O-22- 78

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING THE CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. 40 (GARDENS AT ROCKWATER RECREATION DISTRICT); DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Ark. Code Ann. § 14-94-101 et seq., there has been filed with the City Clerk of the City of North Little Rock, Arkansas, a petition purporting to be signed by the owners of all of the real property described within the petition ("Property") (see Petition and Abstractor's Certificate of Property Ownership being attached, collectively, hereto as Exhibit A), praying that a municipal property owners' multipurpose improvement district be established for the purposes set forth herein; and

WHEREAS, after due notice as required by law, the City Council of the City of North Little Rock, Arkansas has heard all parties desired to be heard.

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

SECTION 1: That owners of all of the real property described in the Petition signed the Petition, and there is hereby established a municipal property owners' multipurpose improvement district ("the District") within the Property, for the purposes of providing recreational facilities and maintaining infrastructure and improvements. The District shall have the right to exercise the power of eminent domain in accordance with Arkansas state law in order to carry out its purposes.

SECTION 2: The District shall be known as North Little Rock Municipal Property Owners' Multipurpose Improvement District No. 40 (Gardens at Rockwater Recreation District) of North Little Rock, Arkansas (see map of property within the District, attached hereto as Exhibit B). Lisa Ferrell, Alan Abston, and Jim Jackson are hereby named as Commissioners who shall constitute the Board of the District.

SECTION 3: Any ordinances or parts of ordinances that are in conflict herewith are hereby repealed to the extent they conflict with this ordinance.

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 5: It has been found, and it is hereby declared, by the City Council that there is an immediate need within the City of North Little Rock, Arkansas, for additional infrastructure within the City and that the passage of this Ordinance will facilitate construction of additional infrastructure within the City; THEREFORE, an emergency is hereby declared to exist, and this Ordinance, being necessary for the preservation of the public health, safety and welfare, shall be

in full force and effect from and after its passage and approval.

PASSED: APPROVED:

_____ _____

Mayor Terry C. Hartwick

SPONSOR: ATTEST:

Terry C. Hartwick

Mayor Terry C. Hartwick by AF Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:45 A.M. _____ P.M.

By A. Fields

DATE 8.2.22

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

RECEIVED BY S. Usserd

EXHIBIT
A

Lisa Ferrell
ATTORNEY AT LAW

58 Carmel Drive
Little Rock, AR 72212

(501) 221-3730
(501) 221-3729 Fax

June 16, 2022

Ms. Diane Whitbey
North Little Rock City Clerk
P.O. Box 5757
North Little Rock, AR 72119

Re: City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. _____ (Gardens at Rockwater Recreation District)

Dear Ms. Whitbey:

Enclosed are the original and two copies of a Petition to form the proposed improvement district in North Little Rock, along with the original and a copy of an Abstractor's Certificate. Please return a file-marked copy of each in the envelope provided.

This is being filed pursuant to Arkansas Code Annotated §14-94-106, a copy of which I've included for your convenience.

Also enclosed is a proposed ordinance to be considered by the North Little Rock City Council.

Will you please put the required notice and proposed ordinance on the agenda for the next City Council meeting after July 8, 2022?

If you or Mayor Hartwick have any questions, please do not hesitate to contact me.

Sincerely,

Lisa C. Ferrell

LCF/mc
Enclosures

2:07
FILED _____ A.M. _____ P.M.
BY Courier
DATE 6/16/22
Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas
RECEIVED

Exhibit A

Lots 1 through 20, 22 through 39, Lot 43, and Tracts A, B, & C, and the dedicated streets of The Gardens at Rockwater Village, an addition to the City of North Little Rock, Pulaski County, Arkansas, and as shown on Plat of record as Instrument Number 2020079118, records of Pulaski County, Arkansas.

