

CITY OF WARD, LONOKE COUNTY, ARKANSAS ORDINANCE NO. O-2025-12

AN ORDINANCE TO ESTABLISH AND LAY OFF CITY OF WARD PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. 29 OF WARD, ARKANSAS (Moonlight Meadows); TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, a Petition to form Ward Municipal Property Owners' Multipurpose Improvement District No. 29 (Moonlight Meadows) has been filed with the Ward City Clerk; and,

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

WHEREAS, the Mayor has set May 20, 2025, at 6:30 PM, or as soon afterwards as the item may be reached on the regular call of the agenda, as the date and time for a Public Hearing before the Ward City Council Members for consideration of the petition; and,

WHEREAS, the Ward 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 City Clerk has presented proof of notice of this hearing in the manner prescribed by law by certified mail to any mortgagee holding a first mortgage lien on real property constituting more than 10% in area of the real property to be located in the District, and such mortgagee has filed a statement with the City Clerk that it has no objection to the formation of the 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 MEMBERS OF THE CITY COUNCIL OF THE CITY OF WARD, ARKANSAS.

Section 1. That the real property described as attached hereto as **EXHIBIT A** and made a part hereof

is hereby established as Ward Municipal Property Owners' Multipurpose Improvement District No. 29 for the purposes of purchasing, accepting as a gift: a) constructing waterworks, sewers, treatment facilities, recreational facilities, and systems for gas pipelines; and b) grading, draining, paving, curbing, and guttering street and laying sidewalks and maintaining the infrastructure and improvements within the District, together with facilities, related to any of the foregoing or for more than one (1) of those

purposes, whether within or outside the boundaries for the Proposed District; doing all things now or hereafter permitted under applicable law, including limitation, A.C.A. §14-9-110, to be done and performed by municipal property owners' improvement districts. The purposes are to be accomplished in the manner and with the materials that the Commissioners for the District shall deem in the best interest of the District and as specified by law. The District will construct a fully licensed and permitted sewer plant within the boundaries of the District to serve property owners in the District and will operate and maintain the system unless and until it is acquired by a municipal utility. The cost of the project of the District shall be assessed upon the real property of the District according to the benefits received.

Section 2. The following three (3) individuals nominated in the petition, are hereby appointed as Commissioners of said Improvement District: Nathan Pruss; Michelle Gunn; and Sarah Pruss.

Section 3. The name of the Improvement District shall be Ward Municipal Property Owners' Multipurpose Improvement District No. 29 of Ward, Arkansas.

Section 4. Severability. The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 5. Repealer. All laws, ordinances, resolutions, or parts thereof in conflict with the provision of this ordinance are hereby repealed to the extent of such conflict.

Section 6. Emergency Clause. The Members of the City Council of the City of Ward, Arkansas, have determined that with development in the area covered by the boundaries of the Improvement District laid off in this ordinance requires, as critical to the public health, safety, and welfare, construction of additional infrastructure; an emergency is, therefore, declared to exist, and this ordinance shall be in full force and effect from and after the date of its passage.

PASSED: _____

ATTEST:

APPROVED:

Nicci Rummel, City Clerk

Charles Gastineau, Mayor

APPROVED AS TO LEGAL FORM:

Chris Lacy, City Attorney