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City of Conway



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CERTIFICATE OF RECORD
FAULKNER CO, AR FEE \$35.00
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CRYSTAL TAYLOR
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BY: LIZ BAUMGARTNER, D.C.
ORDINANCE
5 Pages

City of Conway, Arkansas
Ordinance No. O-19-43

AN ORDINANCE TO ESTABLISH AND LAY OFF CONWAY MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. 13

Whereas, a Petition to form Conway Municipal Property Owners' Multipurpose Improvement District No. 13 has been filed with the Conway City Clerk; and

Whereas, the City Clerk has presented the petition to the Mayor; and

Whereas, the Mayor has set April 9th, 2019 at 6:30pm as the date and time for a hearing before the Conway City Council for consideration of the petition; and

Whereas, the Conway City Council has determined from an abstractor's certificate of property ownership that those signing the petition constitute all the owners of the real property to be located in said district; and

Whereas, the Arkansas Municipal Property Owners' Improvement District Law provides that if the governing body determines that all the owners of the real property to be located in the district have petitioned for the improvements, it shall then be its duty by ordinance to establish and lay off the district as defined in the petition and to appoint the commissioners named in the petition.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CONWAY, ARKANSAS:

Section 1. That the real property described in Exhibit "A" attached hereto and made a part hereof is hereby established and laid off as Conway Municipal Property Owners' Multipurpose Improvement District No. 13 for the purpose of constructing and installing facilities for waterworks, recreation, drainage, gas pipelines, underground trenches and excavations necessary for the installation of electric and telephone distribution systems, sanitary sewers, streets, including curbs and gutters, sidewalks, together with facilities related to any of the foregoing within said district.

Section 2. The following three individuals are hereby appointed as commissioners of said improvement district: Bill Hegeman, Bret Carroll and Charles Nabholz.

Section 3. The name of improvement district shall be Conway Municipal Property Owners' Multipurpose Improvement District No. 13.


Section 4. The Conway City Council hereby determines that there is a need for additional infrastructure within the City and hereby determines 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 public health, safety and welfare shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 9th day of April, 2019.

Approved:


Mayor Bart Castleberry

Attest:


Michael O. Garrett
City Clerk/Treasurer
(S E A L)

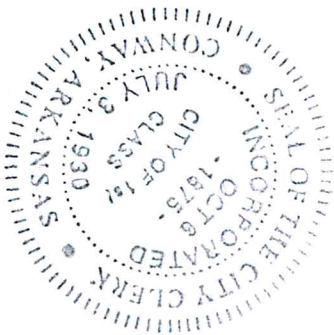


EXHIBIT A
Legal Description

A tract of land situated in the SE ¼ Section 7; the NE ¼, SW ¼ Section 7; the NW ¼, SW ¼ Section 7; the NW ¼, SW ¼ Section 8; the SW ¼, NW ¼ Section 8; the NW ¼, NE ¼ Section 18 and the SW ¼, NE ¼ Section 18 Township 5 North, Range 13 West, City of Conway, Faulkner County, Arkansas more particularly described as follows:

Commencing at the Southeast Corner said SE ¼ Section 7 thence along the South Line of said SE ¼ Section 7 N88°46'39"W, 1390.96 feet to the Point of Beginning; thence S03°29'24"W, 1420.53 feet to a point 121.00 feet South of the South Line of the NW ¼, NE ¼ said Section 18; thence N86°28'19"W, 499.44 feet; thence N03°00'44"E, 102.80 feet to a point on the South Line of the said NW ¼, NE ¼ said Section 18; thence N03°00'44"E, 1299.52 feet to a point on the South Line of Said Section 7; thence continuing N03°00'44"E, 585.41feet; thence N41°19'49"W, 708.48 feet to a point on the eastern boundary of Oak Grove Cemetery; thence along said east boundary N01°20'02"E, 113.12 feet; thence N57°27'51"W, 184.26 feet; thence N01°07'25"E, 60.00 feet to a point on the North Right of Way of Bruce Street (60' ROW); thence N01°08'39"E, 100.00 feet; thence N88°51'21"W, 800.00 feet; thence S01°08'39"W, 100.00 feet to a Point on the North Right of Way of Bruce Street (60' ROW); thence N88°51'21"W, 649.69 feet along said North Right of Way line to the intersection of the North Right of Way Line of Bruce Street with the East Right of Way Line of Ingram Street (50' ROW); thence along said East Right of Way line of Ingram Street N02°24'10"E, 1258.25 feet to a point 40 feet south of the North Line of said NE ¼, SW ¼ Section 7; thence along a line 40 feet south of and Parallel to the North Line of said NE ¼, SW ¼ Section 7 and said SE ¼ Section 7, S88°37'10"E, 3,985.35 feet to a point on the west line of said NW ¼, SW ¼ Section 8; thence S88°07'23"E, 520.12 feet along a line 40 feet south of and parallel to the North line of said NW ¼, SW ¼ Section 8; thence N01°50'11"E, 106.30 feet; thence N72°28'18"E, 259.22 feet; thence N89°28'45"E, 101.83 feet; thence S56°31'07"E, 88.53 feet to the southerly right of way line of Interstate 40; thence along said southerly I-40 Right of Way line S39°29'48"E, 15.83 feet; thence S59°33'46"W, 81.01 feet to a point 80 feet westerly of said Southerly Right of Way Line of Interstate 40; thence S39°29'48"E, 254.32 feet along a line 80 feet offset and parallel to said Southerly Right of Way Line of Interstate 40; thence N75°30'31"E, 88.27 feet to the southerly right of way line of Interstate 40; thence along said southerly I-40 Right of Way line S39°29'48"E, 83.16 feet; thence along said southerly I-40 Right of Way line S25°37'48"E, 140.97 feet; thence S64°22'12"W, 80.00 feet to a point on the north right of way line of Plane Road thence along said northerly Right of Way line of Plane Road (60' ROW) N88°21'10"W, 1216.83 feet to the west right of way line of 9th Avenue; thence S02°07'09"W, 641.52 feet along said west right of way line; thence N87°38'36"W, 1319.91 feet; thence S03°29'24"W, 1709.50 feet to the Point of Beginning, containing 151 acres, more or less.

