

O-18-84

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ACCEPTING THE ANNEXATION OF PROPERTY TO THE CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. 34 (NORTH BLUFFS RECREATION DISTRICT); DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, on June 23, 2014, the North Little Rock City Council ("City Council") adopted Ordinance No. 8652 establishing the "North Little Rock Municipal Property Owners' Multipurpose Improvement District No. 34"; and

WHEREAS, a Petition to annex property to City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. 34 (North Bluffs Recreation District) (see Exhibits "A" and "A-1" attached hereto) has been filed with the North Little Rock City Clerk; and

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

WHEREAS, the Mayor has set October 22, 2018, at 6:05 p.m. as the date and time for a hearing before the City Council for consideration of the petition; and

WHEREAS, the City Council 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 (see Certificate of Property Ownership attached hereto as Exhibit "B"); and

WHEREAS, Arkansas Code Annotated § 14-88-503 provides that if the governing body determines that all the owners of the real property to be located in the district have petitioned for annexation to an existing district, it shall then be its duty by ordinance to annex the property as defined in the petition to the existing district.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That the real property described in Exhibits "A-1" attached hereto and made a part hereof is hereby annexed to the City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. 34 (North Bluffs Recreation District) (see map attached hereto as Exhibit "C") for the purpose of providing recreational facilities and maintaining the infrastructure and improvements within the District, together with facilities relating to the foregoing within the District.

SECTION 2: That the following three individuals are hereby ratified as commissioners of said improvement district: Lisa Ferrell, Joshua Miller and Jim Jackson.

SECTION 3: That all ordinances or parts or ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 4: The City Council of the City of North Little Rock, Arkansas hereby determines that there is a need for additional infrastructure within the City and hereby determines that the passage of this Ordinance will facilitate construction of additional infrastructure within the City; THEREFORE, an emergency is declared to exist, and this Ordinance being immediately necessary for the preservation of the public health, safety and welfare shall be in full force and effect immediately after its passage and approval.

PASSED:

APPROVED:

\_\_\_\_\_

\_\_\_\_\_  
Mayor Joe A. Smith

SPONSOR:

ATTEST:

Maurice Taylor  
Council Member Maurice Taylor *b3 AT*

\_\_\_\_\_  
Diane Whitbey, City Clerk

Linda Robinson  
Council Member Linda Robinson *b3 AT*

APPROVED AS TO FORM:

Amy Beckman Fields  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/CF

FILED	<u>10:25</u>	A.M.	_____	P.M.
By	<u>Amy Fields City Atty</u>			
DATE	<u>10-16-18</u>			
<b>Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas</b>				
RECEIVED BY	<u>[Signature]</u>			

## NOTICE

**YOUR SIGNATURE HEREON  
SHOWS THAT YOU FAVOR THE  
ANNEXATION OF PROPERTY  
INTO AN IMPROVEMENT  
DISTRICT. IF THE ANNEXATION  
IS APPROVED, YOU MAY BE  
CHARGED FOR THE COST OF  
THE IMPROVEMENTS.**

**PETITION FOR ANNEXATION TO CITY OF NORTH LITTLE ROCK MUNICIPAL  
PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. 34  
(NORTH BLUFFS RECREATION DISTRICT)**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK,  
ARKANSAS:

The undersigned are the owners of record title of the real property situated within the territory described in the attached Exhibits "A-1" incorporated herein.

The undersigned further state that all of the above-described territory is located within the City of North Little Rock, Arkansas, and that it is adjacent to the City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. 34 (the "District").

A-4-1



The undersigned petitions that all the real property described in the attached Exhibits "A-1" be annexed into the District for the purpose of providing recreational facilities and maintaining the infrastructure and improvements within the District, together with facilities relating to the foregoing within the District, 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, construct, 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 deem to be in the best interest of the District and as specified by law. The cost of any project shall be assessed upon the real property of the District according to the benefits received.

DATED this 10 day of October, 2018.

**PETITIONERS:**

**NORTH BLUFF DEVELOPMENT CORPORATION:**

By: \_\_\_\_\_



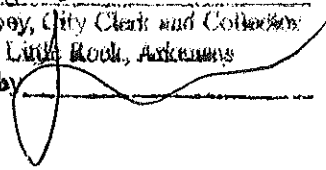
FILED 11:25 A.M. \_\_\_\_\_ P.M.

BY Kris McKenzie Rockwater

DATE 10-11-18

Diane Whitby, City Clerk and Collector  
North Little Rock, Arkansas

RECEIVED by \_\_\_\_\_



**EXHIBIT A-1**

**North Bluff Development Corporation  
Legal Descriptions**

**No. 1:**

**Tract 1:**

Lot 1, Joe W. Vestal Subdivision of a part of the West Half, Section 34, Township 2 North, Range 12 West, according to a plat thereof, of record in Deed Book 33, Page 579, records of Pulaski County, Arkansas.

**LESS AND EXCEPT:**

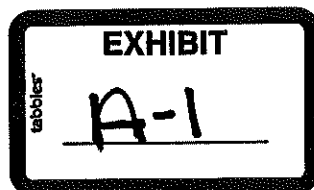
Beginning at a point on the West line of Mrs. A. E. Giles Addition to North Little Rock were same intersected by the South line of Gilliam or 3<sup>rd</sup> Street and run Westerly, along the South line of said 3<sup>rd</sup> Street produced 149.8 feet; thence Northerly, 52.6 feet; thence Easterly and parallel to the first described course, 149.8 feet; thence Southerly, along West line of Mrs. A. E. Giles Addition, 52.6 feet to the Beginning, lying in the Southwest Quarter of Section 34, Township 2 North, Range 12 West, Pulaski County, Arkansas.