Exhibit B

Title Owners

Lot 1-3: Sam Carrasquillo of *RockTown Manor, LLC*

Lot 4: Richard Lee Brewer and Meredith Kay Brewer

Lot 5: Crystal Stuart

Lot 6: Hollie Townley

Lot 7-8: Jeronimo Lopez of *Lopez Property Management*

Lot 9: Dan Bullis

Lot 10: Del and Peggy Medlin

Lot 11: Scotty Howard of *Elite Homes*

Lot 12: Scott and Tamara Penrod

Lot 13: Doug and Mary Lue Frank

Lot 14: Bill Parkinson

Lot 15-19, 23-39, 43: Lisa Ferrell of *The Porches at Rockwater*

Lot 20: Don Parks

Lot 22: Ted and Patti Bell

Tracts A, B, & C owners - The Porches at Rockwater LLC

NOTICE

YOUR SIGNATURE HEREON SHOWS THAT YOU FAVOR THE ESTABLISHMENT OF AN IMPROVEMENT DISTRICT. IF THE DISTRICT IS FORMED, YOU MAY BE CHARGED FOR THE COST OF THE IMPROVEMENTS.

PETITION FOR FORMATION OF CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. _____ (THE GARDENS AT ROCKWATER RECREATION DISTRICT)

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

The undersigned is the owner of record title of the real property situated within the territory described in the attached Exhibit "A" and incorporated herein. The undersigned further states that all of the above described territory is owned by twenty-five (25) or fewer persons, and that all of the above-described territory is located within the City of North Little Rock, Arkansas

The undersigned petitions that all the real property described in the attached Exhibit "A" be formed into a municipal property owners' improvement district, to be known as City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. _____ (the Gardens at Rockwater Recreation District or the "District"), pursuant to Arkansas Act 113 of 1987, as amended (Ark. Code Ann. §14-94-101 *et seq.)* for the purpose of constructing, either

within or without the boundaries of the District, if the property within the District will be benefited thereby, the cost of construction of various improvements for recreational purposes and the cost of maintaining the landscaping, the dedicated streets, and other amenities in 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 the District shall be assessed upon the real property of the District according to the benefits received.

The undersigned petitions that the District shall not cease to exist upon the acquiring, constructing or completion of the improvements or amenities, but shall continue to exist for the purpose of preserving, maintaining, and operating the improvements, all in accordance with Ark. Code Ann. §14-94-128.

The undersigned further petitions the City Council of the City of North Little Rock, Arkansas, to appoint as commissioners of the District three persons of integrity and good business ability and the undersigned nominates Lisa Ferrell, Jim Jackson, and Alan Abston to serve as said commissioners.

Any number of counterpart copies of this petition may be circulated.

DATED this 4th day of JUNE, 2022.

THE PORCHES AT ROCKWATER, LLC

By: [signature]

EXHIBIT A

Legal Description

Lots 1 through 20, 22 through 39, Lot 43, and Tracts A, B, & C, and the dedicated streets of The Gardens at Rockwater Village, an addition to the City of North Little Rock, Pulaski County, Arkansas, and as shown on Plat of record as Instrument Number 2020079118, records of Pulaski County, Arkansas.

Exhibit B

Title Owners

Lot 1-3: Sam Carrasquillo of *RockTown Manor, LLC*

Lot 4: Richard Lee Brewer and Meredith Kay Brewer

Lot 5: Crystal Stuart

Lot 6: Hollie Townley

Lot 7-8: Jeronimo Lopez of *Lopez Property Management*

Lot 9: Dan Bullis

Lot 10: Del and Peggy Medlin

Lot 11: Scotty Howard of *Elite Homes*

Lot 12: Scott and Tamara Penrod

Lot 13: Doug and Mary Lue Frank

Lot 14: Bill Parkinson

Lot 15-19, 23-39, 43: Lisa Ferrell *of The Porches at Rockwater*

Lot 20: Don Parks

Lot 22: Ted and Patti Bell

Tracts A, B, & C owners –The Porches at Rockwater LLC

NOTICE TO PROPERTY OWNERS REGARDING PETITION FOR FORMATION OF CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. _____ (THE GARDENS AT ROCKWATER RECREATION DISTRICT)

I, the undersigned, have read and approve the Petition for Formation of City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. ____ (The Gardens at Rockwater Recreation District). Furthermore, I, the undersigned, agree to the formation of the District No. _____ (The Gardens at Rockwater Recreation District) including all property that the Porches at Rockwater, LLC owns in the legal description (Exhibit A).