The above is a perimeter description of the old airport property which the Conway Development Corporation (CDC) bought from the city. Below is the legal description for the adjacent land owned by the City of Conway which will be included in the legal description as well:

A tract of land situated in the SE ¼ Section 7, Township 5 North, Range 13 West, City of Conway, Faulkner County, Arkansas more particularly described as follows:

Commencing at the Southeast Corner said SE ¼ Section 7 thence along the South Line of said SE ¼ Section 7 N88°46'39"W, 30.00 feet to the Point of Beginning; thence continuing along the South Line of said SE ¼ Section 7, N88°46'39"W, 1,360.96 feet; thence N03°29'24"E, 1,709.50 feet; thence S87°38'36"E, 1,319.91 to the western right of way line of 9th Avenue and a Point 30.0 feet west of the eastern line of said SE ¼, Section 7; thence S02°07'09"W, 1,682.17 feet to the Point of Beginning and containing 52.17 acres more or less.

What follows is a description of land sold by CDC to King Air FBC, LLC, which tract is EXCLUDED from the District:

A TRACT OF LAND BEING SITUATED IN PARTS OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 7, TOWNSHIP 5 NORTH, RANGE 13 WEST, FAULKNER COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND MAGNETIC NAIL AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF SOUTHWEST QUARTER; THENCE ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF SOUTHWEST QUARTER

N88°20'43"W A DISTANCE OF 36.23 FEET TO A POINT; THENCE N2°24'10"E A DISTANCE OF 44.92 FEET TO A SET 5/8" REBAR, SAID POINT BEING THE POINT OF BEGINNING FOR THIS TRACT AND BEING ON THE EASTERLY RIGHT-OF-WAY OF INGRAM STREET; THENCE ALONG SAID RIGHT-OF-WAY N2°24'10"E A DISTANCE OF 991.23 FEET TO A SET 5/8" REBAR; THENCE LEAVING SAID RIGHT-OF-WAY S88°37'03"E A DISTANCE OF 1172.97 FEET TO A SET 5/8" REBAR, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY OF BRUCE STREET; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY OF BRUCE STREET THE FOLLOWING CALLS; THENCE S31°31'13"W A DISTANCE OF 240.81 FEET TO A SET 5/8" REBAR; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET AND A CHORD BEARING OF S70°46'23"W 253.10' TO A SET 5/8" REBAR; THENCE S20°03'15"W A DISTANCE OF 60.00 FEET TO A SET 5/8" REBAR; THENCE S69°58'27"E A DISTANCE OF 67.62 FEET TO A SET 5/8" REBAR; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET AND A CHORD BEARING OF S19°13'37"E 92.92 FEET TO A SET 5/8" REBAR; THENCE S31°31'13"W A DISTANCE OF 60.87 FEET TO A SET 5/8" REBAR; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 954.87 FEET AND A CHORD BEARING OF S61°22'48"W A DISTANCE OF 950.88 FEET TO A SET 5/8" REBAR; THENCE N88°48'10"W A DISTANCE OF 56.36 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 18.70 ACRES MORE OR LESS.

CERTIFICATE

**STATE OF ARKANSAS
COUNTY OF FAULKNER
CITY OF CONWAY**

I, Michael Garrett, the duly elected, qualified, and acting: Clerk-Treasurer of the City of Conway, Arkansas, do hereby certify that the attached and foregoing is a true and correct copy of an ordinance presented to the City Council of the City of Conway, Arkansas, at a meeting of that body held on the 9th day of April, 2019 same is duly recorded in the minutes of meeting of said Council.

Witness, my hand, and seal of the City of Conway, Arkansas this 15th day of April, 2019.


CITY CLERK-TREASURER

