

AMENDED ORDINANCE NO. 0-98-17

AN ORDINANCE AMENDING CITY OF CONWAY
ORDINANCE NO. 095-34

WHEREAS, the owners of record title of a majority in value of the real property located within the territory hereinafter described, filed an Amended Petition for Formation, of Municipal Improvement District on April 5, 1995, (the "Petition") praying that a municipal improvement district be established pursuant to Ark. Code Ann. § 14-88-101 *et seq.*; and

WHEREAS, after due notice as required by law, the City Council of the City of Conway, Arkansas heard all the parties desiring to be heard and ascertained that said Petition was signed by a majority in assessed value of the owners of real property within said territory; and

WHEREAS, after ascertaining that said Petition was signed by a majority in assessed value of the owners of real property within said territory, the City Council of the City of Conway, pursuant to Ordinance No. 095-34, created and established a municipal improvement district known as Water Improvement District No. 10 of Conway, Arkansas.

WHEREAS, the Commissioners of the District, Richard A. Collins, Helen Benafield, and Jerry Rea, have determined that it is in the best interest of the District to remove certain property from the district, such property (the "Property") being more fully described as follows
Part of Section 34, T5N, R14W, Faulkner County, Arkansas and described as follows: The NE 1/4;
the East 709.5 feet of the East 1/2 of the NW 1/4.

In the original ordinance the E 5/8, SE 1/4 Section 34 was listed and should not have been removed from the district.

WHEREAS, the City Council has determined that the boundaries of the District should be amended to remove the Property.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Conway,
Arkansas:

Section 1. The boundaries of Improvement District No. 10 are hereby amended to
remove the Property. The amended description of the District is as follows:

TRACT NO. 1: Part of Section 24, T5N, R14W, Faulkner County, Arkansas and described
as follows: Beginning at the SE Corner of the SE 1/4 of Section 24; thence run North 99 feet;
thence run West to a point which is 469.4 feet North 88°5' East and 180 feet North 64° 27' East
of the SW Corner of said SE 1/4 of the SE 1/4 of Section 24, which point is in a County Road;
thence run North 40° 40' West 253.1 feet; thence run North 51° 23' West 417.4 feet; thence run
North 30° 3' West 261 feet to a point on the West line of said SE 1/4 of the SE 1/4 a distance of
793.5 feet North of the SW Corner of said SE 1/4 of the SE 1/4; thence run North to the NW
Corner of said SE 1/4 of the SE 1/4; thence run West to the NE Corner of the SW 1/4 of the SW
1/4 of Section 24; thence run South to the SE Corner of said SW 1/4 of the SW 1/4; thence run West
to the SW Corner of the East 1/2 of said SW 1/4 of the SW 1/4; thence run North to the NW Corner
of said East 1/2 of said SW 1/4 of the SW 1/4; thence run West to the NE Corner of the West 1/5
of the West 1/2 of said SW 1/4 of the SW 1/4 of Section 24; thence run South to the SE Corner of
said West 1/2 of the SW 1/4 of the SW 1/4; thence run East along the South line of said Section 24
to the point of beginning.

TRACT NO. 2: Part of Section 25, T5N, R14W, Faulkner County, Arkansas and described
as follows: Beginning at the NW corner of the N 1/2 of the NW 1/4, thence South 900 feet, thence
East 833 feet, thence North 525.5 feet, thence East 798.68 feet, thence South 525.5 feet, thence East
to a point on the East line of the N 1/2 of the NW 1/4 which is 900 feet South of the Northeast
corner of the N 1/2 of the NW 1/4, thence North 900 feet to the Northeast corner of the N 1/2 of

the NW 1/4, thence West to the point of beginning, and the North 350 feet of the NW 1/4, NE 1/4, and the North 350 feet of the West 1/4 of the NE 1/4, NE 1/4, and the North 950 feet of the East 3/4 of the NE 1/4, NE 1/4, bounded on the East by the West boundary of Daniel Lane.

TRACT NO. 3: Part of Section 26, T5N, R14W, Faulkner County, Arkansas and described as follows: The North 900 feet of the NE 1/4, the North 1/2 of the NW 1/4, and the West 1/2 of the SW 1/4, NW 1/4.

TRACT NO. 4: Part of Section 27, T5N, R14W, Faulkner County, Arkansas and described as follows: The East 1/2 of the East 1/2 of the South 3/4 of Section 27.

TRACT NO. 5: Right of way easement twenty (20) feet wide in, over, across and under the following described lands situated in Faulkner County, Arkansas: East 1/2 of the East 1/2 of the NE 1/4 of Section 34, T5N, R14W, Faulkner County, Arkansas. The E 5/8, SE 1/4 Section 34.

TRACT NO. 6: Part of Section 35, T5N, R14W, Faulkner County, Arkansas and described as follows: The SW 1/4 of Section 35, T5N, R14W, less and except, that part beginning at the SE corner of the SW 1/4 of Section 35, go west 189.4 feet to the point of beginning, thence north 150 feet, thence west 175 feet, thence south 150 feet, thence E. 175 feet to the point of beginning.

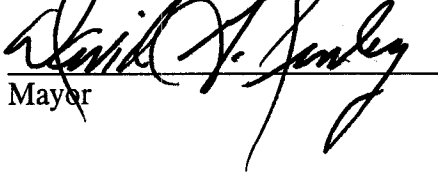
TRACT NO. 7: Part of the SW 1/4, SE 1/4 Section 35, T-5-N, R-14-W, Faulkner County, Arkansas, and described as follows: Beginning at the NW corner of said SW 1/4, SE 1/4, thence S-89-44-23-E 168.52 feet to the West right of way of a road, thence along said right of way to a point S-18-47-14-W 125.94 feet, thence leaving said right of way West 128.55 feet to the West line of said SW 1/4, SE 1/4, thence N-0-16-57-E along said West line 120.0 feet to the point of beginning.

TRACT NO. 8: Part of the SW 1/4, SE 1/4 of Section 35, T-5-N, R-14-W, Faulkner County, Arkansas, and described as follows: Beginning at the SW corner of said SW 1/4, SE 1/4, thence N-0-16-57-E along the West line of said SW 1/4, SE 1/4 400.0 feet, thence East 93.32 feet to the West right of way of a road, thence along said right of way to a point S-23-40-25-E 111.41 feet, thence to a point S-15-07-04-E 29.75 feet, thence S-6-33-42-E 67.87 feet, thence S-0-00-14-W 144.90 feet, thence to a point S-2-50-43-W 56.99 feet to the South line of said SW 1/4, SE 1/4, thence leaving said right of way along said South line West 152.70 feet to the point of beginning. A map depicting the amended boundaries of the District is attached hereto and incorporated herein as Exhibit A.

Section 2. It is hereby determined by the City Council that there is an immediate need for the removal of the Property in order to provide for the public peace, health and safety, and therefore an emergency is declared to exist and this Ordinance shall take effect and be in force from and after its passage.

PASSED August 11, 1998.

APPROVED:


Mayer

ATTEST:


City Clerk