O-25- 74

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING THE CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. 41 (RIVER ROCK ESTATES PROJECT); DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, there has been filed with the City Clerk of the City of North Little Rock, Arkansas, a Petition purporting to be signed by all the owners of record title of the real property within the territory described on Exhibit A, which is attached hereto and incorporated herein by this reference (the "Property"), praying that a municipal property owners' multipurpose improvement district be established for the purposes set forth hereinbelow; and

WHEREAS, after due notice as required by law, of a hearing to be held on August 25, 2025, the City Council of the City of North Little Rock, Arkansas (the "City Council"), 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 a majority in value of the owners of record title of the Property signed the Petition, and there is hereby established a municipal property owners' multipurpose improvement district (the "District") within the Property, for the following purposes: (1) acquiring and purchasing equipment and machinery incident to the operation and maintenance of improvements; (2) 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; (3) providing fire protection for the municipal property owners' improvement district; (4) assessing and collecting connection fees from other property owners inside or outside the District who are approved by North Little Rock Wastewater Utility to connect to a sewer line or any sewer facilities constructed by or on behalf of the District; and(5) doing all things now or hereafter permitted under applicable law, including, without limitation, Ark. Code Ann. § 14-94-101, *et seq.*, to be done and performed by municipal property owners' improvement districts. The District shall have the right to exercise the power of eminent domain in order to carry out its purposes. The District shall be known as North Little Rock Municipal Property Owners' Multipurpose Improvement District No. 41 of North Little Rock, Arkansas. Josh Furgerson, Josh Holden and Robbie Hurt whose names appear in the petition, are named Commissioners, who shall constitute the Board of Improvement of the District.

SECTION 2: That the legal description of the real property to be encompassed within this District is described as follows:

Tract 1: Pulaski County Tax Parcel Number 33N2610002500

Part of the Southwest Quarter (SW 1/4) of the Southeast Quart (SE 1/4), and part

of the Southeast Quarter of the Southwest Quarter of Section 28, Township 2 North, Range 12 West, Pulaski County, Arkansas, more particularly described as follows:

Beginning at the Southeast corner of Section 28, thence West along the Section line between Sections 28 and 33, a distance of 1744.7 feet to an iron pin which is the Southwest corner of Lasker's 2nd Addition; thence North 23°10' West 608.5 feet; thence West 126.0 feet to the Point of Beginning; thence South 27°16' West along the West right of way line of a 50 foot road, 316.6 feet; thence continue along the West right of way of said road, South 47°47' West 174.3 feet; thence along said right of way line South 33°27' West 92.7 feet to a point on the North right of way of the Big Rock Spur Tract of Missouri Pacific Railroad Company, thence South 26°10' West, 15.46 feet to the center of said tract; thence North 49°52' West, 760.0 feet; thence East along the South line of Fort Roots Property, 117.1 feet; thence South 42°36' East, 22.5 feet; thence South 64°28' East, 86.5 feet; thence North 9°48' East, 54.7 feet; thence East along the South line of Fort Roots property 693.7 feet to the Point of Beginning.

Tract 2: Pulaski County Tax Parcel Number 33N2610002800

River Rock Development, LLC, as shown in Warranty Deed dated November 30, 2021, from Stephen Preston Bilheimer, as Grantor, to River Rock Development, LLC, as Grantee, and recorded on January 13, 2022, as Land Document No. 2022003271, in the land records of Pulaski County, Arkansas.

And also as shown in Warranty Deed dated November 30, 2021, from Betty L. Bilheimer, surviving spouse of James Stephen Bilheimer, deceased, as Grantor, to River Rock Development, LLC, as Grantee, and recorded on January 13, 2022, as Land Document No. 2022003272, in the land records of Pulaski County, Arkansas.

SECTION 3: That the name of the Improvement District shall be North Little Rock Municipal Property Owners' Multipurpose Improvement District No. 41 (River Rock Estates Project).

SECTION 4: Any ordinances or parts of ordinances that are in conflict herewith are hereby repealed to the extent they conflict with this ordinance.

SECTION 5: In the event any portion of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this 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 6: 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 the improvements described above in this Ordinance and that the creation of the municipal property owners' improvement district created hereby is the only means whereby these improvements may be accomplished.

Therefore, an emergency is declared, and this Ordinance, being necessary for the preservation of public peace, health, and safety, shall be in force upon its passage and approval.

PASSED:

APPROVED:

Mayor Terry Hartwick

SPONSORS:

Council Member Linda Robinson

Council Member Nicole Hart

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE JACKSON LAW FIRM/lf
FORMATTED BY THE NLR CITY ATTORNEY'S OFFICE

FILED 10:23 A.M. _____ P.M.
By A. Fields
DATE 9.2.25

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

EXHIBIT
A

FILED ____ A.M. 2:09 P.M.
BY [illegible]
DATE 8/4/2004
Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas
RECEIVED by [illegible]

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. ____ (RIVER ROCK ESTATES) 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 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.____ (River Rock Estates), 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, (a) constructing waterworks, sewers, and systems of gas pipelines, (b) grading, draining, paving, curbing, and guttering street and laying sidewalks, together with facilities related to any of the foregoing, and, (c) 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 Josh Furgerson, Josh Holden, and Robbie Hurt to serve as said commissioners.

