R-21-54

RESOLUTION NO. ____

A RESOLUTION APPOINTING BRETT DECOURSEY AS A SUCCESSOR COMMISSIONER OF THE YOUNG ROAD MULTI-PURPOSE MUNICIPAL IMPROVEMENT DISTRICT NO. 33 OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES.

WHEREAS, the Young Road Multi-Purpose Municipal Improvement District No. 33 of North Little Rock, Arkansas ("the District") was organized by the City of North Little Rock as a municipal improvement district under the authority of Chapter 88 of Title 14, Subtitle 11 of the Arkansas Code of 1987 Annotated pursuant to City of North Little Rock Ordinance Number 8540, entered June 24, 2013; and

WHEREAS, one of the Commissioners, Mike Zweifler, has resigned as a Commissioner of the District effective January 12, 2021 and is no longer a property owner in the District, and the District currently has a vacancy on the Board of Commissioners as described in Arkansas Code of 1987 Annotated Section 14-88-303, as provided in the corroborative certificate of an abstractor attached to the Petition; and

WHEREAS, Commissioners of the District have petitioned to replace Commissioner Mike Zweifler, said petition being attached hereto as Exhibit A; and

WHEREAS, City Council is authorized, pursuant to Ark. Code Ann. § 14-88-303, as well as other statutory and common law authority, to appoint a successor commissioner of the District to replace a commissioner who has resigned as a commissioner of the District.

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

SECTION 1: That Brett DeCoursey is hereby appointed as a Commissioner of Young Road Multi-Purpose Municipal Improvement District No. 33 of North Little Rock, Arkansas, replacing Mike Zweifler.

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED:

_____

APPROVED:

_____
Mayor Terry Hartwick

SPONSOR:

Terry C. Hartwick
Mayor Terry C. Hartwick By AT

ATTEST:

_____
Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Fields, City Attorney

FORMATTED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:50 A.M. ___ P.M.

By Amy Fields CA

DATE 4-20-21

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

RECEIVED BY

EXHIBIT
tabbies
A

IN RE: YOUNG ROAD MULTI-PURPOSE MUNICIPAL IMPROVEMENT DISTRICT NO. 33 OF NORTH LITTLE ROCK, ARKANSAS

PETITION FOR FINDING VACANCY OF COMMISSIONER AND APPOINTMENT OF SUCCESSOR COMMISSIONER OF MUNICIPAL IMPROVEMENT DISTRICT TO FILL VACANCY

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

Whereas, the Young Road Multi-Purpose Municipal Improvement District No. 33 of North Little Rock, Arkansas (the "District") was organized by the City of North Little Rock as a municipal improvement district under the authority of Chapter 88 of Title 14, Subtitle 11 of the Arkansas Code of 1987 Annotated pursuant to City of North Little Rock Ordinance Number 8540, entered June 24, 2013 (the "Enabling Ordinance"); and

Whereas, one of the Commissioners, Mike Zweifler, has resigned as a Commissioner of the District effective January 12, 2021 and is no longer a property owner in the District, and the District currently has a vacancy on the Board of Commissioners as described in Arkansas Code of 1987 Annotated Section 14-88-303, as provided in the corroborative certificate of an abstractor attached hereto; and

Now, Therefore, the undersigned ("Petitioners"), being ten percent (10%) or more of the property owners of the District, do hereby petition the City Council for the City of North Little Rock, Arkansas ("Board"), under Arkansas Code of 1987 Annotated Section 14-88-304(b)(1), to

FILED 10:15 A.M. _____ P.M.
BY Bob Hardin
DATE 4-6-21
Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas
RECEIVED by

appoint a successor commissioner of the District to replace the commissioner who has resigned as commissioner of the District.

The Petitioners petition the Board to name as successor commissioner of the District, Brett DeCoursey, who is an individual of integrity and good business ability. Brett DeCoursey is a property owner in the District or has a beneficial interest in an entity which holds legal title to lands in the District.

The Petitioners have executed this Petition effective March __, 2021.

PETITIONERS:

Pfeifer Family Limited Partnership #1

By:_____
Eugene M. Pfeifer, III, General Partner

PATTERSON SISTERS, LLC

By:_____
Sarah A. Steele, President

STATE OF ARKANSAS
DEPARTMENT OF FINANCE AND ADMINISTRATION
MISCELLANEOUS TAX SECTION
P.O. BOX 896, LITTLE ROCK, AR 72203-0896

Real Estate Transfer Tax Stamp

Proof of Tax Paid

File Number: M-20-61345

Grantee: DECO PROPERTY HOLDINGS, L.L.C.
Mailing Address: 7525 YOUNG ROAD STE A
NORTH LITTLE ROCK AR 721180000

Grantor: MICHAEL D. ZWEIFLER AMENDED AND RESTATED REVOCABLE TRUST
Mailing Address: 8 TEN TEE CIRCLE
MAUMELLE AR 721130000

Property Purchase Price: $750,000.00
Tax Amount: $2,475.00

County: PULASKI
Date Issued: 08/03/2020
Stamp ID: 1387825152

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed): DECO Property Holdings L.L.C.

