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City of Conway, Arkansas
Ordinance No. O-13-116

AN ORDINANCE ESTABLISHING THE CENTRAL BUSINESS IMPROVEMENT DISTRICT NO. 1 OF THE CITY OF CONWAY, ARKANSAS.

WHEREAS, pursuant to Arkansas Code Annotated § 14-184-103, the City Council of the City of Conway finds that the deterioration of the central business districts of the City of Conway ("the City") by reason of obsolescence, overcrowding, faulty arrangement or design, deleterious land use, or a combination of these or other factors is a threat to the property tax and other revenue sources of the City; and

WHEREAS, the elimination of urban blight and decay and the modernization and general improvement of central business districts by governmental action are considered necessary to promote the public health, safety, and welfare of the communities; and

WHEREAS, the restoration of central business districts is the appropriate subject for remedial legislation; and

WHEREAS, parties claiming to be more than two-thirds in value, as shown by the last Faulkner County assessment, of the owners of the property located within the territory hereinafter described have filed a Petition praying that a central business improvement district be established for the purposes hereinafter set out; and

WHEREAS, Lenders Title Company of Conway, Arkansas has certified that the owners of 75.34% of the assessed value of property within the District have signed the Petition; and

WHEREAS, after due notice as required by law, the City Council of the City of Conway, Arkansas, has heard all parties desiring to be heard, and has ascertained that the Petition was signed by more than two-thirds in value, as shown by the last Faulkner County assessment, of the owners of real property situated within the said territory;

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

Section 1. There is hereby established a central business improvement district, under the authority of Act 162 of 1973 (Arkansas Code Annotated Sections 14-184-101 *et seq.*, the boundaries of which are as follows:

Beginning at the Point of Beginning which is the corner of Mill Street and Parkway Street and moving easterly along Mill Street, to the corner of Mill Street and Harrison Street, whereupon thence moving southerly to the corner of Harrison Street and Garland Street, whereupon thence moving easterly to the corner of Garland Street and Harkrider Street, whereupon thence moving southerly along Harkrider Street to the intersection of Harkrider Street and Bruce Street. Thence moving northwesterly along a straight line to the intersection with the former roadbed of the old College Avenue, thence westerly along this old roadbed in a straight line to an intersection with College Avenue and continuing along this line to the corner of College Avenue and Locust Street, thence

moving northerly along Locust Avenue to the intersection of Locust Street and North Street, thence moving easterly along North Street to the corner of North Street and Parkway Avenue, thence northwesterly along Parkway Avenue to the Point of Beginning.

The district is hereby established for the purpose of constructing, establishing and operating such improvements, facilities, services and equipment as may be authorized by said Act 162 of 1973, all to be located, constructed, operated, and maintained in such manner and with such materials and under such circumstances and conditions as the Commissioners to be selected for the District shall deem for the best interests of the District, and that the costs thereof be assessed and charged upon the real property above described.

Section 2. The said central business improvement district shall be known as Central Business Improvement District No. 1 of the City of Conway, Arkansas and George Covington Sr., David Druey, Ray Kordsmeier, Greg Nabholz, and Steve Magie are hereby named Commissioners.

Pursuant to Arkansas Code Annotated § 14-184-111(a)(2)(A), at the initial meeting of commissioners, the governing body of the municipality shall divide randomly the commissioners into three (3) groups roughly equal in number.

(A) The first group of commissioners shall serve a term of two (2) years.

(B) The second group of commissioners shall serve a term of four (4) years.

(C) The third group of commissioners shall serve a term of six (6) years.

(D) Following the initial group of commissioners, all commissioners shall serve a term of six (6) years.

Section 3. It is hereby found and declared that the general improvement of such central business district is urgent. Therefore, an emergency is declared to exist, and this Ordinance, being necessary for the preservation of the public peace, health and safety, shall take effect, and be in force from the date of its approval.

PASSED this 12th day of November, 2013.

Approved:



Mayor Tab Townsell

Attest:



Michael O. Garrett
City Clerk/Treasurer