

ORDINANCE NO. 11-06-2008 B

**AN ORDINANCE TO ESTABLISH AND LAY OFF
ELKINS MUNICIPAL PROPERTY OWNERS'
IMPROVEMENT DISTRICT NO. 2- OAKLEAF
MANOR SUBDIVISION INFRASTRUCTURE
PROJECT**

WHEREAS, a Petition to form Elkins Municipal Property Owners' Improvement District No. 2- Oakleaf Manor Subdivision Infrastructure Project has been filed with the Elkins City Recorder; and,

WHEREAS, the City Recorder has presented said petition to the Mayor; and,

WHEREAS, the Mayor has set November 6, 2008, at 7:00 p.m. as the date and time for a hearing before the Elkins City Council for consideration of said petition; and,

WHEREAS, the Elkins City Council has determined from a title company certificate of property ownership that those signing the petition constitute all the owners of the real property to be located in the district; and,

WHEREAS, the Arkansas Municipal Property Owners' Improvement District Law provides at Ark. Code Ann. Sec. 14-94-106(b)(2) that if the governing body determines that all the owners of the record title to 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 ELKINS, 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 Elkins Municipal Property Owners' Improvement District No. 2- Oakleaf Manor Subdivision Infrastructure Project for the purpose of constructing, purchasing, accepting as a gift or maintaining facilities for waterworks, recreation, drainage, gas pipelines, underground trenches and excavations necessary for the installation by public utilities or municipal utilities of electric and telephone distribution systems, sanitary sewers, streets and highways including curbs and gutters, and sidewalks, together with facilities related to any of the foregoing, or for more than one of those purposes.

SECTION 2: The following three individuals are hereby appointed as commissioners of said improvement district: William A. Lazenby, Brandon Sullivan and Linda Eaton.

SECTION 3: The name of said improvement district shall be Elkins Municipal Property Owners' Improvement District No. 2- Oakleaf Manor Subdivision Infrastructure Project.

SECTION 4. The district shall not cease to exist upon the acquiring, constructing or completion of the improvements, but it shall continue to exist for the purposes authorized in Ark. Code Ann., Title 14, Chapter 94.

PASSED AND APPROVED this 6th day of November, 2008.

APPROVED:

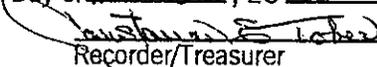

MAYOR

ATTEST:


CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

State of Arkansas
City of Elkins
I hereby certify that the attached
are true, correct and exact copies of
the original documents on file in my
Office as Recorder/Treasurer of the
City of Elkins, AR. Dated this 6th
Day of NOVEMBER, 2008.

Recorder/Treasurer