Grantee or Agent Name (signature): [signature] Date: 8-3-20

Address: 7525 Young Rd. # A

City/State/Zip: NLR, AR 72118

2020049882
PULASKI CO. AR FEE $25.00
PRESENTED
8/6/2020 12:23:11 PM
RECORDED
08/05/2020 01:27:12 PM
TERRI HOLLINGSWORTH
Circuit / County Clerk
BY: DEBORAH ABRAMOVITZ
DEPUTY RECORDER

STANDARD ABSTRACT & TITLE COMPANY, INC. EST 1927

3420 Old Cantrell Road
Little Rock, AR 72202
Phone: (501) 664-1300
Fax: (501) 664-4672

105 Country Club Parkway, Suite 102
Maumelle, AR 72113
Phone: (501) 851-6680
Fax: (501) 851-6760

1012 Autumn Road, Ste 4
Little Rock, AR 72211
Phone: (501) 221-9449
Fax: (501) 228-7708

TRUSTEES' DEED

Michael D. ~~Zweifler~~ Zweifler, Trustee of the Michael D. Zweifler Amended and Restated Revocable Trust, created March 7, 1996, and amended and restated on July 23, 2008, and on April 18, 2017, (Grantor), for and in consideration of $10.00 and other valuable consideration in hand paid by **DECO Property Holdings, L.L.C.**, (Grantee), the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Grantee and unto Grantee's successors and assigns forever lands in Pulaski County, Arkansas, described as follows:

Lot 2, Patterson Subdivision in the City of North Little Rock, Pulaski County, Arkansas and being shown on plat recorded as Plat No. C-646, records of Pulaski County, Arkansas.

To have and to hold the said lands unto Grantee and unto Grantee's successors and assigns forever, with all appurtenances thereunto belonging.

Grantor hereby covenants with Grantee that Grantor will forever warrant and defend the title to the said lands against all lawful claims whatever.

EXECUTED THIS 31ST DAY OF JULY, 2020.

Michael D. Zweifler Amended and Restated Revocable Trust, created March 7, 1996, and amended and restated on July 23, 2008, and on April 18, 2017

BY: _____
Michael D. ~~Zweifler~~ Zweifler
Trustee

I certify under penalty of false swearing that the legally correct amount of documentary stamps have been placed on this instrument. (If none shown, exempt or no consideration paid)

Grantee: DECO Property Holdings, L.L.C.
Grantee's Address: 7525 Young Road, North Little Rock, AR 72118
File No.: M-20-61345

Agent: Standard Abstract & Title Company, Inc.
By: _____
Dianne Cathey

The form of this instrument was approved by G. Robert Hardin, Attorney, 500 N. Main Street, North Little Rock, AR 72114, and information in the blanks was completed by Standard Abstract & Title Company, Inc..

Acknowledgment

STATE OF ARKANSAS

COUNTY OF PULASKI

On July 31, 2020, before me, a Notary Public, personally appeared, Michael Zweifler who stated that he is the Trustee of the Michael D. Zweifler Amended and Restated Revocable Trust, created March 7, 1996, and amended and restated on July 23, 2008, and on April 18, 2017 and is duly authorized in his capacity to execute the forgoing instrument for and in the name of and behalf of said trust, and further stated and acknowledged that he had executed same for the consideration, uses and purposes therein mentioned and set forth.

In witness whereof, I hereunto set my hand and official seal.

(SEAL)

My Commission Expires:

_____
Notary Public

DIANNE P. CATHEY
Arkansas - Pulaski County
Notary Public - Comm# 12398941
My Commission Expires Feb 1, 2024

CORROBORATIVE CERTIFICATE OF AN ABSTRACTOR

On this 5th day of April, 2021, the undersigned abstractor, doing business in Pulaski County, Arkansas, hereby certifies that Mike Zweifler is no longer a property owner in the District, having conveyed same to DECO Property Holdings, LLC pursuant to that Trustee's Deed dated July 31st, 2020 and recorded with the Pulaski County Real Estate Records as Instrument No. 2020049882.

Name of Abstractor: Donna Davis, #194-A

Donna

{signature of abstractor}