**AND:**

**Tract 2:**

Beginning at the intersection of the West line of Mrs. A. E. Giles Addition to North Little Rock and the South line of Gilliam or 3<sup>rd</sup> Street; run Westerly along the South line of Gilliam or 3<sup>rd</sup> Street produced 149.8 feet for the Point of Beginning; thence Westerly, along said produced line, 27.5 feet; thence Southerly and parallel with the West line of Mrs. A. E. Giles Addition to River Road or Washington Avenue; thence Southeasterly along the North line of River Road to the Elizabeth Smith Tract, 29 feet, more or less; thence Northerly and parallel to the Westerly line of Mrs. A. E. Giles Addition to the Beginning, lying in the Southwest Quarter of Section 34, Township 2 North, Range 12 West, Pulaski County, Arkansas.

**LESS AND EXCEPT:** That part conveyed to the City of North Little Rock, Arkansas by Corker Family, LLC, in Quitclaim Deed dated and recorded March 25, 2008 as Instrument Number 2008020128, records of Pulaski County, Arkansas.



**CERTIFICATE OF PROPERTY OWNERSHIP**

The undersigned hereby certifies that the deed records in the office of the Circuit Clerk and Ex-Officio Recorder of Pulaski County, Arkansas, reflects that "North Bluffs Development Corporation is the record title owner of all the real property described in Exhibit "A-1," to the Petition to Annex Property to the City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. 34 (North Bluffs Recreation District), copies of which Exhibits "A-1," are attached hereto and made a part hereof.

DATED this 10th day of October, 2018.

**AMERICAN ABSTRACT TITLE COMPANY**

By: Lisa Loggins  
Lisa A. Loggins  
Licensed Title Agent #9895384  
Licensed Abstractor #188-A

FILED 11:25 A.M. \_\_\_\_\_ P.M.  
BY Kris McKenzie Rakunter  
DATE 10-11-18  
Diane Whitby, City Clerk and Collector  
North Little Rock, Arkansas  
RECEIVED by [Signature]

691177



**EXHIBIT A-1**

**North Bluff Development Corporation  
Legal Descriptions**

**No. 1:**

**Tract 1:**

Lot 1, Joe W. Vestal Subdivision of a part of the West Half, Section 34, Township 2 North, Range 12 West, according to a plat thereof, of record in Deed Book 33, Page 579, records of Pulaski County, Arkansas.

**LESS AND EXCEPT:**

Beginning at a point on the West line of Mrs. A. E. Giles Addition to North Little Rock were same intersected by the South line of Gilliam or 3<sup>rd</sup> Street and run Westerly, along the South line of said 3<sup>rd</sup> Street produced 149.8 feet; thence Northerly, 52.6 feet; thence Easterly and parallel to the first described course, 149.8 feet; thence Southerly, along West line of Mrs. A. E. Giles Addition, 52.6 feet to the Beginning, lying in the Southwest Quarter of Section 34, Township 2 North, Range 12 West, Pulaski County, Arkansas.

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**LESS AND EXCEPT:** That part conveyed to the City of North Little Rock, Arkansas by Corker Family, LLC, in Quitclaim Deed dated and recorded March 25, 2008 as Instrument Number 2008020128, records of Pulaski County, Arkansas.

SURVEY LEGAL:

LEGAL DESCRIPTION AS OCCUPIED

Part of Lot 1, Joe W. Vestal Subdivision of part of the W 1/2, Section 34, T-2-N, R-12-W, in the City of North Little Rock, Pulaski County, Arkansas, and that part lying West of West line of Lot 1, Joe W. Vestal Subdivision Addition and the East line of Rockwater Village, Phase II, all in the City of North Little Rock, Pulaski County, Arkansas, all being more particularly described as follows: Beginning at the Northeast corner of said Rockwater Village, Phase II (being on the South right-of-way of Rockwater Boulevard); thence S81°23'07"E, along said South right-of-way, 34.43 feet; thence S 81°43'09"E, along said South right-of-way, 142.26 feet to a point on the West line of Mrs. A. E. Giles Addition; thence S 08°07'51"W, along the said West line, 408.53 feet to the Northerly right-of-way line of River Road; thence N 52°50'32"W, along said Northerly right-of-way, 190.91 feet; thence N 55°07'40"W, along said Northerly right-of-way line, 9.63 feet to a point on the East line of Rockwater Village, Phase II (said point being 15.95 feet Northerly of SE corner of Lot 33, Rockwater Village); thence N 07°54'59"E, along said East line, 312.23 feet to the point of beginning, containing 1.46 acres, more or less.





District 34

Proposed Addition (A-1)

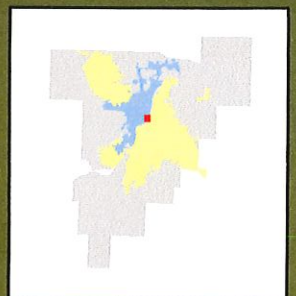


Date: 10/16/2018

EXHIBIT

    C    

tabbles



# Exhibit for District 34

