

ORDINANCE NO. _____

AN ORDINANCE APPOINTING NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS IMPROVEMENT DISTRICT COMMISSIONERS TO MUNICIPAL MULTIPURPOSE PROPERTY OWNERS' IMPROVEMENT DISTRICT NO. 28; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, on May 14, 2007, the City of North Little Rock, Arkansas, by Ordinance No. 7941, established the North Little Rock Municipal Property Owners' Improvement District No. 28 (Maple Street Townhomes Project) (the "District"); and

WHEREAS, the original Commissioners of the District, John Gaudin and Greg Nabholz, propose to resign and one position on the Board of Commissioners is already vacant; and

WHEREAS, all improvements in the District have been completed; and

WHEREAS, the District has petitioned the City Council to name Drue Patton, Hannah Brigman and Debra Davis as Commissioners pursuant to Arkansas Code Annotated § 14-94-107(a)(2)(A) (see Petition attached hereto as Exhibit A); and

WHEREAS, Drue Patton, Hannah Brigman and Debra Davis are willing to serve as Commissioners.

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

SECTION 1: That Drue Patton, Hannah Brigman and Debra Davis are named as Commissioners of North Little Rock Municipal Property Owners' Improvement District No. 28 (Maple Street Townhomes Project) and are directed to file their Oaths of Office within thirty (30) days of the effective date of this ordinance with the North Little Rock City Clerk.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: 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: That it is hereby found and determined that it is in the best interest of the City of North Little Rock to appoint Drue Patton, Hannah Brigman, and Debra Davis as Commissioners of the North Little Rock Municipal Property Owners' Improvement District No. 28, and is necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force

and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Joe A. Smith

SPONSOR:

ATTEST:

Joe A. Smith
Mayor Joe A. Smith *b/cf*

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields
Amy Beckman Fields, City Attorney *b/cf*

PREPARED BY PETER G. KUMPE, Attorney at Law
Formatted by Office of the City Attorney

FILED	<u>11:05</u>	A.M.	_____	P.M.
By	<u>Asst city Atty Marie Miller</u>			
DATE	<u>2-4-2020</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>H. Thomas</u>			

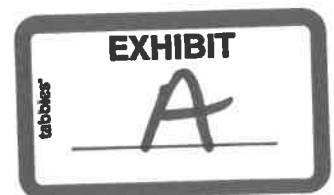
**PETITION FOR APPOINTMENT OF
NEW COMMISSIONERS FOR
NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS'
IMPROVEMENT DISTRICT NO. 28
(MAPLE STREET TOWNHOMES PROJECT)**

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

The undersigned is a current Commissioner of North Little Rock Municipal Property Owners Improvement District No. 28 (the "District"). The real property situated within the District at formation is described in the attached Exhibit "A" and incorporated herein. The undersigned further states that all of the above-described is located within the City of North Little Rock, Arkansas.

The District was established by the North Little Rock City Council on May 14, 2007 by Ordinance No. 7941. Ordinance No. 7941 appointed three commissioners, John Gaudin, Paul Esterer and Greg Nabholz, who owned and invested in the District through their companies, Old Silver City, LLC and Maple 500, LLC. Paul Esterer became inactive in the affairs of the District in 2017, and John Gaudin and Greg Nabholz desire to resign. They have identified three persons who are property owners or representative of property owners in the District to serve as Commissioners, and they have agreed to do so. The property owners are Drue Patton and Debra Davis. Hannah Brigman represents a property owner in the District. The resignations of John Gaudin and Greg Nabholz shall become effective upon the filing of the Commissioner Oaths of those successors.

Pursuant to Arkansas Code Annotated § 14-94-107(a)(2)(A), the District petitions the North Little Rock City Council to appoint as commissioners the following persons who are property owners in the District:



Drue Patton
Hannah Brigman
Debra Davis

DATED this 15TH day of January, 2020.

**NORTH LITTLE ROCK MUNICIPAL
PROPERTY OWNERS IMPROVEMENT
DISTRICT NO. 28**

By:



Greg Nabholz, Commissioner

EXHIBIT A

LEGAL DESCRIPTION
AT FORMATION

PARCEL 1 – Lots 7, 8, 9, 10, 11, and 12, Block 6, Clendenin's Addition to the City of North Little Rock, Pulaski County, Arkansas, and being shown on Plat of record in Deed Book AB, Page 187, records of Pulaski County, Arkansas.

PARCEL 2 – Lot 8-R, Block 7, Clendenin's Addition to the City of North Little Rock, Pulaski County, Arkansas, and being shown on Plat of record in Plat No. A-271, records of Pulaski County, Arkansas.

PARCEL 3 – Lot 10, Block 7, Clendenin's Addition to the City of North Little Rock, Pulaski County, Arkansas, and being shown on Plat of record in Deed Book AB, Page 187, records of Pulaski County, Arkansas.

PARCEL 4 – Lots 11 and 12, Block 7, Clendenin's Addition to the City of North Little Rock, Pulaski County, Arkansas, and being shown on Plat of record in Deed Book AB, Page 187, records of Pulaski county, Arkansas.

Lots 7, 8, 9, 10, 11 and 12, Bock 1, Clendenin's Addition to the City of North Little Rock, Pulaski County, Arkansas.