Lisa C. Ferrell

Lisa C. Ferrell
The Porches at Rockwater, LLC
President/CEO

4/28/22
Date

NOTICE TO PROPERTY OWNERS REGARDING PETITION FOR FORMATION OF CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. _____ (THE GARDENS AT ROCKWATER RECREATION DISTRICT)

I, the undersigned, have read and approve the Petition for Formation of City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. ____ (The Gardens at Rockwater Recreation District). Furthermore, I, the undersigned, agree to the formation of the District No. _____ (The Gardens at Rockwater Recreation District).

Sam Carrasquillo of *RockTown Manor, LLC*
Lot 1, Lot 2, Lot 3

3/22/22
Date

NOTICE TO PROPERTY OWNERS REGARDING PETITION FOR FORMATION OF CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. _____ (THE GARDENS AT ROCKWATER RECREATION DISTRICT)

I, the undersigned, have read and approve the Petition for Formation of City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. ____ (The Gardens at Rockwater Recreation District). Furthermore, I, the undersigned, agree to the formation of the District No. _____ (The Gardens at Rockwater Recreation District).

Richard Lee Brewer, Lot 4

Meredith Kay Brewer

Meredith Kay Brewer, Lot 4

4/6/2022

Date

NOTICE TO PROPERTY OWNERS REGARDING PETITION FOR FORMATION OF CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. _____ (THE GARDENS AT ROCKWATER RECREATION DISTRICT)

I, the undersigned, have read and approve the Petition for Formation of City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. ____ (The Gardens at Rockwater Recreation District). Furthermore, I, the undersigned, agree to the formation of the District No. _____ (The Gardens at Rockwater Recreation District).

Del Medlin Peggy Medlin

Del and Peggy Medlin, Lot 10

5-19-22

Date

NOTICE TO PROPERTY OWNERS REGARDING PETITION FOR FORMATION OF CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. _____ (THE GARDENS AT ROCKWATER RECREATION DISTRICT)

I, the undersigned, have read and approve the Petition for Formation of City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. ____ (The Gardens at Rockwater Recreation District). Furthermore, I, the undersigned, agree to the formation of the District No. _____ (The Gardens at Rockwater Recreation District).

Dan Bullis

Dan Bullis, Lot 9

Lisa Bullis

Lisa Bullis, Lot 9

3/7/22

Date

NOTICE TO PROPERTY OWNERS REGARDING PETITION FOR FORMATION OF CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. _____ (THE GARDENS AT ROCKWATER RECREATION DISTRICT)

I, the undersigned, have read and approve the Petition for Formation of City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. ____ (The Gardens at Rockwater Recreation District). Furthermore, I, the undersigned, agree to the formation of the District No. _____ (The Gardens at Rockwater Recreation District).

Jeronimo Lopez

Jeronimo Lopez of *Lopez Property Management*
Lot 7, Lot 8

4-14-2022
Date

CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. _____ (THE GARDENS AT ROCKWATER RECREATION DISTRICT)

I, the undersigned, have read and approve the Petition for Formation of City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. ____ (The Gardens at Rockwater Recreation District). Furthermore, I, the undersigned, agree to the formation of the District No. _____ (The Gardens at Rockwater Recreation District).

Hollie Townley, Lot 6

3/3/2022
Date

NOTICE TO PROPERTY OWNERS REGARDING PETITION FOR FORMATION OF CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. _____ (THE GARDENS AT ROCKWATER RECREATION DISTRICT)

I, the undersigned, have read and approve the Petition for Formation of City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. ____ (The Gardens at Rockwater Recreation District). Furthermore, I, the undersigned, agree to the formation of the District No. _____ (The Gardens at Rockwater Recreation District).