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

DATED this 4th day of July, 2025

Josh Furgerson, River Rock Estates

By: _____

WACO TITLE

SPECIAL ABSTRACTOR'S OWNERSHIP CERTIFICATE

File #: 2509322-102

STATE OF Arkansas)
) SS.
COUNTY OF Pulaski)

For the use and benefit of: Lisa C. Ferrell

WACO Title Company hereby certifies that we have made a due and diligent search of the Records in the Assessor's Office and in the land records within and for Pulaski County, Arkansas, and find that, through the effective date of this search, the above-referenced tax parcel number is owned by the following individual or entity:

Tract 1: Pulaski County Tax Parcel Number 33N2610002500

River Rock Development, LLC, as shown in Warranty Deed dated June 6, 2022, from Henrietta A. Wherry, as Grantor, to River Rock Development, LLC, as Grantee, and recorded on July 25, 2022, as Land Document No. 2022052496, in the land records of Pulaski County, Arkansas.

Tract 2: Pulaski County Tax Parcel Number 33N2610002800

River Rock Development, LLC, as shown in Warranty Deed dated November 30, 2021, from Stephen Preston Bilheimer, as Grantor, to River Rock Development, LLC, as Grantee, and recorded on January 13, 2022, as Land Document No. 2022003271, in the land records of Pulaski County, Arkansas.

And also as shown in Warranty Deed dated November 30, 2021, from Betty L. Bilheimer, surviving spouse of James Stephen Bilheimer, deceased, as Grantor, to River Rock Development, LLC, as Grantee, and recorded on January 13, 2022, as Land Document No. 2022003272, in the land records of Pulaski County, Arkansas.

NOTE: We also found a Mortgagee's lienholder interest (Construction Mortgage) in favor of First Community Bank dated March 20, 2025, securing the principal sum of $1,750,000.00, and recorded on March 25, 2025, as Land Document No. 2025014969, in then land records of Pulaski County, Arkansas.

The legal descriptions for said tax parcel numbers, as shown in the above-described Warranty Deeds, are reflected on the attached Exhibit "A".

DATED: August 01, 2025

BY Opal S. Hilderbrand

Opal S. Hilderbrand, Authorized Signatory
Title Agent No.: 13646115
Title Agency No.: 100113373

EXHIBIT A

* DISCLAIMER *

This certificate contains information obtained from the public records. WACO Title Company makes no certification, warranty, or representation concerning the accuracy or completeness of the public records. This report is not an abstract or opinion of title, commitment, guarantee, or title insurance policy. The above certificate is issued solely to certify to the current owner of record as shown by said records and is for the use and benefit of the party set forth above, who agrees that the liability for this certificate shall be expressly limited to the amount paid to Waco Title Company for this special certificate.

EXHIBIT "A"

Tract 1:

Part of the Southwest Quarter (SW 1/4) of the Southeast Quart (SE 1/4), and part of the Southeast Quarter of the Southwest Quarter of Section 28, Township 2 North, Range 12 West, Pulaski County, Arkansas, more particularly described as follows: Beginning at the Southeast corner of Section 28, thence West along the Section line between Sections 28 and 33, a distance of 1744.7 feet to an iron pin which is the Southwest corner of Lasker's 2nd Addition; thence North 23°10' West 608.5 feet; thence West 126.0 feet to the Point of Beginning; thence South 27°16' West along the West right of way line of a 50 foot road, 316.6 feet; thence continue along the West right of way of said road, South 47°47' West 174.3 feet; thence along said right of way line South 33°27' West 92.7 feet to a point on the North right of way of the Big Rock Spur Tract of Missouri Pacific Railroad Company, thence South 26°10' West, 15.46 feet to the center of said tract; thence North 49°52' West, 760.0 feet; thence East along the South line of Fort Roots Property, 117.1 feet; thence South 42°36' East, 22.5 feet; thence South 64°28' East, 86.5 feet; thence North 9°48' East, 54.7 feet; thence East along the South line of Fort Roots property 693.7 feet to the Point of Beginning.

Tract 2:

A PART OF SECTION 28 AND 33, TOWNSHIP 2 NORTH, RANGE 12 WEST, PULASKI COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT ON THE SOUTH BOUNDARY OF FORT ROOTS RESERVATIONS 20 FEET EAST OF THE CENTER LINE OF THE BIG ROCK QUARRY ROAD, THENCE EAST ALONG SAID BOUNDARY, 169.8 FEET TO A POINT AT THE CENTER LINE OF THE BIG ROCK SPUR TRACT; THENCE SOUTH 49 DEGREES 42 MINUTES EAST, ALONG THE CENTER LINE OF TRACT, 760 FEET TO THE NORTH LINE OF A ROAD CROSSING; THENCE SOUTH 26 DEGREES 10 MINUTES WEST, 84.8 FEET TO A CONCRETE MONUMENT ON THE SECTION LINE BETWEEN SECTION 28 AND SECTION 33, TOWNSHIP 2 NORTH, RANGE 12 WEST; THENCE ALONG AN IRREGULAR CURVE TO THE RIGHT HAVING AN APPROXIMATE RADIUS OF 30 FEET AND A 100 FOOT CHORD WITH A BEARING OF NORTH 62 DEGREES 29 MINUTES WEST; THENCE ALONG THE EAST LINE OF A CURVED ROAD HAVING A CHORD LENGTH OF 665 FEET, BEARING NORTH 49 DEGREES 51 MINUTES WEST, AND A MIDDLE ORDINATE OF 24.5 FEET, TO AN IRON PIN; THENCE NORTH 51 DEGREES 15 MINUTES WEST, 148 FEET TO THE POINT OF BEGINNING.