 

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Thomas M. Carpenter, City Attorney

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