

ORDINANCE NO. 2008-06313

**AN ORDINANCE TO ESTABLISH AND LAY OFF
TONTITOWN MUNICIPAL PROPERTY OWNERS'
IMPROVEMENT DISTRICT NO. 1- VILLAGIO DE
PERONA SUBDIVISION INFRASTRUCTURE
PROJECT**

WHEREAS, a Petition to form Tontitown Municipal Property Owners' Improvement District No. 1- Villagio De Perona Subdivision Infrastructure Project has been filed with the Tontitown City Recorder; and,

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

WHEREAS, the Mayor has set June 3, 2008, at 7:00 p.m. as the date and time for a hearing before the Tontitown City Council for consideration of said petition; and,

WHEREAS, the Tontitown 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 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 TONTITOWN, 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 Tontitown Municipal Property Owners' Improvement District No. 1- Villagio De Perona 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.

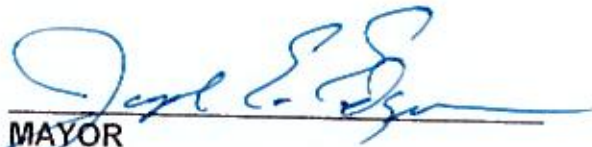
SECTION 2: The following three individuals are hereby appointed as commissioners of said improvement district: Mark Courdin, Steve Dearien and Thomas Pearson, Jr.

SECTION 3: The name of said improvement district shall be Tontitown Municipal Property Owners' Improvement District No. 1- Villagio De Perona 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 3rd day of June, 2008.

APPROVED:


MAYOR

ATTEST:


CITY RECORDER

EXHIBIT "A"

PHASE 1 (Villagio De Perona)

Legal Description:

A part of the SE1/4 in Section 1, T17N, R31W in Washington County, Arkansas and being more particularly described as follows: Beginning at the NE Corner of the SE1/4 of the SE1/4 thence S01°59'02"W 379.92 feet, thence N88°00'58"W 120.00 feet, thence N78°59'54"W 50.63 feet, thence N88°42'55"W 1908.60 feet, thence N59°57'23"W 66.48 feet, thence N23°26'18"W 62.21 feet, thence N59°57'23"W 118.46 feet, thence along a curve to the left 346.90 feet, said curve having a radius of 685.00 feet and a Chord Bearing of N15°09'00"W, thence N00°38'31"E 126.01 feet, thence S88°24'36"E 880.96 feet, thence N01°10'16"E 325.00 feet, thence S88°34'10"E 149.95 feet, thence N01°21'23"E 39.94 feet, thence S88°29'14"E 1167.40 feet, thence S01°59'22"W 590.06 feet to the P.O.B.; containing 41.16 acres more or less subject to easements and Right of Way of record.

BEFORE THE CITY COUNCIL OF TONTITOWN, ARKANSAS
PETITION TO FORM TONTITOWN MUNICIPAL PROPERTY OWNERS'
IMPROVEMENT DISTRICT NO. 1- VILLAGIO DE PERONA, PHASE I
SUBDIVISION INFRASTRUCTURE PROJECT

ABSTRACTER'S CERTIFICATE OF PROPERTY OWNERSHIP

Bronson Abstract Company, Inc. hereby certifies that the deed records in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, reflect that the following is the owner of the record title to all of the real property described in Exhibit "A" to the Petition to Form Tontitown Municipal Property Owners' Improvement District No. 1 – Villagio De Perona, Phase I Subdivision Infrastructure Project, a copy of which Exhibit "A" is attached hereto and made a part hereof:

Ozark Development Group, LLC

DATED this 12 day of May, 2008.

Bronson Abstract Company, Inc.

By: Scott Brown
AUTHORIZED REPRESENTATIVE

RECEIVED
BY TR DATE 5-17-08
Office of Tontitown
Clerk/Recorder

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