Crystal Stuart, Lot 5

5/24/22
Date

NOTICE TO PROPERTY OWNERS REGARDING PETITION FOR FORMATION OF CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. _____ (THE GARDENS AT ROCKWATER RECREATION DISTRICT)

I, the undersigned, have read and approve the Petition for Formation of City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. ____ (The Gardens at Rockwater Recreation District). Furthermore, I, the undersigned, agree to the formation of the District No. _____ (The Gardens at Rockwater Recreation District).

Scotty Howard of *Elite Homes*, Lot 11

5-18-22

Date

NOTICE TO PROPERTY OWNERS REGARDING PETITION FOR FORMATION OF CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. _____ (THE GARDENS AT ROCKWATER RECREATION DISTRICT)

I, the undersigned, have read and approve the Petition for Formation of City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. ____ (The Gardens at Rockwater Recreation District). Furthermore, I, the undersigned, agree to the formation of the District No. _____ (The Gardens at Rockwater Recreation District).

Scott A. Penrod

Scott Penrod, Lot 12

Tamara L. Penrod

Tamara Penrod, Lot 12

5/15/22

Date

NOTICE TO PROPERTY OWNERS REGARDING PETITION FOR FORMATION OF CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. _____ (THE GARDENS AT ROCKWATER RECREATION DISTRICT)

I, the undersigned, have read and approve the Petition for Formation of City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. ____ (The Gardens at Rockwater Recreation District). Furthermore, I, the undersigned, agree to the formation of the District No. _____ (The Gardens at Rockwater Recreation District).

Doug Frank, Lot 13

Mary Lue Frank

Mary Lue Frank, Lot 13

2-28-2022

Date

NOTICE TO PROPERTY OWNERS REGARDING PETITION FOR FORMATION OF CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. _____ (THE GARDENS AT ROCKWATER RECREATION DISTRICT)

I, the undersigned, have read and approve the Petition for Formation of City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. ____ (The Gardens at Rockwater Recreation District). Furthermore, I, the undersigned, agree to the formation of the District No. _____ (The Gardens at Rockwater Recreation District).

Bill Parkinson, Lot 14

3.30.22

Date

NOTICE TO PROPERTY OWNERS REGARDING PETITION FOR FORMATION OF CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. _____ (THE GARDENS AT ROCKWATER RECREATION DISTRICT)

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Lisa Ferrell

Lisa Ferrell *of The Porches at Rockwater*, Lot 15-19, Lots 23-39, Lot 43

5/30/22

Date

NOTICE TO PROPERTY OWNERS REGARDING PETITION FOR FORMATION OF CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. _____ (THE GARDENS AT ROCKWATER RECREATION DISTRICT)

I, the undersigned, have read and approve the Petition for Formation of City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. ____ (The Gardens at Rockwater Recreation District). Furthermore, I, the undersigned, agree to the formation of the District No. _____ (The Gardens at Rockwater Recreation District).

Don Parks

Don Parks, Lot 20

4/20/22

Date

NOTICE TO PROPERTY OWNERS REGARDING PETITION FOR FORMATION OF CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. _____ (THE GARDENS AT ROCKWATER RECREATION DISTRICT)

I, the undersigned, have read and approve the Petition for Formation of City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. ____ (The Gardens at Rockwater Recreation District). Furthermore, I, the undersigned, agree to the formation of the District No. _____ (The Gardens at Rockwater Recreation District).

Ted Bell, Lot 22

Patti Bell, Lot 22

Date

ABSTRACTOR'S 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, reflect that:

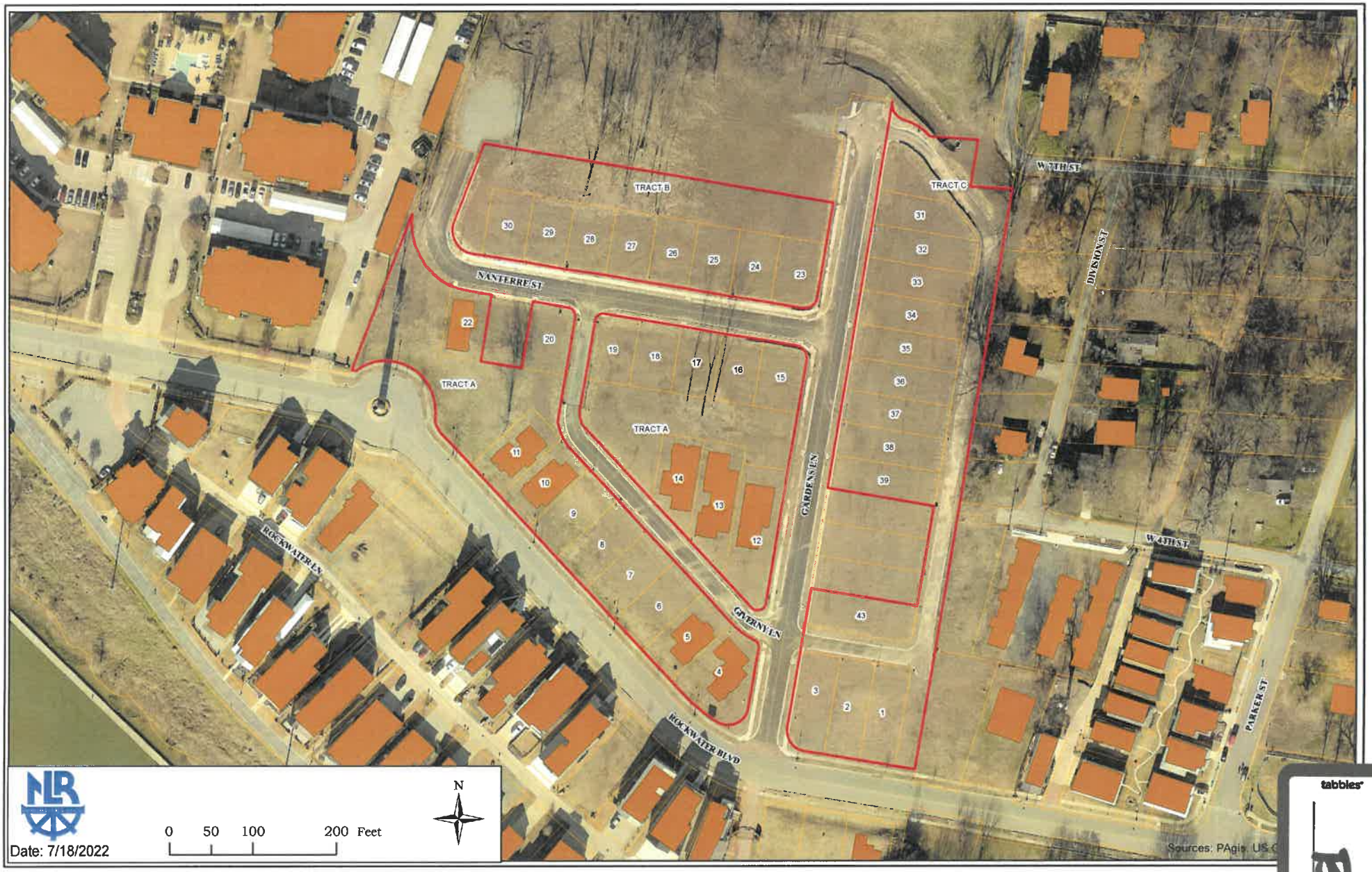
(1) The record title owners of all the real property described in Exhibit A and Exhibit B to the Petition for Formation of City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. _____ (The Gardens at Rockwater Recreation Improvement District), a copy of which Exhibit A and Exhibit B are attached hereto and made a part thereof.

DATED this 9th day of June, 2022.

[AMERICAN ABSTRACT & TITLE COMPANY]

By: Lisa Lagrone

Licensed Abstractor 188 / Licensed Title Agent 9895384
AMERICAN ABSTRACT & TITLE COMPANY
12814 Cantrell Road
Little Rock, AR 72223



EXHIBIT

B

tabbies